

Flagship (Penny Place) Pty Ltd C/- Intro Design Pty Ltd

Staged application comprising the construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space.

27 Angas Street Adelaide - 020/A102/18

| TABLE | OF | CON | TENTS | |
|-------|----|------|-------|--|
| | | 0014 | | |

| | PAGE NO |
|---|---------|
| AGENDA REPORT | 2-34 |
| ATTACHMENTS | |
| 1: PLANS | 35-48 |
| 2: APPLICATION DOCUMENTS | |
| a. Form, CT, Electricity Act declaration and Cover letter | 49-72 |
| Planning Report by Intro Design | 73-103 |
| Design Statement by Woods Bagot | 104-158 |
| d. Traffic Assessment by GTA | 159-184 |
| e. Waste Management report by Colby Industries | 185-210 |
| f. Acoustic Report by WSP | 211-226 |
| g. Environmentally Sustainability Design Statement by WSP | 227-246 |
| Wind Analysis Report by Vipac | 247-267 |
| i. Stormwater Management Plan by Robert Bird Group | 268-279 |
| j. BCA Compliance Letter from Katnich Dodd | 280 |
| k. Landscape information by Tract | 281-285 |
| 3: AGENCY COMMENTS | 286-297 |
| 4: COUNCIL COMMENTS or TECHNICAL ADVICE | 298-299 |
| 5: REPRESENTATIONS | 300-355 |
| 6: RESPONSE TO REPRESENTATIONS AND REFERRALS | 356-437 |
| 7: ADDITIONAL INFORMATION FROM REPRESENTOR | 438-442 |
| 8: a. DEVELOPMENT PLAN MAPS | 443-444 |
| b. DEVELOPMENT PLAN POLICIES | 455-478 |





OVERVIEW

| Application No | 020/A102/18 | | |
|---------------------|---|--|--|
| KNET ID | 2017/23886/01 | | |
| Applicant | Flagship (Penny Place) Pty Ltd C/- Intro Design Pty Ltd | | |
| Proposal | Staged application comprising the construction of a twenty- | | |
| | four (24) storey mixed use development and a three (3) | | |
| | storey residential flat building, ancillary car parking, | | |
| | landscaping, public circulation areas and landscaped | | |
| | communal open space. | | |
| Subject Land | 27 Angas Street (11-19 Penny Place) Adelaide | | |
| Zone/Policy Area | Capital City Zone, Central Business Policy Area 13 | | |
| Relevant Authority | State Commission Assessment Panel pursuant to Schedule | | |
| | 10(4) of the Development Regulations 2008: | | |
| | 4B (1) Development in the area of the Corporation of | | |
| | the City of Adelaide where the total amount to be | | |
| | applied to any work, when all stages of the | | |
| | development are completed, exceeds \$10 000 000 | | |
| Lodgement Date | 21 December 2018 | | |
| Council | City of Adelaide | | |
| Development Plan | Adelaide (City) Development Plan consolidated 7 June 2018 | | |
| Type of Development | Merit | | |
| Public Notification | Category 2 | | |
| | 15 Representations – 7 to be heard | | |
| Referral Agencies | Government Architect, State Heritage Unit (DEW), Minister for | | |
| | Housing and Urban Development (Renewal SA), Secretary of | | |
| | the Commonwealth Department of Transport and Regional | | |
| | Services (Adelaide Airport Limited) | | |
| Report Author | Lauren Talbot, Senior Planning Officer | | |
| RECOMMENDATION | Development Plan Consent subject to conditions | | |

EXECUTIVE SUMMARY

This application was lodged on the 21 December 2018 and is a similar proposal to a development application approved by SCAP on the 22 February 2018 (020/A068/17) on the same allotment which was a Category 1 application (no public notification).

This current application (proposed with some amendments to the design) has been lodged in response to a claim that the original application should have been Category 2 requiring public notification due to the sites proximity adjacent the City Living Zone to the east. This application was notified as Category 2 and 15 representations were received, with 7 representors indicating they wish to be heard.

This application was also subject to referrals to the Government Architect, the Minister for Sustainability, Environment and Conservation (State Heritage Unit), the Minister for Housing and Urban Development (Renewal SA) and the Commonwealth Secretary for the Department of Transport and Regional Services via Adelaide Airport Limited.

Referral agencies and the City of Adelaide (Council) are generally supportive of the proposed land use, building height and the design and configuration of the development with concerns primarily focused on the potential for compromised public safety arising through the operation and use of the proposed landscaped square. The applicant wishes for the land to be vested to the care, control and management of the Council however, until such time that the Council agrees to accept the land to be vested as public open space, the land owner will be responsible for its maintenance and security.



The representations from adjoining land owners are predominantly centred on amenity issues arising from the recent demolition works which have already occurred on site under the staged approval of the original application.

The applicant has provided responses to these and other concerns raised. It is noted that the amenity issues arising from the works to date were considerable and responses to the issues around enforcement have been sought from Adelaide City Council on how any future construction impacts may be managed.

The applicant has responded positively to agency feedback provided in the assessment such that the final proposal is considered to respond appropriately to Development Plan policy guiding design and appearance of medium to high scale development in Adelaide's CBD. Overall the applicant has adequately addressed key planning, design and technical issues and accordingly the application is considered to warrant conditional Development Plan Consent.

1. BACKGROUND

1.1 Public notification

On 22 February 2018, the State Commission Assessment Panel granted Development Plan Consent to application 020/A068/17 for the *"Demolition of existing building and construction of a 21 storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped square", subject to 16 conditions.*

The above application has since become the subject of appeal proceedings whereby adjoining land owners/occupiers have argued that the application was incorrectly classified as Category 1 and should have been Category 2. There are also enforcement proceedings lodged against the developer for unlawful works carried out during Stage 1 demolition of the existing buildings.

The applicant has requested (without prejudice) that the SCAP re-assess their application (along with some amendments to the plans) as Category 2 on the basis that the subject site is adjoining land within the City Living Zone to the east by taking the whole legal allotment boundary to be the subject land as opposed to the 'development site' only.

Specific changes to the previous application plans are:

- One addition level of car parking at Level 4 with 20 additional spaces
- Two additional levels of apartments with an additional 14 two-bedroom and 2 one-bedroom apartments (16 additional apartments in total)
- Building height increase from 72m to 78m
- Reduced balcony depth to apartments on Level 5 (top of podium) to match all upper level apartment balconies
- Alterations to the podium height (increase by 1.5m) and façade materiality through replacement of the terracotta tiles to a load-bearing brick wall at ground level and a partially solid, perforated metal screen to the car parking levels

1.2 Kodo Development – Stage 1

This application is the second and final stage of a mixed-use precinct development, the first stage of which is known as the 'Kodo' apartments approved in Development Application 020/A055/15 in September 2015. Construction is well underway to the north, adjacent the Roma Mitchell Commonwealth Law Courts Building to develop the



31 storey mixed-use tower with commercial and residential land uses, car parking and landscaping.

Discussions between the applicant and the City of Adelaide (Council) regarding the proposed vesting of a substantial portion of the subject land, which the applicant intends to develop as publicly accessible landscaped space and circulation pathways, to Council's care, control and management are currently unresolved.

1.3 Pre-lodgement Process

The applicant engaged in the Department of Planning, Transport and Infrastructure's pre-lodgement service in October 2017, participating in 1 pre-lodgement panel meeting and 1 design review panel session. The concept did not change significantly over this period.

2. DESCRIPTION OF PROPOSAL

Application details are contained in the ATTACHMENTS.

| Land Use Description | Staged application comprising the construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space. | | |
|----------------------------|--|--|--|
| Building Height | 24 storeys (23 levels above ground), 78 metres above ground | | |
| Description of levels | <u>Ground</u> – 14 car parking spaces, commercial tenancy, apartment entry lobby and mail room, residential longue, kitchen and amenities, bicycle storage room (140 spaces), waste storage room, plant rooms / services areas, landscaping and ground floor of residential flat building (4 x 3 storey townhouses with vehicle access) | | |
| | <u>Level 1</u> – 40 car parking spaces | | |
| | <u>Level 2</u> – 40 car parking spaces | | |
| | <u>Level 3</u> – 40 car parking spaces | | |
| | <u>Level 4</u> – 20 car parking spaces | | |
| | Levels 5–24 – One x 1 -bed apartment and 7 x 2-bed apartments | | |
| | Rooftop – lift overrun, roof-mounted plant and equipment | | |
| Apartment floor area | 1 bedroom apartments – 65.3m ² | | |
| (excluding balconies) | 2 bedroom apartments – 65.8m ² to 75.9m ² | | |
| Site Access | Vehicle access to mixed-use apartment via 2 new crossovers on Nelson Street to at-grade and podium-level car parking (existing right of way adjacent southwest corner to be retained) | | |
| | Vehicle access to townhouses via a new crossover of Penny Place | | |
| | • Pedestrian access via Penny Street and public realm connections to Nelson and Angas Street (the layout of which was considered as part of the Stage 1 (Kodo) development). | | |
| Car and Bicycle Parking | 154 car parking spaces plus 4 spaces within residential flat building. | | |
| | 140 bicycle parks for residents, unspecified number for visitors within proposed public realm. | | |



3. SITE AND LOCALITY

3.1 Site Description

The site consistent of 2 allotments, described as follows:

| Lot No | Plan No | Street | Suburb | Hundred | Title Reference |
|--------|---------|--------|----------|----------|-----------------|
| A5 | D58661 | Angas | Adelaide | Adelaide | 6160/300 |
| A2 | F1918 | Angas | Adelaide | Adelaide | 6160/301 |

Of relevance to this application are frontages to Nelson Street of approximately 55 metres and Penny Place of approximately 30 metres. The topography of the site is generally flat, and several easements are established over the land providing rights of way to the benefit of adjoining land owners.

A Land Management Agreement also exists on the title to ensure affordable housing is integrated into the development of the land.

The previous buildings occupying the site have now been demolished as per the Stage 1 Development Approval (demolition) issued for the previous application. The only buildings that exist on the land now are the perimeter fencing and temporary office buildings for the construction of the Kodo Apartments to the north.

3.2 Locality

The locality is characterised by development varying in size and scale including contemporary, multi-storey government and institutional buildings to the north and west and lower scale commercial premises and residential buildings to the south and east.

The immediate area is dominated by the Roma Mitchell Commonwealth Law Courts facility, a contemporary 10 storey building constructed in 2006 accommodating the Federal, Family and Federal Magistrates Courts and occasionally the High Court. South of the Courts facility are single storey cream brick buildings accommodating SA Police's Adelaide City Watch House and a 4 storey facility at the Carrington Street frontage used as SA Police's Communications and Command Centre.

The 2 storey State Heritage Listed Bar Chambers building (former dwelling) is located adjacent the subject land's southwest corner at 34 Carrington Street and is a Victorian-style building constructed of red brick and bluestone. Small scale commercial premises accommodating legal and business service providers are situated further east along Carrington Street, with 2 storey residential development along Penny Place to the immediate east of the subject land.

The broader locality contains predominantly commercial and institutional land uses including St Aloysius College to the north opposite the subject land, the 10 storey SA Water building at the southeast corner of Victoria Square, the Adelaide Magistrates Court facility at the corner of Angas and King William Streets and a collection of Heritage Places along King William Street including the Crown and Sceptre Hotel.





Figure 1 – Location Map

4. COUNCIL COMMENTS/TECHNICAL ADVICE

4.1 City of Adelaide

Referral response is contained in the ATTACHMENTS.

No objections from a traffic perspective subject to:

- All traffic controls to comply with AS1742
- Car parking layout to comply with AS2890 WASTE
- There appears to be no amended waste management plan to demonstrate changes in increased waste generation to assess the impact on the previously approved design. This needs to be reviewed to ensure storage area and collection frequency is still adequate to support the development.
- This also needs to include waste generation and pathways from townhouses and public space (common area).

It is also considered that the podium element is positive and provides an improved interface with the adjacent State Heritage Place.

The applicant has since provided an amended waste management plan which indicates there will be no increase in the frequency of collections as previously proposed and that the collections and storage area will accommodate the 'public square' should Council not take care and control of the area in the future.

5. STATUTORY REFERRAL BODY COMMENTS

Referral responses are contained in the ATTACHMENTS.



5.1 State Heritage Unit, DEWNR

The Minister for Sustainability, Environment and Conservation is a mandatory referral in accordance with Schedule 8 of the *Development Regulations 2008*. The State Commission Assessment Panel (SCAP) must have regard to this advice.

In its capacity as the Minister's delegate the Department of Environment and Water (State Heritage Unit) considers the proposed development is acceptable in relation to the State Heritage Place at 34 Carrington Street (Bar Chambers building) on the basis of there being no direct affect on the place's physical fabric. The mixed-use building is not expected to overly dominate the heritage buildings visual presence within the streetscape context of Carrington Street, and the townhouse portion of the proposal will not interrupt views of the heritage building, maintaining its visual context.

The metal-clad podium setback is considered capable of achieving a sympathetic scale relationship to the heritage building and its material expression is considered an appropriate response to the heritage buildings visual character. The in-situ concrete southern service core is also expected to produce an acceptably neutral backdrop to views of the heritage from Carrington Street.

The flexibility in the design of ground floor of the mixed-use building introduces potential for responses to future land uses in Nelson Street by delivering greater activation of the ground floor frontage, with consequential benefit to the context of the Heritage Place.

The State Heritage Unit recommends conditions be assigned to any consent granted, in the interest of resolving material details through design development, to the SCAP's satisfaction. The final details of the materials will be imposed as a reserved matter to the SCAP satisfaction in consultation with Heritage South Australia and Office of Design and Architecture.

5.2 Government Architect

The Government Architect is a mandatory referral in accordance with Schedule 8 of the *Development Regulations 2008*. The SCAP must have regard to this advice. The Government Architect (GA) offers in principle support for the proposal including building height, architectural expression of both the apartment tower and residential flat building and makes the following comments/recommendations:

- Provision of a high quality lobby area which includes way finding principles to maximise the buildings engagement with the public realm and connection between Penny Square and Nelson Street.
- CPTED strategies to be further demonstrated to ensure sufficient passive surveillance is provided to the 'public square' and wider community.
- Although the GA considers the re-orientation of the apartment tower to northsouth instead of east-west could improve residential amenity and sustainability performance, balanced support for the proposed orientation is offered in recognition of the site's adjacency challenges related to overlooking of the Courts facility.
- Further information to demonstrate that the air conditioning condensers on balconies will not result in adverse environmental impacts.
- Review of apartment doors in corridors to ensure 'no-adjacency'
- Provision of further information to demonstrate the successful sustainment and maintenance of the proposed soft landscaping.
- A high quality of external materials for building and landscaped areas supported by the provision of a materials sample board.



• Request an enlarged western elevation depicting the re-designed podium façade patterns in relation to the adjoining State Heritage place to assist in clarifying the design intent.

The applicant has responded to this by providing renders of the lobby and the main entrance from the north including a signage plan for way finding and identification of entrances from the open space and Nelson Street.

The applicant has also advised of the following CPTED strategies:

- Active uses frame provide direct line of sight to public spaces;
- Video surveillance provided; and
- Opportunities for passive surveillance from lobby spaces and apartment balconies

A condition is proposed to be added to ensure the CPTED is thoroughly developed to include lighting, access control mechanisms, communal facilities, wayfinding and active surveillance strategies including (but not limited to) proposed locations of closed-circuit television camera units- this will be required prior to Development Approval of the 'super structure' works commencing.

The applicant has also provided a revised and enlarged western elevation in relation to the adjoining State Heritage Place to clearly demonstrate the transition in height.

5.3 Adelaide Airport

The proposed building height of 123.06 AHD penetrates the Adelaide Airport Obstacle Limitation Surface (OLS) by approximately 12 metres which requires approval from the Department of Infrastructure, Regional Development and Cities. The applicant obtained approval on 6 February 2019 as provided in the ATTACHMENTS.

6. PUBLIC NOTIFICATION

PDC 37(a) of the Capital City Zone lists all development that is not assigned Category 2 as Category 1 for Public Notification purposes. Any development where the site of the development is adjacent land to land in the City Living Zone or Adelaide Historic (Conservation) Zone and it exceeds 22 metres in building height is Category 2.

The development site for this revised application comprises the whole legal allotments that the development is proposed within and therefore, the eastern most portion allotment adjoins land within the City Living Zone (via Seymour lane as shown in Figure 2 below).





Figure 2 – Subject land to Zone boundaries

A total of 15 valid individual representors have lodged submissions (some nominated to be represented by others) with a total of 7 to be heard. A summary of the representations and the applicants' response is provided below in Table 1. One invalid representation was lodged after the closing date for submissions however the applicant has also responded to this and is included in the ATTACHMENTS for information.





Figure 3- Location of representors

Table 1 – Summary of submissions and applicants response

| | Issue | Applicants Response |
|---|--|---|
| 1 | Support | |
| 2 | Support with concerns Demolition already completed, works occurred without notification and outside conditions of CEMP and caused great disturbance. Tried to contact developer - no response Contacted ACC to follow up – was advised they would contact project manager however no changes occurred and no follow up or tracking of complaints. | Applicant has requested that demolition be removed from the application. Provision of CEMP for this application to be developed by the builder following planning consent and the authority will assess and approve this prior to issuing Development Approval. Conditions suggested are overly onerous and do not reflect widely accepted construction techniques in a city environment. |
| | Stringent and enforceable | |



| | Issue | Applicants Response |
|---|--|---|
| | conditions suggested if approval is granted. | |
| 3 | Oppose Planning merits as outlined in report prepared by MasterPlan dated 30 January 2019 as follows: Building Height- too tall, should provide a 'transition' to the adjoining 53m height limit area. Should not be allowed to be 'limitless' due to the adjoining State Heritage place and City Living Zone- PDC 22 and Council Wide PDC 270 | PDC 22 argues for buildings to achieve no less than half of the maximum identified height. Development can only provide a height of less than half of the maximum if it achieves one or more of the stipulated conditions. PDC 22 has not been worded in a way which requires a development to accord with the provision, that is, the provision does not stipulate that where a condition is achieved development <i>must</i> or <i>should</i> be lower in height if the conditions are met. |
| | | PDC 270- The subject land lies within the Capital City Zone, Central Business Policy Area 13. Abutting the subject land, to all sides, exists the Capital City Zone (no Policy Area assigned). |
| | | Both Kodo and Penny Place are located in the Central Business Policy Area 13 which prescribes no height limits. The proposed development provides a transition from the taller Kodo tower on Angas Street. |
| | | The tower element proposed is located some 70 metres west of the City Living Zone. This separation provides for ample separation for a successful transition towards the City Living Zone to the east. |
| | <i>Orientation- East west orientation not energy efficient- Council wide PDC 108.</i> | As demonstrated within the ESD report, the building orientation, in combination with its use of deep and uninterrupted balcony overhangs for the entire length of the façade, is highly energy efficient from the outset. |
| | | Despite not meeting optimal orientation, the development still achieves the majority of energy reduction methods of PCD 108. |
| | <i>Private Open space- balconies are only 1.8m in depth not 2m as required.</i> | Is a minor variance and the proposed balconies will have a flush transition between internal and external spaces as such, when the sliding doors are opened, the apartment can be used as an indoor/outdoor space. |
| | Air-conditioner units on balcony takes up more space and no detail provided on how the 'enclosures' will minimise noise. | An acoustic report was provided which finds that noise emissions from the air-condensers will meet the environmental noise criteria to surrounding sensitive uses. |
| | Heritage Impact – There is no heritage impact statement and it does not appear to comply with Development Plan relating to | A Heritage Impact Statement (HIS) has been provided. This statement underpinned the building design from the outset. |
| | heritage impacts. | Heritage SA also support the proposal. The HIS finds that the materiality is appropriate and that the development will not obscure |



| | Issue | Applicants Response |
|---|--|---|
| | | views or change the contribution the heritage place makes to Carrington Street character and is considered to have only a minor impact on views to Bar Chambers as it will be visible to the rear. |
| | Vehicle Access – additional volumes entering and exiting the site on Nelson St will have a noticeable perceived effect on Nelson St and the properties to the South. | The Traffic impact assessment provided finds that the increase in traffic will be within acceptable limits within the locality and the anticipated traffic in combination with the constraints of Nelson Street (width, length) ensures that traffic will be slow moving which minimises impact on amenity. |
| | Frontage to Nelson St not activated | The building has been designed to ensure that the Nelson Street frontage can be converted into active uses in the future. It will become more feasible for more active uses when land to the west of Nelson Street is re-developed. An adaptive use plan has been provided in page 59 of the Woods Bagot design report. |
| | Space between existing boundary fence and proposed services access rooms not adequate. | Proposed distance to the closest point of the building to the fence will be 780mm which is considered accessible. There is also access to this plant room internally. |
| 4 | <i>Oppose Same planning merits as outlined in report prepared by MasterPlan dated 30 January 2019 in rep 3.</i> | Provision of CEMP for this development application to be developed by the builder following planning consent and the authority will assess and approve this prior to issuing Development Approval. |
| | CEMP was not adhered to (traffic management, works occurring outside CEMP times, no hoarding was erected, no dust management or noise and vibration mitigation) | Matters related to the CEMP for this application are not relevant as the CEMP for is yet to occur. Conditions suggested are overly onerous and |
| | The disruption had a significant negative impact to the productivity and wellbeing of the business and occupants (headaches, dizziness etc). | techniques in a city environment. |
| | Stringent and enforceable conditions suggested if approval is granted. | |
| 5 | Support with concerns. (Also see ATTACHMENT 8 for additional information provided 14 Feb). Overlooking to court, judge's chambers, court registrar offices, child minding areas and | The building has been oriented to ensure apartments face east/west only. Any apartment within the 15m overlooking area have been appropriately treated (1800mm balustrades up to level 8 to ensure no direct overlooking can occur. |
| | hearing/meditation rooms. Proposed use of pedestrian pathway on Commonwealth | The distance past this level is greater than 15m and therefore not considered to be direct overlooking. |



| | Issue | Applicants Response |
|---|---|---|
| | owned land. Risk of video surveillance and monitoring of the courts | The northern elevation has a paired precast concrete core separated by opaque glazing which does not afford any overlooking. |
| | Noise disturbances during and after construction. Use of Commonwealth land for on-going maintenance. | It is not intended to construct scaffolding along the northern face and temporary screens on the northern face windows up to level 9 prior to opaque windows being |
| | | installed. |
| | | The pedestrian walkway is entirely within the subject land and no works are proposed on Commonwealth owned land or required for ongoing maintenance. |
| | | The proposed development sufficiently minimises overlooking to the courts whilst balancing the need to provide passive surveillance to public areas. |
| | | The CEMP to be developed for this application will address issues related to noise and amenity. Our client is committed to ensuring that compliance with all EPA, safety and any other relevant standards are addressed in the CEMP and will be monitored closely and if and when necessary appropriate consultation will be undertaken with CLC as required. A copy of the CEMP will be provided to the CLC. |
| | | Once the building is complete the building will function as any completed building within the CBD. The Environmental Noise Assessment undertaken has demonstrated that the building will function in accordance with the relevant noise criteria of the Development Plan and NCC. |
| 6 | Oppose Demolition has already occurred | Applicant has requested that demolition be removed from the application. |
| | current application which includes demolition. | It is not the proponent's current intention to vary the application to change the townhouses to an office building. |
| | Residential flat building is not intended to remain a residential flat building but will become an office tower. SCAP needs to enquire as to the real intentions. | Conditions suggested are overly onerous and do not reflect widely accepted construction techniques in a city environment. |
| | Stringent and enforceable conditions suggested if approval is granted. | |
| 7 | Oppose Demolition has already occurred | Applicant has requested that demolition be removed from the application. |
| | therefore no right to pursue current application which | It is not the proponent's current intention to |



| | Issue | Applicants Response |
|---|---|--|
| | includes demolition. Building will actually be 27- | vary the application to increase the building height to 27 levels or change the townhouses to an office building. |
| | residential flat building is not intended to remain a residential flat building but will become an office tower. SCAP needs to enquire as to the real intentions. | Provision of CEMP for this development application to be developed by the builder following planning consent and the authority will assess and approve this prior to issuing Development Approval. |
| | Demolition caused excessive noise and disruption. The original CEMP referenced wrong address, | Matters related to the CEMP for this application are not relevant as the CEMP for this application is yet to occur. |
| | contractor was incorrect, and numerous requirements of EPA were not addressed, numerous other defects and errors. Second CEMP has been provided to Council and SCAP, not sure if this was approved. | Conditions suggested are overly onerous and do not reflect widely accepted construction techniques in a city environment. |
| | Traffic management plan and demolition plan supplied to Bar Chambers prior to works occurring was not adhered to-in particular, times of work, works rushed completed ahead of schedule, no minimisation of noise, larger trucks used, rubble stockpiled in wrong area etc. | |
| | Stringent and enforceable conditions suggested if approval is granted. | |
| 8 | Oppose Agrees with statements made in reps 7-15 Removal of trees on the southern boundary of the subject site means there is no barrier to noise. Noise from demolition works was intolerable and impacted on ability to work. | Provision of CEMP for this development application to be developed by the builder following planning consent and the authority will assess and approve this prior to issuing Development Approval. Matters related to the CEMP for this application are not relevant as the CEMP for this application is yet to occur |
| | Vibrations excessive and could have caused structural damage. No dust minimisation was undertaken either. | |
| 9 | <i>Oppose Agrees and adopts previous statements made by reps</i> 7-15: | Provision of CEMP for this development application to be developed by the builder following planning consent and the authority will assess and approve this prior to issuing |



| | Issue | Applicants Response |
|----------------------------|--|--|
| | Noise was significantly disruptive to ability to carry out work. | Development Approval. |
| | Vibrations also caused additional noise and disturbance. | Matters related to the CEMP for this application are not relevant as the CEMP for this application is yet to occur. |
| | <i>Works regularly commenced by 6:45 am.</i> | |
| 10 | <i>Oppose Planning merits as outlined in report prepared by MasterPlan dated 30 January 2019.</i> | Addressed above in rep 3 |
| 11 12 13 14 15 | OpposeAgree and adopt all othermatters raised by reps 7-15.Demolition works were disruptiveto work due to noise andvibration.Sonus undertook noise andvibration measurements andfound noise up to 92dB shortterm and 70dB continuous noise.This noise level affects speechintelligibility and affected howthey conducted their business.CEMP should have addressedamenity impacts and specificmethods to mitigate theseimpacts on adjoining occupiers.Residential flat building is notintended to remain a residentialflat building but will become anoffice tower. SCAP needs toenquire as to the real intentions.Developers contractordisregarded the CEMP andseemed to purposely exacerbatenoise and vibration issues – arenow concerned that thedeveloper will disregard all otherconditions of consent- thereforestringent conditions which are | Provision of CEMP for this development application to be developed by the builder following planning consent and the authority will assess and approve this prior to issuing Development Approval. Matters related to the CEMP for this application are not relevant as the CEMP for this application is yet to occur. It is not the proponent's current intention to vary the application to increase the building height to 27 levels or change the townhouses to an office building. |
| | capable of being enforced should be imposed to enable adjoining land owners to work. | |
| | Oppose- representation is invalid- lodged after last day for submissions. | The application package included overshadowing plans which show that no overshadowing of sensitive land uses in excess of recommended criteria will occur. |
| | Increased traffic, car parking, overshadowing | |



7. Matters related to representations

7.1 Development intent

Through the response to representations, the applicant has indicated that they do not propose to increase the height of the mixed-use building or change the use of the residential flat building at the present time. The applicant has the right to lodge future variations to the application and a thorough assessment of those variations will be undertaken should this occur. Until such a time, the SCAP are unable to assess any future intent that is not presently proposed, particularly when the applicant has now expressly advised that it has no intention to vary their proposal at this stage.

7.2 Demolition as part of the current application

The representations raised a concern that the demolition works have already occurred pursuant to the previous application which was approved and is presently still a valid authorisation. It is therefore a hypothetical application to re-apply for demolition in this current application when the development has already occurred.

The applicant has therefore requested that demolition be removed from this application and the development be described as:

Staged application comprising the construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space.

It is noted that an applicant may propose variations to their application in accordance with Section 39 (4) of the *Development Act 1993* prior to a decision being made, provided it is considered not to be a substantial departure from the application originally lodged.

7.3 CEMP Condition

A number of representations have requested that should the development be approved, some suggested conditions be added to the authorisation to ensure any future building work is carried out responsibly and with minimal impact to the surrounding area.

The current practice since the previous application was determined is for the SCAP to refer to a CEMP in an advisory note rather than including it in a condition. In the present case, the SCAP has now been made aware that there have been concerns about the way in which construction has been carried out under the original development authorisation. It is therefore reasonable that the SCAP should satisfy itself that adequate measures are in place to ensure the construction is appropriately managed.

The City of Adelaide (CoA) is better placed than the SCAP to enforce construction management. Council's complaint process involves contacting the projects Single Point of Contact who will assess the complaint and engage the relevant internal parties to investigate or take necessary action. The CoA has been made aware of the issues raised in respect of construction management and has indicated it will take action if necessary. The CoA has indicated in the past a preference for relying on the powers under the *Local Nuisance and Litter Control Act 2016* rather than conditions of approval to enforce construction management and that it would support the SCAP not imposing a condition which requires a CEMP. This is consistent with their internal processes for Development Assessment where Council is the relevant authority.



8. POLICY OVERVIEW

The subject site is within the Capital City Zone, Central Business Policy Area 13 as described within the Adelaide (City) Development Plan Consolidated 7 June 2018. Relevant planning policies are contained in **Attachment 8** and are summarised overleaf.

8.1 Central Business Policy Area 13

The Policy Area is the State's pre-eminent economic, governance and cultural hub and will be supported by educational, hospitality and entertainment activities and increased opportunities for residential, student and tourist accommodation.

Buildings will exhibit innovative design approaches and produce stylish and evocative architecture, including tall and imposing buildings that provide a hard edge to the street and are of the highest design quality.

Complementary and harmonious buildings in individual streets will create localised character and legible differences between streets, founded on the existing activity focus, building and settlement patterns and street widths.

Development of a high standard of design and external appearance is anticipated in a way that successfully integrates with the public realm. To enable an activated street level, residential uses (or similar) should be located above ground level.

8.2 Capital City Zone

In important pedestrian areas, buildings will be set back at higher levels above the street wall to provide views to the sky and create a comfortable pedestrian environment.

Minor streets and laneways will have a sense of enclosure (a tall street wall compared to street width) and an intimate, welcoming and comfortable pedestrian environment with buildings sited and composed in a way that responds to the buildings' context.

A comprehensive, safe and convenient movement network throughout the City will develop, focusing on the provision of linkages on both public and private land between important destinations and public transport.

8.3 Council Wide

Council Wide provisions provide guidance on the desire for increased levels of activity and interest at ground level; a high standard of design; appropriate bulk and scale of buildings and positive contribution to streetscapes including interfaces with places of heritage significance. Multi-level car parks and short stay public use of ancillary car parking spaces are discouraged at ground floor street frontages within the Primary Pedestrian Area.





Figure 4- Zone Map/Adel/25

9. Overlays

9.1 Airport Building Heights

Prescribed height limits are specified for the subject land under the Adelaide (City) Airport Building Heights Map Adel/1 (Overlay 5).

Referral to the Department of Transport and Regional Services through AAL is required where a development would exceed the Obstacle Limitation Surface contours shown on Overlay 5. Approval has been granted under the Commonwealth *Airports Act 1996* for the proposed building height of 124.45 AHD as shown in the ATTACHMENTS.



9.2 Affordable Housing

The subject land is located within the Affordable Housing Designated Area in Development Plan Map Adel/1 (Overlay 5a).

The Overlay recommends integration of affordable housing with residential and mixed-use development, and development comprising 20 or more dwellings to include a minimum of 15 percent affordable housing.

10. PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Adelaide (City) Development Plan, contained in **Attachment 8**.

10.1 Quantitative Provisions

| | Development Plan Guideline | Proposed | Guideline Achieved | Comment |
|----------------------|---|---|----------------------------|--|
| Land Use | The highest concentration of office, retail, mixed business, cultural, public administration, hospitality, educational and tourist activities | Residential dwellings – 152 apartments, 4 townhouses, commercial tenancy and associated car parking | YES NO PARTIAL | |
| Building Height | No prescribed height limit | 24 storeys, 78 metres above ground | YES XON PARTIAL | |
| Car Parking | No specific requirement for provision of on-site car parking for development within the Capital City Zone | 154 car parking spaces within mixed-use building and 4 spaces for residential flat building | YES IN PARTIAL | |
| Bicycle Parking | 1 for every dwelling <150m ² 1 for every 10 dwellings for visitors 153 spaces required | 140 bicycle parks for residents Unspecified number for visitors | YES NO PARTIAL | Considered to be a minor shortfall and subject to 17 additional visitor spaces within the square, the bicycle provision is considered acceptable. Refer to section 10.6.2 |
| Boundary Setbacks | Buildings should be positioned regularly on the site and built to the street frontage, except where a setback is required to accommodate outdoor dining or provide a | 1.59 metres from Nelson Street, 6 metres above Level 52.8 metres from northern boundary1 metre from Penny | YES 🛛 NO 🗍 PARTIAL 🗍 | |



| | contextual response to a heritage place | Place (townhouse 4) | | |
|---|---|---|----------------------|--|
| Apartment Floor Area (excluding balconies) | 1 b/r dwellings – 50m ² 2 b/r dwellings – 65m ² | 1 b/r dwellings – 65.3m ² 2 b/r dwellings – 65.8m ² to 75.9m ² | YES NO | |
| Private Open Space | 1 b/r dwellings – 8m ² 2 b/r dwellings – 11m ² Minimum depth of 2 metres | 1 b/r dwellings – 18m ² 2 b/r dwellings – 20m ² to 44m ² Balcony depths vary between of 1.3 (for townhouses) and 1.8 metres (apartments) | YES IN PARTIAL | Shortfalls for balcony depths considered acceptable. |
| Storage | 1 b/r dwellings – 8m ³ 2 b/r dwellings – 10m ³ | 1 b/r dwellings – 9.78m ³ 2 b/r dwellings – 12.6m ³ | YES NO PARTIAL | |

10.2 Land Use and Character

Development in the Policy Area should contribute to its role and function as the State's premier business district, having the highest concentration of office, retail, business, educational, hospitality and tourist activities with increased opportunities for residential accommodation.

The proposed residential and commercial land uses contribute to the area's Desired Character by introducing envisaged forms of development and an increased residential population with a corresponding increase in activity. Residential development including a contribution of affordable housing is generally proposed above ground level as encouraged by Policy Area PDC 3 and is supported, as is the intended civic square adjacent Penny Place.

The townhouse portion of the application will introduce an appropriate connection between existing 2 storey residences on the east side of Penny Place and more substantial high-density development proposed and approved on the balance of the subject land, providing a suitable residential setting and domestic scale at the fringes of the City Living Zone.

10.3 Building Height

The subject land is located within a portion of the Capital City Zone where no building height limit is prescribed, although Zone PDC 22(c) allows for lower building heights where development would be located adjacent a Heritage Place. The Central Business Policy Area also advocates buildings of a height that ensures airport operational safety is not adversely affected.

At 24 storeys or 78 metres to the upper parapet, the proposed building height is considered appropriate in recognition of the desire for a tall street wall and sense of enclosure in minor streets and laneways in this location. The applicant's intent to introduce a smaller scale of built form compared to the Kodo apartment tower is supported and as indicated by AAL, is also considered favourably by the Department of Transport and Regional Services assessment against the Commonwealth *Airports Act 1996*.

Although the apartment tower would introduce considerable bulk and mass in reasonably close proximity to the Capital City Zone's boundary with the City Living



Zone, this scale is expected to be moderated by the 3 storey townhouse portion of the application and existing built form along Carrington Street. No objections to proposed building height have been raised by referral agencies or the Council, and accordingly the proponents aspirations for building height are acceptable.

10.4 Design and Appearance

Buildings in the Central Business Policy Area will exhibit innovative design approaches and produce stylish and evocative architecture of the highest design quality including tall and imposing buildings that provide a hard edge to the street. Development should be of a high standard of architectural design and finish to produce a variety of design outcomes of enduring appeal and contemporary juxtapositions providing new settings for heritage places.

The proposed development is the culmination of the applicant's precinct masterplan in which the primary buildings are sited and composed to respond suitably to the subject land's context, particularly the Federal Courts building, orientation to the City grid and landscaped space opportunities.

The mixed-use building configures separate lift, fire stair and service cores at the building's northern and southern extents intended to increase floorplate efficiency, with a 4.5 storey podium structure providing the towers base accommodating car parking. Extensive glazing, balconies, party walls and floor to ceiling air-conditioning enclosures provide horizontal and vertical articulation with service cores composed of in-situ concrete with vertically expressed obscure glazing.

The façade over the podium base will differentiate it from the tower and appropriatey reference the historic character of the Bar Chambers building, whereas the southern stair core is expected to produce an acceptably neutral backdrop to views of the State Heritage Place from Carrington Street.

The Government Architect has confirmed support for the residential towers architectural expression which is considered to reflect the applicants design intent to deliver a rational development outcome and differentiate conceptual design approaches within the precinct. The townhouse portion is also supported as an appropriate response to adjacent residences.

The proposal is expected to result in commendable additions to the Zone and Policy Area, providing contemporary built forms addressing the Development Plans desire for high quality architectural design and hard streetscape edges. Provision of a final schedule of external materials is recommended as a condition of any consent granted to ensure the quality of material finishes suits this significant location.

Concerns raised by the GA and Council related to streetscape activation, occupant amenity and the public realm are discussed in the following sections.

i. Interface

The Capital City Zones interface provisions recommend measures to adequately manage amenity impacts on development in the City Living Zone caused by overshadowing, massing, building proportions and traffic.

Shadow diagrams included in application details predict the extent of shade cast by the apartment tower over adjacent residences and the City Living Zone to the south and east, which would be notable during the winter solstice but not significantly greater than that expected by the approved Kodo tower, neither of which would be contrary to Council Wide overshadowing policy regarding minimum solar access allowances at 22 June.



Above level 5, the tower's west and east façades are setback approximately 4.5 metres and 10.3 metres respectively from the podium's building line which will provide relief to the tower's mass, reference the lower scale of nearby buildings and contribute to appealing pedestrian conditions desired in the Capital City Zone.

Although the GA considers reorientation of the apartment tower to align with the sites southern boundary could improve occupant amenity and sustainability performance, the towers proposed configuration is supported in recognition of proximity to the Courts facility to the north and potential overlooking impact, identified as a concern of occupants of the Courts building. Obscured glazing over the northern stair core is proposed to mitigate this privacy risk. The balconies on the lower level apartments (up to level 8) will have 1800mm high screens on the northern elevation to further screen direct overlooking to the Courts building.

Some overlooking from apartment balconies onto adjacent land and buildings through oblique and long views are expected, however this would not be unreasonable in this central CBD setting. Interface conditions expected to arise from the proposal are therefore considered acceptable.

ii. Public Realm

Non-residential land uses are encouraged at ground floor throughout the Zone including shops, cafés and restaurants to generate high levels of pedestrian interest and activity complemented by an appealing urban environment through the use of building articulation and fenestration, façade openings, verandahs, balconies and other forms of weather protection.

Safe and convenient pedestrian movement should be facilitated by a clearly designated, well-lit network of east-west and north-south links connected to public transport and areas of public activity.

The proposal has the potential to provide strategic thoroughfares for pedestrians and cyclists and consolidate a mid-block connection between Angas and Carrington Streets in close proximity to Victoria Square which, if executed effectively, would be of significant benefit to the precinct and broader locality.

In tandem with the applicants intent to provide a central landscaped area adjacent Penny Place, the use of glazing over east-facing ground floor façades would delineate the apartment lobby, resident lounge / kitchen and commercial tenancy introducing an active edge sheltered by a colonnade structure providing quality transitional space between internal and external areas.

Although the applicant admits further resolution of the apartment lobby will occur during design development, it has reconfigured the northern stair core and lobby layout to respond to agency and Council concerns by relocating the fire control room and mail room and adding a glazed airlock, joinery seat an additional section of glazing at the northern façade to improve legibility and remove a potential concealment space adjacent the Courts building.

The applicant asserts active surveillance would be provided in the form of security cameras with all public areas to be well-lit through the use of wall-mounted LED fittings, pole mounted lighting and in-ground lighting in key areas to assist in wayfinding and promote public safety during night time periods. Tract Consultants also amended landscaping details to improve visual legibility



and physical access to the lobby, and provide clear sightlines beneath tree canopies across the landscaped space.

The GA encourages the applicant to continue discussions with Council to achieve mutually appropriate public space informed by building management, solar access, lighting and landscaping strategies to service daytime and night-time uses. Both the Council and applicant have indicated joint discussions regarding the potential vesting of the proposed public square to the Council's care, control and management are unresolved and remain subject to further detailed design, deliberation and official agreement. The SCAP is not considered to have formal authority to compel either party to secure a collectively favourable outcome with respect to the vesting of the land to Council, which would ultimately be at the Council's absolute discretion.

Accordingly a series of conditions are recommended to be assigned to any consent granted to confirm the final configuration and functionality of public realm strategies including landscaping, lighting, communal facilities, wayfinding, surveillance and security to be applied in the design, operation and maintenance of the proposed public square.

Should arrangements for vesting of the land not be resolved to the agreement of Council, these conditions should offer some confidence that high priority details of this element of the proposal would be rigorously considered, to the reasonable satisfaction of the SCAP, and that ongoing responsibility for the land in question would remain with the property owner and / or body corporate.

The GA also advocates further design development to provide a clearer and more intuitive east-west connection between Nelson Street and the proposed public square to maximise engagement with the public realm.

The following plan in Figure 5 below identifies how the ground floor could be adapted to include more active uses in the future including the east-west pedestrian link.





Figure 5 – Future Retail & Pedestrian Link Opportunity

The GA and State Heritage Unit acknowledge the conceptual potential for this adaptation noting ground floor ceiling heights available for an expanded commercial tenancy of roughly between 4.3 and 5.3 metres, sufficient for alternative uses better suited to streetscape activation, should viable opportunities for compatible uses emerge in Nelson Street in the future. Overall, the applicant has made some concessions to respond to agency and Council concerns and recommendations for further development of public realm conditions at ground level, and improvements to anticipated pedestrian experiences over the subject land.

These responses are generally expected to enhance outcomes for the community in terms of pedestrian movement, recreation and opportunities for social interaction in the precinct and make fundamentally positive contributions to the urban environment in this setting, consistent with relevant Development Plan objectives.

iii. Occupant Amenity

Council Wide (Medium to High Scale Residential) policy advocates development designed to provide a high standard of amenity and environmental performance through access to natural light and ventilation, outlook, storage area, functional layouts and adaptability to meet changing living needs.



The apartment tower will offer single and 2 bedroom dwellings within rectangular modules of 6 metres in depth, with substantial balconies separated by party walls and air-conditioning enclosures as shown below in Figure 6. The proposed townhouses will provide alternative 3 storey living options with modest north-facing outdoor spaces at levels 1 and 2 overlooking the proposed landscaped square.



Figure 6 – Typical Apartment Layout (north facing)

Although relatively few apartment types are proposed, they will generally feature sufficient interior dimensions including storage areas. Balcony depths for apartments and the townhouses will be less than the recommended 2-metre minimum, however any functional shortfall would be offset by the generous quantity of private open space provided throughout and the flush transition between the internal and external space to improve overall ease of use.

The GA supports the proposed mix of dwelling types including affordable housing and highly efficient residential layouts offering quality outlook and access to natural light and ventilation to all habitable rooms. The reconfigured apartment lobby will contribute to an improved sense of address and identifiable building entry, and the introduction of glazing over the north and south service cores will provide natural light to the central corridor.

The applicant has chosen not the review the adjacency of apartment entrances identified by the GA as a deficiency, citing a priority set on achieving a highly rationalised floorplan layout. Overall, the proposal will provide for a suitably high standard of residential amenity as envisaged by Development Plan policy and is supported.

10.5 Heritage

Council Wide (Heritage and Conservation) policy encourages development that retains the heritage value and setting of a heritage place and its built form contribution to the locality. The Department of Environment and Water (Heritage South Australia) considers the proposed development to be acceptable and demonstrates a reasonable



design response to the State Heritage Place at 34 Carrington Street, for the following reasons:

- no direct affect on the physical fabric or material heritage values of the Place;
- no expectation of dominance or interruption of the Place's visual presence within the context of Carrington Street;
- a sympathetic scale relationship between the brick-face podium and the Place, assisted by:
 - spatial separation provided by the laneway between each site;
 - singular expression of form arising from building setbacks above podium level; and
 - materiality and architectural differentiation between the podium and tower.

The in-situ concrete southern service core is expected to produce an acceptably neutral backdrop to the heritage place, subject to endorsement of the final resolution of off-form concrete finish in consultation with referral agencies. The State Heritage Unit recommends 3 conditions be assigned to any consent granted in the interest of resolving material details through design development to the SCAP's satisfaction.

10.6 Traffic Impact, Access and Parking

10.6.1 Site Access

Development should provide safe, convenient and comfortable movement and means of access to land by increasing the permeability of the pedestrian network and providing an adequate supply of on-site vehicle parking. The applicant commissioned GTA consultants to undertake a transport impact assessment of the proposal as discussed in the following sections.

Vehicle access to the apartment tower is proposed via 2 crossovers of Nelson Street, providing access to the ground floor parking area and waste storage room to the north, and to the upper level car parking via a ramp constructed at the south crossover. The proposed townhouses will be accessible by 2 crossovers off Penny Place.

Six permit parking spaces and 2 time-restricted (2 hour) parking spaces exist on the east side of Nelson Street. To accommodate the development, including removal of existing access points, the applicant considers up to 5 on-street parking spaces are feasible.

The proposed Nelson Street access arrangement will require resolution of onstreet permit parking spaces in consultation with permit holders including review of kerbside space conducted in liaison with Council. An advisory note is proposed to establish the applicant's responsibility in this regard.

Council raise no objections to the proposed access arrangement provided the traffic controls comply with Australian Standards.

10.6.2 Vehicle Parking

No specific requirement for provision of on-site car parking arises for residential development within the Capital City Zone.

Although multi-level car parks and short stay public use of ancillary car parking spaces are discouraged at ground floor street frontages in the Primary Pedestrian Area, the proposed treatment of the podium car parking facility is



considered to be compatible with the setting of the subject land, as discussed earlier.

A total of 154 car parks are proposed for resident and visitor use. No parking spaces would be allocated for the ground floor commercial use, which GTA considers to be associated with the development and surrounding buildings, and is unlikely to generate substantial parking demand.

140 secure bicycle parking spaces and a bicycle workshop will be provided at ground floor. The number falls short by 13 spaces of the Employee/Resident requirements. This does not account for the capacity for bicycle parking within individual apartments that may also occur and the shortfall is minor in any case.

Visitor bicycle parking is contemplated in the public realm area included in the Kodo development to accommodate visitor parking demand, although the applicant does not specify the proposed number of spaces to be provided. A condition requiring documented evidence of 17 additional bicycle parks being included within the development is proposed to be assigned to any consent granted, to ensure parking demand of visiting cyclists would be fully catered for.

10.6.3. Traffic Impact

GTA's assessment of traffic generation using the New South Wales Roads and Maritime Service "Guide to Traffic Generating Developments – Updated August 2013" concluded the development will generate up to 23 vehicle movements during peak hours, with a total of 206 vehicle movements daily.

GTA considers the low volume of additional traffic generated by the proposed development is not expected to compromise the safety or function of the surrounding road network, particularly as the constraints of Nelson Street and Penny Place in terms of width and length will create a safer slow traffic environment.

10.7 Environmental Factors

Development in the Council area should be designed to ensure public safety and security are maintained, essential services are provided without unreasonable disruption or disturbance to the community, micro-climatic impacts are minimised and that new built form is compatible with the long term sustainability of the environment.

10.7.1 Crime Prevention

Development should promote community safety and security in the public realm and within development, through the promotion of natural surveillance and other design measures. As discussed earlier, concerns have been raised by regarding potential risks to public safety associated with the proposed public square adjacent Penny Place.

The applicant asserts its crime prevention through environmental design (CPTED) strategy for the public realm has been adapted from the "Crime prevention and the assessment of development applications" guidelines under section 79C of the New South Wales Environmental Planning and Assessment Act 1979 with reliance placed on lighting, landscape design and delineation of open space to ensure passive surveillance, deterrence of anti-social behaviour and prevention of overt criminal activity.



Tract consultants' specification of landscaping, including small shrubs and low groundcovers, will ensure clear line of sight across the square and adjacent laneways to contribute towards a general perception of safety and security in the area.

The proposed retail use in each component of the precinct development will promote activity with potential to extend into evening hours, and the residential population is be expected to provide a reasonable level of surveillance over the public realm and communal spaces after dark.

Conditions requiring further details of public realm strategies are considered to provide adequate confidence in the effectiveness of intended CPTED measures. The applicants intent to develop the design of the proposed landscaped space in collaboration with Council will also ensure appropriate regard for public safety is applied in the detailed design of this element of the development.

10.7.2 Noise Emissions

The applicant engaged WSP to undertake an acoustic assessment which involved an environmental noise survey conducted at the subject land and nearby streets.

The assessment concluded the development would be capable of complying with the acoustic requirements outlined in the Development Plan through the use of single and double glazed insulated glass-unit windows and doors, and concrete floor slabs of minimum 150mm thickness.

WSP also indicate that noise emissions from balcony-mounted air-conditioning condenser unit enclosures would meet the EPA environmental noise criteria set out in the Environment Protection (Noise) Policy 2007, adequately addressing concerns raised by the GA and representations in relation to potential for diminished resident amenity.

A standard condition requiring acoustic attenuation is proposed to be assigned to any consent granted to ensure building occupants and adjacent noisesensitive uses are not unreasonably disturbed by noise generated through the operation of the development.

10.7.3 Waste Management

Development Plan policy recommends provision of a dedicated area for on-site collection and sorting of recyclable materials and refuse to be provided within all new development. Development greater than 2,000 square metres in floor area should manage waste through the use of a dedicated area for collection and sorting of general waste, recyclables and organic waste.

Colby Industries was commissioned to prepare a waste management plan for the development aligned with the South Australian Better Practice Guide – Waste Management in Residential or Mixed-Use Developments (Zero Waste SA, 2014).

Residents will transfer waste and recyclables to the ground floor refuse storage room via waste chutes accessible at the northern end of the central corridor adjacent the lift core over all floor levels within the apartment tower.

Refuse collection would occur adjacent to the waste storage room adjacent the stair core at the northern end of the site. A rear-lift refuse collection truck (and



other service vehicles) would enter Nelson Street in a forward direction and reverse into the loading area. Bins will be wheeled from the bin storage room to the loading area for collection. The refuse vehicle would exit to Nelson Street in a forward direction.

Council administration has reviewed the proposed waste management layout and have requested that confirmation of the current proposed number of apartments including the 'public square' be accounted for in the calculations for waste storage and collection. The applicant has provided an amended waste management plan which demonstrates that the storage facilities can accommodate all apartments and the public square. Should the Penny Place Square common area be vested to Council, the responsibility of waste management would then fall to Council.

10.7.4 Energy Efficiency

Buildings within the Council area should provide adequate thermal comfort and minimise the need for energy use for heating, cooling and lighting through design measures specified in the Development Plan's Council Wide (Environmental) policy.

Analysis of the predicted performance of the east and west façades has been undertaken by WSP supporting the proposed orientation of the building with regards to quality of outlook and management of solar loading. All apartment types are modelled to meet the required minimum NatHERS rating of 5 stars and an average rating of greater than 6 stars using a mid-level double glazed solution.

Katnich Dodd reviewed application details and provided a statement indicating the proposal would be able to satisfy the minimum requirements of the National Construction Code and Building Code of Australia energy efficiency requirements (Parts A-J) subject to performance based alternative solutions to be further developed during detailed design.

Provided the development is undertaken as planned, the proposed dwelling designs will align appropriately with the Development Plan's energy efficiency policy.

10.7.5 Wind Analysis

Development should be designed and sited to minimise micro-climactic impact on adjacent land or buildings, including detrimental effects of wind patterns. The applicant engaged Vipac Engineers and Scientists to prepare a statement of wind effects anticipated for the ground floor areas adjacent to the proposed development, which concluded that:

- the proposed development would not generate wind conditions in excess of the criterion for safety;
- most ground level footpaths and building entrances would be expected to have wind conditions within the recommended criteria; and
- 2 corners on Nelson St are likely to experience elevated wind conditions due to corner acceleration. However, the proposed porous car park walls will reduce wind levels on the ground floor to within the recommended comfort criteria.

As such, Vipac makes no recommendations to alter the building form design for the pedestrian-level comfort within the anticipated wind environment.



10.7.6 Stormwater Management

Development Plan policy encourages stormwater management systems designed and located to improve the quality of stormwater, minimise pollutant transfer to receiving waters and protect downstream receiving waters from high levels of flow.

The applicant engaged the Robert Bird Group to prepare a stormwater management plan for the proposed development.

The submitted stormwater management plan concludes that stormwater discharge rates predicted from the proposed development would be less than the pre-development flows, and that water quality would be improved from the discharge from the previous car parking area.

The discharge to the kerb and gutter would be facilitated by standard City of Adelaide street channels as no stormwater infrastructure exists in Nelson Street and Penny Place.

10.7.7 Site Contamination

Council Wide (Environmental – Contaminated Sites) policy recommends that where there is evidence or reasonable suspicion that land may have been contaminated, development should only occur where it is demonstrated that the land can be made suitable for its intended use prior to commencement of that use.

Application details provide no evidence that any measures have been taken to ascertain whether any potential exists for site contamination caused by previous use of the site. A condition is proposed to be assigned to any consent granted that a statement from a suitably qualified environmental engineer demonstrating suitability of the site for its intended use be provided prior to the commencement of construction.

11. CONCLUSION

The applicant proposes a mixed-use development in a central CBD location as the final stage of a precinct redevelopment project incorporating commercial and residential uses and public realm improvements with potential to provide significant benefits for the subject land and broader locality.

Referral agencies and Council are generally supportive of the proposed land use, building height, design and configuration of the development with concerns primarily focused on public safety through the operation and use of the proposed landscaped square which the applicant proposes be vested to the care, control and management of the Council.

As the State Commission Assessment Panel has no authority to compel either party to secure a collectively favourable outcome with respect to the vesting of the land, a series of conditions are recommended to be assigned to any consent granted to confirm final details of public realm strategies and provide assurances regarding community wellbeing should the transfer of the land not eventuate.

The applicant has also responded to the representations and the matters raised relating to the demolition works that occurred as a result of the previous authorisation on this site are not considered relevant to this application however, SCAP may be assured that the future construction occurring on the site will be monitored by the more appropriately resourced authority, the Adelaide City Council.



The final proposal is considered to respond appropriately to Development Plan policy guiding design and appearance of medium to high scale development in Adelaide's CBD. Overall the applicant has adequately addressed key planning, design and technical issues and accordingly the application is considered to warrant Development Plan Consent, subject to conditions.

12. RECOMMENDATION

It is recommended that the State Commission Assessment Panel:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE that the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Adelaide (City) Council Development Plan.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Flagship (Penny Place) Pty Ltd C/- Intro Design Pty Ltd for Staged application comprising the construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space at 27 Angas Street, Adelaide subject to the following reserved matter and conditions of consent.

RESERVED MATTERS

- 1. Pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the State Commission Assessment Panel (SCAP) prior to the granting of Development Approval for Stage 3 (superstructure works for the mixed-use building):
 - The final details of materials colours, finish, perforation pattern and the disposition of colour across the metal-clad podium façade shall be submitted and approved by the State Commission Assessment Panel in consultation with Heritage South Australia and the Government Architect

PLANNING CONDITIONS

1. The development herein granted Development Plan Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.

External Materials

- 2. Prior to Development Approval for Stage 3 (superstructure works for the mixed-use building), the applicant shall submit a final detailed schedule of external materials and finishes to the reasonable satisfaction of the State Commission Assessment Panel in consultation with the Government Architect.
- 3. The threshold between dwelling interiors and balconies shall be level with the adjacent floor surfaces to the satisfaction of the State Commission Assessment Panel. Details to be provided to SCAP prior to issuing of Development Approval for State 3 Superstructure works for the mixed-use building.



Vehicle Parking

- 4. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6.2009) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the State Commission Assessment Panel prior to the occupation or use of either the mixed-use building or the townhouses.
- 5. Prior to Development Approval for Stage 3 (superstructure works for the mixed-use building), the applicant shall submit, to the reasonable satisfaction of the State Commission Assessment Panel, a final site (ground floor) plan documenting a total of 17 additional public bicycle parking spaces on the subject land in appropriate locations ensuring ease of access and convenience to users.
- 6. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.

Acoustics

7. Air conditioning or air extraction plant or ducting shall be screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the State Commission Assessment Panel.

Environment

- 8. Prior to Development Approval for Stage 3 (superstructure works for the mixed-use building), the applicant shall submit, to the reasonable satisfaction of the State Commission Assessment Panel, a final site (ground floor) plan documenting specific Crime Prevention Through Environmental Design principles intended for public circulation areas including lighting, access control mechanisms, communal facilities, wayfinding and active surveillance strategies including (but not limited to) proposed locations of closed-circuit television camera units.
- 9. Prior to Development Approval being granted for Stage 3 (superstructure works for the mixed-use building) a detailed landscaping plan of ground floor external spaces shall be submitted to the reasonable satisfaction of the State Commission Assessment Panel. The plan shall include planting medium depths and irrigation methods to maintenance of the proposed plantings, soft landscaping and lawn area.
- 10. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.
- 11. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).
- 12. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.



State Heritage

- 13. Prior to Development Approval for Stage 3 (superstructure works for the mixeduse building), the applicant shall submit final details confirming the following, to the reasonable satisfaction of the State Commission Assessment Panel in consultation with the Department of Environment and Water:
 - a) the specification of materials, colours, finishes, bond pattern and pointing; and for the metal cladding of the upper section
 - b) the specification of material, colours and finish;
 - c) the perforation pattern;
 - d) the layout and disposition of perforated versus solid facets;
 - e) the layout and disposition of colours; and
 - f) detailing of corners, top and bottom edges and junctions
- 14. Prior to Development Approval for Stage 3 (superstructure works for the mixeduse building), the applicant shall submit final details confirming the following details, to the reasonable satisfaction of the State Commission Assessment Panel in consultation with the Department of Environment and Water:
 - a) how junctions between floor-by-floor concrete pours are to be managed;
 - b) whether the faces are expressed as monolithic surfaces or articulated into smaller visual divisions;
 - c) the surface texture (eg smooth off-form finish using steel forms, textured offform finish, 3D off-form finish); and
 - whether the surfaces are to remain in their off-form finish or have an applied finish, and suitable quality control measures to achieve consistency of finish to an acceptable standard.

Site Contamination

16. A statement by a suitably qualified environmental engineer that demonstrates that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be submitted to the State Commission Assessment Panel prior to Development Approval being granted for Stage 2 (substructure works for the mixeduse building).

Advisory Notes:

- a. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction. A copy of the CEMP shall be provided to the State Commission Assessment Panel prior to commencement of site works for the sub-structure.
- b. The development is expected to be undertaken in accordance with the following stages of construction:
 - 1. Demolition and early works (demolition has already been submitted and approved);
 - 2. Substructure of the mixed-use building;
 - 3. Super structure of the mixed-use building;
 - 4. Occupancy of the mixed-use building;



- 5. Substructure and superstructure of Townhouses; and
- 6. Occupancy of the Townhouses
- c. The proposed access arrangement at the subject land's frontage of Nelson Street will require resolution of on-street permit parking spaces in consultation with permit holders including review of kerbside space conducted in consultation with the City of Adelaide.
- d. Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department of Environment and Water, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (1) an application to vary the planning consent, or (2) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
- e. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
- f. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.
- g. If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.
- h. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the State Commission Assessment Panel.
- i. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- j. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).

Lauren Talbot SENIOR PLANNING OFFICER DEVELOPMENT DIVISION DEPARTMENT OF PLANNING, TRANSPORT and INFRASTRUCTURE

04 Drawings
















MATERIAL SCHEDULE

CE:01 PRECAST CONCRETE CORE WALLS CE:02 PRECAST CONCRETE BALCONY

CL:01 (NOT USED) CL:02 PREFINISHED FIBRE CEMENT SHEET

MA:01 (NOT USED) MA:02 CONCRETE BLOCKWORK FACADE MA:03 MASONRY BRICKWORK FACADE

W:01 CLEAR GLAZED GLASS FACADE CD:05 PROFILED METAL SHEET





Client Flagship (Penny Place) Pty Ltd

Project **Penny Place Apartments**

Sheet title **Overall Elevation East** Project numberScale 140292 1:200 Sheet number Revision F SK-10











DEVELOPMENT APPLICATION FORM

| PLEASE USE BLOCK LETTERS | | FOR OFFICE USE | | | | |
|---|--|---|---------------------|---------------------------------|---|-------------------|
| COUNCIL: | COUNCIL: ADELAIDE CITY COUNCIL | | Development No: | | | |
| APPLICANT: | FLAGSHIP (PENNY PLACE) PTY LTD | Previous Development No: | | | | |
| Postal Address: | C/O INTRO | Assessment No | : | | | |
| PO BOX 207, I | RUNDLE MALL, ADELAIDE, SA 5000 | | | | | |
| Owner: | FLAGSHIP (PENNY PLACE) PTY LTD | | | | | |
| Destal Address: | <u></u> | Complying | | Applicatio | on forwarded to | DA |
| Postal Address: | | Non Complying | | Commission/Council on | | |
| BUILDER: | | Notification Cat 2 | | / / | | |
| | | Notification Cat 3 | | Decision: | | |
| Postal Address: | | | | Type: | | |
| | | | | Type | | |
| | 1 i | | 551011 | Date: | 1 1 | |
| | | | Decision | Food | Pocoint No. | Data |
| CONTACT PERS | ON FOR FORTHER INFORMATION | | required | rees | Receipt No | Date |
| Name: ANTHO | NY GATTI | Planning: | | | | |
| | 0402 424 403 | Building: | | | | |
| l elephone: | [work] 0402 424 403 [Ah] | Land Division: | | | | |
| Fax: | [work][Ah] | Additional: | | | | |
| EXISTING USE: | | Development | | | | |
| DESCRIPTION O | Staged applic | ation comprising demonstration comprising demonstration and a three (3) s | molition of existin | ig building an flat building | d construction of ancillary car park | a 24 storey mixed |
| LOCATION OF P | public circulat ROPOSED DEVELOPMENT: Report | ion areas and lands | caped communal | l open space | . Stages as per 05 | 5.1 of Planning |
| House No: | Lot No: A5/A2 Street: ANGAS STR | REET T | own/Suburb: | ADELAIDE | | |
| Section No [full/pa | rt] Hundred: | Volume: <u>6160</u> Folio: <u>300</u> | | | | |
| Section No [full/pa | rt] Hundred: | Volume: <u>6160</u> Folio: <u>301</u> | | | | |
| LAND DIVISION: | | | | | | |
| Site Area [m ²] | Site Area [m ²] Reserve Area [m ²] No of existing allotments | | | | | |
| Number of addition | Lease: YES NO | | | | | |
| BUILDING RULES CLASSIFICATION SOUGHT: Present classification: | | | | | | |
| If Class 5,6,78 or 9 classification is sought, state the proposed number of employees: Male: Female: | | | | | | |
| If Class 9a classification is sought, state the number o persons for whom accommodation is provided: | | | | | | |
| If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: | | | | | | |
| DOES EITHER SCHEDULE 21 OR 22 OF THE DEVELOPMENT REGULATIONS 2008 APPLY? YES NO | | | | | | |
| HAS THE CONSTRUCTION INDUSTRY TRAINING FUND ACT 2008 LEVY BEEN PAID? YES 🗖 NO 🗵 | | | | | | |
| DEVELOPMENT COST [do not include any fit-out costs]: \$ 48,500,000 | | | | | | |
| I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008. | | | | | | |
| SIGNATURE: | | | | | | |

DEVELOPMENT REGULATIONS 2008 Form of Declaration (Schedule 5 clause 2A)



To: SCAP

From: INTRO P/L - LUCI WARD

Date of Application: 06 / 12 / 2018

Location of Proposed Development:

House No: _____ Lot No: A5 | A2 Street: ANGAS STREET

Town/Suburb: ADELAIDE

Section No (full/part): _____ Hundred: ADELAIDE

Volume: <u>6160</u> Folio: <u>300</u> <u>6160</u> 301

Nature of Proposed Development:

CONSTRUCTION OF A 23-STOREY MIXED USE DEVELOPMENT AND A THREE-STOREY RESI-DENTIAL FLAT BUILDING, ANCILLARY CAR PARKING, LANDSCAPING, PUBLIC CIRCULATION AREAS AND LANDSCAPED SQUARE

I <u>WILLY HOOGEVEEN</u> being the applicant/ a person aeting on behalf of the applicant (delete the inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. I make this declaration under clause 2A(1) of Schedule 5 of the Development Regulations 2008.

Signed: Da

Date:06 / 12 / 2018



Note 1

This declaration is only relevant to those development applications seeking authorisation for a form of development that involves the construction of a building (there is a definition of 'building' contained in section 4(1) of the Development Act 1993), other than where the development is limited to –

- a) an internal alteration of a building; or
- b) an alteration to the walls of a building but not so as to alter the shape of the building.

Note 2

The requirements of section 86 of the Electricity Act 1996 do not apply in relation to:

- a) an aerial line and a fence, sign or notice that is less than 2.0 m in height and is not designed for a person to stand on; or
- b) a service line installed specifically to supply electricity to the building or structure by the operator of the transmission or distribution network from which the electricity is being supplied.

Note 3

Section 86 of the Electricity Act 1996 refers to the erection of buildings in proximity to powerlines. The regulations under this Act prescribe minimum safe clearance distances that must be complied with.

Note 4

The majority of applications will not have any powerline issues, as normal residential setbacks often cause the building to comply with the prescribed powerline clearance distances. Buildings/renovations located far away from powerlines, for example towards the back of properties, will usually also comply.

Particular care needs to be taken where high voltage powerlines exist; or where the development:

- · is on a major road;
- · commercial/industrial in nature; or
- built to the property boundary.

Note 5

An information brochure: 'Building Safely Near Powerlines' has been prepared by the Technical Regulator to assist applicants and other interested persons.

This brochure is available from council and the Office of the Technical Regulator. The brochure and other relevant information can also be found at **sa.gov.au/energy/powerlinesafety**

Note 6

In cases where applicants have obtained a written approval from the Technical Regulator to build the development specified above in its current form within the prescribed clearance distances, the applicant is able to sign the form.



Product Date/Time Customer Reference Order ID Cost

Register Search 17/02/2016 01:50PM Kodo Title 20160217008013 \$27 25

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.



Registrar-General

Certificate of Title - Volume 6160 Folio 301

Parent Title(s) CT 6160/298, CT 6160/299

Dealing(s) Creating Title VE 12322472

Title Issued 29/07/2015 Edition 2

Edition Issued 04/01/2016

Estate Type

FEE SIMPLE

Registered Proprietor

FLAGSHIP (PENNY PLACE) PTY. LTD. (ACN: 603 802 268) OF L 29 140 WILLIAM STREET MELBOURNE VIC 3000

Description of Land

ALLOTMENT 2 FILED PLAN 1918 IN THE AREA NAMED ADELAIDE HUNDRED OF ADELAIDE

Easements

SUBJECT TO RIGHT(S) OF WAY WITH LIMITATIONS OVER THE LAND MARKED E ON F1918 (T 2199700)

SUBJECT TO RIGHT(S) OF WAY WITH LIMITATIONS OVER THE LAND MARKED G ON F20283 (T 6135942)

Schedule of Dealings

Dealing Number Description

12439013 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

Notations

Dealings Affecting Title

NIL

Priority Notices





Product Date/Time Customer Reference Order ID Cost Register Search 17/02/2016 01:50PM Kodo Title 20160217008013 \$27.25

NIL

Notations on Plan

NIL

Registrar-General's Notes

APPROVED FX250666

Administrative Interests

NIL

* Denotes the dealing has been re-lodged.



WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

CERTIFICATE OF TITLE

开始 医原原 电准电管电

Volume 6160 Folio 300

| Dealing(s) Creating Title | VE 12322472 |
|------------------------------|-------------|
| Title issued | 29/07/2015 |
| Edition | 2 |
| Edition Issued | 29/07/2015 |

REAL PROPERTY ACT, 1886



South Australia

I certify that the registered proprietor is the proprietor of an estate in fee simple (or such other estate or interest as is set forth) in the land within described subject to such encumbrances, liens or other interests set forth in the schedule of dealings.

Registrar-General

ESTATE TYPE

FEE SIMPLE

REGISTERED PROPRIETORS

FLAGSHIP (PENNY PLACE) PTY. LTD. (ACN: 603 802 268) OF L 29 140 WILLIAM STREET MELBOURNE VIC 3000

DESCRIPTION OF LAND

ALLOTMENT 5 DEPOSITED PLAN 58661 IN THE AREA NAMED ADELAIDE HUNDRED OF ADELAIDE

EASEMENTS

SUBJECT TO RIGHT(S) OF WAY OVER THE LAND MARKED M ON D58661 (T 1428387)

TOGETHER WITH RIGHT(S) OF WAY WITH LIMITATIONS OVER THE LAND MARKED Y ON D58661 APPURTENANT TO THE WITHIN LAND EXCEPT THE LAND MARKED R ON D58661 (T 2199700)

TOGETHER WITH EASEMENT(S) OVER THE LAND MARKED S ON D58661 APPURTENANT ONLY TO THE LAND MARKED T ON D58661 (T 2178813)

TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED W ON D58661 APPURTEMANT ONLY TO THE LAND MARKED M ON D58661 (GRO NO.180 BOOK 128)

SCHEDULE OF DEALINGS

12322474 LEASE TO MINISTER FOR TRANSPORT AND INFRASTRUCTURE COMMENCING ON 06/05/2015 AND EXPIRING ON 05/05/2017

12322475 AGREEMENT UNDER DEVELOPMENT ACT, 1993 PURSUANT TO SECTION 57(1)

END OF TEXT

Page 1 of 1





12 December 2018

Jason Cattonar Unit Manager Development Assessment Department of Planning, Transport and Infrastructure

Via e-mail: jason.cattonar@sa.gov.au scapadmin@sa.gov.au

Dear Jason,

RE: 11-19 PENNY PLACE – WITHOUT PREJUDICE APPLICATION

I am writing to you regarding the new application lodged over the land commonly known as 11-19 Penny Place. The application has been lodged on a without prejudice basis requesting the SCAP deal with the matter as a Category 2 application.

As you are aware there are legal proceedings against the current approval identified as DA 020/A068/17.

Bar Chambers Pty Ltd, through their legal representation, are purporting that the application DA 020/A068/17 has been miscategorised as Category 1 and should have been categorised as Category 2. Their assertion is the development site fails to satisfy the test identified within PDC 40 of the Capital City Zone because it is adjoining land to the City Living Zone and exceeds 22m in height. Cognisant of this, Bar Chambers Pty Ltd have lodged Third Party proceedings against the SCAP.

My client is of the firm view that the application was not miscategorised, and in fact the SCAP have correctly interpreted the clause and correctly assigned DA 020/A068/17 as Category 1. Notwithstanding my clients views the matter could be determined by the courts which may rule in favour of Bar Chambers Pty Ltd. The result of this would be the recategorisation of DA 020/A068/17 which would result in a significant delay on the timeframes associated with the approved development.

The timeframes associated with a legal challenge, and a potential recategorisation will significantly impact on the viability of the project. As such the quickest way for my client to have resolution on the scheme at 11-19 Penny Place is to lodge a new application and have it determined as Category 2 for public notification purposes.

For the reasons identified herein, we formally request that SCAP process the proposed application as Category 2 on a without prejudice basis.

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

intro.com.co



Should you require further information, please do not hesitate to contact the undersigned on 0402 424 403.

Yours sincerely

4 GH

Anthony Gatti Senior Planning Advisor

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

intro.com.co



LANDS TITLES REGISTRATION OFFICE SOUTH AUSTRALIA

APPLICATION TO NOTE LAND MANAGEMENT AGREEMENT

FORM APPROVED BY THE REGISTRAR GENERAL

BELOW THIS LINE FOR OFFICE & STAMP DUTY PURPOSES ONLY

| ETOLANI |
|---------------------|
| ALAO ANTA NO STATAN |
| LENSMONISMEMOUS |
| |

| D.WATSON | | |
|------------|--------------|----------|
| CORRECTION | 9.6.15. | PASSED |
| | • | فممهن |
| | | |
| AL | | 111 2015 |
| REGISTERED | | |
| Allahan | ASS ACT | |
| HITTAK | | L. |
| 1000000 | PIOREGISTRAR | GENERAL |
| Allator | proREGISTAN | -GENERAL |

R-G 250505 CSO116821

Form B2

7.

. .

Insert type of document

here **APPLICATION TO NOTE LAND MANAGEMENT AGREEMENT** (Pursuant to S 57(5) of the *Development Act* 1993)

.

| TO: THE REGISTRAR-GENERAL: | | | |
|---|---|--|--|
| THE MINISTER FOR PLANNING a body corporate constituted by a proclamation made pursuant to s7(1) of the Administrative Arrangements Act 1994 ("the Minister") of 11th Floor, | | | |
| 45 Pirie Street, Adelaide South Australia 5000 has entered into the attached Land Management Agreement dated the day of April 2015 ("the Agreement") with | | | |
| Flagship (Penny Place) Pty Ltd (ACN 603 802 268) of Level 29, 140 William Street, | | | |
| Melbourne Victoria 3000 pursuant to section 57(1) of the Development Act 1993 ("the Act"). | | | |
| The Agreement relates to the whole of the land comprised in Certificate of Title Volume 5864 | | | |
| Folio 62, offer registration of applications for extinguishment of exempts, dated 8.4.15 made by the Minister for Transport and Infrastructure and Western St core Projects PHILTO and lodged contemporaneously here with. The Minister applies pursuant to section 57(5) of the Development Act 1993 (SA) to note the | | | |
| agreement against the Land. | | | |
| DATED the 16 day of April 2015 | | | |
| Att | | | |
| SIGNED by the Chief Executive, Urban Renewal Authority) | | | |
| Trading as Renewal SA, as delegate for the MINISTER) | | | |
| FOR PLANNING, pursuant) John Francis Honlon | | | |
| to an instrument of delegation dated 3 July 2014) Print Name: | | | |
| in the presence of:) | | | |
| RA | | | |
| Signature of WITNESS - Signed in my presence by the CHIEF EXECUTIVE who is either personally known to me or has satisfied me as to his or her identity.* | | | |
| ROSE AGER Print Full Name of Witness (BLOCK LETTERS) | | | |
| Position Held: DIRECTOR | | | |
| Address of Witness | | | |
| Business' Hours Telephone No. 82070797 | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | ł | | |

NB: This form may be used only when no panel form is suitable. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing.

Land Management Agreement

Pursuant to S57 of the Development Act 1993

Minister for Planning

and

Flagship (Penny Place)-Pty Ltd

(ACN 603 802 268)

LAND MANAGEMENT AGREEMENT dated the date specified in Item 1 of the Schedule

PARTIES:

MINISTER FOR PLANNING a body corporate pursuant to the *Administrative Arrangements Act* 1994 (SA) of 11th Floor ,45 Pirie Street, Adelaide SA 5000 ("**Minister**")

AND

THE ENTITY NAMED IN ITEM 2 OF THE SCHEDULE of the address specified in Item 2 of the Schedule ("Owner")

BACKGROUND:

- A. The Owner is the registered proprietor of the Land.
- B. The Owner acknowledges that the South Australian Government, via the South Australian Planning Strategy is committed to increasing both affordable home purchase and rental opportunities, and high need housing opportunities for South Australians, and that the planning strategy establishes a target of at least fifteen percent (15%) affordable housing in all significant new developments.
- C. The Minister and the Owner wish to manage the Land and to control development of the Land to ensure that the Government's affordable housing targets as set out in Background B above, are met.
- D. Pursuant to the provisions of Section 57(1) of the Act the Owner has agreed with the Minister to enter into this Agreement relating to any proposed development of the Land subject to the terms and conditions set out in this Agreement.

IT IS AGREED:

1. DEFINITIONS AND INTERPRETATION

The parties acknowledge that the matters recited in the Background and Schedule to this Agreement are true and accurate and agree that they form part of this Agreement. In the interpretation of this Agreement unless the context otherwise requires:

- 1.1 "Act" means the Development Act 1993 (SA);
- 1.2 **"Affordable Housing Apartment"** means an apartment constructed, or to be constructed, on the Land that meets the criteria for affordable housing specified in the Notice;
- 1.3 **"Affordable Housing Facilitation Agreement"** means a legal agreement made between the South Australian Government and a provider of housing which recognises, records and secures the policy and the respective financial interests agreed between the parties to such agreement in respect to the provision of affordable housing;

- 1.4 **"Affordable Housing Package"** means each allotment on the Land created by the Plan of Division:
 - 1.4.1 which is offered for sale in a house and land package which, if constructed, will result in an Affordable Housing Residence, and
 - 1.4.2 which is purchased by an Eligible Buyer (or such other person as contemplated by clause 3.3) who has entered into a contract for the construction of a dwelling (which may be a different dwelling to the one originally included in the house and land package).;
- 1.5 **"Affordable Housing Property"** means either an Affordable Housing Package or a completed or partially completed Affordable Housing Residence or an Affordable Housing Apartment as the case may be;
- 1.6 **"Affordable Housing Residence"** means a dwelling that is constructed and meets the criteria for:
 - 1.6.1 affordable housing specified in the Notice; and
 - 1.6.2 a Standard Turn Key Home
- 1.7 **"Affordable Housing Plan"** means the plan developed by the Owner and approved by the Director in accordance with clause 3 of this Agreement;
- 1.8 **"Director"** means the Director, Strategy and Affordable Housing Outcomes within Renewal SA;
- 1.9 "Eligible Buyer" means either:-
 - 1.9.1 a prospective homeowner listed on the SA Home Purchase Eligibility Register maintained by Housing SA; or
 - 1.9.2 a registered housing association or registered housing cooperative under the South Australian Cooperative and Community Housing Act 1991 (SA); or
 - 1.9.3 South Australian Housing Trust; or
 - 1.9.4 a housing provider that is subject to an Affordable Housing Facilitation Agreement with any Minister, instrumentality or agency of the Crown in the right of the State of South Australia; or
 - 1.9.5 a Person approved to provide affordable rental under the NRAS; or
 - 1.9.6 such other Person as the Minister may from time to time nominate to the Owner in writing;
- 1.10 "GST" means the tax imposed by the GST Law;
- 1.11 "GST Law" has the meaning attributed in the A New Tax System (Goods and Services Tax) Act 1999 (Cth);
- 1.12 **"Land"** means the whole of the land comprised in the Certificates of Title specified in Item 3 of the Schedule and includes any part or parts of the Land;
- 1.13 **"Maximum Price**" is the maximum sale price for the Affordable Housing specified in the Notice and is inclusive of GST payable by an Eligible Buyer but excludes stamp duty and registration fees payable by an Eligible Buyer;
- 1.14 **"Notice"** means a notice published in the South Australian Government Gazette pursuant to Regulation 4 of *the South Australian Housing Trust (General) Regulations 1995 (SA)* as amended from time to time;
- 1.15 **"NRAS"** means the former National Rental Affordability Scheme established by the Australian Government;

- 1.16 "Outcomes" has the meaning as set out in clause 3.1;
- 1.17 **"Owner's Asking Price"** is the sale price (inclusive of GST but excluding stamp duty and registration fees) at which the Owner advertises Affordable Housing (being an amount no higher than the Maximum Price);
- 1.18 "Person" will include a corporate body or other entity;
- 1.19 **"Planning Strategy"** means the strategy formulated under the Development Act 1993.
- 1.20 **"Practical Completion**" means when an Affordable Housing Apartment is complete except for minor omissions and defects;
- 1.21 **"Renewal SA"** means a statutory corporation pursuant to the Housing and Urban Development (Administrative Arrangements) (Renewal SA) Regulations 2012 (SA);
- 1.22 **"Residential Development"** means development (as defined in the Act) of any residential property on the Land:
- 1.23 **"Residential Development Application"** means an application for development authorisation under the Act that includes or contemplates Residential Development;
- 1.24 "Schedule" means the schedule to this Agreement;
- 1.25 **"Standard Turn Key Home"** means a dwelling which satisfies both the definition of "Turn Key Home" and includes the 'mandatory inclusions' as specified in the Government of South Australia Affordable Homes Program, Turn Key Home definition provided on the website (www.sa.gov.au/afforablebuild) as at the relevant time being the time at which the Affordable Housing Property is listed for sale;
- 1.26 **"Website"** means the part of the website www.realestate.com.au that is used and maintained by Renewal SA for the purposes of listing affordable properties;
- 1.27 Words and phrases used in this Agreement which are defined in the Act or in the Regulations made under the Act will have the meanings ascribed to them by the Act or the Regulations as the case may be;
- 1.28 References to any statute or subordinate legislation will include all statutes and subordinate legislation amending, consolidating or replacing the statute or subordinate legislation referred to;
- 1.29 Any term which is defined in the statement of the names and descriptions of the parties or in the Background will have the meaning there defined;
- A reference to a party includes that party's administrators, successors and permitted assigns;
- 1.31 Words importing the singular number or plural number will be deemed to include the plural number and the singular number respectively;
- 1.32 Words importing any gender will include every gender;
- 1.33 Clause headings are provided for reference purposes only and will not be resorted to in the interpretation of this Agreement; and
- 1.34 The requirements of this Agreement are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Land.

2. CONDITIONS PRECEDENT

The Owner and the Minister agree that other than clauses 1, 2, and 12.3, this Agreement shall have no force or effect until such time as:

- 2.1 the Owner commences Residential Development on the Land; or
- 2.2 the Owner lodges a Residential Development Application with the relevant authority.

3. DEVELOPMENT OF AFFORDABLE HOUSING

3.1 **Obligation to Create Affordable Housing**

The Developer must develop and offer for sale as Affordable Housing Properties not less than fifteen per cent (15%) of the total number of dwellings to be created on the Land (the "**Outcomes**").

3.2 Affordable Housing Plan

- 3.2.1 The Owner must prepare and in doing so consult with and obtain approval from the Director of an Affordable Housing Plan for the development of the Land by no later than the date specified in Item 4 of the Schedule.
- 3.2.2 The Affordable Housing Plan must:
 - (a) specify development of the Land on a stage by stage basis;
 - (b) specify the number and type of Affordable Housing Properties which are to be offered for sale in each sub-stage;
 - (c) control a balanced delivery across a project that may support substage approval with increased or decreased Affordable Housing Properties offered for sale, providing that the Outcomes are delivered; and
 - (d) in the case of Affordable Housing Apartments, specify the number, type and floor level within the building or buildings that the Affordable Housing Apartments are to be offered for sale.
- 3.2.3 An Affordable Housing Plan can be amended from time to time by the Owner, provided that:
 - (a) the Outcomes are delivered in the amended Affordable Housing Plan; and
 - (b) the amended Affordable Housing Plan is approved by the Director within fourteen (14) days of the amendment being made.
- 3.2.4 If requested by the Director, the Owner must meet and consult with the Director in good faith in relation to any concerns that the Director may have with the Affordable Housing Plan or any amendments to the Affordable Housing Plan.
- 3.2.5 The Developer acknowledges that the factors to be taken into account by the Director in considering the Affordable Housing Plan submitted by the Developer include:
 - (a) the distribution of the Affordable Housing Properties through the stages;
 - (b) the style and specifications of the Affordable Housing Residences which the Developer proposes to construct or approve for construction on the Land;
 - (c) the attributes of the Land such as slope, location of water courses, trees and vegetation;
 - (d) the home ownership and rental mix;

- (e) the accommodation mix; and
- (f) the proposed marketing plan for the Affordable Housing Properties.
- 3.2.6 The Owner must ensure that all Affordable Properties are developed in accordance with the approved Affordable Housing Plan subject to any amendments agreed pursuant to clause 3.2.3) and in accordance with any development authorisation received in respect of the application for the development of the Land.

3.3 **Construction of Affordable Housing**

The Developer must ensure that:

- 3.3.1 Affordable Housing Properties are well integrated and complementary in design and appearance to other dwellings within the development;
- 3.3.2 in the event that the Developer is to develop the Land in stages, then the staging of the development must provide for the development of Affordable Housing Residences and/or Affordable Housing Packages concurrently with the development of other dwellings;
- 3.3.3 Affordable Housing Properties are equivalent (or better than) other dwellings in the development in their energy efficiency, insulation, water conservation mechanisms, and solar access rating; and
- 3.3.4 the exterior appearance of Affordable Housing Properties are reasonably similar to other dwellings built on the Land in the nature and quality of exterior building materials and finishes.

4. PRICE AND SALE OF AFFORDABLE HOUSING

4.1 **Price of Affordable Housing Properties**

- 4.1.1 Subject to clause 4.4, the Owner must not:
 - (a) advertise Affordable Housing Properties, or
 - (b) sell Affordable Housing Properties
 - at a price greater than the Maximum Price.
- 4.1.2 The Owner acknowledges and agrees that at the date of this Agreement the Maximum Price is that specified in Item 5 of the Schedule.
- 4.1.3 The parties acknowledge and agree that the Maximum Price may vary by publication of a fresh Notice. On publication of a fresh Notice the Maximum Price will vary accordingly provided that the Maximum Price for the purposes of this Agreement will not be less than the price specified in Item 5 of the Schedule at the execution of this Agreement.

4.2 Sale of Affordable Housing Properties - Eligible Buyers

- 4.2.1 The Owner must take reasonable steps to market Affordable Housing Properties to Eligible Buyers.
- 4.2.2 The Owner must not sell an Affordable Housing Package or a completed or partially completed Affordable Housing Residence to any Person other than an Eligible Buyer unless and until the Owner has advertised the Affordable Housing Package or a completed or partially completed Affordable Housing Residence through the Website (and any other marketing mediums that the Owner and the Director agree) continuously for at least thirty (30) days after development plan consent has been granted by the relevant authority provided that at least fourteen (14) days of such advertising must be after the plan of division creating the relevant affordable housing allotment has been accepted for deposit by the Registrar-General.

- 4.2.3 Subject to clause 4.4, if, at any time within the period commencing with the first day of such advertising and continuing whilst any Affordable Housing Package or a completed or partially completed Affordable Housing Residence remains unsold, an Eligible Buyer offers to purchase an Affordable Housing Package or a completed or partially completed Affordable Housing Residence at either:
 - (a) the Owner's Asking Price, or
 - (b) the Maximum Price,

then the Owner must enter into a contract to sell the Affordable Housing Package or a completed or partially completed Affordable Housing Residence with such Eligible Buyer for that price.

- 4.2.4 The Owner must not sell an Affordable Housing Apartment to any Person other than an Eligible Buyer unless and until the Owner has advertised the Affordable Housing Apartment through the Website (and any other marketing mediums that the Owner and the Director agree) continuously for at least thirty (30) days after development plan consent has been granted for the Affordable Housing Apartment.
- 4.2.5 If any Affordable Housing Apartment remains unsold after the 30 day advertising period specified in 3.2.4 then that Affordable Housing Apartment may be offered for sale on the open market, provided that if any Affordable Housing Apartment still remains unsold at Practical Completion, a further period of fourteen (14) days of continuous advertising through the Website is required.
- 4.2.6 Subject to clause 4.4, if, at any time within the period commencing with the first day of such advertising and continuing whilst any Affordable Housing Apartment remains unsold, an Eligible Buyer offers to purchase an Affordable Housing Apartment at either:
 - (a) the Owner's Asking Price, or
 - (b) the Maximum Price,

then the Owner must enter into a contract to sell the Affordable Housing Apartment with such Eligible Buyer for that price.

4.3 Sale of Affordable Housing Properties - Non-Eligible Buyers

In the event that no Eligible Buyer makes an offer which complies with clause 4.2.3 or 3.2.5 (as the case may be) within the periods specified in clause 4.2.2 or 4.2.4 (as the case may be), then the Owner may sell the Affordable Housing Property to a person other than an Eligible Buyer provided that the Affordable Housing Property is sold at a price not higher than the Maximum Price and this sale will be counted as a sale of Affordable Housing Property towards the Owner's obligation to deliver the Outcomes.

4.4 Sale of Affordable Housing Properties - Higher than the Maximum Price

- 4.4.1 The Owner may sell Affordable Housing Properties at a price higher than the Maximum Price if:
 - (a) the Eligible Buyer is of the class set out in clause 2(4) of the Notice; or
 - (b) the "Dwelling", as that term is defined in the Notice:
 - (i) complies with clause 2(3) of the Notice; and
 - (ii) any approval to a variation in the price is approved by the Chief Executive Renewal SA (or their delegate) pursuant to clause 2(3) of the Notice; or

- (c) in the case of an Affordable Housing Package or a completed or partially completed Affordable Housing Residence, at the Eligible Buyer's request, the dwelling includes items in excess of the Standard Turn Key Home requirements which increases the Price.
- 4.4.2 If the Affordable Housing Property is sold for a price higher than the Maximum Price, other than in accordance with the requirements of clause 2.4, then the sale will not be counted as a sale of an Affordable Housing Property towards the Owner's obligations to deliver the Outcomes.

5. NOTING OF THIS AGREEMENT

5.1 Noting of Agreement

The Minister and the Owner will do and execute all such documents and things as may be necessary to ensure that as soon as is possible after the execution of this Agreement by all necessary parties this Agreement is noted and a memorial thereof entered on the Certificate of Title for the Land pursuant to the provisions of Section 57(5) of the Act in priority to any other interest in the Land.

5.2 Noting of Rescission

- 5.2.1 The Owner and the Minister agree that the Minister shall rescind (as that term is used in the Act) this Agreement and procure the noting by the Registrar General of such rescission of this Agreement over such relevant portions of the Land following:
 - (a) the approval of the Affordable Housing Plan by the Director; and
 - (b) the Owner requesting the Minister to rescind the Agreement and specifying the particular allotment numbers in the relevant plan of division that will be used to deliver Affordable Housing Properties on that portion of the Land in accordance with the Affordable Housing Plan.
- 5.2.2 The Owner and the Minister agree that:
 - (a) any rescission of this Agreement and noting of such rescission under this clause 5.2 shall not release the Owner from its obligations under this Agreement to deliver the Outcomes contemplated by the Affordable Housing Plan; and
 - (b) the obligation on the Owner to deliver the Outcomes pursuant to this Agreement shall remain in full force and effect and is hereby confirmed.
- 5.2.3 Both the Owner and the Minister agree to undertake best endeavours to expedite the signing of any documents appropriate to rescind this Agreement from the relevant properties to meet the Owner's timing required to complete the sale of the relevant apartments in the development.

6. **OWNER TO OBTAIN CONSENTS**

The Owner must:

- 6.1 obtain any consent(s) required to satisfy the requirements of Section 57(4) of the Act; and
- 6.2 provide a copy of the consent(s) to the Minister.

7. COSTS

7.1 The Owner agrees to pay the costs incurred in the stamping and noting of this Agreement against the relevant certificates of title for the Land.

7.2 The Owner shall pay the Minister's costs of and incidental to the rescission or partial rescission of this Agreement and the noting of such rescission or partial rescission against the relevant portions of the Land.

8. INDEMNITY

In the event of a breach or non-performance of its obligations under this Agreement, the Owner hereby indemnifies the Minister and agrees to keep the Minister forever indemnified in respect of the whole of the Minister's costs and expenses (including without limitation legal costs and expenses) of and incidental to the enforcement of the Owner's obligations under this Agreement.

9. **NOTICES**

- 9.1 Without prejudice to any other means of giving notice any notice required to be served under this Agreement shall be sufficiently served or given:
 - 9.1.1 by personal service on that party (or if it is a body corporate on a director, secretary or other officer of the party);
 - 9.1.2 if to the Owner, by post to the address of the Owner set out in Item 8 of the Schedule such other address as the Owner may notify the Minister from time to time as being the Owner's address for service of notices; and
 - 9.1.3 if to the Minister, by post to the address of the Minister set out in Item 6 of the Schedule or such other address as the Minister may notify each other party from time to time as being the Minister's address for service of notices.
- 9.2 Any notice may be signed on that party's behalf by its attorney, director, secretary or other officer or solicitor.
- 9.3 A notice by post shall be deemed to be served or given at the time when it ought to be delivered in the due course of post.

10. MINISTER MAY DELEGATE

The Minister may delegate any of its powers under this Agreement to any person.

11. **REPORTING**

The Owner must provide to the Director information reasonably requested by the Director relating to the creation and sale of Affordable Housing on the Land.

12. **GENERAL**

12.1 Good Faith

The Owner and the Minister must deal with one another in good faith in relation to their respective obligations under this Agreement.

12.2 Joint and Several Liability

When two or more persons are parties to this Agreement the covenants obligations and agreements on their part contained in this Agreement shall bind them jointly and each of them severally.

12.3 Assignment

- 12.3.1 The Owner must not assign, encumber or attempt to novate any of its rights or obligations in relation to this Agreement without the prior written consent of the Minister.
- 12.3.2 Unless this Agreement has been rescinded from the Land (or portion of the Land) pursuant to the provisions of this Agreement the Owner must not sell, assign, convey, transfer, create a trust in respect of, or otherwise

dispose of the legal or any beneficial estate or interest in or to the Land or any portion of the Land other than in accordance with this Agreement, at any time during the term of this Agreement without the prior written consent of the Minister.

12.4 Entire Agreement

12.4.1 This Agreement incorporates the attached Schedule.

- 12.4.2 This Agreement contains the entire agreement between the parties with respect to its subject matter.
- 12.4.3 This Agreement supersedes any prior agreement, understanding or representation of the parties on the subject matter.

12.5 Modification

Any modification of this Agreement must be in writing and signed by each party.

12.6 Waiver

The Minister may waive compliance by the Owner with the whole or any part of the Owner's obligations provided that no such waiver will be effective unless expressed in writing and signed by the Minister.

12.7 Severance

12.7.1 Each word, phrase, sentence, paragraph and clause of this Agreement is severable.

- 12.7.2 If a court determines that a part of this Agreement is unenforceable, invalid, illegal or void that court may sever that part.
- 12.7.3 Severance of a part of this Agreement will not affect any other part of this Agreement.

12.8 Relationship between the Parties

Nothing in this Agreement will constitute either party as the partner, agent, employee or officer of, or as a joint venturer with, the other party, and neither party has any authority to bind the other party in any manner without the prior written consent of the other party.

12.9 Governing Law

- 12.9.1 This Agreement is governed and construed in all respects in accordance with the law of the State of South Australia and the Commonwealth of Australia.
- 12.9.2 The parties submit to the jurisdiction of the Courts of the State of South Australia and the Commonwealth of Australia in respect of all matters arising under or relating to this Agreement, provided that any proceedings issued in the Courts of the Commonwealth of Australia are issued in the Adelaide Registry of any such Court.

12.10 Construction of Agreement

In the interpretation of this Agreement no rules of construction shall apply to the disadvantage of one party on the basis that that party put forward the Agreement or any part thereof.

)

EXECUTED AS AN AGREEMENT

By the CHIEF EXECUTIVE, URBAN RENEWAL AUTHORITY, trading as RENEWAL SA as delegate for THE MINISTER FOR PLANNING pursuant to an instrument of delegation dated 3 July 2014, pursuant to s20 of the *Development Act 1993*:

in the presence of Witness

Print Name: Rose Agen

Position Held: PIRECTOR

Address: C/- Renewal SA

Contact Phone: <u>\$207.0797</u>

16 April 2015 Date

EXECUTED by FLAGSHIP (PENNY PLACE) PTY LTD in accordance with Section 127 of the Corporations Act 2001 and its Constitution

Signature of Director

EVEN U

[Print Name of Director]

.......

)

)

Signature of Director/Secretary*

[Priht Name of Director/Secretary*] (*delete the inapplicable)

SCHEDULE

| ITEM 1 Date of Agreement | 16 April 2015 |
|--|---|
| ITEM 2 Owner | Owner's Name: Flagship (Penny Place) Pty Ltd A.C.N. 603 802 268 Owner's Address: Level 29, 140 William Street, Melbourne Victoria 3000 |
| ITEM 3 Land (Clause 1.12) | The whole of the land comprised in Certificate of Title Volume 5864 Folio 62 |
| ITEM 4 Provision of Affordable Housing Plan (Clause 3.2.1) | Due Date: within 30 days of obtaining Development Plan consent. |
| ITEM 5 Current Maximum Price (Clause 4.1.2) | \$288,000 |
| ITEM 6 Addresses for Notices (Clause 9) | Minister: Renewal SA Attention: Robyn Evans Level 9, Riverside Centre, North Terrace Adelaide, South Australia, 5000 Fax: (08) 8207 1301 Owner: Premier Capital Developments Attention: Joanne Cox Level 29, 140 William Street, Melbourne VIC 3000 Email:jo@premiercapitaldevelopments.com.au |

, • :

. •--


| 01 | INTRODUCTION | 3 |
|--|---|--|
| 02 | SUBJECT LAND AND LOCALITY | 4 |
| 02.1 02.2 | SUBJECT LAND LOCALITY | 4 5 |
| 03 | DESIGN RESPONSE | 7 |
| 03.1 03.2 | DESIGN STATEMENT RESPONSE TO ODASA | 7 7 |
| 04 | THE PROPOSAL | 13 |
| 04.1 04.2 04.4 04.5 04.6 | BUILDING COMPOSITION STAGED DEVELOPMENT WASTE MANAGEMENT ACOUSTIC ECOLOGICALLY SUSTAINABLE DEVELOPMENT | 11 12 13 13 14 |
| 05 | PLANNING ASSESSMENT | 15 |
| 05.1 05.2 05.2.1 05.2.2 05.2.3 05.2.4 05.2.5 05.2.6 05.2.7 05.2.8 | NATURE OF DEVELOPMENT PROVISIONS LAND USE BUILDING DESIGN CONSERVATION AND HERITAGE MEDIUM TO HIGH SCALE RESIDENTIAL DEVELOPMENT LANDSCAPING ENVIRONMENTAL ECONOMIC DEVELOPMENT TRANSPORT AND ACCESS | 15 15 15 15 21 21 26 27 30 30 |
| 06 | CONCLUSIONS | 31 |

INTRODUCTION

Intro has prepared this report on behalf of Flagship (Penny Place) Pty Ltd (the Applicant), providing planning advice pertaining to the proposed development of land located between Penny Place and Nelson Street, Adelaide. The development proposal represents an opportunity to deliver a high quality mixed use, multi-level building located in a strategically important area of the City of Adelaide.

In undertaking the project design, the Applicant has commissioned the following sub-consultants to provide specialist advice:

| Architecture: | Woods Bagot |
|-------------------------|-------------------|
| Town Planning: | Intro |
| Traffic Engineering: | GTA Consultants |
| Acoustic Engineering: | WSP |
| ESD Consultant | WSP |
| Wind Impact: | Vipac |
| Waste Management: | Colby Industries |
| Civil Engineering: | Robert Bird Group |
| Landscape Architecture: | Tract |

In forming my opinions herein, I confirm that I have viewed the proposal plans prepared by Woods Bagot, have attended the subject land and locality and considered the relevant provisions of the Adelaide (City) Development Plan (consolidated - 7 June 2018).

I request that SCAP lodge this application on a without prejudice basis and ensure that the development is Categorised as Category 2.



02 SUBJECT LAND AND LOCALITY 02.1 SUBJECT LAND

The subject land is bounded by the Roma Mitchell law courts to the north, Nelson Street to the west, a two-storey state heritage office building as well as a shop and two, two-storey offices to the south facing Carrington Street and Penny Place to the east. The street address for the subject land is 27-31 Angas Street, Adelaide. Currently the built form associated with the site is used as an office premises for SA Police.

The subject land is more particularly described within the following Certificate of Title:

| Allotment | Filed Plan | Hundred | Volume/Folio |
|-----------|------------|----------|--------------|
| 5 | 58661 | Adelaide | 6160/300 |

The Certificate of Title forms Appendix 01 of this planning statement.

The subject land displays a frontage of some 56m to Nelson Street, 28m to Penny Place and exhibits a depth of 60m between Nelson Street and Penny Place. In total, the subject land comprises some 2,350sqm in site area. The subject land is relatively flat displaying no particular fall in gradient. Twelve *Platanus orientalis (Oriental Plane)* trees exist upon the subject at grade car park. None of these are regulated or significant.

The aerial photograph below depicts the site and subject land:



FIGURE 02.1: SUBJECT SUBJECT ALLOTMENT OUTLINED AND SUBJECT LAND SHADED

The subject land is located within the Capital City Zone of the authorised Development Plan.

The existing built form upon the subject land is an at grade car park with two-way vehicular access from Nelson Street and surrounded by a colorbond fence of 2.2 metres in height and a four-storey cream brick office building built in the 1960s.



02.2 LOCALITY

The subject land is highly accessible to vehicles cognisant of the prevailing road networks in its proximity. King William Street is identified as a Secondary City Access Road. The light rail corridor, located along King William Street, connects Glenelg through to the Adelaide Entertainment Centre, with the City South Tram Stop located some 250m south-west of the subject land and the Victoria Square Tram Stop located some 350m to the north-west.

The location of the subject land also avails a high degree of pedestrian connectivity and accessibility, being identified within the Primary Pedestrian Area, as delineated in Map Adel/1 (Overlay 2A) in the Adelaide (City) Development Plan (the Development Plan). Angas Street is also located within the Primary Bicycle Network identified in Map Adel/1 Overlay 3 of the Development Plan and is accessible to pedestrians and cyclists from the subject site through a laneway on the balance of the subject allotment to the north-east.

The locality to the south along Carrington Street contains a range of buildings which are lower in scale. On the corner of Nelson and Carrington Streets, adjacent to the subject land is a State Heritage Item: the Bar Chambers, a former dwelling. This two-storey Victorian style building is constructed of red brick and bluestone. Also adjacent the subject land to the south is a contemporary two-storey office building of rendered masonry and a single story shop.

The following images depict the locality to the south:





PHOTOGRAPH 01: ROMA MITCHELL LAW COURTS TO THE NORTH AND STATE HERITAGE PLACE TO THE SOUTH VIEWED FROM CARRINGTON ST

PHOTOGRAPH 02: STATE HERITAGE PLACE TO THE SOUTH OF THE SUBJECT SITE WITH RIGHT OF WAY OVER LANEWAY ON NELSON ST

Adjacent the subject land to the west across Nelson Street are a single and two-storey building with ancillary at-grade car parking occupied by SA Police and depicted in Photograph 04 below.



PHOTOGRAPH 03: VIEW EAST ACROSS SUBJECT LAND



PHOTOGRAPH 04: LOCALITY WEST AND NORTH OF SUBJECT LAND INCLUDING ROMA MITCHELL LAW COURTS



The locality to the north is heavily influenced by the adjacent the Roma Mitchell Magistrate Courts - a building designed in a symbolic, futurist style which is characterised by strong lines and sculptural elements comprised of copper pattina, steel, concrete and coloured glazing. The existing pedestrian path on the adjacent site's southern boundary abutting the subject site is currently being widened to approximately 5.5 metres at its narrowest point and landscaped within the site's northern boundary, thus widening and reinforcing the existing pedestrian link from Nelson Street to Angas Street between the subject site and the rear of the Roma Mitchell Commonwealth Law Courts (see Photograph 7).

Immediately adjacent to the east and north of the subject land exists the balance of the irregularly shaped subject allotment. A mixed use building of retail with ancillary car parking and landscaping is currently under construction on this adjacent land (DA 020/A055/15). The car park element which occupies a portion of the first 5 levels is depicted under construction to the north east of the subject site in Photograph 07 below. The car park element will gain access via Angas Street on its eastern side with access removed from the subject land.

This development will substantially influence the locality of the subject land to the north and east. Rendered images expressing its materiality, massing and interaction with public space are included within Appendix 02 of this report.

The locality to the east of the site across Penny Place comprises two-storey group dwellings orientated to an internal courtyard and with 5 garages and driveways off Penny Place and a two-storey office building on the corner of Penny Place and Carrington Street.



PHOTOGRAPH 05: ROMA MITCHELL COMMONWEALTH LAW COURTS TO NORTH



PHOTOGRAPH 06: SOUTHERN FACADE OF ROMA MITCHELL LAW COURTS WEST



PHOTOGRAPH 07: PEDESTRIAN ACCESS ALONG SITE'S NORTHERN BOUNDARY

Abutting the subject land to the south is a two-storey mock Georgian office building forming the corner of Carrington Street and Penny Place. This building is depicted in Photograph 08 below.



PHOTOGRAPH 08: LOCALITY SOUTH EAST OF SUBJECT LAND VIEWED FROM CARRINGTON STREET



PHOTOGRAPH 09:THE CREAM BRICK 4-STOREY BUILDING LOCATED ON THE EASTERN PORTION OF THE SUBJECT LAND

INTRO

7

03 DESIGN RESPONSE

03.1 DESIGN STATEMENT

Penny Place provides an opportunity to create an "urban regeneration" of a significant central Adelaide city site, into a sequentially connected and layered unique urban experience

Conceived as precinct, Penny Place is the second stage of an integrated mixed use master plan. Penny Place consists of a communal open space flanked by Kodo (the first stage), Penny Place Residential Tower and Penny Town Houses. The ground plane provides the community with strong pedestrian connections and active frontages to both Penny Square and Nelson Street.

In this project, the team is looking to leverage our combined skills and experience to develop a SMART product. We referenced this conceptual aspiration against the principles of PEOPLE, DESIGN AND CONSTRUCT to inform the architectural response.

03.2 RESPONSE TO ODASA

In October 2017, the proponent undertook a Design Review with the Office for Design and Architecture SA for a previous Development Application for the same development. Following the receipt of feedback from this Design Review process, the project team has amended the design, or provided a justification for not doing so. Woods Bagot provide the following response:

"I am concerned that the current site configuration does not offer clear and legible links between Nelson Street and Penny Place"

The site linkage strategy was established as part the previously approved masterplan. The main public link from Penny Place to Nelson Street is via a landscaped path to the north of Stage 2. A pedestrian linkage is also available east/west through the building via a rationalized lobby experience supporting the proposed retail tenancy with a controlled access strategy to be confirmed. This link will also allow visual permeability through the building at ground level. This linkage could be further expanded in the future should a retail tenancy be incorporated on the Nelson Street frontage.

"I am concerned by the inactive frontage on Nelson Street which in my opinion can restrict future development opportunities on adjoining sites"

It was noted at the design review that in its current context activation of Nelson Street frontage will be problematic from a commercial point of view. As such we believe that the current approach is appropriate provided the provision is made for future commercial tenancy to be implemented, a sketch is provided in the development submission demonstrating the ability to implement a commercial tenancy to the Nelson Street frontage in the future.

"I am of the view that the proposal does not offer sufficient passive surveillance to the public spaces after hours. I understand that the project team intend to transfer the publicly accessible spaces to the council ACC. Therefore it is particularly critical to the success of the overall development that the public spaces are safe at all times and offer high amenity to the residents and the wider community alike."

There has been a strong focus on providing activated and safe pedestrian interfaces to the public spaces within the masterplan. Along with the proposed retail fronting Penny Square (in Stage 1 - Kodo and 2), resident amenity facilities provided on Ground Floor of Stage 2, Proposed Townhouses and the Landscaped Roof Terrace of Stage 1 are intended to cultivate activation of the ground plane and passive surveillance of adjacent public spaces.

Tract consultants have been engaged to provide landscaping design services for the project to ensure that a successful and integrated public realm approach is achieved. They will provide advice on the following;

STRATEGY & CPTED

The CPTED Strategy for the public realm will been adapted from Crime prevention and the assessment of development applications Guidelines under section 79C of the Environmental Planning and Assessment Act 1979 NSW.

DETERRENCE THROUGH SURVEILLANCE

Outdoor and public realm lighting, including LED wall mounted brick-lighting for ambient lighting encouraging evening use, pole mounted lighting and in-ground lighting in key areas.



8

Groundcover planting, low shrubs and taller trees allow for natural clear sight lines through the laneways, walkways and square.

TERRITORIAL REINFORCEMENT

Territoriality is a CPTED design concept that clearly delineates private space from semi-public and public spaces and also creates a sense of ownership. When there is a sense of ownership within a space, strangers and intruders stand out and are more easily identified. This is achieved by:

- The design of the ground plane, including levels and treatment reinforces natural surveillance and natural access control strategies with additional designed symbolic and social elements enhancing a feeling of legitimate ownership.
- Pavement treatments, landscaping, screening and fences help to define and outline ownership.

SPACE MANAGEMENT

Ensuring proper maintenance of landscaping, lighting treatment and other features will assist in the prevention of crime. Use of high quality materials and hardy plant selection allows for maintaining high landscaping standards over time.

SOLAR ACCESS

Solar studies will be undertaken to identify the most appropriate species for the area. We anticipate good solar access for the central square, with lower levels of light in the laneways, where shade tolerant species will be selected.

Woods Bagot in house review of solar analysis suggests that the communal open space will achieve approx. 2000 hours of direct daylight annually.



"In my opinion, re-orientation of the building to provide north south apartments will improve resident amenity and sustainability performance of the development. However I acknowledge the challenges with the site specific adjacency issues and support the proposed orientation on balance"

Extensive analysis of the façade performance has been undertaken by Woods Bagot and ESD Consultant - WSP supporting the proposed orientation of the building with regards to the following;

VIEWS

Great amenity is provided by the uninterrupted views for all apartments to the east and the west



NATHERS

All apartment types modeled meet the required minimum rating of 5 Stars and an average rating of greater than 6 Stars using a mid-level double glazed solution as outlined in the ESD report. Regarding the western façade it is noted in the ESD report that the average star rating difference between the western and eastern façades is only 0.1 stars.

| | | Level 5 | Level 14 | Level 23 |
|---------|------|-------------|----------|----------|
| Apt No. | Туре | Star Rating | | |
| X.01 | 1A | 5.6 | | 5.1 |
| X.02 | 2B | 6.7 | | |
| X.03 | 2B | | | 6.2 |
| X.04 | 2A1 | 7.3 | 7.4 | |
| X.05 | 2A | | | 6.1 |
| X.06 | 2B | 6.6 | | |
| X.07 | 2B | | 6.4 | 5.6 |
| X.08 | 2B1 | 6.6 | | 5.6 |
| Min | | | 5.1 | |
| Average | | | 6.3 | |
| Max | | | 7.4 | |



"I recommend the design team further explore integrated systems to effectively manage the solar loads on the western elevation, with the view to further develop the expression of the long elevations informed by the passive climate control requirements"

While the design team believe that articulation provided by the current façade elements will provide a strongly textured long façade we are looking to explore some further colour tone randomisation of the air conditioning screen elements and introduction of "greening" elements to the party wall blades as outlined in the landscaping report which will further articulate this façade.

As mentioned previously the ESD report suggests that the current sun shading elements provide sufficient passive performance to achieve the required NATHERS rating and as such additional sun shading elements will be surplus to requirements and will need to be reviewed against the initial conceptual basis for the project. Woods Bagot internal analysis suggests that the current sun shading approach will reduce average heatloads on the façade by approx. 41%.





"While I support the intent to provide a neutral backdrop to the state heritage place, I am concerned by the challenges of controlling the concrete finishes to deliver the intended visual outcome. I recommend opening up the north and south ends of the building to improve the amenity of the internal communal circulation spaces."

The design team has noted your recommendation to open the south and north ends of the communal circulation, this adjustment has been integrated in the updated design proposal. This opening also provides additional articulation of the southern facade.



Regarding the quality of the concrete finish, we believe that having the builder on board at this stage of the project allows the project team to receive appropriate buildability advice to ensure that sufficient allowances are made for construction of a pre-cast concrete finish which meets the desired visual outcomes. We propose to use a finishing product such as on the off form finish to ensure that this is achieved. We note that the use of the off -form concrete finish is intended to align with the conceptual basis for the project.

"While I recognise the intention to locate the condensers within integrated furniture pieces, further information is required to demonstrate that the proposed arrangement successfully mitigates the environmental and acoustic impacts." Acoustic analysis has been undertaken by WSP confirming that the noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will meet the environmental noise criteria set out in the Adelaide City Council Development Plan and the EPA south Australian EPA Environment Protection (Noise) Policy 2007.

"An opportunity exists to enlarge the private open space provisions at the top of the podium to vary the apartment offerings, it can also assist in improving passive surveillance of the communal open space"

We note that passive surveillance of the square has been addressed previously and acknowledge the opportunity for these balconies to provide additional visual amenity to the tower residents. The intention is to provide larger balconies to the podium apartments as noted to vary the apartment offerings, Woods Bagot along with Tract Consultants will look to define an appropriate size for these balconies based on a number of different factors including buildability, drainage, cost and resident amenity.

04.1 BUILDING COMPOSITION

The particular elements of the proposal are detailed within the plans prepared by Woods Bagot dated September 2018, which form Appendix 02 of this planning statement.

The revised proposal is for a 24-storey mixed use development and a three-storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped square.

A retail tenancy will occupy part of the ground floor of the tower building which fronts onto a landscaped pedestrian thoroughfare and communal open space. Car parking will occupy part of the ground floor and levels 1 to level 4. Residential land uses will occupy the upper levels of the proposed building. The key land uses and their respective areas are listed below:



12

The scheme proposes 133 two-bedroom apartments, 19 one-bedroom apartments and 158 car parking spaces, four townhouses and 60sqm of retail.

GROUND FLOOR

- Retail 60sqm internal area;
- Entrance Lobby 89sqm;
- Car park access and 14 car parks;
- Communal lounge and kitchen 95sqm;
- Bike store and workshop for 140 bicycles;
- Refuse storage 55sqm; and
- Building Services 166sqm.

LEVELS 1-4

- 40 car parking spaces per level
- 20 car parking spaces on the uppermost ramp

LEVELS 5-24

- Seven, two bedroom apartments per level; and
- One, single bedroom apartment per level.

A residential flat building comprising four, three-storey townhouses additionally form part of this Development Application and are located on the south eastern corner of the subject land. The two-bedroom dwellings will gain access from a rear laneway running off Penny Place and have one car parking space each.

In total the proposed development incorporates 133 two bedroom residential apartments, 19 one bedroom residential apartments, four townhouses within a residential flat building and 158 car parking spaces.

Landscaped communal open space of some 280sqm is proposed on the east of the subject site which will provide amenity to the surrounding residential developments and ground floor shops.

For ease of identification throughout this report, the 24-storey mixed use building will be referred to as the 'tower' building and the three-storey residential flat building will be referred to as the 'townhouses'

04.2 STAGED DEVELOPMENT

The application is for a Staged development comprising the following stages:

- 1. Demolition and early works (demolition has already been submitted and approved);
- 2. Substructure of the mixed-use building;
- 3. Super structure of the mixed-use building;
- 4. Occupancy of the mixed-use building;
- 5. Substructure and superstructure of Townhouses; and
- 6. Occupancy of the Townhouses

04.3 TRAFFIC AND PARKING

CAR PARKING

A total of 158 car parking spaces will be located within the site across 5.5 levels. The proposed townhouses will include one garage parking space for each dwelling.

As part of the development the existing car parking on Nelson Street will need to be adjusted. There are currently 6 permit parking spaces and 2 time-restricted (2 hour) parking spaces. To accommodate the proposed site accesses and design vehicles, including removal of existing accesses, up to 5 on-street parking spaces are likely to be feasible.

VEHICLE ACCESS

Vehicle access to the proposed tower will be via Nelson Street. The proposed crossover at the northern end of the site

INTRO



will provide access for vehicles parking at the ground floor, as well as for refuse and delivery vehicles. Access for vehicles entering car parking spaces on Level 1 to Level 3 will be provided via a ramp access at the southern end of the site. The proposed townhouses will be accessible from Penny Place.

BICYCLE FACILITIES

A total of 140 secure bicycle parking spaces will be provided in a bicycle storage along with a bicycle workshop on the ground floor for use by residents. Visitor bicycle parking will be available within the public realm area to be developed as part of the Stage 1 Kodo Apartments project. Employee bicycle parking for the retail use will be available within either the ground floor storage room, the retail tenancy itself or using nearby visitor bicycle parking.

Further bicycle parking opportunities are available within the storage areas for each apartment and within the apartments themselves.

PEDESTRIAN FACILITIES

Pedestrian footpaths are provided on Nelson Street and Penny Place. The existing vehicular access point to the Kodo Apartments site from Angas Street will be closed and modified into a pedestrian and cyclist connection as part of the Stage 1 project. A connection from the proposed Stage 2 development to Penny Place will also be provided, which will be available following completion of Stage 1.

LOADING AREAS

It is proposed that refuse collection will occur adjacent to the waste storage room at the northern end of the site. Council refuse collection vehicle and other delivery vehicles will enter Nelson Street in a forward direction and reverse into the loading area from the end of Nelson Street. Bins would be wheeled from the nearby bin storage room to the loading area for collection. The refuse vehicle will exit to Nelson Street in a forward direction.

04.4 WASTE MANAGEMENT

The development shall consist of residential apartments and a commercial tenancy.

ESTIMATED GARBAGE AND RECYCLING GENERATION

Based on State Guidelines (Zero Waste SA, 2014), the likely volumes would be:

- General Waste 8,100L/week (or 3,600L/week compacted)
- Dry Recycling 6,750L/week (or 5,000L/week partially compacted)
- Food waste 3,000L/week (un-compacted)

COLLECTION SERVICES

Council shall provide waste services for the residential component of the development.

A private contractor shall be engaged to collect commercial waste. The operator shall choose a waste collection provider, negotiate a service agreement, and pay for these services.

The Waste Management plan is provided within Appendix 04.

04.5 ACOUSTIC

Proposed design criteria for the project utilises the legislative requirements stated in Adelaide City Council Development Plan and the South Australian EPA Environment Protection (Noise) Policy 2007.

Design advice is based on an environmental noise survey conducted at the proposed site and the adjacent surroundings. The report concludes that the proposed Penny Place Stage 2 development will be able to comply with the acoustic requirements outlined in the Adelaide City Council Development Plan, as follows:

- Traffic noise emissions in to noise sensitive areas can be controlled to satisfactory levels using typical single glazed and double glazed IGU windows and doors.
- · Noise ingress from the car park into apartments located on Level 4 can be controlled to satisfactory levels with



minimum 150mm thick concrete floor slab.

- Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will meet the environmental noise criteria.
- Noise emissions from the lower level car parking area to surrounding noise sensitive receivers will meet the environmental noise criteria without any specific acoustic treatment to the building façade (i.e. we have assumed the façade for the car park to be acoustically open to allow for ventilation).

The Acoustic Assessment is provided in Appendix 05.

04.6 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

A Section J Assessment has been undertaken on the proposed development. The assessment finds that all elements within the proposed building can achieve the required criteria. A Section J assessment is provided in Appendix 06.



PROJECT / NO PENNY PLACE / 18000

05 PLANNING ASSESSMENT

This planning assessment will consider the relevant provisions determined to be most pertinent to the proposed development.

05.1 NATURE OF DEVELOPMENT

The proposed nature of development is as follows:

Staged application comprising demolition of existing building and construction of a 24 storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space. Stages of development are proposed as follows:

- 1. Demolition and early works (demolition has already been submitted and approved);
- 2. Substructure of the mixed-use building;
- 3. Super structure of the mixed-use building;
- 4. Occupancy of the mixed-use building;
- 5. Substructure and superstructure of Townhouses; and
- 6. Occupancy of the Townhouses

05.2 PROVISIONS

05.2.1 LAND USE

CAPITAL CITY ZONE

Objective 2: A vibrant mix of commercial, retail, professional services, hospitality, entertainment, educational facilities, and medium and high density living.

| PDC 1: | The following types of development, or combinations thereof, are envisaged: | | | |
|--------|---|--|--|--|
| | Affordable Housing | | | |
| | Dwelling | | | |
| | | | | |
| | Restaurant | | | |
| | Residential Flat Building | | | |
| | Shop or group of shops | | | |

The proposed development incorporates land uses which will contribute to a high density living environment within the City. The proposed commercial space has the potential to be used for a range of land uses. Nominally a restaurant and/or shop have been proposed to provide activation the proposed communal open space off Penny Place. The proposed land uses are envisaged by the Zone and accordingly the scheme satisfies Zone Objective 2 and PDC 1.

05.2.2 BUILDING DESIGN

CAPITAL CITY ZONE

Objective 5: Innovative design approaches and contemporary architecture that respond to a building's context.

Objective 8: Development that contributes to the Desired Character of the Zone.

PDC 5: Development should be consistent with the Desired Character for the Zone.



.....High-scale development is envisaged in the Zone with high street walls that frame the streets. However an interesting pedestrian environment and human scale will be created at ground floor levels through careful building articulation and fenestration, frequent openings in building façades, verandahs, balconies, awnings and other features that provide weather protection.....

Non-residential land uses at ground floor level that generate high levels of pedestrian activity such as shops, cafés and restaurants will occur throughout the Zone.....

Contemporary juxtapositions will provide new settings for heritage places. Innovative design is expected in areas of identified street character with an emphasis on contemporary architecture that responds to site context and broader streetscape, while supporting optimal site development. The addition of height, bulk and massing of new form should be given due consideration in the wider context of the proposed development.

PDC 6: Development should be of a high standard of architectural design and finish which is appropriate to the City's role and image as the capital of the State.

The proposed high rise building will meet these aspects of the Desired Character Statement of the Capital City Zone by providing outstanding building design and a restaurant at ground floor level. As per the commentary in the Design Philosophy:

Building upon Adelaide's historical and contextual affection with the verandah, the apartments aim to provide a sense of openness and space by replicating this unique part of the South Australian landscape. The notion of light, space, and the outdoors play a fundamental role in understanding the building where by each of these elements are evident in its built form. The consequence being a unique representation of its contextual vernacular, remodeled to create a contemporary building typology.

The building will create a unique opportunity to provide a diverse and contemporary adaptation to the South Australian building typology. Staggered balconies to the north and south facades create a playful articulation to the building whilst utilising natural light and ventilation. Podium street massing further emphasizes the connection to its surrounding context by referencing the built form of the adjacent law courts.

Weather protection is provided through the inclusion of a canopy above the ground floor lobby, resident amenity area and retail frontages to the proposed communal open space.

Both buildings are considered to have high aesthetic merit and robust materiality and provide an extremely high standard of residential amenity and contribute to the City's role and image as the capital of the state.

PDC 7: Buildings should achieve a high standard of external appearance by: the use of high quality materials and finishes. This may be achieved through the use of materials such as masonry, natural stone, prefinished materials that minimise staining, discolouring or deterioration, and avoiding painted surfaces particularly above ground level;

- g. providing a high degree of visual interest though articulation, avoiding any large blank facades, and incorporating design features within blank walls on side boundaries which have the potential to be built out;
- h. ensuring lower levels are well integrated with, and contribute to a vibrant public realm; and
- i. ensuring any ground and first floor level car parking elements are sleeved by residential or non-residential land uses (such as shops, offices and consulting rooms) to ensure an activated street frontage.

PDC 8: Buildings should present an attractive pedestrian-oriented frontage that adds interest and vitality to City streets and laneways.

The materials and finishes on both buildings will be high quality, attractive and robust. They will comprise:

- · pre-cast concrete to the northern and southern tower facades and core walls;
- glass to the apartment facades;
- white pre-cast concrete to the balcony soffits;
- perforated metal cladding screen to the car parks on Nelson Street;
- profiled and perforated metal sheet to the tower podium;
- · brick facades to the to the ground level street frontage and the ground floor of the townhouses; and
- a concrete block facade to the rear of the townhouses.

The northern and southern tower facades are comprised of concrete, bisected vertically to create an elegant symmetrically



divided mass with simple balcony elements projecting rhythmically along each edge. The simple treatment of the southern facade acts as a foil to the adjacent State Heritage Item without diminishing it's prominence and value to the urban fabric. This facade approach also accommodates further high density development on adjoining allotments to the south in the future as is envisaged within the Capital City Zone which extends to the south of the subject allotment.

The brick, treatment of the ground level of all proposed buildings contextually harmonious with the surrounding built form, particularly referencing the red brick elements within the State Heritage building's Nelson Street frontage and chimney.

Whilst the car parking tower element is not sleeved by residential or retail to the Nelson Street elevation, a picture window inserted into the facade provides clear views in and out of the bicycle store facilitating casual surveillance and interaction within the street. This facade is also setback more than one metre from the boundary. The setback will be landscaped to improve the pedestrian amenity along the adjacent footpath and to soften the built form. To the north the facade is recessed under the upper podium levels creating sheltered access to the lobby.

The primary podium frontage is the eastern facade which addresses Penny Place and the future restaurant across a proposed communal open space. This frontage is intensively activated and sheltered under a 2 metre wide colonnade and it activated with a communal residential amenity space including barbeque facilities and kitchen to entertain larger groups of people. To the north, a retail space opens out onto the square adjacent to the apartments primary lobby entry.

Overall the lower levels provided will contribute to a safe, connected and vibrant public realm.

The townhouses will also be orientated to the north across the proposed square and will provide casual surveillance across the space via the first and second floor balconies whilst retaining privacy to their internal spaces.

PDC 9: The finished ground floor level of buildings should be at grade and/or level with the footpath to provide direct pedestrian access and street level activation.

The lobby, residential and retail spaces proposed will all be at grade with the footpath. The ground floor of the townhouses will be finished at grade with the adjoining public realm.

PDC 10: Providing footpath widths and street tree growth permit, development should contribute to the comfort of pedestrians through the incorporation of verandahs, balconies, awnings and/or canopies that provide pedestrian shelter.

The existing footpath on Nelson Street adjacent the site is less than one metre wide and so it is proposed to set the western facade back from the boundary by 1.5 metres to create a generous footpath width and to allow for landscaping along the frontage. This setback also respects the context of the adjacent State Heritage building and ensures a recessive relationship to the important heritage of the built form.

The eastern ground floor facade is recessed beneath the upper podium providing generous pedestrian shelter and the potential for sheltered al fresco dining for a restaurant tenancy and the residential amenity area.

PDC 11: Buildings should be positioned regularly on the site and built to the street frontage, except where a setback is required to accommodate outdoor dining or provide a contextual response to a heritage place.

All buildings are positioned regularly on site and leave a negative space for a communal open space creating much improved amenity and connection to the site and broader locality.

It is noted that the vehicular entry point and lobby entry to the north on Nelson Street provides an area of setback from the street, however, cognisant of the overall width of this opening and the improved visibility to the pedestrian linkage to the north, its minor impact on the street and the fact that this follows the irregular allotment boundary, the departure is considered to be minor.



PDC 12: Buildings should be designed to include a podium/street wall height and upper level setback (in the order of 3-6 metres) that:

- a. relates to the scale and context of adjoining built form;
- b. provides a human scale at street level;
- c. creates a well-defined and continuity of frontage;
- d. gives emphasis and definition to street corners to clearly define the street grid;
- e. contributes to the interest, vitality and security of the pedestrian environment;
- f. maintains a sense of openness to the sky for pedestrians and brings daylight to the street; and
- g. achieves pedestrian comfort by minimising micro climatic impacts (particularly shade/shelter, wind tunnelling and downward drafts);
 - other than (h) or (i):

.....

- h. in the Central Business Policy Area;
- i. where a lesser (or zero) upper level setback and/or podium height is warranted to correspond with and complement the form of adjacent development, in which case alternative design solutions should be included to achieve a cohesive streetscape, provided parts (b) to (g) are still achieved.

Utilising commercial development and a shared resident amenity area at the eastern extent of the ground floor will create an attractive frontage to the communal open space adding interest and vitality to the public realm. The ground floor level will be constructed at a finished floor level that is compatible with that of the adjacent footpath. The proposed ground floor to not space adding interest and vitality to the adjacent footpath. The proposed ground floor to not space adding interest and vitality to the adjacent footpath. The proposed ground floor to not space adding interest and vitality to the adjacent footpath. The proposed ground floor will allow equal access for all users.

The tower element is set back by approximately 4.5 metres from the podium facade to Nelson Street to the west and by 10 metres to the Penny Place communal open space to the east. This generous step back maintains a sense of openness to the sky from the townhouses and adjacent buildings as well as affording the square with additional hours of afternoon sun. The combined colonnade and tower step backs will provide for comfortable pedestrian environments sheltered from wind tunnelling and downward drafts.

There is little cohesion in the surrounding built form, however the podium screen incorporates horizontal joints that reference the gable, window frame and brick banding elements on the facade of the Bar Chambers State Heritage Building to the south.

- PDC 14: Buildings, advertisements, site landscaping, street planting and paving should have an integrated, coordinated appearance and should enhance the urban environment.
- PDC 15: Building façades should be strongly modelled, incorporate a vertical composition which reflects the proportions of existing frontages, and ensure that architectural detailing is consistent around corners and along minor streets and laneways.

The building facade incorporates strong balcony elements with balustrading extending the full with of the east and west elevation and with monochromatic varying party walls forming a random pattern across the facade. Architectural detailing is utilised throughout large portions of the eastern and western facades. The northern and southern facades are more utilitarian, cognisant of the nature of adjacent land and buildings, however, the symmetrical facade is broken up with a central vertical strip of windows mitigating the visual bulk of the facade and with the tower element projecting beyond the podium and extending to the ground. The western facade provides an appropriate design response to the anticipated thermal loads including balconies as shading devices to ensure that the transfer of heat from the summer sun is minimised.

PDC 21: Development should not exceed the maximum building height shown in Concept Plan Figures CC/1 and 2 unless;

The subject land is identified on Concept Plan Figure CC/1 as having no prescribed height limit. The proposal seeks a building height of some 78m. Furthermore, the proposed development will provide an orderly transition up to the approved Angas Street apartment building adjacent the site to the north.

INTRO

COUNCIL WIDE

- PDC 180: Development should respect the composition and proportion of architectural elements of building facades that form an important pattern which contributes to the streetscape's distinctive character in a manner consistent with the desired character of a locality by:
 - establishing visual links with neighbouring buildings by reflecting and reinforcing the prevailing pattern
 of visual sub-division in building facades where a pattern of vertical and/or horizontal sub-divisions is
 evident and desirable, for example, there may be strong horizontal lines of verandahs, masonry courses,
 podia or openings, or there may be vertical proportions in the divisions of facades or windows; and
 b. clearly defining ground, middle and roof top levels.

The podium of the proposed mixed use building provides a contextual step down from the Roma Mitchell building and approved tower building podium height to the north down to the significantly smaller scale of the two-storey State Heritage item to the south. This forms a transitional visual link from Carrington Street along Nelson Street which respects the value of the heritage place. Profiled metal sheets of varied tone and degree of perforation will screen the car park levels. The bottom of the screen nominally align with the brick banding on the State Heritage building adjacent. Further, horizontal joints in the screening pick up additional data lines from the Bar Chambers building.

The Roma Mitchell building to the north provides a combination of both vertical and horizontal subdivisions whilst the State Heritage building to the south has rectilinear proportions typical of the Victorian period. In short, there is little cohesion in the immediate locality and the building massing and attenuation forms a simple and moderate treatment with both horizontal and vertical elements balancing the overall vertical form of the tower.

PDC 181: Where there is little or no established building pattern, new buildings should create new features which contribute to an areas desired character and the way the urban environment is understood by:

- a. frontages creating clearly defined edges;
- b. generating new compositions and points of interest;
- c. introducing elements for future neighbouring buildings; and
- d. emphasising the importance of the building according to the street hierarchy.
- PDC 182: Building facades fronting street frontages, access ways, driveways or public spaces should be composed with an appropriate scale, rhythm and proportion which responds to the use of the building, the desired character of the locality and the modelling and proportions of adjacent buildings.

The proposed development draws upon visual elements from buildings within the locality, particularly, the Roma Mitchell Law Courts which has strong horizontal protrusions from the facade which function as shading devices. The proposed design interprets this feature and provides additional functionality through the combination of balconies with outdoor living spaces.

The absence of fenestration to the northern and southern facades minimises potential interface conflicts with the adjacent law court office spaces and respects the zone intent for further high density development to the south of site.

The proposal utilises a strong podium element which provides visual separation to the tower element. This design methodology has been interpreted from the adjacent building under construction which has a strong podium and upper level setback whilst reflecting height datums of the State Heritage Item to the south.

The communal open space introduced to the locality by the proposed development will provide improved amenity, open space and convenient linkages for future neighbouring buildings.

The building design responds to existing development within the locality and is considered to satisfy the relevant provisions.

PDC 183: Balconies should be designed to give shelter to the street or public space at first floor levels.

The ground floor facade is recessed behind the podium facade above to give shelter to the public space adjacent to the square.





PDC 184: Balconies should:

- a. respond to the street context and building orientation; and
- incorporate balustrade detailing to reflect the balcony type and location and the materials and detail of b. the building facade.

The balcony to the tower element of the proposed development will be finished in white pre-cast soffits and north and south balustrades, whilst permeable balustrades to the east and west primary facades will provide a seamless connection between the balconies and views beyond. This elegant treatment is integral to the simple tower design.

The townhouse first floor balconies are set behind a balustrade of brick which continues up the face from the ground floor to further integrate the outdoor space within the dwelling. The third-storey facades are additionally set within a masonry framing element that provides the dominate articulation of their form.

PDC 186: Building services such as drainage pipes together with security grills/screens, ventilation louvres and car park entry doors, should be coordinated and integrated with the overall facade design.

All building services are selected from the outset to fit within the restrained and robust material palette of the proposed tower building. Services are entirely integrated within the overall facade design as illustrated in the Architectural Plans within Appendix 02 of this report.

- PDC 187: The design, external materials, colours and finishes of buildings should have regard to their surrounding townscape context, built form and public environment, consistent with the desired character of the relevant Zone and Policy Area.
- PDC 188: Development should be finished with materials that are sympathetic to the design and setting of the new building and which incorporate recycled or low embodied energy materials. The form, colour, texture and quality of materials should be of high quality, durable and contribute to the desired character of the locality. Materials, colours and finishes should not necessarily imitate materials and colours of an existing streetscape
- PDC 189: Materials and finishes that are easily maintained and do not readily stain, discolour or deteriorate should be utilised
- PDC 190: Development should avoid the use of large expanses of highly reflective materials and large areas of monotonous, sheer materials (such as polished granite and curtained wall glazing).

The treatment of the revised façade treatment to the podium has been carefully designed to achieve the desired ventilation to the car parking levels whilst achieving effective attenuation and texture with approximately 10% overall transparency which will form an attractive pattern outside of daylight hours when internally lit. The colour pallete, materiality and form of the screen, whilst lightweight are complementary to the red brick and bluestone heritage building to the south.

The design of the building utilises materials, colour and finishes that are typical to multi-storey residential development. A range of glazing and solid concrete will ensure that the building respects the surrounding built form and public environment. The proposed materiality is robust and will ensure that materials do not readily stain, discolour or deteriorate. The balcony elements will cast shade over the significant glazing of the east and west facades.

- PDC 194: Roof top plant and ancillary equipment that projects above the ceiling of the top storey should:
 - be designed to minimise the visual impact; and a.
 - be screened from view, including the potential view looking down or across from existing or possible b. higher buildings, or be included in a decorative roof form that is integrated into the design of the building.

PDC 195: Roof design should facilitate future use for sustainable functions such as:

- a. rainwater tanks for water conservation;
- b. roof surfaces orientated, angled and of suitable material for photovoltaic applications; and/or
- c. "green" roofs (ie roof top gardens structurally capable of supporting vegetation) or water features.

The facades of the tower element will continue up to form a visual screen to ensure that the visual impact of rooftop plant is minimised. The proposed plant areas will mostly be located within the building on the ground floor. A portion of the plant area will also be located at the roof top. The plant screening cohesively wraps the entirety of the east, south and west of the roof level minimising potential views looking down or across from future higher buildings. The flat roof accommodates approximately 200sqm of photovoltaic panels.



21

| Objective 50: | Development that enhances the public environment and, where appropriate provides activity and interest at street level, reinforcing a locality's desired character. | |
|---------------|--|--|
| Objective 51: | Development designed to promote pedestrian activity and provide a high quality experience for City residents, workers and visitors by: | |
| | a. enlivening building edges; b. creating welcoming, safe and vibrant spaces; c. improving perceptions of public safety through passive surveillance; and d. creating interesting and lively pedestrian environments. | |
| PDC 196: | Development should be designed to create active street frontages that provide activity and interest to passing pedestrians and contribute to the liveliness, vitality and security of the public realm. | |
| PDC 197: | Retail frontages should be designed to provide interest to passing pedestrians at street level and relief to building mass. | |
| PDC 199: | Residential development should be designed to create interesting pedestrian environments and resident | |

Commercial development and communal residential amenity has been incorporated within the ground floor design which will activate the proposed communal open space and Penny Place. The proposed development will contribute to the vitality and security of the surrounding public realm.

surveillance of any street, accessway and driveway.

The townhouses also look onto the communal open space from their first and second floor balconies, providing all hour casual surveillance over the space.

05.2.3 CONSERVATION AND HERITAGE

- PDC 140: Development on land adjacent to a heritage place in non-residential Zones or Policy Areas should incorporate design elements, including where it comprises an innovative contemporary design, that:
 - a. utilise materials, finishes, and other built form qualities that complement the adjacent heritage place; and
 - b. is located no closer to the primary street frontage than the adjacent heritage place.

The external appearance to the podium includes a brick façade to the Ground Level and profiled metal sheet above this extending up the remainder of the car parking floors. The colour of the metal screens are in two tonal colours of Colorbond 'Terrain' or similar and Dulux 'Hot Fudge' and approximately one third of the screens are perforated. The screen colour is to emulate the effect of rusted steel and will complement the western facade bluestone of the State Heritage building to the south.

This ground floor materiality of load-bearing brick is continued through to the lower portion of the townhouses to provide cohesion to the overall scheme and built fabric surrounding the new communal open space provided by the development.

The proposed development is set back from Nelson Street to further retain prominence of the Carrington Street State Heritage building.

05.2.4 MEDIUM TO HIGH SCALE RESIDENTIAL DEVELOPMENT

PDC 5: Development should comprise of a range of housing types, tenures and cost, to meet the widely differing social and economic needs of residents.

The proposed development offers a range of one and two bedroom apartments. The apartments will be priced at various points allowing for a differing social and economic take-up. Furthermore four more traditional townhouse offerings are included within the subject development. This combination will attract a diversity of residents, including a range of owner occupiers to create a vibrant community.



Objective 22: Medium to high scale residential (including student accommodation) or serviced apartment development that:

- a. has a high standard of amenity and environmental performance;
- b. comprises functional internal layouts;
- c. is adaptable to meet a variety of accommodation and living needs; and
- d. includes well-designed and functional recreation and storage areas.

The proposed development provides access to natural light and ventilation to every bedroom and living area. This creates a development which has a high standard of internal amenity and environmental performance. The floor plans correspond to structural columns and as such are configurable and adaptable to allow flexibility for future uses. Storage areas have been provided within each apartment.

Equally, the north-south orientation of the townhouses overlooking the public to the north provides a high degree of amenity and access to light. Small private northern courtyards and balconies further contribute to the amenity of the townhouses. Well-designed storage areas are provided within the townhouses and their garages.

PDC 48: Entrances to medium to high scale residential or serviced apartment development should:

- a. be oriented towards the street;
- b. be visible and easily identifiable from the street; and
- c. provide shelter, a sense of personal address and transitional space around the entry.
- PDC 49: Entrances to individual dwellings or apartments within medium to high scale residential or serviced apartment development should:
 - a. be located as close as practical to the lift and/or lobby access and minimise the need for long access corridors;
 - b. be clearly identifiable; and
 - c. avoid the creation of potential areas for entrapment.

The proposed development's lobby provides a pedestrian entrance directly from Nelson Street, and is clearly identifiable through its design language. The entry door has been recessed to provide shelter for the building's occupants and an internal lobby creates a sense of personal address. The primary lobby entry is from the Penny Place communal open space which is clearly visible from the street from both Penny Place and surrounding commercial tenancies and is set behind an activated and sheltered transitional space.

The proposed development utilises a compact building core which limits the apartments to 8 per floor each accessed via a straight corridor from the lifts which do not incorporate recesses. Entrances to dwellings will be clearly numbered to avoid confusion.

The traditional nature of the townhouse typology means that the individual townhouse residences proposed will be easily identifiable and accessed via their secure front courtyards via the proposed communal open space.

PDC 50: Medium to high scale residential or serviced apartment development should be designed to maximise opportunities to facilitate natural ventilation and capitalise on natural daylight and minimise the need for artificial lighting during daylight hours.

The proposed development provides direct access to natural light and ventilation for all bedrooms and living areas, minimising the need for artificial lighting during daylight hours.

PDC 51: Medium to high scale residential or serviced apartment development should be designed and located to maximise solar access to dwellings and communal open space on the northern facade.

Cognisant of the surrounding built form, in order to optimise the particular site the tower element is configured east-west and all apartments are equally afforded solar access. The communal open space will retain high levels of sunlight access further afforded by set backs of the surrounding built form.

The townhouses have ideal north-south configurations with living areas having protected solar access to the north by way of the communal open space.

PDC 52: Ceiling heights that promote the use of taller windows, highlight windows, fan lights and light shelves should be utilised to facilitate access to natural light, improve daylight distribution and enhance air circulation, particularly in dwellings with limited light access and deep interiors.



PDC 53: All new medium to high scale residential or serviced apartment development should have direct ventilation and natural light.

PDC 54: The maximum distance of a habitable room such as a living, dining, bedroom or kitchen from a window providing natural light and ventilation to that room is 8 metres.

All apartments have a maximum depth of six metres and have open plan layout of living dining and kitchen areas. The bathrooms are the sole rooms without external windows.

A range of the proposed windows and doors are openable to the outside facilitating direct ventilation into each apartment.

Natural cross ventilation of habitable rooms has been achieved by utilising the following design techniques:

- positioning of window and door openings in different directions;
- providing windows which are configurable to funnel breezes;
- incorporating simple internal layouts to minimise airflow interruptions;
- limiting apartment depth to allow ease of cross ventilation; and
- providing robust window sills to ensure draft penetration is minimal.

23

The townhouses have a maximum depth of less than 7 metres and the open plan layout on the first floor facilitates direct ventilation and natural light throughout. All doors are openable to the balconies and windows to the south are equally openable.

PDC 56: Medium to high scale residential or serviced apartment development should be designed to ensure living areas, private open space or communal open space, where such communal open space provides the primary area of private open space, are the main recipients of sunlight.

Each apartment has between 22 and 29sqm of private open space provided by balconies which are the main recipients of sunlight to the apartments providing the capacity for balcony gardens and encouraging outdoor living.

The private courtyards and balconies proposed for the townhouses both have a northern orientation providing an opportunity for the planting of a small to medium deciduous tree for optimal microclimatic conditions within the courtyard.

- PDC 57: Medium to high scale residential or serviced apartment development should locate living areas, private open space and communal open space, where such communal open space provides the primary area of private open space, where they will receive sunlight and, where possible, should maintain at least two hours of direct sunlight solar time on 22 June to:
 - a. at least one habitable room window (excluding bathroom, toilet, laundry or storage room windows);
 - b. to at least 20 percent of the private open space; and
 - c. communal open space, where such communal open space provides the primary private open space for any adjacent residential development.

The shadow diagrams within Appendix 02 of this report demonstrate that the proposed development accords with PDC 57.

PDC 58:

Natural cross ventilation of habitable rooms should be achieved by the following methods:

- a. positioning window and door openings in different directions to encourage cross ventilation from cooling summer breezes;
- b. installing small low level windows on the windward side and larger raised openings on the leeward side to maximise airspeed in the room;
- c. installing higher level casement or sash windows, clerestory windows or operable fanlight windows to facilitate convective currents;
- d. selecting windows which the occupants can reconfigure to funnel breezes such as vertical louvred, casement windows and externally opening doors;
- e. ensuring the internal layout minimises interruptions to airflow;
- f. limiting building depth to allow for ease of cross ventilation; and/or
- g. draught proofing doors, windows and other openings.

The generous window and door openings, open plan layouts and restricted building depth assist in cross ventilation of the apartments.

Both buildings' doors, windows and other openings will be draught-proofed in order to achieve a high level of environmental performance.



PDC 59: Medium to high scale residential development and serviced apartments should provide the following private open space:

- a. studio (where there is no separate bedroom): no minimum requirement but some provision is desirable.
- b. 1 bedroom dwelling/apartment: 8 square metres.
- c. 2 bedroom dwelling/apartment: 11 square metres.
- d. 3+ bedroom dwelling/apartment: 15 square metres.
- PDC 60: Medium to high scale residential (other than student accommodation) or serviced apartment development should ensure direct access from living areas to private open space areas, which may take the form of balconies, terraces, decks or other elevated outdoor areas provided the amenity and visual privacy of adjacent properties is protected.
- PDC 61: Other than for student accommodation, private open space should have a minimum dimension of 2 metres and should be well proportioned to be functional and promote indoor/outdoor living.

Typically the apartment typologies have a balcony size of the following area:

- 1 bedroom apartments 18-22sqm; and
- 2 bedroom apartments 21-29sqm.

24

Each of the balconies have a minimum dimension of 3 metres and are accessed directly from all bedrooms and living areas and will be facilitate outdoor living. Balconies are separated by at least 1.5 metres and privacy is protected by blades that protrude 1.5 metres from the facade, procluding views into neighbouring dwellings.

The two bedroom townhouses have private open space by way of ground floor courtyards, and first and second floor balconies connected to the habitable spaces. All balconies are of a sufficient size and depth to be functional and promote indoor/outdoor living.

PDC 62: Balconies should be integrated into the overall architectural form and detail of the development and should:

- a. utilise sun screens, pergolas, shutters and openable walls to control sunlight and wind;
- b. be cantilevered, partially cantilevered and/or recessed in response to daylight, wind, acoustic and visual privacy;
- c. be of a depth that ensures sunlight can enter the dwelling below; and
- d. allow views and casual surveillance of the street while providing for safety and visual privacy.

Balconies are integral to the simple architectural form and create the horizontal articulation of the tower elements.

The townhouse balconies are equally integrated into the built form, aided by the continuation of the brick facade element, continuing up from the ground floor to form a first floor balustrade which brings the balcony more firmly into the private realm with controlled views inside the townhouses from the north, particularly at night when internal lights are on.

PDC 66: Medium to high scale residential or serviced apartment development should be designed and sited to minimise the potential overlooking of habitable rooms such as bedrooms and living areas of adjacent development.

The subject development has an orientation which is perpendicular to that under construction on the balance of the allotment which limits the visual penetration of glazing. Furthermore, the proposed balconies are at least 16 metres from the balconies of the adjacent approved tower.

Equally, the subject tower balconies are located at minimum of 9 metres from the closest townhouse balcony and are perpendicular in orientation. Screen walls are integrated into the overall design of the townhouses, preventing lateral overlooking of the townhouse balcony elements from the proposed balconies less than a 15-metre proximity. The townhouses are located more than 30 metres from the approved residential tower to the north. These separation distances are adequate to ensure surrounding residential development is protected from the potential for overlooking of habitable rooms.

PDC 69: Attached or abutting dwellings/apartments should be designed to minimise the transmission of sound between dwellings and, in particular, to protect bedrooms from possible noise intrusions.

An acoustic report included within Appendix 05 describes how the apartments and townhouses will be protected from the transmission of sound from neighbouring apartments with adequate glazing to windows and doors and acoustic seals applied to openable windows and doors. Party walls will be of adequate construction to attenuate noise transmission.



25

PDC 70: Medium to high scale residential or serviced apartment development should provide a high quality living environment by ensuring the following minimum internal floor areas:

- a. studio (where there is no separate bedroom): 35 square metres.
- b. 1 bedroom dwelling/apartment: 50 square metres
- c. 2 bedroom dwelling/apartment: 65 square metres
- d. 3+ bedroom dwelling/apartment: 80 square metres plus an additional 15 square metres for every additional bedroom over 3 bedrooms.

The one bedroom apartments proposed each have a minimal internal floor area of 63sqm. The two bedroom apartments have minimum internal floor areas ranging between 63 and 75sqm.

It is acknowledged that 2 of the 8 two bedrooms apartments per level - a total of 34 apartments fall short of the minimum 65sqm of internal floor space by 2sqm. This represents a shortfall of 3% of floor area within 12.5% of the apartments which is not considered a serious departure from PDC 70. It is also noted that these apartments have one bathroom and thus more space is dedicated to other residential amenity rather than the provision of second bathrooms.

- PDC 71: Internal structural columns should correspond with the position of internal walls to ensure that the space within the dwelling/apartment is useable.
- PDC 72: Within medium to high scale residential or serviced apartment development, dwelling/apartment layouts should be adaptable to accommodate:
 - a. a range of activities and privacy levels between different spaces;
 - b. flexible room sizes and proportions;
 - c. efficient circulation to optimise the functionality o floor space within rooms; and
 - d. the future reuse of student accommodation as residential apartments through a design and layout that allows individual apartments to be reconfigured into a larger dwelling or other alternative use.

The proposal incorporates one, two and three bedroom apartments. The proposed dwellings range between the following sizes:

- 1 bedroom 52 to 56sqm; and
- 2 bedroom 68 to 81sqm.

The proposed development provides internal living spaces for all apartments that exceed the quantitative guide. Notwithstanding the compliance with the quantitative characteristics of the Development Plan, the proposed development provides apartments which have substantial access to natural light and ventilation ensuring the apartments have an extremely high level of residential amenity.

The design has consolidated the internal spaces such that they correspond with the position of structural columns making for functional internal spaces.

- PDC 73: All medium to high scale residential or serviced apartment development should be designed to ensure the living rooms have a satisfactory external outlook. Living rooms that do not have an outlook or the only source of outlook is through high level windows or a skylight are not considered to provide an appropriate level of amenity for the occupiers.
- PDC 74: Light wells may be used as a source of daylight, ventilation, outlook and sunlight for medium to high scale residential or serviced apartment development provided that:
 - a. living rooms do not have lightwells as their only source of outlook;
 - b. lightwells up to 18 metres in height have a minimum horizontal dimension of 3 metres or 6 metres if overlooked by bedrooms; and
 - c. lightwells higher than 18 metres in height have a minimum horizontal dimension of 6 metres or 9 metres if overlooked by bedrooms.

All apartments have been designed to ensure living rooms have an external outlook and provide a high level of internal amenity for the occupants.

The proposed development is not located abutting any development which would create the need for a lightwell. The design utilises a 6m setback for those apartments facing east, such that should a building be constructed adjacent to the east these apartments will maintain an acceptable level of amenity.



INTRO

PDC 80: Site facilities should be readily accessible to each dwelling/serviced apartment, complement the development and relevant desired character and should include:

- a. a common mail box structure located close to the main pedestrian entrance;
- areas for the storage and collection of goods, materials, refuse and waste including facilities to enable the separation of recyclable materials as appropriate to the size and nature of the development and screened from public view; and
- c. external clothes drying areas for residential dwellings that do not incorporate ground level open space.
- PDC 81: Medium to high scale residential (other than student accommodation) or serviced apartment development should provide adequate and accessible storage facilities for the occupants at the following minimum rates:
 - a. b. 1 bedroom dv
 - b. 1 bedroom dwelling/apartment: 8 cubic metres
 c. 2 bedroom dwelling/apartment: 10 cubic metres
 - d.

50 percent of the storage space should be provided within the dwelling/apartment with the remainder provided in the basement or other communal areas.

The proposed development provides a range of site facilities which are accessible to each dwelling and incorporate the following:

- · a common mailbox structure located close to the pedestrian entrance; and
- collection of waste which include areas for recycling.

Areas for storage have been provided within each apartment of that meet or exceed the minimum volumetric criteria stipulated within PDC 81.

05.2.5 LANDSCAPING

- Objective 55: Water conserving landscaping that enhances the local landscape character and creates a pleasant, safe and attractive living environment.
- PDC 207: Landscaping should:
 - a. be selected and designed for water conservation;
 - b. form an integral part of the design of development; and
 - c. be used to foster human scale, define spaces, reinforce paths and edges, screen utility areas and enhance the visual amenity of the area.
- PDC 208: Landscaping should incorporate local indigenous species suited to the site and development, provided such landscaping is consistent with the desired character of the locality and any heritage place.
- PDC 209: Landscaping should be provided to all areas of communal space, driveways and shared car parking areas.

A landscape design has been prepared by Woods Bagot with input by Tract. The final design for the communal open space and pedestrian linkages are to be created with input from Adelaide City Council in order to comply with the above provisions within the development plan. A combination of jacarandas, climbers, native rush and shade tolerant flowering plants requiring little maintenance will combine to form a high amenity area.

The shared access way of the townhouses will have landscaping provided inside the southern boundary which will also screen the transformer from the surrounding public areas. This is depicted within the landscape plan included within Appendix 02 of this report.

The balconies can also accommodate green life which can be trained up the party walls as depicted in the landscape plan. There are a variety of aspects and light conditions on the balconies able to accommodate plans with varying sunlight requirements.

05.2.6 ENVIRONMENTAL

PDC 82:

Development should promote the safety and security of the community in the public realm and within development. Development should:

- a. promote natural surveillance of the public realm, including open space, car parks, pedestrian routes, service lanes, public transport stops and residential areas, through the design and location of physical features, electrical and mechanical devices, activities and people to maximise visibility by:
 - i. orientating windows, doors and building entrances towards the street, open spaces, car parks, pedestrian routes and public transport stops;
 - ii. avoiding high walls, blank facades, carports and landscaping that obscures direct views to public areas;
 - iii. arranging living areas, windows, pedestrian paths and balconies to overlook recreation areas, entrances and car parks;
 - iv. positioning recreational and public space areas so they are bound by roads on at least two road frontages or overlooked by development;
 - v. creating a complementary mix of day and night-time activities, such as residential, commercial, recreational and community uses, that extend the duration and level of intensity of public activity;
 - vi. locating public toilets, telephones and other public facilities with direct access and good visibility from well-trafficked public spaces;
 - vii. ensuring that rear service areas and access lanes are either secured or exposed to surveillance; and viii.ensuring the surveillance of isolated locations through the use of audio monitors, emergency telephones or alarms, video cameras or staff eg by surveillance of lift and toilet areas within car parks.
 - i. to avoid the creation of shadowed areas: and
 - ii. use of robust and durable design features to discourage vandalism.
- b. provide access control by facilitating communication, escape and path finding within development through legible design by:
 - i. incorporating clear directional devices;
 - ii. avoiding opportunities for concealment near well travelled routes;
 - iii. closing off or locking areas during off-peak hours, such as stairwells, to concentrate access/exit points to a particular route;
 - iv. use of devices such as stainless steel mirrors where a passage has a bend;
 - v. locating main entrances and exits at the front of a site and in view of a street;
 - vi. providing open space and pedestrian routes which are clearly defined and have clear and direct sightlines for the users; and
 - vii. locating elevators and stairwells where they can be viewed by a maximum number of people, near the edge of buildings where there is a glass wall at the entrance.
- c. promote territoriality or sense of ownership through physical features that express ownership and control over the environment and provide a clear delineation of public and private space by:
 - i. clear delineation of boundaries marking public, private and semi-private space, such as by paving, lighting, walls and planting;
 - ii. dividing large development sites into territorial zones to create a sense of ownership of common space by smaller groups of dwellings; and
 - iii. locating main entrances and exits at the front of a site and in view of a street.
- d. provide awareness through design of what is around and what is ahead so that legitimate users and observers can make an accurate assessment of the safety of a locality and site and plan their behaviour accordingly by:
 - i. avoiding blind sharp corners, pillars, tall solid fences and a sudden change in grade of pathways, stairs or corridors so that movement can be predicted;
 - ii. using devices such as convex security mirrors or reflective surfaces where lines of sight are impeded;
 - iii. ensuring barriers along pathways such as landscaping, fencing and walls are permeable;
 - iv. planting shrubs that have a mature height less than one metre and trees with a canopy that begins at two metres;
 - v. adequate and consistent lighting of open spaces, building entrances, parking and pedestrian areas
- PDC 83: Residential development should be designed to overlook streets, public and communal open space to allow casual surveillance.

The proposed development will incorporate a comprehensive range of active and passive surveillance strategies. All public areas will be well lit to enable facial recognition so that people can see and interact with one another.

The buildings have been designed to maximize the visual connections between the internal spaces with outdoor areas. For instance, residential apartments have external views and provide passive surveillance the public realm. The building design eliminates isolated external nooks, eliminating opportunities for hiding. All entry points to the building will be clearly



identified by the architecture, lighting and signage.

The proposal will create a 'legible environment' by integrating the architecture, landscaping, interior design, lighting and signage. This will provide clear paths of travel to ensure that way finding is made simple. The way finding strategy has been developed as an integral part of the overall design strategy and embedded into the proposed design.

Providing clearly defined paths of travel to and from all entrances has been a central component of the proposal. The main public entrance fronts a public thoroughfare and square and is directly accessible from the public realm. A pedestrian access point has been provided through the vehicular access point which serves the dual function of providing easy access and negating the creation of an area of entrapment. The paths of travel from surrounding public transit stops will be clearly defined through the existing road network. Vehicular routes will be clearly delineated and distinguished from pedestrian pathways and zones through the use of distinctive paving, lighting, surface textures and kerbs.

A robust and simple material palette has been expressed throughout the design language.

Having regard to the commentary above, it is considered that the proposal achieves the intent of the Crime Prevention through Urban Design provisions of the Development Plan.

28

- Objective 27: Noise sensitive development designed to protect its occupants from existing noise sources and from noise sources contemplated within the relevant Zone or Policy Area and that does not unreasonably interfere with the operation of non-residential uses contemplated within the relevant Zone or Policy Area.
- PDC 95: Noise sensitive development should incorporate adequate noise attenuation measures into their design and construction to provide occupants with reasonable amenity when exposed to noise sources such as major transport corridors (road, rail, tram and aircraft), commercial centres, entertainment premises and the like, and from activities and land uses contemplated in the relevant Zone and Policy Area provisions.
- PDC 96: Noise sensitive development in mixed use areas should not unreasonably interfere with the operation of surrounding non-residential uses that generate noise levels that are commensurate with the envisaged amenity of the locality.
- PDC 97: Noise sensitive development adjacent to noise sources should include noise attenuation measures to achieve the following:
 - a. satisfaction of the sleep disturbance criteria in the bedrooms or sleeping areas of the development as defined by the limits recommended by the World Health Organisation;
 - b. the maximum satisfactory levels in any habitable room for development near major roads, as provided in the Australian/New Zealand Standard AS/NZS 2107:2000 - 'Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors'; and
 - c. noise level in any bedroom, when exposed to music noise (L10) from existing entertainment premises, being:
 - i. less than 8 dB above the level of background noise (L90,15 min) in any octave band of the sound spectrum; and
 - ii. less than 5 dB(A) above the level of background noise (LA90,15 min) for the overall (sum of all octave bands) A-weighted levels.
- PDC 98: Attached dwellings/serviced apartments should be designed to minimise the transmission of sound between dwellings/serviced apartments and should particularly protect bedrooms from possible noise intrusion.
- PDC 99: The number of dwellings/serviced apartments within a development sharing a common entry should be minimised to limit noise generation in internal access ways.

The following acoustic treatment has been recommended:

- Traffic noise emissions in to noise sensitive areas can be controlled to satisfactory levels using typical single glazed and double glazed IGU windows and doors.
- Noise ingress from the car park into apartments located on Level 5 can be controlled to satisfactory levels with minimum 150mm thick concrete floor slab.
- Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will
 meet the environmental noise criteria.
- Noise emissions from the lower level car parking area to surrounding noise sensitive receivers will meet the
 environmental noise criteria without any specific acoustic treatment to the building façade (i.e. we have assumed the
 façade for the car park to be acoustically open to allow for ventilation).

The Acoustic Assessment has been provided within Appendix 05.



- PDC 101: A dedicated area for on-site collection and sorting of recyclable materials and refuse should be provided within all new development.
- PDC 102: A dedicated area for the collection and sorting of construction waste and the recycling of building materials during construction as appropriate to the size and nature of the development should be provided and screened from public view.
- PDC 103: Development greater than 2 000 square metres of total floor area should manage waste by:
 - a. containing a dedicated area for the collection and sorting of construction waste and recyclable building materials;
 - b. on-site storage and management of waste;
 - c. disposal of non-recyclable waste; and
 - d. incorporating waste water and stormwater re-use including the treatment and re-use of grey water.

A waste management strategy has been prepared as part of the proposed development. Generally, waste chutes and communal storage are proposed. The Waste Management Plan is provided in Appendix 04.

PDC 107: All development should be designed to promote naturally ventilated and day lit buildings to minimise the 29 need for mechanical ventilation and lighting systems.

The proposed development provides for an east-west orientation which maximises access to sunlight for all apartments. To ensure that all apartments achieve solar shading which optimises interior amenity, deep balconies have been provided along the length of the facade which provides for shading of the window below. This design reduces the need for mechanical ventilation while maximising access to natural light.

The facade has been designed to provide shading during summer and allow entry of the winter sun which provides for passive heating and cooling. The proposal utilises openable windows and doors to allow for the cross ventilation.

PDC 111: New buildings should be readily adaptable to future alternative uses.

The proposed utilises a simple structural column layout which can be easily adapted to future alternative uses.

PDC 126: Development that is over 21 metres in building height and is to be built at or on the street frontage should minimise wind tunnel effect.

Vipac has carefully considered the flow structures likely to be generated by the proposed development that would affect ground level areas. From this analysis, Vipac predicts that all the ground footpath and building entrances would be expected to have the wind conditions within the recommended criteria. As such, Vipac makes no recommendations to alter the building form design for the pedestrian level comfort wind environment.

As a general statement, educating residents about wind conditions at high-level balconies and terrace areas during highwind event and tying down loose lightweight furniture are highly recommended.

The Environmental Wind Assessment has been provided in Appendix 07.

- PDC 126: Development of stormwater management systems should be designed and located to improve the quality of stormwater, minimise pollutant transfer to receiving waters, and protect downstream receiving waters from high levels of flow.
- PDC 128: Development should incorporate appropriate measures to minimise any concentrated stormwater discharge from the site.
- PDC 129: Development should incorporate appropriate measures to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria and litter and other contaminants to the stormwater system and may incorporate systems for treatment or use on site.

The proponent is currently considering a range of stormwater retention and Water Sensitive Urban Design initiatives. The proposed development has the potential to incorporate the following:

- rainwater harvesting and recycling for irrigation use within the common areas;
- efficient fittings and appliances within each apartment and tenancy; and
- re-use of fire system test water.



05.2.7 ECONOMIC DEVELOPMENT

PDC 266:

- Development, particularly within the Capital City and Institutional Zones, is encouraged to:
 - a. provide a range of shopping facilities in locations that are readily accessible;
 - b. provide for the growth in economic activities that sustain and enhance the variety and mix of land uses and the character and function of the City;
 - c. maximise opportunities for co-location, multiple use and sharing of facilities;
 - d. be accessible to all modes of transport (particularly public transport) and safe pedestrian and cycling routes; and
 - be accessible to all modes of transport (particularly public transport) and safe pedestrian and cycling routes; and
 - f. have minimal impact on the amenity of residential areas.
- PDC 272: Development should not unreasonably restrict the development potential of adjacent sites, and should have regard to possible future impacts such as loss of daylight/sunlight access, privacy and outlook.

The proposed development is located in the Capital City Zone and:

- provides retail development at the ground floor;
- provides a mix of land uses;
- is in a location which is in close proximity to public transport routes and cycling routes; and
- will have a minimal impact on the amenity of residential areas.

A key element of the proposed design has been to minimise potential economic impacts on adjacent land. The proposal has been sited such that it fronts Nelson Street to the east, proposed public realm to the west, and a developed building to the north. The land uses surrounding the subject land will not have an impact on its potential to gain access to natural light or ventilation. To the south, exists a state heritage place and other developed sites. The orientation of the building ensures that these should these properties seek to develop they will be able to achieve access to sunlight which meets the minimum criteria.

The proposed development incorporates a range of design responses which satisfy the relevant economic development provisions.

05.2.8 TRANSPORT AND ACCESS

- Objective 62: Development that contributes to the quality of the public realm as a safe, secure and attractive environment for pedestrian movement and social interaction.
- Objective 65: Adequate supply of secure, short stay and long stay bicycle parking to support desired growth in City activities.
- Objective 66: Development that promotes the use of sustainable transport consistent with State Government objectives and initiatives.
- Objective 70: Adequate off-street facilities for loading and unloading of courier, delivery and service vehicles and access for emergency vehicles.

GTA Consultants have prepared a traffic impact statement relating to the proposed development. The traffic impact statement summarises:

- the proposed development generates a maximum development plan car parking requirement of 270 spaces.
- the proposed supply of 158 spaces does not exceed the development plan maximum and is considered appropriate for the proposed development.
- the proposed parking layout is consistent with the dimensional requirements as set out in the Australian/New Zealand Standards for Off Street Car Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009).
- the provision of 140 on-site bicycle parking spaces is considered adequate for the proposed development.
- the proposed development is well located in relation to existing pedestrian routes, bicycle lanes and bus and tram based public transport.
- the proposed refuse collection arrangements from Nelson Street are considered appropriate.
- the site is expected to generate up to 23 and 206 vehicle movements in any peak hour and day respectively.
- there is adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development.

The Traffic Impact Statement has been provided within Appendix 03 for your consideration.



06 CONCLUSIONS

It is concluded that the proposal is an appropriate development within the Capital City Zone, for the following reasons:

- the proposed land uses reflect the advocated land use direction within the specific provisions of the Policy Area and the relevant Desired Character Statement and provisions of the Zone;
- the building form reflects the advocated policy direction within the Policy Area and Zone;
- the material palette will be sympathetic and complementary to the prevailing built form appearance within the locality;
 an appropriate waste management solution which separate waste streams at the source, and ensures collection can occur in accordance with council guidelines has been provided. Commercial bin collection will be dealt with through
- the use of a private contractor; the proposed development utilises appropriate facade materials, window fixtures and fittings to ensure that the
- the proposed development utilises appropriate facade materials, window fixtures and fittings to ensure that the acoustic environment will be in accordance with the relevant criteria;
- the treatment of the scale, form and materiality of both the podium and tower elements ensures that the heritage value of heritage building to the south is not diminished;
- the subject land is located in proximity to highly frequented public transport routes, with the proposal incorporating an
 appropriate quantum of on-site car parking and bicycle parking spaces;
- CPTED has been considered throughout the layout of the building, and the proposal satisfies the relevant criteria;
- the proposed development will not adversely affect wind conditions at and around the subject land; and
- the proposal incorporates appropriate stormwater management and ESD initiatives.

31

It is for the reasons discussed herein that the proposal is considered to display sufficient merit and warrants Development Plan consent being granted.



Penny Place

WOODS

3rd of December 2018 - Development Application REVA



"Penny Place provides an opportunity to create an "urban regeneration" of a significant central Adelaide city site, into a sequentially connected and layered unique urban experience"



Objectives

• Contributing to Adelaide's permeable urban fabric

VI olona Savan.

- 2 Creating a sense of community and a safe neighborhood
- Connecting the public domain through a series of laneways and public squares
- Provide clarity and logic to the overall built form of the precinct
- Acknowledges future developments and contributes to the Adelaide CBD skyline

Design Statement

Conceived as precinct, Penny Place consists of a public square flanked by Kodo (the first stage), Penny Place residential tower and town houses. The ground plane provides the community with strong pedestrian connections and active frontages to both Penny Square and Nelson Street.

In this project, the team is looking to leverage our combined skills and experience to develop a SMART product. We referenced this conceptual aspiration against the principles of PEOPLE, DESIGN AND CONSTRUCT to inform the architectural response.

01 Site Analysis

D1 Development Application Site Location



Site Location



Surrounding Context
D1 Development Application Site Location



Site Dimensions



Site Context Perspective

Development Application Site Analysis



Adelaide View Opportunities

Development Application Site Analysis



Adelaide Density Study

Penny Place is located on a significant inner city site in the densely populated 'capital city zone'.

Development Application Site Analysis



Precinct Linkages Plan





VIEW FROM ANGAS STREET





VIEW FROM ANGAS STREET





VIEW UP NELSON STREET





VIEW DOWN PENNY PLACE





VIEW DOWN SEYMOUR PLACE

Development Application West, South and East View Opportunities





EAST VIEW OPPORTUNITIES



WEST VIEW OPPORTUNITIES

South Parklands

Development Application Landmark Capture



02 Design Principles

Masterplan



STAGE 1 KODO ANGAS STREET VIEW



Pedestrian Connection

Landscaped pedestrian and bicycle path linking Angas St to Carrington St



Front Door Visibility

Lobbies as beacons of light defining the entry to the tower apartments



Activated/Safe Pedestrian Interfaces

Garden fronted low rise apartments along with retail and open bike hubs cultivate an active safe laneway





Respecting Urban & Human Scale

Respecting Urban and Human Scale through defining a pronounced low level form



Setback Amenity + Roof Garden

Further pronouncing the lower level form through a setback terraced level on Angas Street and tower setback from podium on Nelson Street



Stage 1 KODO & 2 Tower Orientation and Separation



Stage 2 Views

15 Floors of Un-inhibited views to the East and West



Grading Down Height

Stepping down of the building height towards Carrington Street

02 Design Principles

Penny Place

"Leveraging our skills and experience to develop a SMART product."

02 Development Application 'Smarter Principles'





Percentages based on Woods Bagot 'Smarter Survey' research undertaken to inform our approach.



- 31 -









Master Plan

2 Buildings clustered around a public square

Movement

A defined link with 2 secondary links supporting the square



Active

A active pedestrian focused spine with vehicles to the edge

Split

Locate cores out of the building form to increase efficiency



Active

A active pedestrian focused spine with vehicles to the edge

Split

Locate cores out of the building form to increase efficiency





Align Align structure from roof to ground

Podium

Enable podium carparking with full cross ventilation





Tower

A residential tower between the cores

View

Controlled views towards the south away from neighbours

02 Development Application Building Massing



03 Design Response

03 Development Application Design Response

Public Realm

As part of the master plan, the public realm is conceived as a sequence of connected spaces, providing a layered and unique experience. Pedestrian access forms the central core of the site with penny square providing the destination. The main entry of the building, retail and resident amenity is orientated to support the square. Unlike the first stage of the master plan, penny place limits the amount of amenity provided within the building preferring to further activate the ground plane by creating shared facilities that support Penny Square. Vehicles are pushed to the perimeter of the precinct with access for the apartment residents from Nelson Street. Discreet access for the Townhouses is provided from Penny Place.



PENNY SQUARE LOOKING TOWARDS STAGE 1 KODO



ANGAS STREET LOOKING TOWARDS STAGE 1 KODO ENTRY

03 Development Application Design Response









03 Development Application Design Response

Architectural

Expression

The architectural expression is a direct correlation of the SMARTER principles which form the overall concept of the project. Façade elements are both decorative, pragmatic and an honest representation of the buildings internal layouts. Materiality is to be robust and easy to maintain while forming a harmonious connection with the adjacent context.



CARRINGTON STREET VIEW



House at 34 Carrington Street

This house was built in 1867 for W.T. Cooper who lived there until 1885.

In 1969, when it had become known as Bar Chambers and used as offices, Morgan and Gilbert describe is as 'an example of a well-mannered conversion of a mid-Victorian house to another use.'

It continues to be used for that purpose.


01 Podium Facade Design Response

Podium Facade Previous Designs

Key Heritage Comments:

The brick-faced podium component establishes a sympathetic scale relationship to the State heritage place, assisted a) by the separation resulting from the intervening right-of-way to the north of the State heritage place; b) by its singular expression of form arising from the 4.5m setback above the podium level; and c) by its materiality and the strong material and architectural differentiation between podium and tower.

Key Heritage Comments:

Masonry in the podium needs to acknowledge to some degree the traditional typology of masonry buildings as a load-bearing construction where each stone or brick is supported by those beneath or by a clearly evident structural element such as a lintel/beam/arch etc.

breaking up of the form into a series of raking panels separated by void spaces undermines its visual relationship with the State heritage place, and allows no degree of ambiguity about the car parking function of the podium.





01 Podium Facade Design Response

Podium Facade Proposed Design

Key Points:

- Masonry Used in a more traditional typology within the lower level facade.
- Singular Expression of the screen material blurs the internal program of the Podium. As a cross ventilated carpark arrangement the open area requirements are 1/2m2 per carpark which allows for a relatively opaque screening solution. This again allows for a blu rring of the internal program as well as the effective mitigation of light pollution at night.
- Referencing the colours of the red bricks of the adjacent heritage place with a metal screen facade. Variation of colour, perforation as well as the profile of the panels provides visual texture to the Podium.



01 Podium Facade Design Response

Screen Alignment With Heritage Streetscape



Carrington Street Perspective Image: Revised Podium Screen Design







Overall Axonometric West

03 Development Application Design Response

General Materials

CE:02



Precast Concrete Location: Core Walls





Location: Apartment facades

Green





Prefinished Fibre Cement Location: Apartment facade and AC enclosure frontal (Colour Varies)





Profiled Metal Sheet Location: Tower Podium (Two Colours, One Third of Panels Perforated)

MA:02**



Concrete Block Facade Location: Ground level back of house areas

Brick Facade Location: Ground level street frontage

*Note: CL:01 (white cladding to balcony soffits) not used; & **MA:01 Brick Screen Facade podium & town houses) not used.





Colour 1

or Similar

Colour 2

or Similar

Colourbond 'Terrain'

Dulux 'Hot Fudge'





- 51 -



Typical Apartment Level Floor







TYPICAL AXONOMETRIC

Apartment Mix









2 BED 2 BATH PLAN NTS



2 BED 2 BATH AXO



Typical AC Enclosure Axo





AXO

Elevation





Plan

03 Development Application Shadow Diagrams and Thermal Performance



03 Development Application Sunlight Analysis and Future Opportunities



SUNLIGHT HOURS TO URBAN REALM

DAYLIGHT ANALYSIS SUGGEST APPROX. 2000 HOURS OF DIRECT SUNLIGHT TO PENNY SQUARE PER YEAR OR 5.4 HOURS OF SUNLIGHT A DAY ON AVERAGE



POTENTIAL FUTURE GROUND FLOOR RETAIL OPPORTUNITY

The current context and uses of adjacent sites to the Nelson Street frontage limit commercial activation opportunities of the ground floor at time of seeking planning approval. The design allows for provision, as per the sketch above, for a number of future retail configurations and strengthened pedestrian links should development of adjacent sites occur.





Penny Place Stage 2 Nelson Street, Adelaide Transport Impact Assessment

Client // Premier Capital Developments Office // SA Reference // \$132540 Date // 05/12/2018

Penny Place Stage 2

Nelson Street, Adelaide

Transport Impact Assessment

Issue: C 05/12/2018

Client: Premier Capital Developments Reference: \$132540 GTA Consultants Office: \$A

Quality Record

| Issue | Date | Description | Prepared By | Checked By | Approved By | Signed |
|-------|------------|-----------------|---------------|---------------|---------------|--------------|
| A | 27/10/2017 | Final | Timothy Jones | Paul Froggatt | Paul Froggatt | PFR |
| В | 27/10/2017 | Final – amended | Timothy Jones | Paul Froggatt | Paul Froggatt | PFR |
| С | 05/12/2018 | Final – amended | Joy Yu | Paul Froggatt | Paul Froggatt | hard Congest |

© GTA Consultants (GTA Consultants (SA) Pty Ltd) 2017 The information contained in this document is confidential and intended solely for the use of the client for the purpose for which it has been prepared and no representation is made or is to be implied as being made to any third party. Use or copying of this document in whole or in part without the written permission of GTA Consultants constitutes an infringement of copyright. The intellectual property contained in this document remains the property of GTA Consultants.



Melbourne | Sydney | Brisbane Canberra | Adelaide | Perth

Table of Contents

| 1. | Intre | oduction | 1 |
|----|-------|--|----|
| | 1.1 | Background | 1 |
| | 1.2 | Purpose of this Report | 1 |
| | 1.3 | References | 1 |
| 2. | Exis | ting Conditions | 2 |
| | 2.1 | Subject Site | 2 |
| | 2.2 | Road Network | 3 |
| | 2.3 | Sustainable Transport Infrastructure | 5 |
| 3. | Dev | velopment Proposal | 7 |
| | 3.1 | Land Uses | 7 |
| | 3.2 | Car Parking | 7 |
| | 3.3 | Vehicle Access | 7 |
| | 3.4 | Bicycle Facilities | 7 |
| | 3.5 | Pedestrian Facilities | 8 |
| | 3.6 | Loading Areas | 8 |
| 4. | Ca | Parking | 9 |
| | 4.1 | Development Plan Car Parking Requirements | 9 |
| | 4.2 | Adequacy of Parking Supply | 9 |
| | 4.3 | Disabled Car Parking | 9 |
| | 4.4 | Car Parking Layout | 10 |
| 5. | Sus | tainable Transport Infrastructure | 13 |
| | 5.1 | Bicycle End of Trip Facilities | 13 |
| | 5.2 | Walking and Cycling Network | 14 |
| | 5.3 | Public Transport | 14 |
| 6. | Loa | iding Facilities | 15 |
| | 6.1 | Development Plan Requirements | 15 |
| | 6.2 | Proposed Loading and Refuse Collection Collections | 15 |
| 7. | Traf | fic Impact Assessment | 18 |
| | 7.1 | Traffic Generation | 18 |
| | 7.2 | Traffic Impact | 20 |
| 8. | Со | nclusion | 21 |



Figures

| Figure 2.1: | Subject Site and its Environs | 2 |
|-------------|---|----|
| Figure 2.2: | Existing AM Peak Hour Traffic and Pedestrian Volumes | 4 |
| Figure 2.3: | Existing PM Peak Hour Traffic and Pedestrian Volumes | 4 |
| Figure 2.4: | Public Transport Map | 5 |
| Figure 4.1: | Townhouse 1 Ingress | 11 |
| Figure 4.2: | Townhouse 1 Egress | 11 |
| Figure 4.3: | Townhouse 3 Ingress | 11 |
| Figure 4.4: | Townhouse 3 Egress | 11 |
| Figure 4.5: | Townhouse 4 Pedestrian Sight Splays | 12 |
| Figure 4.6: | Townhouse 4 Access Width | 12 |
| Figure 6.1: | 10.0m Refuse Vehicle Reverse into Ground Floor Car Park Entry | 16 |
| Figure 6.2: | 10.0m Refuse Vehicle Exiting in Forward Direction | 16 |
| Figure 6.3: | Swept Path of Entering Vehicle | 17 |
| Figure 6.4: | Swept Path of Exiting Vehicle | 17 |
| Figure 7.1: | AM Peak Hour Site Generated Traffic Volumes | 19 |
| Figure 7.2: | PM Peak Hour Site Generated Traffic Volumes | 20 |

Tables

| Table 3.1: | Proposed Car Parking Supply | 7 |
|------------|---|----|
| Table 4.1: | Development Plan Car Parking Assessment | 9 |
| Table 5.1: | Development Plan Requirement for Bicycle Facilities | 13 |
| Table 7.1: | Estimated Traffic Generation | 18 |



1. Introduction

1.1 Background

A development approval variation is currently being sought for Stage 2 proposed residential and retail tower on land located between Angas Street and Carrington Street in the Adelaide CBD. The proposed development incorporates the construction of 152 apartment dwellings, approximately 60 sq. m of ground floor retail and 4 townhouses adjacent to the apartment building.

GTA Consultants was commissioned by Premier Capital Developments on behalf of Flagship (Penny Place) Pty Ltd to update the transport impact assessment for the proposed development.

1.2 Purpose of this Report

This report sets out an assessment of the anticipated transport implications of the proposed development, including consideration of the following:

- i existing traffic and parking conditions surrounding the site
- ii parking demand likely to be generated by the proposed development
- iii suitability of the proposed parking in terms of supply (quantum) and layout
- iv traffic generation characteristics of the proposed development
- v proposed access arrangements for the site
- vi public transport, walking and cycling services and facilities within proximity of the development
- vii transport impact of the development proposal on the surrounding road network.

1.3 References

In preparing this report, reference has been made to the following:

- Adelaide City Council Development Plan (consolidated 07 June 2018)
- Australian Standard/ New Zealand Standard, Parking Facilities, Part 1: Off-Street Car Parking AS/NZS 2890.1:2004
- Australian Standard, Parking Facilities, Part 2: Off-Street Commercial Vehicle Facilities AS 2890.2:2002
- Australian Standard / New Zealand Standard, Parking Facilities, Part 6: Off-Street Parking for People with Disabilities AS/NZS 2890.6:2009
- plans for the proposed development prepared by Enzo Caroscio Architecture dated 5 December 2018
- traffic and car parking surveys undertaken by GTA Consultants as referenced in the context of this report
- o various technical data as referenced in this report
- an inspection of the site and its surrounds
- other documents as nominated.



2. Existing Conditions

2.1 Subject Site

The subject site is to be Stage 2 of the proposed residential and retail tower on land located between Angas Street and Carrington Street in the Adelaide CBD. Stage 2 is located between Penny Place and Nelson Street. Stage 2 has frontages of approximately 33m to Penny Place and 55m to Nelson Street.

The site is located within the Capital City zone and is currently occupied by a public paid car park and site office for Stage 1 of the development.

The surrounding properties include a mix of residential, educational, commercial and government uses including the Commonwealth Law Courts which bound the site to the west.

The location of the subject site and the surrounding environs is shown in Figure 2.1.



Figure 2.1: Subject Site and its Environs

(PhotoMap courtesy of NearMap Pty Ltd)



2.2 Road Network

2.2.1 Adjoining Roads

Nelson Street

Nelson Street is a no through access lane, aligned in a north/south direction. It is configured with a 5.5m single-lane carriageway set in a 7.7m road reserve (Approx.). Kerbside parking spaces are marked on the eastern side of the carriageway and are subject to time and permit restrictions. A 2-hour parking zone (2 car capacity) is located at the southern end of the street, with the remaining on-street parking spaces being a permit zone for police vehicles.

Nelson Street carries less than 500 vehicles per day¹ and is subject to the default urban speed limit of 50km/h.

Penny Place

Penny Place is a no through access lane, aligned in a north/south direction. It has one vehicle lane in each direction. Kerbside parking spaces are marked either side of the carriageway and are subject to time restrictions. A permit zone for police vehicles and a 10 minute loading zone are located at the northern end of the street on the western side of the carriageway. Penny Place is subject to the default urban speed limit of 50km/h.

Carrington Street

Carrington Street functions as a two-way road aligned in an east-west direction. It is configured with one vehicle lane in each direction, set within an approximately 20 metre wide road reserve. Kerbside parking spaces are marked on both sides of the carriageway and are subject to time restrictions.

Carrington Street carries approximately 6,500 vehicles per day and is subject to the default urban speed limit of 50km/h.

2.2.2 Surrounding Intersections

The following intersections currently exist in the vicinity of the site:

- Nelson Street/Carrington Street (un-signalised)
- Penny Place/Carrington Street (un-signalised).

2.2.3 Traffic Volumes and Pedestrian Movements

GTA Consultants undertook traffic and pedestrian movement counts at the intersection of Carrington Street/Nelson Street/Nelson Place on 7th September 2017 during the following peak periods:

- 8:00am 9:00am
- 5:00pm 6:00pm.

The AM and PM peak hour traffic volumes are shown in Figure 2.2 and Figure 2.3, respectively.

S132540 // 05/12/2018 Transport Impact Assessment // Issue: C Penny Place Stage 2, Nelson Street, Adelaide



Based on the peak hour traffic counts undertaken by GTA in September 2017 and assuming a peak-to-daily ratio of 10%.



Figure 2.2: Existing AM Peak Hour Traffic and Pedestrian Volumes

Figure 2.3: Existing PM Peak Hour Traffic and Pedestrian Volumes



S132540 // 05/12/2018 Transport Impact Assessment // Issue: C Penny Place Stage 2, Nelson Street, Adelaide



It was observed that the traffic entering Nelson Street during the AM period was predominantly accessing the public car park, with a small number accessing the laneway at the rear of the BAR Chambers. It was noted that the car park was full, and the vehicles that entered Nelson Street were required to exit back onto Carrington Street. The balance of vehicles exiting Nelson Street were observed to be from vehicles exiting the Kent Street entry 'Police Only' parking.

During the PM period, it was observed that the majority of traffic exiting Nelson Street was vehicles exiting the Kent Street entry 'Police Only' parking. It was also noted that vehicles were entering the site to access the parking facilities and the small laneway at the rear of the BAR Chambers.

2.2.4 Crash Statistics

A review of the reported road crashes history in the last available five-year period (2013-2017) for the roads and intersections adjoining the subject site has been sourced from the DPTI road crashes database. There were no recorded crashes at the Carrington Street intersection with Nelson Street and no crashes on Nelson Street.

2.3 Sustainable Transport Infrastructure

2.3.1 Public Transport

Figure 2.4 shows the subject site in relation to existing public transport routes within its vicinity. Figure 2.4: Public Transport Map



The subject site is well connected to public transport services with the nearest bus stop located less than 200m walking distance from the subject site. In addition, the free city loop bus services and tram service are located in Victoria Square approximately 350m walking distance from the site. The combination of tram and bus services provides regular access to most areas of the Adelaide CBD and wider metropolitan area.



2.3.2 Pedestrian Infrastructure

Pedestrian footpaths are located along both sides of Nelson Street providing links between Angas Street and Carrington Street via the path around the Law Courts.

During the traffic movement counts, it was observed that Nelson Street is utilised as a pedestrian route between Angas Street and Carrington Street with pedestrian desire lines to and from the east along Carrington Street.

Pedestrian crossing facilities are included within the Angas Street and Carrington Street traffic signal intersections with King William Street and a Pedestrian Actuated Crossing (PAC) traffic signal to the east of the site on Angas Street.

2.3.3 Cycle Infrastructure

No dedicated bicycle lanes are provided along Penny Place, Carrington Street or Nelson Street. Angas Street provides bicycle lanes adjacent Stage 1 of the development, allowing for connection to the subject site via the existing pedestrian links.



3. Development Proposal

3.1 Land Uses

The proposal includes the construction of a mixed-use tower comprising of 152 apartments, 4 townhouses and approximately 60 sq.m of ground floor retail, as well as associated bicycle parking, car parking and amenities.

3.2 Car Parking

Apartments

A total of 154 car parking spaces will be located within the site across 5 car park levels and the townhouses as summarised in Table 3.1.

| Table 3.1: Proposed Co | r Parking Supply |
|------------------------|------------------|
|------------------------|------------------|

| Parking Location | Number of Proposed Spaces | | |
|------------------|---------------------------|--|--|
| Ground | 18 spaces | | |
| Level 1-Level 4 | 140 spaces | | |
| Total | 158 Spaces | | |

Townhouses

The proposed townhouses will include one garage parking space for each dwelling and are included in the ground floor total.

Impact on on-street Parking

As part of the development the existing car parking on Nelson Street will need to be adjusted. There are currently 6 permit parking spaces and 2 time-restricted (2 hour) parking spaces. To accommodate the proposed site accesses and design vehicles, including removal of existing accesses, up to 5 on-street parking spaces are likely to be feasible.

3.3 Vehicle Access

Vehicle access to the proposed tower will be via Nelson Street. The proposed crossover at the northern end of the site will provide access for vehicles parking at the ground floor, as well as for refuse and delivery vehicles. Access for vehicles entering car parking spaces on Level 1 to Level 4 will be provided via a ramp access at the southern end of the site.

The proposed townhouses will be accessible from Penny Place.

3.4 Bicycle Facilities

A total of 140 secure bicycle parking spaces will be provided in a bicycle storage along with a bicycle workshop on the ground floor for use by residents. Visitor bicycle parking will be available within the public realm area to be developed as part of the Stage 1 Kodo Apartments project. Employee bicycle parking for the retail use will be available within either the ground floor storage room, the retail tenancy itself or using nearby visitor bicycle parking.

Further bicycle parking opportunities are available within the storage areas for each apartment and within the apartments themselves.



3.5 Pedestrian Facilities

Pedestrian footpaths are provided on Nelson Street and Penny Place. The existing vehicular access point to the Kodo Apartments site from Angas Street will be closed and modified into a pedestrian and cyclist connection as part of the Stage 1 project. A connection from the proposed Stage 2 development to Penny Place will also be provided, which will be available following completion of Stage 1.

3.6 Loading Areas

It is proposed that refuse collection will occur adjacent to the waste storage room at the northern end of the site. Council refuse collection vehicle and other delivery vehicles will enter Nelson Street in a forward direction and reverse into the loading area from the end of Nelson Street. Bins would be wheeled from the nearby bin storage room to the loading area for collection. The refuse vehicle will exit to Nelson Street in a forward direction.



4. Car Parking

4.1 Development Plan Car Parking Requirements

The proposed development is located within the Primary Pedestrian Area in the Capital City zone as specified in Adelaide City Development Plan. A review of the Adelaide City Development Plan (Table Adel/7) has found that the proposed development is not subject to a minimum car parking requirement. However, a maximum off-street parking requirement for the proposed apartment development applies as follows:

"Medium to High Scale Residential:

- 1 space for each dwelling with a total floor area less than 75 square metres;
- 2 spaces for each dwelling with a total floor area between 75 and 150 square metres;
- 3 spaces for each dwelling with a total floor area greater than 150 square metres;
- 1 visitor space for each 6 dwellings."

No rate is provided in Table Adel/7 applicable to townhouses (low scale residential) and the proposed development's non-residential (retail) component.

On the above basis, the maximum number of off-street parking spaces that the proposed development can provide is summarised in Table 4.1.

| Land Use | Туре | Rate | Number of dwellings | Maximum Spaces Allowable |
|-------------|--|-------------------------|------------------------|-----------------------------|
| Residential | Dwelling less than 75sq.m | 1 space per dwelling | 57 | 57 |
| | Dwelling between 75sq.m and 150sq.m | 2 spaces per dwelling | 95 | 190 |
| | Visitor | 1 space per 6 dwellings | 152 | 23 |
| | 270 | | | |

Table 4.1: Development Plan Car Parking Assessment

Based on the results in Table 4.1, the proposed development generates a maximum parking allowance of 270 spaces for all uses.

4.2 Adequacy of Parking Supply

The proposed supply of 154 spaces for the apartments and 4 spaces for the townhouses does not exceed the development plan maximum and is considered an appropriate provision having regard to the good walking, cycling and public transport connectivity within close proximity of the site.

The proposed one garage parking space for each townhouse is considered appropriate for the townhouses.

GTA understands that no parking spaces will be allocated for the retail use, which GTA considers will be largely ancillary to the development and surrounding buildings.

4.3 Disabled Car Parking

The Adelaide (City) Development Plan requires that 1 car parking space in every 30 spaces be reserved for the exclusive use of people with disabilities. On this basis, 5 car parking spaces should be marked as disability parking spaces.



The development proposes 1 formal disability parking spaces in accordance with the Australian Standards on the ground floor.

Given the primarily residential nature of the development, the provision of 1 formal disability parking spaces is considered appropriate for the anticipated demand.

GTA notes that the provision is in excess of the Building Code of Australia requirements for disability parking which does not require any spaces for residential developments.

4.4 Car Parking Layout

The proposed car parking layout is generally consistent with the guidelines set out within the Australian / New Zealand Standards for off-street car parking (AS/NZS2890.1:2004). Some of the key design features are described below:

Apartment Car Parking

- 90 degree angled parking spaces that are generally 2.4m wide and 5.4m long, set within a minimum 6.0m wide aisle, which meet the minimum requirements as per the AS/NZS2890.1:2004 for user class 1A;
- The disabled parking space and its shared space are 2.4m wide and 5.4m long, meeting the requirements in Australian Standards
- Columns and obstructions greater than 150mm high have been placed outside of the design envelope in accordance with AS/NZS2890.1:2004;
- Minimum 1.0m blind aisle extensions have been provided where required to provide adequate manoeuvring space for vehicles;
- o Minimum 5.5m circulation roadways have been generally provided, with additional 300mm clearances to adjacent walls and columns; It is noted that there are momentary intrusions of columns at the circulation roadways on the southern side of the ramps at each parking level, which resulting in the reduction of circulation roadways to 5.9m at the columns. These reductions of circulation roadways are momentary and is therefore considered acceptable.
- Minimum 6.1m parking aisles have been provided, including 5.8m aisle to access parking spaces plus 300mm to vertical obstruction;
- Ramp grades have been provided in accordance with AS/NZS2890.1:2004.
- Head height clearance should be 2.2m minimum above parking spaces, and 2.5m minimum above the disabled parking spaces.

Townhouse Car Parking

- Garage openings are generally 3.0m wide, set within a 6.3m wide apron, which exceeds the minimum dimensions as per the AS/NZS2890.1:2004;
- The ability for a B99 vehicle to access Townhouses 1 and 3 has been undertaken using Auto-turn Software. The results of the assessment are shown in Figure 4.1 through Figure 4.4.







Figure 4.3: Townhouse 3 Ingress







- The doors shown at the western end of the townhouse access road are for access to the proposed service yard adjacent the Plant and Townhouse 1. The gates will not be publicly accessible, and will only be open when maintenance vehicles/personnel are accessing the service yard, resulting in negligible impact on the manoeuvring ability of Townhouse 1.
- The B99 swept path demonstrates the rear of the vehicle overhanging the proposed kerb while maintaining clearance to the property boundary and the adjacent building. The swept path also maintains clearance to Townhouse 2 when travelling in a forward direction. It is noted that the vehicle likely to be used in a city townhouse environment will typically resemble a B85 vehicle or smaller rather than a B99 vehicle and will thus be able to turn within the provided apron width.
- Garage entry doors from the public square area will be designed to not impact onto the garage space. Sliding doors or outward swinging doors are recommended to be installed.
- Pedestrian sight splays as per the AS/NZS2890.1:2004 are achieved at the access of Townhouse 1 3. Figure 4.5 demonstrates that the proposed water meter restricts the required sight splays at the crossover of Townhouse 4. The pedestrian sight splays and final location and configuration of the water meter can be addressed in Detailed Design.





• The location of the proposed water meter does not allow for the additional 300mm clearance to the 3.0m wide access, as shown in Figure 4.6. The proposed location and configuration of the water meter can be addressed in Detailed Design to provide the minimum required clearances.



Figure 4.6: Townhouse 4 Access Width



5. Sustainable Transport Infrastructure

5.1 Bicycle End of Trip Facilities

The Adelaide (City) Council Development Plan provides guidance on the provision of bicycle parking within Table Adel/6. The development plan rates applicable to the proposed land uses are as follows:

| Retail (staff): | 1 per 300 square metres of gross leasable floor area |
|-------------------------|--|
| Retail (customer): | 1 per 600 square metres of gross leasable floor area |
| Residential (resident): | 1 per dwelling/apartment with floor area less than 150m ² |
| Residential (resident): | 2 per dwelling/apartment with floor area greater than $150m^2$ |
| Residential (visitors): | 1 for every 10 dwellings |

Based on the parking rates presented above, Table 5.1 presents the development plan bicycle parking requirements.

| | | Developme | ent Plan Rate | Development Plan Requirement | |
|-------------------------|---------|-----------------------|----------------|------------------------------|---------|
| Use | Size | Employee/ Resident | Visitor | Employee/ Resident | Visitor |
| Retail | 60 sq.m | 1/300sq.m | 1/600sq.m | 1 | 1 |
| Residential <150sq.m | 152 | 1/dwelling | 1/10 dwellings | 152 | 16 |
| Total | | | 153 | 17 | |
| | | | 17 | 0 | |

Table 5.1: Development Plan Requirement for Bicycle Facilities

The table above indicates the proposed development generates a development plan bicycle parking requirement of 170 spaces consisting of 153 spaces for residents and employees and 17 spaces for visitors.

The proposed development will provide 140 bicycle parking spaces on ground level within a secure bicycle storage area, which is 13 spaces (less than 10%) short of the development plan parking requirement of 153 spaces for residents and employees.

It should be noted that the total of 140 bicycle parking spaces does not include the capacity for bicycle parking within individual apartments that may also occur, and that actual bicycle parking demand is likely to be less than the development plan requirement.

Visitor bicycle parking will be available within the public realm area to be developed as part of the Stage 1 Kodo Apartments project to accommodate visitor parking demands for both Stage 1 and Stage 2.

GTA also notes that bicycle parking facilities are available in all U-Park facilities in Adelaide free of charge or with a small cost depending on individual security requirements. The Central Market U-Park is located less than 400 metres from the subject site. Bicycle parking rails are also provided close to the site on Angas Street in front of the Adelaide Magistrates Court.

On this basis, GTA considers there to be sufficient bicycle parking spaces within the bike store, individual apartments, and public realm area in vicinity of the site to meet the likely bicycle parking demand generated by the proposed development.



5.2 Walking and Cycling Network

The proposed development is located within the Primary Pedestrian Area of the Adelaide City Council Development Plan. As suggested by the zoning, the area is located within a highly walkable area with strong pedestrian links to nearby services and facilities.

The proposed site is accessible from Angas Street by a north-south pedestrian and cyclist connection proposed in Stage 1 along the western side of the Kodo Apartment building. Nelson Street and Penny Place will provide pedestrian and cyclist connection to Carrington Street.

5.3 Public Transport

The site is accessible by public transport with a bus stop located in the south-east corner of Victoria Square less than 200m to the west of the site. In addition, tram services are located approximately 350m west of the site in Victoria Square.



6. Loading Facilities

6.1 Development Plan Requirements

The Adelaide (City) Development Plan provides the following general requirements with regard to development loading facilities:

"Objective 70: Adequate off-street facilities for loading and unloading of courier, delivery and service vehicles and access for emergency vehicles."

In addition, the following Principle of Development Control (PDC) is also provided:

PDC 241: "Facilities for the loading and unloading of courier, delivery and service vehicles and access for emergency vehicles should be provided on-site as appropriate to the size and nature of the development. Such facilities should be screened from public view and designed, where possible, so that vehicles may enter and leave in a forward direction."

6.2 Proposed Loading and Refuse Collection Collections

A refuse and bin storage area for the residential and retail uses is proposed to be located on ground level at the northern end of Nelson Street. The proposed loading and refuse collection area is located at the entrance to the ground level car park adjacent to the bin storage. To minimise disruption to traffic, refuse collection will be scheduled to occur outside of peak pedestrian and traffic periods where possible.

Refuse vehicles would enter the loading area from the south along Nelson Street in a forward direction, reverse into the loading area in the car park from the end of Nelson Street and then exit in a forward direction. The ability for a typical 10.0m long refuse vehicle to perform this manoeuvre is shown in Figure 6.1 and Figure 6.2. The turning movements shown would require two existing permit parking spaces on Nelson Street to be removed.





Figure 6.1: 10.0m Refuse Vehicle Reverse into Ground Floor Car Park Entry

Figure 6.2: 10.0m Refuse Vehicle Exiting in Forward Direction



GTA has performed swept path analysis to explore the impact of refuse vehicles occupying the car park entry on vehicles accessing the ground floor car parks. Vehicles will still be able to enter and exit the subject site if a refuse vehicle is undertaking collection on site, as shown in Figure 6.3 and Figure 6.4.



Figure 6.3: Swept Path of Entering Vehicle



Figure 6.4: Swept Path of Exiting Vehicle



As there are only 14 parking spaces on the ground floor, the risk of a vehicle needing to enter or exit the car park whilst the refuse vehicle is in position is considered to be very low.

S132540 // 05/12/2018 Transport Impact Assessment // Issue: C Penny Place Stage 2, Nelson Street, Adelaide



7. Traffic Impact Assessment

7.1 Traffic Generation

7.1.1 Design Rates

Apartments

Traffic generation estimates for the proposed development have been sourced from the NSW RMS 'Guide to Traffic Generating Developments – Updated August 2013'. Given that no parking spaces are to be allocated to the retail use, there will generally be no traffic movements associated with the retail use other than a small number of movements by loading and waste collection vehicles. The retail use has therefore been excluded from the traffic generation assessment.

Estimates of peak hour and daily traffic volumes resulting from the proposal are set out in Table 7.1.

Table 7.1: Estimated Traffic Generation

| Period Design Generation Rates | | Number of Car Spaces | Traffic Generation Estimates |
|--------------------------------|------------------------------------|-------------------------|---------------------------------|
| AM Peak Hour | 0.15 vehicle movements / car space | 154 | 23 |
| PM Peak Hour | 0.12 vehicle movements / car space | 154 | 19 |
| Daily | 1.34 vehicle movements / car space | 154 | 206 |

Table 7.1 indicates the proposed development could be expected to generate up to 23 vehicle movements in a peak hour period and up to 206 movements over the entire day.

Townhouses

Traffic generation estimates for the four townhouses as part of the Stage 2 development have been sourced from the NSW RTA's 'Guide to Traffic Generating Development 2002'. Rates for medium density residential flat building is shown as follows:

Daily Vehicle Trips = 5.0-6.5 per dwelling

Weekday Peak Hour Vehicle Trips = 0.5-0.65 per dwelling

Using the above rates, the four townhouses would generate up to 2 vehicles in peak hour and up to 20 trips a day in total.

7.1.2 Distribution and Assignment

The directional distribution and assignment of traffic generated by the proposed development will be influenced by several factors, including the:

- i configuration of the road network in the immediate vicinity of the site;
- ii surrounding employment centres, retail centres and schools in relation to the site;
- iii configuration of access points to the site.

Having consideration to the above, for the purposes of estimating vehicle movements, the following directional distributions have been assumed for both the apartments and townhouses:

- Carrington Street (west) 50%
- Carrington Street (east) 50%


In addition, the directional split of traffic (i.e. the ratio between the inbound and outbound traffic movements) has been assumed as 20:80 in the AM peak period, 80:20 in the PM peak period and 50:50 over the entire day.

Based on the above, Figure 7.1 and Figure 7.2 have been prepared to show the estimated marginal increase in turning movements, in the vicinity of the subject property, following full site development.

The only other additional traffic in Nelson Street will be limited to the occasional refuse or commercial vehicle. This is not anticipated to occur during the peak periods and is therefore not shown on the traffic distribution figures.



Figure 7.1: AM Peak Hour Site Generated Traffic Volumes







Figure 7.2: PM Peak Hour Site Generated Traffic Volumes

7.2 Traffic Impact

Against existing traffic volumes, in the vicinity of the site, the low volume of additional traffic generated by the proposed development could not be expected to compromise the safety or function of the surrounding road network.



8. Conclusion

Based on the analysis and discussions presented within this report, the following conclusions are made:

- i The proposed development generates a maximum development plan car parking requirement of 270 spaces.
- ii The proposed supply of 158 spaces does not exceed the development plan maximum and is considered appropriate for the proposed development.
- iii The proposed parking layout is consistent with the dimensional requirements as set out in the Australian/New Zealand Standards for Off Street Car Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009).
- iv The provision of 140 on-site bicycle parking spaces for residents is considered appropriate for the proposed development. Bicycle parking spaces for visitors will be shared with Stage 1 development within the public realm area.
- v The proposed development is well located in relation to existing pedestrian routes, bicycle lanes and bus and tram based public transport.
- vi The proposed refuse collection arrangements from Nelson Street are considered appropriate.
- vii The site is expected to generate up to 25 and 226 vehicle movements in any peak hour and daily respectively.
- viii There is adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development.



- syaney A Level 6, 15 Help Street CHATSWOOD NSW 2067 PO Box 5254 WEST CHATSWOOD NSW 1515 P +612 8448 1800 E sydney@gta.com.au

- Perm A Level 2, 5 Mill Street PERTH WA 6000 PO Box 7025, Cloisters Square PERTH WA 6850 P +618 6169 1000 E perth@gta.com.au



(now trading as Colby Phillips Advisory) ABN 98 629 927 199 Level 1 / 60 Hindmarsh Square Adelaide, SA 5000 p +61 8 8297 2385

Waste Management Plan

Penny Place Apartments (Stage 2)

Prepared for: Premier Capital Developments

REVISED & UPDATED (ver. 2)

21 February 2019

- IMPORTANT NOTES-

This document has been prepared by Colby Industries for a specific purpose and client (as named in this document) and is intended to be used solely for that purpose by that client.

The information contained within this document is based upon sources, experimentation and methodology which at the time of preparing this document were believed to be reasonably reliable and the accuracy of this information subsequent to this date may not necessarily be valid.

Unless expressly provided in this document, no part of this document may be reproduced or copied in any form or by any means without the prior written consent of Colby Industries or the client.

The information in this document may be confidential and legally privileged. If you are not the intended recipient of this document (or parts thereof), or do not have permission from Colby Industries or the client for access to it, please immediately notify Colby Industries or the client and destroy the document (or parts thereof).

This document, parts thereof or the information contained therein must not be used in a misleading, deceptive, defamatory or inaccurate manner or in any way that may otherwise be prejudicial to Colby Industries, including without limitation, in order to imply that Colby Industries has endorsed a particular product or service.

| Description | Waste Management Plan | for Penny Place Apartmen | ts (Stage 2) | | | |
|--------------|---|----------------------------|--------------|--|--|--|
| Version | REVISED (from previous Planning Approval Version issued 25 October 2017 | | | | | |
| | and updated February 207 | and updated February 2019) | | | | |
| Issued | 21 February 2019 | | | | | |
| Verification | Prepared by | Checked by | Approved by | | | |
| Name | C. Colby | Client | C Colby | | | |
| Signature | | | | | | |

Document verification

Contents

| С | ontents | 3 | 3 |
|---|---------|--|----|
| 1 | Intro | oduction | 4 |
| 2 | Stat | tus of this document | 4 |
| 3 | Dev | velopment | 4 |
| | 3.1 | Developer (& project design team) | 4 |
| | 3.2 | Land use details | 4 |
| 4 | Desi | ign assumptions | 7 |
| | 4.1 | Regulatory, Policy &/or Planning considerations | 7 |
| | 4.2 | Stakeholder consultation | 7 |
| | 4.3 | Collection services | 8 |
| | 4.4 | Design & operating provisions | 8 |
| 5 | Was | ste Management System | 10 |
| | 5.1 | Services | 10 |
| | 5.2 | Sizing (generation volumes) | 10 |
| | 5.3 | Storage & Presentation | 11 |
| | 5.4 | Operation | 14 |
| | 5.5 | Collection | 18 |
| | 5.6 | Transfer pathways | 21 |
| | 5.7 | Other facility design and operating requirements | 21 |
| 6 | Ope | eration and management | 25 |
| | 6.1 | Management & Operating Responsibility | 25 |
| | 6.2 | Communication strategy | 25 |
| | 6.3 | Building User Manual | 25 |
| | 6.4 | Community/Strata title arrangements | 25 |
| | 6.5 | Emergency response plan | 25 |
| 7 | Refe | erences | 26 |

1 Introduction

This document updates the waste management plan (WMP) previously prepared (in October 2017) to support planning approval for this Development located between Nelson St and Penny Place off Carrington St in the City of Adelaide (see Figure 3-1 overleaf). It incorporates refinements to the waste system that have been proposed during the detailed design phase that has occurred subsequently. In addition, it re-incorporates a provision for Public Square waste management previously allowed for in the October 2017 WMP that had been omitted in subsequent revision to the waste system design based on advice that this waste could be separately collected by Council (Colby Industries , 15 June 2018).

The WMP describes the revised waste management system (WMS) proposed for the Development. The content of the WMP is aligned to that recommended by the South Australian Better Practice Guide – Waste Management in Residential or Mixed-Use Developments (Zero Waste SA, 2014) (*viz.* Appendix D).

2 Status of this document

This WMP is based on most recent design plans and information provided by the Project Architect (see Table 3-1 below). *Note: A different Project Architect is now working on the Project since the planning phase of the project.*

3 Development

3.1 Developer (& project design team)

The table below provides the name and contact details for the Developer and relevant members of the project design team.

| Developer: | Premier Capital Development |
|-------------------|---|
| Architect: | Enzo Caroscio Architecture & Design Pty Ltd |
| Traffic Engineer: | GTA Consultants |

Table 3-1: Developer & relevant project design team members

3.2 Land use details

The Development is Stage 2 of an existing development located in the Adelaide City Area between Carrington and Angas Streets – see Figure 3-1 overleaf. Stage 1, a mixed-use multi-storey residential building, was previously approved and is nearing (or at) construction completion. The Stage 2 site, between Nelson St and Penny Place off Carrington St, is approximately 2,637m² in area. Per new plans issued by the Project Architect (dated 16 November 2018), the Development will comprise:

- Apartment Building Multi-storey (25 level) apartment building, which will include:
 - 19 residential levels (Levels 5-23) with 152 apartments;
 - o 4 car parking levels (Levels 1-4);
 - Ground level with access lobby, car parking, retail tenancy, residential amenity area, and building services' areas.

{Cont. two pages over}



Figure 3-1: Ground Level site plan for the Development. Reproduced from earlier plans (issued 27 October 2017) with revised building Ground Floor plan (per new plans issued 16 November 2018) overlaid.

- Townhouses Separate building (adjacent to Penny Place) with 4 (3-bedroom) townhouses; and
- **Public Square** An adjacent landscaped public square that may be vested to Adelaide City Council (ACC) as a community space (but otherwise managed by the Building Manager).

Table 3-2 below summarizes the expected Development metrics by Land Use based on data and Building Plans (dated 27 October 2017) provided by the Project Architect.

| would be mane | iged separately | by Council | | | |
|---------------|--|---|--------------------------------------|------|---|
| Land Use | Location | Activity | WRGR Description* | Deve | elopment Metric(s) |
| Residential | Apartment | Apartment Living | High Density | 152 | Dwellings |
| | Building | | Residential Dwelling | 285 | Bedrooms |
| | | Residential Amenity: Kitchen & Lounge | Hotel or Motel - Dining Areas | 60 | m ² (Lounge/Dining Area only) |
| | Townhouses | Residential Living | High Density Residential Dwelling | 4 | Dwellings |
| | | Residential Dweining | | 12 | Bedrooms |
| Commercial | Apartment Building, Ground Level | Retail | Retail < 100m2 | 55 | m² GFA |
| Public Areas | Apartment Building, Ground Level | Access Lobby | Showrooms | 75 | m² GFA |
| | Other Public Areas | Various other Building Access Areas, Pedestrian Paths, etc. | | 150 | m ² GFA (provision) |
| | Public Square | Public / recreational activity | - | 190 | m ² GFA (active area allowed for design purpose) |

 Table 3-2: Development metrics – summary.
 Note: These metrics do not include the Public Square which would be managed separately by Council

* Per WRGR classifications in State Guide (Zero Waste SA, 2014)

^ This is the part of this area where dining may occur, which is used for design purposes

4 Design assumptions

4.1 Regulatory, Policy &/or Planning considerations

Development of the proposed waste management system (WMS) in this WMP has considered:

- The South Australian Environment Protection (Waste to Resources) Policy 2010 (W2REPP) (Government of South Australia, 2011), e.g.
 - Waste must subject to resource recovery processes, which can include source separation, before disposal to landfill.
 - A weekly collection of general waste from residential premises is expected.
- Adelaide (City) Development Plan (DPTI, 7 June 2018), which includes requirements for waste management in new developments, e.g.
 - Medium to High Scale Residential/Serviced Apartment:
 - 80 Site facilities should be readily accessible to each dwelling/serviced apartment ... and should include: areas for the storage and collection ... of refuse and waste including facilities to enable the separation of recyclable materials as appropriate to the size and nature of the development and screened from public view.
 - 94 To ensure minimal disturbance to residents: ... movement of private waste bins should not occur: (i) after 10.00pm; and (ii) before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.
 - Waste Management:
 - 101 A dedicated area for on-site collection and sorting of recyclable materials and refuse should be provided within all new development.
 - 103 Development greater than 2 000 square metres of total floor area should manage waste by:

(a) containing a dedicated area for the collection and sorting of construction waste and recyclable building materials;

- (b) on-site storage and management of waste;
- (c) disposal of non-recyclable waste;
- Adelaide City Council, Waste and Recycling Services, Operating Guideline (Adelaide City Council, 30 July 2014), which:
 - Outlines out the availability of Council's newly introduced Residential Waste Management Service (RWMS) – High Density and Mixed Use.
- South Australian Better Practice Guide Waste Management in Residential or Mixed-Use Developments (Zero Waste SA, 2014), which:
 - Provides guidance on expected design and operation of waste management systems for medium to high density residential and mixed-use developments.

4.2 Stakeholder consultation

A meeting (on 12 September 2017) was held with the previous Project Architect to identify market and end-user requirements or preferences for the Waste Management System (WMS) in the Development. This was followed up by a site meeting (on 19 September 2017) with previous Project Architect and Traffic Engineer, to review proposed waste collection access arrangements. This review included considering the opportunity for Council collection of residential waste from the Apartment Building using Council's newly introduced bulk bin collection services for high-density developments: Residential Waste Management Service (RWMS) – High Density and Mixed Use (Adelaide City Council, 30 July 2014).

Following this meeting, proposed collection access arrangements were drawn up and submitted to Council by email (Colby Industries, 20 September 2017), to confirm whether Council could provide

waste collection services to the apartment building. A positive response to this request from Council's Coordinator – Operations Support & Waste Management (Bland, 25 September 2017) was received.

In preparing this WMP, meetings (during November 2018) were held with Developer, new Project Architect and the building contractor (Maxcon) to review earlier arrangements and any proposed changes to the plans. These meetings resulted in refinements to design and operation of proposed chute and food waste collection for the apartment building. These refinements are outlined in this WMP.

 These refinements are consistent with and would not affect previously-stated Council requirements to provide collection services for residential waste and recycling to the apartment building at the Development.

In January 2019, previously proposed waste storage for Public Square waste bins was reincorporated into the waste system design.

4.3 Collection services

Based on stakeholder consultation, collection services at the Development would be delivered by:

- Council
 - **Apartment Building –** Residential (Apartment-derived) waste & recycling (Bulk bin collection service + Hard Waste collection)
 - Townhouses Residential waste & recycling (Standard kerbside collection + Hard waste collection)
- Private / Commercial Contractor
 - o Apartment Building -
 - Retail tenancy waste & recycling
 - Public place waste & recycling (including Public Square waste)
 - Residential Amenity Area waste & recycling

4.4 Design & operating provisions

The following site design and /or operational requirements or provisions for waste management at the Development were identified based on Stakeholder Consultation and Regulatory, Policy &/or Planning considerations.

Apartments Building:

- Residential Apartments
 - Routine Services provided (3-bin equivalent):
 - General waste
 - Comingled recycling
 - Food waste
 - Local disposal
 - 1×waste chute with e-diverter for General Waste / Recycling
 - General waste bin at chute discharge would be fitted with an overhead compactor¹ to reduce waste volume
 - Separate Ground level bulky cardboard bin and drop-off point to be provided (to minimise potential for chute blockage from disposal of these items)
 - Ground-level food waste drop-off

¹ The compaction ratio (based on gross volume) would be: General waste - Min. 2x

- Waste Storage Ground Level waste storage area
- Presentation (for Council collection) in above Waste storage area
- Collection Council bulk bin service, on-property parking, access via Nelson St
- Bin washing Temporary area on site
- Hard waste Council at-call collection (per their service for Residential sites with 7 or more dwellings²)
- Residential Amenity area -

.

- User disposal bins in kitchen for:
 - General waste
 - Comingled recycling
 - Food waste
- Local Disposal By cleaners or Property Management to skip bins provided in Ground level waste storage area, co-located with above residential bins
- Collection As part of the Council collection service above
- Public place areas (e.g. Lobby, access corridors, other public place bins) -
 - User disposal bins general waste bins as required in lobby or public areas within or external periphery of building at high traffic locations or main entry/exit points.
 - Plus 140L MGBs (potentially in enclosures) in Public Square, design to be confirmed, may include Council input.
 - Local Disposal To separate skip bin located in waste storage area
 - Waste Storage Skip bin in main waste storage area, co-located with above residential bins.
 - Waste storage allowance for waste disposal from Public Square bins.
 - Collection As part of the Council collection service above
- o Retail tenancy
 - Services General Waste & Recycling (inc. Paper & Cardboard)
 - Local Disposal & Waste Storage located in-tenancy
 - Collection Commercial contractor, pull-in pull-out service

Townhouses –

- o Council Service Standard Council kerbside collection
- \circ Local Disposal & Waste Storage Council standard bin set
 - General waste 140L MGB
 - Comingled recycling 240L MGB
 - Food waste 240L MGB (unless smaller, e.g. 140L MGB, available)
- Presentation Kerbside, Penny Place

² See: <u>http://www.cityofadelaide.com.au/city-living/home-property-management/waste-recycling/hard-refuse/</u>

5 Waste Management System

5.1 Services

Table 5-1 below summarizes the proposed waste and recycling collection services to the Development. They are classified into different service categories, which determine how they will be provided:

- Routine Picked up on a regular basis (e.g. weekly, fortnightly, etc.)
- **On-Call** Collected only when required (or as needed by calling in a waste contractor)
- **External Drop-off** Residents or tenants can take these waste/recyclable materials to an external drop off point (e.g. printer cartridges can be dropped off at an Officeworks store)
- *Maintenance Services* The waste materials may be collected and disposed of by maintenance staff (e.g. lighting, sanitary, etc.)

| Service Type | | Apartm | ent Building | | Townhouses | Public Square | | |
|---|---|---------------------------------|--|---|--|--|--|--|
| | Residential Apartments | Residential Amenity Area | Retail tenancy | Public Place | | | | |
| Routine (regularly scheduled) | General Waste Recycling Food Waste | | General Waste Recycling / Paper | General Waste | General Waste Recycling Food Waste | General waste | | |
| On-call (as needed) | Hard/E- waste (Council) | Hard/E- waste (Council) | | | | Hard-waste (Commercial or Council) | | |
| Maintenance (waste removed by contractor) | | nt) | Lighting (Commercial or Council) | | | | | |
| External (by resident/tenant off-site) | | | • | Lighting Printer Cartridges Batteries | | | | |

Table 5-1: Proposed services for Development

5.2 Sizing (generation volumes)

Table 5-2 overleaf summarizes estimated (uncompacted) waste and recycling volumes for different land uses in Litres/week.

- These volumes are based on generation rates recommended by the South Australian Better Practice Guide (SABPG) – Waste Management in Residential or Mixed-Use Developments (Zero Waste SA, 2014), assuming the most relevant 'Land Use Activity' Classification (viz. Appendix C).
- The waste and recycling volumes for the Kitchen Amenity Area are assumed to be a component of the volumes that would ordinarily be generated by Residents in their Apartments (i.e. included in their WRGR).
- Volumes for Sanitary waste, Lighting waste, Printer Cartridge/Battery waste are not able to be estimated (NE) as no metrics are readily available for this purpose. Volumes for these items, however, will be small relative to other waste / recycling services, and as these are supported by maintenance services or via external drop-off, no on-site storage is required.
- The Waste volume for Public Square waste is equivalent to 2x140L MGBs (i.e. two bin stations) emptied up to 3 times per week (e.g. every 2-3 days).

| | | | - | | | | |
|------------------------------|----------------------------|---------------------------------|-------------------|-----------------|-----------------------|---------------|--|
| | 4 | Apartment E | Building | | | | |
| Waste / Recycling Service | Residential Apartments* | Residential Amenity Area* | Retail tenancy | Public Place | Townhouses | Public Square | |
| | L/week | L/week | L/week | L/week | L/week | L/week | |
| General Waste | 85 | 50 | 170 | 830 | 360 | 990 | |
| Recyclables | 7130 | | 80 | | 300 | | |
| Food Waste | 28 | 50 | | | 120 | | |
| Garden Waste | N | ot applicable: | Maintenan | ce Service, | Nil on-site storage r | needed^ | |
| Hard waste | 19 | 95 | 3.6 | 9 | 84 | 10 | |
| E-waste | 35 | 56 | 0.7 | 3 | 15 | 4 | |
| Sanitary | NE: Maintenance Service^ | | | | | | |
| Lighting waste | NE: External Drop-off^ | | | | | | |
| Printer Cartridges/Batteries | | NE: E | | | | | |
| TOTAL | 208 | 881 | 254 | 842 | 879 | 1004 | |

Table 5-2: Estimated waste & recycling volumes (in uncompacted Litres/week)

^ These services do not require separate on-site storage, volumes are not estimated (NE)

* This volume is based on the High-density apartment WRGRs in the State Guideline, which is split between apartments and amenity area as these are only available to residents

5.3 Storage & Presentation

Key waste storage (and presentation) areas at the Development are listed below. All are located at Ground Level and marked in Figure 5-1 and Figure 5-2 on pages overleaf which provide more detailed concept layouts for the Apartment Building and Townhouse storage and/or presentation areas, respectively. These detailed concept layouts illustrate potential arrangements and bin configurations in each of these (key waste storage and presentation) areas, to demonstrate that recommended number of bins and other equipment and/or infrastructure can be accommodated.

Table 5-3 two pages over includes a Site Schedule that identifies recommended bins to store waste / recycling in each of these areas (for Routine Services) based on proposed collection frequencies.

Apartment Buildings Residential waste chute and bin storage – refer Figure 5-1

- \circ Bin storage for waste / recycling from apartment waste chutes and food waste drop-off:
 - General waste (compacted) 4×1,100L skip bins
 - Recycling (uncompacted) 6×1,100L skip bins
 - Food waste –5× 660L skip bins
- Discharge area for apartment waste chute e-diverter with one bin each for general waste & recycling + overhead compactor on general waste bin
 - Note: The positioning of these bins means that access to the recycling bin requires isolation of general waste chute and relocation of this bin.
- Food-waste drop off access point via recessed cupboard (from external corridor) with 660L skip bin in waste room behind access point
- o Storage of 2x1,100L bin for Public place & Public Square waste

{Cont. three pages over}



Figure 5-1: Apartment Building Residential, Retail, Kitchen Amenity and Public Place Waste Storage areas – Concept only



Figure 5-2: Townhouse Waste Storage and kerbside presentation areas – Concept only

| Table 5-3: Routine | Services – Su | mmary of was | ste volumes, | , collection | service | provider, a | and num | ber of |
|---------------------|----------------|-----------------|---------------|--------------|---------|-------------|-----------|----------|
| bins stored and co | llected. Note: | Volume in table | e for Apartme | ent Building | General | Waste fron | n chute c | onsiders |
| compaction (by over | rhead compact | or) | | | | | | |

| Land Use | Storage Location | Service | Volume (estimated) (L/week) | Provider | Bins | Collecte per evei | d (up to, nt) | Frequency |
|---|------------------------------|---|-----------------------------------|------------------------------|--------|-------------------------|-------------------|-------------|
| Apartment Buildings - Residential | | General Waste (Chute & compacted) | 4061 | Council (Rear-lift / Bulk | 4 | 1,100 | L Skip | Weekly |
| | oom | Recyclables - Chute | 5757* | 511) | 6 | 1,100 | L Skip | |
| | te Chui rage R | Recyclables - Bulky Cardboard bin | 1016* | | 1 | 1,100 | L Skip | |
| | ial Was e & Sto | Food Waste | 2708 | | 5 | 660 | L Skip | |
| Public Place - Apartment Building + Public Square | Residenti Discharg | General Waste | 1820 | | 2 | 1,100 | L Skip | |
| Apartment Building - | a | General Waste | 428 | | 1 | 660 | L Skip | |
| Area | idential inity Ar | Recyclables | 357 | | 1 | 660 | L Skip | |
| | Resi Ame | Food Waste | 143 | | In Foo | d waste dro see abov | o off skip – e | |
| Townhouses - Residential | | General Waste | 360 | Council (Standard | 4 | 140 | L MGB | Weekly |
| Residential | terna r rking sa or | Recyclables | 300 | Kerbside | 4 | 240 | L MGB | Fortnightly |
| | G A P C E | Food Waste | 120 | Service) | 4 | 240 | L MGB | Fortnightly |
| Apartment Building - Retail tenancy | ancy | General Waste | 170 | Private / Commercial | 1 | 240 | L MGB | Weekly |
| | Reta Tena | Recyclables | 80 | - | 1 | 240 | L MGB | |

* Based on minimum 15% split for bulky cardboard ordinarily present in the recycling stream but now separately disposed to a bulk cardboard bin at Ground level

- Additional skip bin storage for disposal by cleaners of waste from kitchen / lounge:
 - General waste 1×660L skip bin
 - Recycling 1×660L skip bin
 - Food waste Use food waste drop off and/or its skip bin for disposal
- o Bulky cardboard 1100L skip bin located in Ground Level car park
- Retail tenancy waste storage refer Figure 5-1
 - In-tenancy bin storage for:
 - General waste 1×240L MGB
 - Recycling 1×240L MGB
 - Spare area for other waste/recycling items if needed
- Townhouse waste storage refer Figure 5-2
 - External (or in-garage storage) of Council standard kerbside bin set by each townhouse:
 - General waste 1×140L MGB
 - Recycling 1×240L MGB
 - Food waste 1×240L MGB
- Apartment Building (temporary) hard waste presentation area refer Figure 5-1
 - External temporary on-site presentation area (just outside waste room roller door) that can be cordoned off when in use.
- Townhouse (temporary) hard waste) presentation areas refer Figure 5-2
 - These would be kerbside areas on front of development on Penny Place (as negotiated and confirmed with Council when these townhouses become operational).

5.4 Operation

5.4.1 Routine services

The following sections summarise operation by each land use activity of the proposed WMS for Routine Services.

5.4.1.1 Apartment Building – Apartments

Residents would be provided with kitchen bins, e.g. see Figure 5-3 below:

- a) General waste bin at least 20L in size
- b) Commingled recycling waste bin at least 40L in size
- c) Food organics bin (as specified or otherwise agreed with Council)



Figure 5-3: Examples of waste and recycling kitchen bins suggested by Council (Adelaide City Council, 2016)

These kitchen bins would be equipped with handles allowing easy carriage by residents from their apartments to:

- Local disposal area (at end of corridor) with chute access disposal point on each (residential) level – see example in Figure 5-4 below:
 - o General waste / Recycling Dual-selector chute (see Figure 5-5 overleaf)
- Ground level food waste drop-off

Waste and recyclables (disposed into chute) would discharge into bins via e-diverter in the Residential Waste Storage Room at Ground level (see Figure 5-1).

 This system would be equipped with level monitoring of bins, and when full, an alert would be sent (e.g. by SMS, email) to Property Management. Property Management would then swap full bins under chutes with an empty from the adjacent bin storage area.

Food waste would be disposed into a skip bin behind the drop off point in recessed cupboard off corridor at Ground-level (see Figure 5-1).

• The level in this bin would be checked daily by Property Management staff and/or cleaners, and full bins swapped over with empty when required.

Bulky cardboard items could be disposed into a skip bin in car park area at Ground Level (see Figure 5-1)

On designated collection days (as agreed with Council), Council's waste contractor would collect full bins from the waste storage room, take them to the collection point (in the adjacent Ground Level car parking area, per Figure 5-1), empty the bins, then return them to the Residential Waste Storage Room. Property Management would provide Council's waste contractor with a key or code for access to the Residential Waste Storage Room for this purpose.



Figure 5-4: Example of Local disposal area on each level (at Northern end of main corridor) for Apartment residents, with access to chute disposal point (1×Dual-selector chute for General waste / Recycling). Source: Plans provided by Project Architect (dated 16 November 2018). NTS



Figure 5-5: Example of e-diverter disposal access point in Residential local disposal rooms for waste / recycling disposal on residential levels. Source: <u>http://www.elephantsfoot.com.au/products/chutes/waste-and-recycling-diverter</u>

5.4.1.2 Apartment Building – Retail tenant

The Retail tenant would install user waste/recycling bins suitable for their purposes, to be decided at time of tenancy fit-out. The Retail tenant would dispose of waste and recycling from these local bins into 240L waste or recycling MGB in its in-tenancy waste storage area (see Figure 5-1). A private / commercial waste contractor would (on designated collection days) collect these bins (pull-in, pull-out service) from the in-tenancy waste storage area, take them to the collection point (in the Ground Level car parking area, per Figure 5-1), empty the bins, then return them to the in-tenancy waste storage area.

5.4.1.3 Apartment Building - Resident Amenity area

The Resident Amenity area would have its own set of user bins (general waste, recycling, food waste). Residents using the kitchen or lounge area would dispose their waste or recycling directly to these bins. A cleaner or Property Management staff would check these bins (e.g. daily) and if full remove the waste/recyclables and dispose into separate general waste and recycling skip bins and the food waste drop-off in the Residential Waste Storage Room at Ground level (per Figure 5-1).

5.4.1.4 Townhouses - Residential dwellings

Like the Apartment residents, the townhouse residents will have kitchen bins (e.g. see Figure 5-3). They will carry these bins to the (on-property) storage location for their own Council supplied bin sets (i.e. see Figure 5-2) to empty/dispose of their waste and/or recycling.

The storage locations for these bin sets will be in the car parking access area for three of these townhouses, the other townhouse will have its bin set located in its garage (see Figure 5-2).

On Council's standard kerbside collection days for Penny Place, townhouse residents will transfer the relevant bins to the kerbside presentation area on the road verge (see Figure 5-2). A Council

kerbside collection service will empty the presented bins, after which the townhouse residents will retrieve the bins and return them to their (on-property) storage location.

5.4.1.5 Public Place Areas – Apartment Building + Public Square

There will be an appropriate number of general waste bins (e.g. 80L, bag lined) at suitable locations in public place areas within the building and 140L MGBs (which may be enclosed) in the Public Square. Cleaners and/or service staff engaged by Property Management will regularly (e.g. daily, every second day) inspect these bins, and if sufficiently full (or old), remove the bagged waste, and take and dispose of the bagged waste to the public place skip bins allocated in the Residential Waste Storage Room at Ground level (see Figure 5-1)

5.4.2 On-call

5.4.2.1 Hard waste/E waste - Apartment Residents

Apartment residents can access the Council hard waste service available to Residential sites with 7 or more dwellings: <u>https://www.cityofadelaide.com.au/city-living/home-property-management/waste-recycling/hard-refuse/</u>. Under this service:

- The property can access up to 12 collections per site per calendar year; and
- Bookings by residents would be made by the Property Manager (on behalf of The Body Corporate) to coordinate these collections.

A temporary hard waste area (multipurposed with bin wash area) adjacent to Nelson St and outside the Residential Waste Storage Room has been provided for residents to present hard waste during these collection events (see Figure 5-1).

Property Management will supervise the presentation of hard waste during these collection events. This will include ensuring that:

- Residents adhere to Council's Hard Waste Collection Guidelines;
- Items are only presented on or the day before the collection event is scheduled; and
- A temporary cordon is erected around the presentation area.

The Building User Manual for Apartment residents would include advice on availability and booking these Hard /E-waste collection services.

5.4.2.2 Hard waste/E waste – Townhouse Residents

Townhouse residents can access the standard Council hard waste service available to City residents: http://www.cityofadelaide.com.au/city-living/home-property-management/waste-recycling/hard-refuse/. Under this service:

- Each household can book two (2) free collections per calendar year; and
- Bookings are made directly with Council's waste contractor via the contact number provided on Council's Web site.

The Building User Manual for the Townhouse residents would include advice on availability and booking these Hard /E-waste collection services.

5.4.2.3 Hard waste/E waste – All other Land Use Activities

The Retail tenant will organise their own at-call hard waste collection services using a private contractor direct from their premises or location of the hard waste in the Development.

Property Management will organise hard waste collection from public place areas using a private contractor (or may access the Council hard waste service if permitted).

The private contractor's hard waste collection vehicle would use the collection point in the Apartment Building Ground Level car parking area (per Figure 5-1).

The Building User Manual for the Retail tenant would include advice on availability and booking these Hard /E-waste collection services.

5.4.2.4 Sanitary – Public toilets

The Development may have public toilets, which may have sanitary waste disposal receptacle. These services may be provided by cleaners or other specialist contractor with smaller collection vehicle. In these circumstances, the cleaners or contractor would use the collection point in the Apartment Building Ground Level car parking area (per Figure 5-1). This service would be coordinated by Property Management and is likely to be regularly scheduled (e.g. weekly collection).

5.4.3 External

Residents and tenants would be able to dispose of smaller waste items, such as printer cartridges, batteries and lighting, to publicly available external drop off points, which accept these materials.

The retail tenant may have their own on-site storage for these item (e.g. in the in-tenancy spare waste storage area allocated per Figure 5-1.

The Building User Manual for residents and tenants would include advice on external drop-off points for these items.

5.4.4 Maintenance

Commercial and/or residential areas would generate waste from maintenance activities (e.g. lighting, repair work, etc.). These waste materials would be handled and disposed of by the contractor undertaking these services. [Dedicated on-site storage for these waste materials is therefore not needed.]

5.5 Collection

5.5.1 Collection access

Apartment Building – Waste collection trucks (Council and/or private contractor) would use the collection point in the Ground Level car parking area (per Figure 5-1).

Townhouses – Council's waste collection vehicles would access kerbside presentation areas using Penny Place (per Figure 5-2).

5.5.2 Collection vehicles

Table 5-4 overleaf summarizes the type and size of collection trucks for collecting waste and/or recycling at the Development.

- Apartment Building Dimensions for rear-lift and pan-tech/skip/flat-bed trucks in Table 5-3 allow for Council and typical private contractor rear-lift and hard waste collection trucks.
 - The clearance available in the Ground Level car parking area is at least of 4m (per new advice provided by the Project Architect.
 - All trucks used by Council or private / commercial collection services would have travel and operating heights ≤3.7m, and thus, can operate within this 3.8m clearance.
 - The Traffic Engineer has prepared swept path drawings for up to 10m waste collection vehicles, demonstrating that they will be able to reverse into the Ground level parking area from Nelson St, then exit in forward direction back onto Nelson St.
 - This modelling is presented in their Traffic Report (GTA Consultants, 26 October 2017).
 - Note: This collection arrangement has not changed from planning approval.

{Cont. overleaf}

Table 5-4: Typical dimensions and clearance requirements for <u>largest</u> waste trucks suitable at this development

| Type of Vehicle | Rear-lift truck (Council or Private Contractor) | Pan-tech/skip/ flat-bed truck (Council or Private Contractor) | Council Side-lifting Truck – Townhouse kerbside collection |
|---|---|--|--|
| Vehicle Dimensions | 3.5-3.7m (h) x 2.7m (w) x 8.2-10m (l) (final dimensions depend on waste contractor and/or truck selection) | ≤3.7m (h) x 2.7m (w) x 8-10m (l) (final dimensions depend on waste contractor and/or truck selection) | Up to 4 m (h) x 3.3m (w) x Up to 10m (l) (final dimensions depend on truck selection) |
| Vehicle turning circle 18-25m (depending on truck selection) | | 15 -25m (depending on truck selection) | 16-20m (depending on truck selection |
| Travel/Access provisions: | See Vehicle Dimensions above Vertical Clearance: 3.5-3.7m (depending on truck selection) | See Vehicle Dimensions above Vertical Clearance: <3.9 m (depending on truck selection) | See Vehicle Dimensions above Vertical Clearance: 4 m (depending on truck selection) |
| Operating provisions (when parked & loading) | Parking Space Length: 10-12m Vertical Clearance: Up to 3.7m (depending on truck selection & allowing for rear loading) | Parking Space Length: 10-14m Vertical Clearance: Up to 3.7m (depending on truck selection & allowing for waste loading) | Vertical Clearance: Allow up to 5.8m (depending on truck selection) |

- **Townhouses** Table 5-3 gives the typical sizing of Council's side-lifting vehicles used for kerbside collection service to the townhouses.
 - These trucks would be operating in Penny Place when lifting the bins so there is practical constraint on the operating (overhead) clearance when lifting bins.
 - Note: Council already delivers kerbside collection services to Penny Place.

The Property Manager would confirm with Council and waste contractors when organizing services that their collection trucks are able to meet the access arrangements that have been provided for. Council has already confirmed they will support rear-lift and hard waste collection services to residents in the Apartment Building per the above arrangements (Bland, 25 September 2017).

5.5.3 Collection Frequency

Table 5-3 (on page 13) summarizes collections required for the main Routine/scheduled services to the Development. They include:

- Weekly Council collections via Nelson St to the Apartment Building to pick up residential waste.
- Weekly collections by private contractor via Nelson St to the Apartment Building to pick-up:
 Retail tenancy waste
- The Council standard kerbside collection services via Penny Place to the townhouses:
 - Weekly general waste collection
 - o Alternating fortnightly collection for Recycling and Organic bins

Council would determine the days and timing of their bulk bin collection services to the Apartment Building and kerbside collection services to townhouses.

Property Management would organise the other private waste collection services to the Apartment Building. These would be coordinated to minimize collection events.

A potential weekly collection schedule for the above arrangement is illustrated in Table 5-5 overleaf.

• There could be at most 2-3 collection events during a day (and none on other days) across the Development if collection services were optimally scheduled.

{Cont. overleaf}

| Scheduled Service | Bins Collected | | | Collection event | | | | | | |
|---------------------------|--|--|---|------------------|---|----|---|---|----|--|
| | Location | Frequency | м | т | w | Th | F | S | Su | |
| | Apartment Buildings – Residential Waste Room | Weekly (Council bulk bin service) | 1 | | | | | | | |
| General waste | Apartment Building - Retail tenancy | Weekly (Private collection | | | | 1 | | | | |
| | Townhouse – Kerbside Waste | Weekly (Council kerbside service) | | | 1 | | | | | |
| | Apartment Buildings – Residential Waste Room | Weekly (Council bulk bin service) | 1 | | | | | | | |
| Recycling/Paper/Cardboard | Apartment Building - Retail tenancy | Twice Weekly (Private collection | | | | 1 | | | | |
| | Townhouse – Kerbside Waste | Fortnightly (Council kerbside service) | | | 1 | | | | | |
| Organic waste | Apartment Buildings - Residential | Weekly (Council bulk bin service) | | | | | 1 | | | |
| Organic waste | Townhouse | Fortnightly (Council kerbside service) | | | * | | | | | |
| TOTAL | | | 2 | - | 2 | 2 | 1 | - | - | |

Table 5-5: Example of waste collection scheduling and frequency for Routine Services over typical week

* Alternates fortnightly with recycling service

In addition, there would be periodic on-call collections for Hard/E-waste.

- There would likely be a monthly Council hard waste collection to the Apartment Building;
- There may be a hard waste collection by Council to the townhouses every 2-3 months; and
- There may be periodic private hard waste collections organised by retail tenant and/or Property Management for other land use activities at the Apartment Building.

Furthermore, there may be regular collections for sanitary waste (e.g. on a weekly basis).

5.5.4 Collection Duration

Routine collection events to the Development may range from 5 to 20 minutes depending on the service being provided, number of waste contractor staff attending, and type and number of bins being collected and where from.

The duration of a Hard waste collection events may be up to 10-30 min depending on type and number of items being loaded and where they need to be collected from.

Sanitary collections may take 5-10 min depending on number of toilets and their locations across the site.

5.5.5 Collection scheduling

Council will determine the scheduling of its collection services to the Development.

For private collection services:

- These should be scheduled to occur outside of peak access hours along Nelson St to minimize associated traffic impacts.
- These collection times should be determined before the building becomes operational based on advice from the Traffic Engineer, in consultation with Council, private waste contractor(s), and other relevant authorities or stakeholders.

- Scheduling of collection should comply with the Environment Protection (Noise) Policy 2007 (South Australian Government, 2008) as well as the rubbish collection requirements of the Local Nuisance and Litter Control Act 2016 (South Australian Government, 2017) (commencing 1 July 2017), to minimise adverse impact on amenity.
- Final scheduling arrangements will be embedded into the waste collection contract agreement(s).

5.6 Transfer pathways

The transfer pathways for the WMS are described in Section 5.4 and relevant collection transfer pathways at Ground Level are also shown on Figure 5-1 and Figure 5-2. The following is provided as a guide for sizing and designing these transfer pathways.

- Disposal pathways
 - User disposal less than 30m and free of steps, no grades greater than 1:15, and cater for mobility impaired users.
 - Collection less than 30m with no grades greater than 1:10 with appropriate gutter or kerb ramps at on-street collection point
- Corridor widths
 - 240L MGBs or smaller bins / loads min. 900 mm (min. 1,200mm preferred)
 - o 660L or larger skips and/or waste loads min. 1,500mm
- Doors
 - o Local disposal access 800mm
 - Transfer pathways– Appropriate to the size of bin to be transported, e.g.
 - 240L MGB min. 850mm
 - 660L skip min. 1,200mm
 - 1,100L skip min 1,500mm
- Floors Hard surfaces where bins and skips are to be carted
- Lifts All lifts should be sized to allow for bulky hard waste items.

All relevant transfer pathways should be reviewed and confirmed at detailed design stage to ensure they are appropriate.

5.7 Other facility design and operating requirements

5.7.1 Detailed design

The Developer will obtain engineering advice and design data for waste management equipment and associated infrastructure and building services (e.g. electrical, water, ventilation, transfer pathway surfaces, etc.) from relevant suppliers to finalize design specifications and spatials during building detailed design, to ensure that the WMS can be installed and function and operate as proposed in this WMP. This will include for the following design and operating requirements or outcomes.

5.7.2 Signage

Appropriate signage will be installed in all local waste disposal locations to ensure correct disposal of waste and recyclable materials. These signs will conform to the signage requirements recommended in the South Australian Better Practice Guide – Waste Management in Residential or Mixed-Use Developments (Zero Waste SA, 2014). Council may provide signage for this purpose.

5.7.3 Collection bin design and colours

Colours of bins used for collection to be those normally used by Council or otherwise conform to the Australian Standard for Mobile Waste Containers (AS 4213).

5.7.4 Waste chutes (Apartment Building)

Installation of waste chute in the Apartment Building will conform to Building Code of Australia (BCA) requirements, including acoustic insulation to minimize noise impacts during operation, and provide for access by water and electrical services required for operation and maintenance (including cleaning) of the dual selector chute.

The waste chute will include an extraction fan, so the system can operate under negative pressure, and in-situ cleaning system to keep tube surfaces clean.

The chute discharge area (at Ground Level) will require suitable hard surfaces and installation of drains (to sewer) and grading of floors to capture wash water at the chute discharge points (from periodic chute cleaning).

The waste chutes will be subject to a regular inspection and maintenance schedule to ensure reliable operation.

The E-diverter will need careful design to ensure that overhead clearances, deflector and chute realignments meet best practice requirements for optimal operation.

• Figure 5-6 overleaf gives an example illustration of the waste chute arrangement and ediverter likely at the Development, to demonstrate that it can be accommodated.

5.7.5 Automatic Bin Monitoring (Apartment Building)

Automatic bin monitoring would be installed on the chute discharge bins in the Apartment Building to alert Property Management to when bins in the waste chute bin discharge area is full and need to be swapped over, to maximize bin utilization and avoid over-fill of bins.

5.7.6 Bin cleaning

An on-site bin wash area (multi-purposed with temporary hard waste presentation) is proposed (outside the Ground Level Residential Waste Chute and Storage area – see Figure 5-1) for bin washing. This area would have:

- Graded waterproof surface;
- Drain to sewer point with basket screen (which can be isolated when not in use, with rain runoff diverted to stormwater drainage system);
- Adjacent potable water supply with faucet and hose connection;
- 1Ø/240V power supply;
- Adjacent walls lined to water proof; and temporary barriers, curtains or screens that can be erected along other sides during bin wash events.

The Property Manager will be responsible for managing the bin wash area.

The Property Manager will be responsible for cleaning bins in the Apartment Building Residential waste storage area and may provide this service (e.g. on annual basis, emergency requests) to retail tenant and townhouse residents if requested.

• Bin cleaning may be contracted out to an external provider (to perform using the on-site bin wash area or also off-site by temporarily taking the bins away). *Note: This arrangement could be used in place of an on-property bin wash area.*

{Cont. two pages over}



Figure 5-6: North-south cross section from concept design for waste chute and e-diverter to confirm overhead clearances should be adequate and to serve as reference design for engaging with waste equipment contractor

5.7.7 Vermin, hygiene & odour management

An inspection and cleaning regime will be implemented by Property Manager to ensure that surfaces and floors in the waste storage areas and transfer pathways across the Development are kept clean and hygienic and free of loose waste and recycling materials.

The Property Manager should:

- Surface clean and sanitize the Apartment Building waste storage area every 2-3 months.
- Ensuring that any spillages are cleaned up immediately and sanitized.
- Monitor and routinely clean the Apartment Building waste chute in line with supplier's instructions and equipment/system provided.

To minimize odours emanating from open bins under the Apartment Building chutes, installation of a fixed or flexible shroud around the chute and above the bins will be considered.

All internal local disposal areas/rooms and waste storage areas at the Development where there will be putrescible matter present in general waste or food waste bins will be equipped with extraction fans, venting to atmosphere, to prevent odour build up. The vent locations will be selected to avoid impact on residents, tenants and/or neighbours. *[Note: The waste chute can provide negative pressure to waste chute bin discharge rooms and local disposal areas where chute access points are located.]* Waste storage areas should be air-conditioned (if deemed necessary) to maintain them at moderate temperatures (<25°C) during hot weather conditions, to minimize odours that might be generated by putrescible matter.

5.7.8 Commercial tenants (Apartment Building)

The required site waste management arrangements and waste management practices to comply with this WMP will be specified by Property Management in the commercial lease with the retail tenant.

5.7.9 Handling Peak Periods (Apartment Building)

The Apartment Building WMS for residents and its storage area for waste has been designed to handle typical peak week generation rates of waste and recyclables. However, there may be some periods during the year (e.g. Christmas, Easter), when volumes might potentially exceed these design values. In these situations, additional collections can be scheduled.

5.7.10 Grease trap waste

This liquid waste stream is not considered in this report, and if relevant to the Development, will be addressed separately as part of Building Services assessment.

6 Operation and management

6.1 Management & Operating Responsibility

Property Management will be responsible for managing and operating the WMS for the Development, including liaising with Council to confirm and coordinate bulk bin and hard waste collection services provided for Apartment residents.

6.2 Communication strategy

Provision will be made to provide education and training in use of the WMS to residents and tenants as follows. Council may aid with providing communication advice on waste management.

6.2.1 Residents

This would include:

- Waste management advice in residents' Building User Manuals located in each apartment and townhouse;
- First-day training by Property Management when new occupant or tenant arrives (including expected or required waste and recycling management and disposal practices);
- Annual follow-up reminder/refresher notices which including audit/monitoring results (if conducted).

6.2.2 Retail tenant

The retail tenant will be provided with similar advice and training about expected waste management requirements. This would include what waste management provisions are included in their lease agreements and/or what they should include in their cleaning and commercial waste collection contracts.

6.2.3 Property Management staff

A separate training and education program for Property Management staff should be undertaken, to ensure that they are able to effectively perform waste management responsibilities, including managing Hard/E-waste and other waste services required at the site.

6.3 Building User Manual

The Building User Manual for residents and tenants will include:

- Roles and responsibilities for residents, tenants, Property Manager and collection contractors
- Instructions for correctly disposing of waste and recycling (including access and correct use of local disposal and waste storage areas, bins and/or disposal points);
- Relevant health and safety advice; and
- Contact information for further information, questions and issues or to report problems and/or issues (including any spills).

6.4 Community/Strata title arrangements

Obligations for residents and/or property owners to comply with requirements for proper waste management (in line with this WMP) will be written into the Community/Strata plan lodged with the Lands Titles Office.

6.5 Emergency response plan

Property Management will develop an emergency response plan to manage waste or related issues at the Development, including for the following specific events.

- Waste chute failure;
- Collection service(s) not available.

7 References

Adelaide City Council. (2016, September 27). Guide to waste & recycling bins.

- Adelaide City Council. (30 July 2014). OPERATING GUIDELINE WASTE AND RECYCLING SERVICES.
- Bland, D. (25 September 2017). *Email to Chris Colby, Colby Industries: RE: Penny place 2 Waste Management Layout.*
- Colby Industries . (15 June 2018). Design Update: Penny Place Apartments ("Development"), Review of Waste Management System.
- Colby Industries. (20 September 2017). Email to D. Bland (Coordinator Operations Support & Waste Management): FW: Penny place 2 Waste Management Layout.

DPTI. (7 June 2018). Adelaide (City) Development Plan (Consoldated).

- Government of South Australia. (2011, November 24). Environment Protection (Waste to Resources) Policy 2010.
- GTA Consultants. (26 October 2017). Traffic Report for Penny Place Stage 2 development.
- South Australian Government. (2008). Environment Protection (Noise) Policy 2007 under the Environment Protection Act 1993, Version: 31.3.2008. Retrieved from http://www.legislation.sa.gov.au/

South Australian Government. (2017). Local Nuisance and Litter Control Act 2016.

Zero Waste SA. (2014). South Australian Better Practice Guide – Waste Management in Residential or Mixed Use Developments. PREMIER CAPITAL DEVELOPMENTS

PENNY PLACE STAGE TWO DEVELOPMENT APPLICATION ACOUSTIC REPORT

DECEMBER 2018





Question today Imagine tomorrow Create for the future

Penny Place Stage Two Development Application Acoustic Report

Premier Capital Developments

WSP Level 1, 1 King William Street Adelaide SA 5000 GPO Box 398 Adelaide SA 5001

Tel: +61 8 8405 4300 Fax: +61 8 8405 4301 wsp.com

| REV | DATE | DETAILS |
|-----|-----------------|---------------|
| 3 | 6 December 2018 | Minor updates |

| | NAME | DATE | SIGNATURE |
|--------------|--------------|-----------------|-----------|
| Prepared by: | Simon Moore | 6 December 2018 | Hoce |
| Reviewed by: | Greg Barry | 6 December 2018 | Gau Bar |
| Approved by: | Jamie Hladky | 6 December 2018 | Madly |

This document may contain confidential and legally privileged information, neither of which are intended to be waived, and must be used only for its intended purpose. Any unauthorised copying, dissemination or use in any form or by any means other than by the addressee, is strictly prohibited. If you have received this document in error or by any means other than as authorised addressee, please notify us immediately and we will arrange for its return to us.

wsp

TABLE OF CONTENTS

| EXECUTIVE SUMMARYII | |
|---------------------|--|
| 1 | PROJECT BACKGROUND1 |
| 1.1 | Introduction1 |
| 2 | SITE DESCRIPTION2 |
| 2.1 | Environmental noise survey3 |
| 2.2 | Measurement results3 |
| 3 | NOISE CRITERIA4 |
| 3.1 | Adelaide City Council Development Plan 4 |
| 3.1.1 3.1.2 | Council Wide Principles of Development Control |
| 3.2 | Australian Standard AS/NZS 2107:20165 |
| 3.3 | Sleep disturbance criteria |
| 3.4 | Environment Protection (Noise) Policy6 |
| 3.5 | Noise criteria summary8 |
| 4 | ASSESSMENT9 |
| 4.1 | Noise ingress9 |
| 4.1.1 | Traffic noise ingress |
| 4.1.2 4.1.3 | Condenser noise ingress 9 Car park noise ingress 10 |
| 4.2 | Noise emissions 10 |
| 4.2.1 | Condenser noise emissions10 |
| 4.2.2 4.2.3 | Other mechanical plant10 Car park noise |
| 5 | CONCLUSION11 |

EXECUTIVE SUMMARY

The following report provides an acoustic assessment of the proposed Penny Place Stage 2 development, located between Penny Place and Nelson Street, Adelaide.

Proposed design criteria for the project utilises the legislative requirements stated in Adelaide City Council Development Plan and the South Australian EPA Environment Protection (Noise) Policy 2007.

Design advice is based on an environmental noise survey conducted at the proposed site and the adjacent surroundings.

The report concludes that the proposed Penny Place Stage 2 development will be able to comply with the acoustic requirements outlined in the Adelaide City Council Development Plan, as follows:

- Traffic noise emissions in to noise sensitive areas can be controlled to satisfactory levels using typical single glazed and double glazed IGU windows and doors.
- Noise ingress from the car park into apartments located on Level 5 can be controlled to satisfactory levels with minimum 200mm thick concrete floor slab.
- Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will
 meet the environmental noise criteria.
- Noise emissions from the lower level car parking area to surrounding noise sensitive receivers will meet the environmental noise criteria without any specific acoustic treatment to the building façade (i.e. we have assumed the façade for the car park to be acoustically open to allow for ventilation).

1 PROJECT BACKGROUND

1.1 INTRODUCTION

WSP was commissioned by Premier Capital Developments to conduct an acoustic assessment as part of the Development Application relating to the proposed development located between Penny Place and Nelson Street, Adelaide.

The acoustic assessment has been conducted in accordance with the requirements of the Adelaide City Council Development Plan and the South Australian EPA Environment Protection (Noise) Policy 2007.

This report provides information regarding:

- An overview of the proposed development works.
- Acoustic criteria applicable to the proposed development.
- Façade glazing recommendations.
- Recommendations to control noise emissions from the site.

2 SITE DESCRIPTION

The proposed development site is located between Penny Place and Nelson Street, Adelaide. An aerial photograph illustrating the proposed development site location and surrounding area is presented in Figure 2.1.



Imagery © 2016 Google, Map data ©2016 Google

Figure 2.1 Development site aerial photo and measurement locations

The background noise environment for the proposed site is controlled by road traffic noise (including trams) from King William Street to the West and Carrington Street to the South. Some noise is also attributed to noise emissions from nearby buildings with external plant, and from an automatic roller door on the eastern side of the SAPOL building located at 20 Carrington Street.

The project as understood comprises a 24 storey tower including:

- Retail space at ground level.
- Under cover car parking from ground to level 4.
- Apartments on levels 5-23.
- Plant room on level 24.

The closest noise sensitive receptors are located on the corner of Seymour and Penny Place, along Seymour Place and Moore Street, the City South Apartments on Carrington Street and the Kodo apartment building located on Angas Street. All these buildings are residential dwellings except for some retail space at ground level.
2.1 ENVIRONMENTAL NOISE SURVEY

An attended short-term environmental noise survey was conducted at the development site between 16:30 - 17:15 hours on 27 September and 06:45 - 07:30 hours on 28 September 2017 to determine the existing ambient noise levels.

All measurements were taken with a type 1 sound level meter within valid laboratory calibration. Calibration measurements were taken out before and after the measurements and showed no significant drift in readings. The sound level meter and calibration information is presented in Table 2.1. Calibration certificates for the equipment are available upon request.

| Table Z. I Equipment details | Table 2.1 | Equipment details |
|------------------------------|-----------|-------------------|
|------------------------------|-----------|-------------------|

| EQUIPMENT | MANUFACTURER | MAKE | SERIAL NUMBER | CALIBRATION STATUS |
|---------------------|--------------|------|---------------|-----------------------|
| Sound Level Meter | Brüel & Kjær | 2250 | 2749881 | Current |
| Acoustic Calibrator | Brüel & Kjær | 4231 | 2385016 | Current |

A number of measurement locations were selected as follows (shown in Figure 2.1):

- Location 1 Nelson Street, at the south west corner of the site.
- Location 2 Carrington Street, approximately 7m from the centreline of the road.
- Location 3 King William Street, approximately 15m from the centreline of the road.

The attended noise measurements were approximately 5-10 minutes in duration at each location, which was long enough for the equivalent noise level to settle and provide a good representation of the background noise environment.

2.2 MEASUREMENT RESULTS

The results for the attended noise measurements are shown in Table 2.2.

| summary |
|---------|
| summary |

| SURVEY MEASUREMENT | DATE / TIME | L _{AEQ} dB | L _{A10} dB | L _{A90} dB | L _{AMAX(F)} dB |
|-----------------------|---------------|---------------------|---------------------|---------------------|-------------------------|
| Location 1 | 27/9/17 16:38 | 59 | 62 | 54 | 73 |
| | 28/9/17 06:53 | 57 | 60 | 53 | 72 |
| Location 2 | 27/9/17 16:52 | 66 | 70 | 52 | 80 |
| | 28/9/17 07:01 | 67 | 72 | 54 | 78 |
| Location 3 | 27/9/17 17:00 | 68 | 72 | 61 | 79 |
| | 28/9/17 07:09 | 66 | 70 | 57 | 79 |

3 NOISE CRITERIA

3.1 ADELAIDE CITY COUNCIL DEVELOPMENT PLAN

3.1.1 COUNCIL WIDE PRINCIPLES OF DEVELOPMENT CONTROL

The Adelaide City Council Development Plan (Consolidated 20 June 2017) provides the following council wide Principles of Development Control (PDC) that are applicable to this development:

Noise Sources

- 93 Mechanical plant or equipment should be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site should not exceed
 - (a) 55 dB(A) during daytime (7.00am to 10.00pm) and 45 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
 - (b) 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) in or adjacent to a City Living Zone, the Adelaide Historic (Conservation) Zone, the North Adelaide Historic (Conservation) Zone or the Park Lands Zone when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
- 94 To ensure minimal disturbance to residents:
 - (a) ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like should not occur:
 - (i) after 10.00pm; and
 - (ii) before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.
 - (b) typical activity within any car park area including vehicles being started, doors closing and vehicles moving away from the premises should not result in sleep disturbance when proposed for use after 10.00pm as defined by the limits recommended by the World Health Organisation.

Noise Receivers

- 95 Noise sensitive development should incorporate adequate noise attenuation measures into their design and construction to provide occupants with reasonable amenity when exposed to noise sources such as major transport corridors (road, rail, tram and aircraft), commercial centres, entertainment premises and the like, and from activities and land uses contemplated in the relevant Zone and Policy Area provisions.
- 96 Noise sensitive development in mixed use areas should not unreasonably interfere with the operation of surrounding non-residential uses that generate noise levels that are commensurate with the envisaged amenity of the locality.
- 97 Noise sensitive development adjacent to noise sources should include noise attenuation measures to achieve the following:
 - (a) satisfaction of the sleep disturbance criteria in the bedrooms or sleeping areas of the development as defined by the limits recommended by the World Health Organisation;

- (b) the maximum satisfactory levels in any habitable room for development near major roads, as provided in the Australian/New Zealand Standard AS/NZS 2107:2000 - 'Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors';
- 98 Attached dwellings/serviced apartments should be designed to minimise the transmission of sound between dwellings/serviced apartments and should particularly protect bedrooms from possible noise intrusion.

Design Techniques (these are ONE WAY of meeting the above Principle)

- 98.1 Appropriate stacking and horizontal location of rooms, eg bedrooms over bedrooms and bedrooms next to bedrooms.
- 98.2 Bedrooms of any dwelling/serviced apartment:
 - (a) not sharing a wall with a living room* or a garage of another dwelling; and
 - (b) not located above or below a living room* of another abutting dwelling.

* Living room means a room used for social interaction, relaxation or dining, including a living room, lounge room or open eating area linked to a kitchen, but does not include a bedroom.

99 The number of dwellings/serviced apartments within a development sharing a common entry should be minimised to limit noise generation in internal access ways.

Design Techniques (these are ONE WAY of meeting the above Principle)

- 99.1 Common entries servicing a maximum of 10 dwellings/serviced apartments on each floor level.
- 99.2 Incorporation of acoustic core filled doors with airtight rubber seals for all entry doors into common access ways.

3.1.2 ADELAIDE CITY COUNCIL ZONING

The proposed development site is located within the Adelaide City Council "Capital City" zone, policy area 13. The surrounding noise sensitive receivers are in the following zones:

- Residences located on the corner of Penny and Seymour Place are in the "Capital City" zone (no policy area).
- Residences located along Seymour Place and Moore Street are in the "City Living" zone, policy area 32.
- The City South Apartments located on Carrington Street are in the "City Living" zone, policy area 32.
- The future Kodo Apartment building located on Angas Street is in the "Capital City" zone (no policy area).

The Capital City zone (no policy area) promotes a mix of commercial, retail, professional services, hospitality, entertainment, educational facilities and medium and high density living. It is noted that policy area 13 of the Capital City zone primarily promotes commercial land use, which is supported by educational, hospitality and entertainment activities and increased opportunities for residential, student and tourist accommodation.

The City Living zone primarily promotes residential land use, along with related non-residential uses that are compatible with residential amenity. Additional requirements for policy area 32 note that the area provides for medium scale residential development supported by a range of uses including shops, offices and consulting rooms, as well as community service and education, that maintain the areas residential amenity.

3.2 AUSTRALIAN STANDARD AS/NZS 2107:2016

Australian/ New Zealand Standard AS/NZS 2107:2016 – *Acoustics—Recommended design sound levels and reverberation times for building interiors* (AS/NZS 2107) provides internal design sound levels for spaces based on the occupancy of that space.

The Adelaide City Council, council wide PDC 97 (b) refers to Australian/New Zealand Standard AS/NZS 2107:2000, however we note that the 2000 version of this standard has been superseded with the 2016 version which was released in October 2016. Therefore, for the purpose of this assessment we have utilised the 2016 version of the standard.

For residential buildings, AS/NZS 2107 provides internal design sound levels for houses and apartments in inner city areas or entertainment districts or near major roads, summarised in Table 3.1

Table 3.1 Internal Noise Design Criteria

| TYPE OF OCCUPANCY | DESIGN SOUND LEVEL RANGE, LAEQ, T dB |
|---|--------------------------------------|
| Apartment common areas (e.g. foyer, lift lobby) | 45 to 50 |
| Living areas | 35 to 45 |
| Sleeping areas (night time) | 35 to 40 |
| Work areas | 35 to 45 |

3.3 SLEEP DISTURBANCE CRITERIA

The World Health Organisation (WHO), *Guidelines for Community Noise* report (Berglund, Lindvall, Schwela) was developed based on the outcome of a WHO expert task force meeting held in London, UK in April 1999.

This document has been used widely to define guideline values for sleep disturbance (among other things), and has generally been accepted for use in Australia. The guideline values for sleep disturbance are reproduced in Table 3.2.

Table 3.2 Sleep Disturbance Criteria

| SPECIFIC ENVIRONMENT | CRITICAL HEALTH EFFECT | L _{AEQ} dB | L _{AMAX(F)} dB |
|-------------------------|-------------------------------|---------------------|-------------------------|
| Inside bedrooms | Sleep disturbance, night time | 30 (8 hour) | 45 |

It is noted that the WHO internal L_{Aeq} noise criteria is more stringent than the AS/NZS 2107 criteria listed in Table 3.1. However, it should be noted that the WHO criteria is based on an 8 hour average, whereas the AS/NZS 2107 criteria is based on a measurement time to appropriately characterise the noise source. For this assessment we have adopted the AS/NZS 2107 criteria and for the purpose of assessing traffic noise ingress, have applied it to the typical worst case (highest) 1 hour noise level.

3.4 ENVIRONMENT PROTECTION (NOISE) POLICY

The South Australian *Environment Protection (Noise) Policy 2007* (Noise EPP) provides criteria for noise sources, which if complied with will satisfy the General Environmental Duty under Section 25 of the Environment Protection Act 1993.

The Noise EPP sets noise criteria based on the land uses principally promoted for the noise source and sensitive receivers by the relevant council development plan. For this development, the Adelaide City Council Development Plan principally promotes the following land uses for the noise source and nearest sensitive receivers. Where more than one land use is principally promoted for a zone, the Noise EPP requires that an average of the Indicative Noise Factors be taken for that zone. Similarly, where different land uses are promoted for the noise source and sensitive receivers, the Noise EPP requires an average of the Indicative Noise Factors be taken for the noise source and receiver.

A summary of the Indicative Noise Factors derived for each zone are presented in Table 3.3.

 Table 3.3
 Summary of Indicative Noise Factors for each Zone

| COUNCIL ZONE | LAND USES | INDICATIVE NOISE FACTOR, LAEQ,15MIN dB | | |
|---|----------------------------|--|--------------------|--|
| | PRINCIPALLY PROMOTED | Day (7am – 10pm) | Night (10pm – 7am) | |
| Noise Source – proposed development | | | | |
| Capital City, policy area 13 Commercial | | 62 | 55 | |
| Sensitive Receivers | | | | |
| Capital City (no policy area) | Commercial and residential | 57 | 50 | |
| City Living, policy area 32 | Residential | 52 | 50 | |

Based on the Indicative Noise Factors derived for each zone in Table 3.3, we are able to derive noise criteria for each of the noise sensitive receivers surrounding the site. Note that as this is a development authorisation application, the Part 5, Section 20 of the Noise EPP requires the predicted noise level to not exceed the Indicative Noise Factor less 5 dBA. The applicable noise criteria derived from the Noise EPP are presented in Table 3.4.

Table 3.4 Summary of Noise EPP Criteria

| NOISE SENSITIVE RECEIVER | NOISE EPP CRITERIA, LAEQ,15MIN dB | | |
|--|-----------------------------------|--------------------|--|
| | Day (7am – 10pm) | Night (10pm – 7am) | |
| Penny Place Stage 2 | 57 | 50 | |
| Residences corner of Penny and Seymour Place | 55 | 48 | |
| Residences along Seymour Place and Moore Street | 52 | 45 | |
| City South Apartments located on Carrington Street | 52 | 45 | |
| Kodo Apartment building located on Angas Street | 55 | 48 | |

The derived Noise EPP criteria are applicable for all noise sources from the proposed development, which will consist of mechanical plant and car park noise. In addition to this it is noted that the Adelaide City Council PDC 93 (b) requires that mechanical plant in or adjacent to a City Living zone also achieve noise criteria of 50 dBA during the day and 40 dBA at night.

3.5 NOISE CRITERIA SUMMARY

A summary of the applicable noise criteria for the Penny Place Stage 2 development are presented in Table 3.5.

Table 3.5 Noise Criteria Summary, dB

| LOCATION | TIME PERIOD | TIME PERIOD | | |
|--|----------------------------|-------------------------------------|--|--|
| | Day (7am – 10pm) | Night (10pm – 7am) | | |
| Noise Ingress (Internal Receiver Locations) | | | | |
| Apartment common areas (e.g. foyer, lift lobby) | L _{Aeq,1hr} 50 | N/A | | |
| Living areas | L _{Aeq,1hr} 45 | N/A | | |
| Sleeping areas (night time) | N/A | L _{Aeq,1hr} 40 | | |
| | | L _{Amax(f)} 45 | | |
| Work areas | L _{Aeq,1hr} 45 | N/A | | |
| Noise Emissions (External Receiver Locations) | | | | |
| Penny Place Stage 2 ⁽¹⁾ | LAeq,15min 57 (overall) | LAeq,15min 50 (overall) | | |
| Residences corner of Penny and Seymour Place | LAeq,15min 55 (overall) | LAeq,15min 48 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |
| Residences along Seymour Place and Moore Street | LAeq,15min 52 (overall) | LAeq,15min 45 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |
| City South Apartments located on Carrington Street | LAeq,15min 52 (overall) | L _{Aeq,15min} 45 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |
| Kodo Apartment building located on Angas Street | LAeq,15min 55 (overall) | LAeq,15min 48 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |

Note (1): The criteria listed for Penny Place Stage 2 are intended for the purpose of the assessment of noise emissions from general plant and equipment to individual apartments balconies.

4 ASSESSMENT

4.1 NOISE INGRESS

4.1.1 TRAFFIC NOISE INGRESS

Based on an external façade noise level of 59 dB L_{Aeq} during the day and 57 dB L_{Aeq} at night, we predict the following internal noise levels for various glazing options in Table 4.1.

| ROOM | GLAZING TYPE | PREDICTED INTERNAL NOISE LEVEL | CRITERIA dB L _{AEQ} | COMPLIES? |
|-------------------------|--|--------------------------------------|---------------------------------|-----------|
| | | dB L _{AEQ} | | |
| Living Room | IGU 6/12/6 (R _W 33) | 37 | 45 | Yes |
| | IGU 6/12/10.38 lam (R _w 39) | 31 | | Yes |
| | 6.38mm laminated (R _W 32) | 36 | | Yes |
| | 10.38mm laminated (R _w 34) | 33 | | Yes |
| Bedroom | IGU 6/12/6 (R _W 33) | 36 | 40 | Yes |
| | IGU 6/12/10.38 lam (R _w 39) | 30 | | Yes |
| | 6.38mm laminated (R _w 32) | 34 | | Yes |
| | 10.38mm laminated (R _W 34) | 32 | | Yes |
| Bedroom | IGU 6/12/6 (R _W 33) | 46 | 45 | No |
| (L _{Amax(f)}) | IGU 6/12/10.38 lam (R _w 39) | 39 | | Yes |
| | 6.38mm laminated (R _w 32) | 44 | | Yes |
| | 10.38mm laminated (R _W 34) | 42 | | Yes |

 Table 4.1
 Predicted Internal Noise Levels

Based on the results summarised in Table 4.1, all of the proposed glazing types are predicted to be compliant, with the exception of the 6mm glass /12mm air space /6mm glass IGU when used on the bedroom façade. The predictions assume that the doors to balconies are of the same glazing type as the façade, and the door assemblies include good quality acoustic seals that does not significantly degrade the acoustic performance of the façade glazing.

4.1.2 CONDENSER NOISE INGRESS

The proposed air conditioning arrangement for the apartment building will consist of single condensing unit installed on the balcony of each apartment, which serves either one or multiple indoor units within the apartment.

Note that there is no legislative requirement to achieve the internal noise criteria from condenser units for the apartment that it is serving, however we will endeavour to achieve the internal noise criteria for the noise produced by the condenser units.

It is likely that the façade glazing will sufficiently control condenser noise to within apartments, however this is still to be assessed, and will be confirmed upon selection of condenser units and finalising the façade glazing.

4.1.3 CAR PARK NOISE INGRESS

Noise emissions resulting from short term noise sources within the Level 4 car parking area has been assessed for its impact on the Level 5 apartments. Maximum short term noise emissions from the car park will likely be due to a car door closing.

The resultant noise level from a car door closing within the car parking area is predicted to be 79 dB $L_{Amax(f)}$. Based on a minimum 200mm thick floor slab for the Level 5 apartments that are located above the car parking area, the predicted noise level within the bedroom areas is 26 dB $L_{Amax(f)}$, which is compliant with the 45 dB $L_{Amax(f)}$ sleep disturbance criterion.

4.2 NOISE EMISSIONS

4.2.1 CONDENSER NOISE EMISSIONS

We have based the following condenser noise emission calculations on a preliminary condenser selection undertaken for the project. The preliminary condenser selection is a 14kW Daikin RXYMQ5AV4A with a published sound power level of 71 dBA re 10⁻¹²W. We understand that the air conditioning system is designed with a diversity factor of 60%, meaning that as a worst case up to 60% of the units will be simultaneously operating at full load. Furthermore, the condenser units will be located within an enclosure that will provide approximately 1 dBA noise reduction.

4.2.1.1 PENNY PLACE APARTMENTS

We have calculated the noise from the operation of a condenser unit on the neighbouring apartment balcony. The predicted noise level on the adjoining balcony is 48 dB L_{Aeq} . This is compliant with the 50 dB L_{Aeq} noise criteria.

4.2.1.2 PENNY PLACE TOWN HOUSES

We have calculated the noise from the operation of 60% of the apartment condenser units on the neighbouring Penny Place Town Houses. The predicted noise level at the Penny Place town houses is 44 dB L_{Aeq} . This is compliant with the 50 dB L_{Aeq} noise criteria.

4.2.1.3 RESIDENCES ON PENNY AND SEYMOUR PLACE AND BEYOND

We have calculated the noise from the operation of 60% of the apartment condenser units on the noise sensitive receivers (residences) located on Penny and Seymour Place. The predicted noise level at the residences is 40 dB L_{Aeq} . This is compliant with the 40 dB L_{Aeq} noise criteria for mechanical plant. Noise levels at receivers beyond this (i.e. Moore Street and City South Apartments) are expected to be lower than this and as such comply with the mechanical plant noise criteria.

4.2.1.4 KODO APARTMENTS

We have calculated the noise from the operation of 60% of the apartment condenser units on the noise sensitive receivers (residences) located at the Kodo Apartment building (currently in construction). The predicted noise level at the Kodo Apartments is 39 dB L_{Aeq} . This is compliant with the 40 dB L_{Aeq} noise criteria for mechanical plant.

4.2.2 OTHER MECHANICAL PLANT

Other mechanical plant will be required for the Penny Place Stage 2 development, such as car park ventilation fans, smoke spill fans and stair pressurisation fans.

The acoustic design of these systems will be undertaken once fan selections and duct work arrangements have been provided for review.

It is noted that these systems will be designed and located, and incorporate necessary acoustic attenuation (such as attenuators and screens) to ensure that the mechanical plant noise criteria are not exceeded at any of the noise sensitive receivers.

4.2.3 CAR PARK NOISE

Noise emissions from the car park has been assessed. The traffic report by GTA Consultants "Penny Place Stage 2, Nelson Street, Adelaide, Transport Impact Assessment", dated 5 December 2018 (ref S132540), notes that the traffic generation from the on-site car parking are 23 movements during the am peak hour and 19 movements during the pm peak hour. Based on these assumptions, we have calculated an internal reverberant noise level of 60 dB $L_{Aeq,15min}$ within the car park during the busier am peak hour.

The predicted noise emissions from the car park at the most affected noise sensitive receivers are 45 dB $L_{Aeq,15min}$ at the residences located on the corner of Penny Place and Seymour Place.

The predicted noise emission levels are less than the overall day time noise criteria for the residences located on the corner of Penny Place and Seymour Place (criterion 55 dB $L_{Aeq,15min}$).

5 CONCLUSION

WSP has undertaken an acoustic assessment for the proposed Penny Place Stage 2 development in order to support the development application.

Based on the assessment, it has been demonstrated that:

- Traffic noise emissions in to noise sensitive areas can be controlled to satisfactory levels using typical single glazed and double glazed IGU windows and doors.
- Noise ingress from the car park into apartments located on Level 5 can be controlled to satisfactory levels with minimum 200mm thick concrete floor slab.
- Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will
 meet the environmental noise criteria.
- Noise emissions from the lower level car parking area to surrounding noise sensitive receivers will meet the
 environmental noise criteria without any specific acoustic treatment to the building façade (i.e. we have assumed the
 façade for the car park to be acoustically open to allow for ventilation).

As such, WSP are of the opinion that the proposed Penny Place Stage 2 development will be able to comply with the acoustic requirements outlined in the Adelaide City Council Development Plan.

Design for a better *future /*

FLAGSHIP PTY LTD

PENNY PLACE

NATHERS SUMMARY REPORT

********])

NOV 2018

****\$P

PENNY PLACE

NATHERS SUMMARY REPORT

FLAGSHIP PTY LTD

WSP LEVEL 1, 1 KING WILLIAM STREET ADELAIDE SA 5000 GPO BOX 398 ADELAIDE SA 5001

TEL: +61 8 8405 4300 FAX: +61 8 8405 4301 WSP.COM

| REV | DATE | DETAILS |
|-----|----------|--------------|
| 02 | 27/11/18 | For Planning |

| | NAME | DATE | SIGNATURE |
|--------------|----------------|----------|-----------|
| Prepared by: | Eleanor Horner | 20/11/18 | ettene |
| Reviewed by: | Nick Asha | 23/11/18 | Mar |
| Approved by: | Selwyn Saman | 27/11/18 | Glomm |

This document may contain confidential and legally privileged information, neither of which are intended to be waived, and must be used only for its intended purpose. Any unauthorised copying, dissemination or use in any form or by any means other than by the addressee, is strictly prohibited. If you have received this document in error or by any means other than as authorised addressee, please notify us immediately and we will arrange for its return to us.

OUR REF: 181106 NATHERS SUMMARY REPORT .DOCX NOV 2018

wsp

TABLE OF CONTENTS

| EXE | CUTIVE SUMMARY | II |
|-----|--|----|
| 1 | | 1 |
| 1.1 | NatHERS | 1 |
| 1.2 | Limitations | 2 |
| 1.3 | Application of Section J of the National Construction Code Volume 1 | 2 |
| 1.4 | Thermal Comfort | 2 |

EXECUTIVE SUMMARY

An ESD strategy has been developed for the proposed development at Penny Place in Adelaide. This report demonstrates how the development meets the statutory requirements for single occupancy dwellings under Section J and NatHERS.

1 INTRODUCTION

An ESD strategy has been developed for the proposed development at Penny Place in Adelaide. This report demonstrates how the development meets the statutory requirements for single occupancy dwellings under Section J and NatHERS.

For the common areas the previously issued concept advice should be referred to for compliance requirements. A final review of J1 and J2 will be carried out as tender documents are finalised.

1.1 NatHERS

Thermal comfort is assessed by simulation in accordance with the Nationwide House Energy Rating Scheme (NatHERS) modelling protocol. This requires the modelling of each assessable dwelling by an accredited assessor, working with NatHERS accredited software.

NatHERS modelling assesses the potential of the dwelling to provide thermal comfort passively, thereby reducing energy requirements for heating and cooling. Sources of Information

This NatHERS assessment has relied on the following documentation for inputs and methodology

 \rightarrow Architectural plan drawings from Woods Bagot.

| Drawing | Date | Revision |
|---------------------------------|----------|----------|
| Ground Plan SK-02 | 03.09.18 | J |
| Level 1 Carpark SK-03 | 03.09.18 | J |
| Typical Level 2-4 Carpark SK-04 | 03.09.18 | J |
| Level 4 Carpark SK-05 | 03.09.18 | J |
| Level 5 Apartments SK-06 | 03.09.18 | J |
| Level 6-22 Apartments SK-07 | 03.09.18 | J |
| Roof Plan SK-08 | 03.09.18 | J |

→ Correspondence with Woods Bagot

→ NatHERS Technical Note 1 – Principles for Ratings in Regulation Mode Version 1.2 – 2014

1.1.1 ACCREDITED NATHERS SIMULATION SOFTWARE

FirstRate5 is provided by Sustainability Victoria and is accredited for simulating the thermal performance of dwellings in Australian climates under the NatHERS software accreditation protocol.

FirstRate5 version 5.2.9(3.13) has been used in the assessment of this project, in accordance with the <u>NatHERS</u> <u>Technical Note</u>.

Inputs including dwelling geometry, space uses, orientation, climate zone, building materials and shading from adjacencies and obstructions are used to calculate heating and cooling loads for the dwelling.

1.2 LIMITATIONS

The results from the NatHERS modelling shown within this report are limited in accuracy by factors including the following:

- → Actual energy consumption will be affected by variations in the climate, installed equipment, occupants and their behaviour which modelling does not account for;
- → Construction details being consistent with the design documentation provided;
- → Orientation and apartment layout being as shown on the drawings.

1.3 APPLICATION OF SECTION J OF THE NATIONAL CONSTRUCTION CODE VOLUME 1

The thermal performance requirements for a building's envelope are addressed through the first three parts of Section J – Energy Efficiency of the National Construction Code (NCC):

- → Part J1 Building Fabric
- → Part J2 Glazing
- → Part J3 Building Sealing

The Class 2 parts of the building that are not Sole Occupancy Unit (SOUs) must satisfy the prescriptive provisions of Parts J1, J2 and J3.

The architect must take responsibility for specifying the Performance Requirements of the building fabric, glazing and building sealing performance, including those non-SOU parts of the building.

The relevant consultant(s) must take responsibility for specifying the Performance Requirements of the mechanical and electrical services design, as required under the relevant parts of Section J.

1.4 THERMAL COMFORT

Thermal comfort (NatHERS) modelling is undertaken to determine heating and cooling loads attributed to achieving acceptable thermal comfort in each dwelling. The results of NatHERS modelling demonstrate that the architectural design can manage thermal loads within the apartments to meet and exceed the minimum benchmark for this location.

SAMPLE MODELLING

SAMPLE APARTMENT TYPES

Figure 1.1 shows a sample apartment modelled from the building. For the purposes of sampling, notional layouts, glazing and door locations have been defined and used in modelling as indicated.



PROJECT NO PS105548 PENNY PLACE NATHERS SUMMARY REPORT FLAGSHIP PTY LTD



Figure 1.1 Sample Apartment Model

1.4.2 MODELLING INPUTS

This section identifies the inputs for windows, shading and constructions used for the NatHERS modelling on all the dwellings.

GLAZING

Table 1.1 identifies the glazing properties (window total values only) used in the NatHERS models.

Table 1.1 Glazing properties

| Location | Туре | Glass | Frame | U-value | SHGC |
|---|--|---------------|-----------|---------|------|
| All apartments, sliding windows/doors and fixed windows | Double glazed aluminium frame air filled | Clear – clear | Aluminium | 4.8 | 0.59 |

SHADING

Shading of the external building fabric alters the impact of solar loads on the internal conditions of each dwelling. NatHERS modelling accounts for sources of fixed shading that can impact each dwelling.

Note that models have accounted for the following:

- → The overhang of any balconies above each dwelling;
- → Overshadowing from adjacent buildings; and
- → Projecting balcony separator walls and other 'wing-wall'-type geometry between dwellings.

Holland blinds have been modelled as required by the NatHERS protocol, but are not required to be installed as part of the development.

CONSTRUCTIONS

Table 1.2 identifies the wall, floor, ceiling and roof construction properties used as part of the NatHERS models.

Table 1.2 Construction Properties

| | Construction | Insulation | Detail |
|--|---|---|---|
| External walls | 200mm concrete + 10mm plasterboard | R2 bulk added insulation | |
| Party walls (walls between dwellings) | 10mm plasterboard + concrete 200mm + 10mm plasterboard | No added insulation | |
| Internal walls (Walls between dwellings and common areas) | 10mm plasterboard + concrete 200mm + 10mm plasterboard | No added insulation | |
| Internal walls (Walls within dwellings) | plasterboard 10mm + 66mm air gap + 10mm plasterboard | No added insulation | |
| Walls to stairwells and lift core | 10mm plasterboard + concrete 200mm + 10mm plasterboard | No added insulation | |
| Roof | Slab roof, no cavity ventilation | R3.2 added insulation | Apartments with another apartment above have no roof but have a slab with neighbouring adjacency and no insulation added. |
| Suspended floors | Suspended concrete slab | Insulation added to floors exposed to unconditioned or external space | Apartments on Level 5 above the carpark have R2.0 insulation added. |
| Floor coverings | living/kitchen – floorboards | | |
| | bedrooms – carpet | | |
| | laundry/bathrooms – tiles | | |
| External doors | Weather stripped | | |

All laundries, kitchens and bathrooms have been modelled with 1 sealed exhaust vent.

Sealed downlights have been modelled.

1.4.3 MODELLING RESULTS

This section describes the results from representative NatHERS modeling. Based on the 12 examples modelled, the dwelling design identified in the drawings can achieve the specified building requirements of a minimum 5 Star NatHERS rating and an average rating across the development of 6 Stars.

Preliminary star ratings for the development are identified in Table 1.3.

Table 1.3 Star Ratings for Modelled Apartments

| | | Level 5 | Level 14 | Level 23 |
|---------|------|-------------|----------|----------|
| Apt No. | Туре | Star Rating | | |
| X.01 | 1A | 5.6 | | 5.1 |
| X.02 | 2B | 6.7 | | |

| X.03 | 2B | | | 6.2 |
|---------|-----|-----|-----|-----|
| X.04 | 2A1 | 7.3 | 7.4 | |
| X.05 | 2A | | | 6.1 |
| X.06 | 2B | 6.6 | | |
| X.07 | 2B | | 6.4 | 5.6 |
| X.08 | 2B1 | 6.6 | | 5.6 |
| Min | | | 5.1 | |
| Average | | 6.3 | | |
| Max | | | 7.4 | |

1.4.4 MODELLING CONCLUSION

The results of NatHERS modelling demonstrate the apartments can meet the minimum thermal comfort requirements.

APPENDIX A ARCHITECTURAL DRAWINGS















APPENDIX B Sample Model Report

FirstRate® Provisional Diagnostic Information

Project Information

| Mode | New Home |
|------------------|-------------------------|
| Climate | 16 Adelaide (Kent Town) |
| Site Exposure | open |
| Client Name | |
| Rated Address | |
| Accredited Rater | |
| Date | |
| Reference | |

Energy Usage

| Туре | Energy MJ/m ² |
|---------|--------------------------|
| Total | 106.9 |
| Heating | 58.7 |
| Cooling | 48.2 |

Areas

| Area | Size (m²) |
|-----------------------------------|-----------|
| Net Conditioned Floor Area (NCFA) | 60.6 |
| Unconditioned Room Area | 0.0 |
| Garage Area | 0.0 |

Zones

| Zone | Area (m²) | Conditioning Type | Conditioned |
|----------|-----------|-------------------|-------------|
| Kitchen | 36.9 | kitchen | Υ |
| Bedroom | 12.7 | bedroom | Υ |
| Corridor | 3.9 | dayTime | Υ |
| Bathroom | 6.3 | dayTime | Υ |
| Laundry | 0.8 | dayTime | Y |

Walls

| Туре | Bulk Insulation (R) | Num Reflective Airgaps | Area (m²) |
|------------|---------------------|------------------------|-----------|
| PP2 INT HW | 0.0 | 0 | 59.9 |
| PP2 EXT | 2.0 | 0 | 25.9 |
| PP2 INT LW | 0.0 | 0 | 41.4 |

Floors

| | | • • | L | • • |
|--------|-----|-----|------|------|
| spSlab | 2.0 | | encl | 60.6 |

Roofs/Ceilings

| Туре | Bulk Ceiling Insulation (R) | Bulk Roof Insulation (R) | Area (m²) |
|----------------------------|-----------------------------|--------------------------|-----------|
| Slab:Slab - Suspended Slab | 0.0 | 0.0 | 60.6 |

Windows

| Туре | U-Value | SHGC | Area (m²) |
|--|---------|------|-----------|
| ALM-004-01 A Aluminium B DG Air Fill Clear-Clear | 4.80 | 0.59 | 23.62 |

Window Directions

| Direction | Area (m²) |
|-----------|-----------|
| E | 23.6 |

Air leakage

| Item | Sealed | Unsealed |
|--------------------|--------|----------|
| Generic Vent | - | 0 |
| Unflued Gas Heater | - | 0 |
| Exhaust Fan | 3 | 0 |
| Downlight | 12 | 0 |
| Chimney | 0 | 0 |
| Heater Flue | - | 0 |

Zone Energy Loads

| Zone | Heating (MJ/m2) | Total Heating (MJ) | Cooling (MJ/m2) | Total Cooling (MJ) |
|----------|-----------------|--------------------|-----------------|--------------------|
| Kitchen | 71.1 | 2621.0 | 52.4 | 1932.3 |
| Bathroom | 55.2 | 349.8 | 0.9 | 5.8 |
| Bedroom | 27.6 | 350.8 | 84.1 | 1067.7 |
| Corridor | 58.9 | 226.9 | 12.5 | 48.2 |
| Laundry | 229.7 | 185.8 | 8.9 | 7.2 |

Provisional Diagnostic Information 20-11-2018 10:40:11 Ver:5.2.9 (3.13) Engine Ver:3.13 Accredited Rater: Assessor's Accreditation Number:



 Vipac Engineers and Scientists Limited

 279 Normanby Rd, Port Melbourne, VIC 3207, Australia

 Private Bag 16, Port Melbourne, VIC 3207, Australia

 t. +61 3 9647 9700 | f. +61 3 9646 4370 | e. melbourne@vipac.com.au

 w. www.vipac.com.au | A.B.N. 33 005 453 627 | A.C.N. 005 453 627

Vipac Engineers & Scientists

Flagship (Penny Place) Pty Ltd

Penny Place, Adelaide - Stage 2

Wind Impact Assessment



30N-17-0119-TNT-633114-2 5 December 2018

Melbourne • Sydney • Adelaide • Perth • Brisbane • Tasmania



| Report Title: Wind Impact Assessment Job Title: Penny Place, Adelaide - Stage 2 | | | |
|--|------------------------|--|--|
| DOCUMENT NO: 30N-17-0119-TNT-633114-2 | | REPORT CODE: TNT | |
| PREPARED FOR: | | PREPARED BY: | |
| Flagship (Penny Place) Pty Ltd | | Vipac Engineers and Scientists Limited | |
| Level 29, 140 William Street | | 279 Normanby Rd, | |
| Melbourne, Victoria, 3000, Aus | tralia | Port Melbourne, VIC 3207, | |
| | | Australia | |
| CONTACT: Natalie Burdon | | | |
| Tel: +61 3 8605 7200 | | Tel: +61 3 9647 9700 | |
| Fax: | | Fax : +61 3 9646 4370 | |
| PREPARED BY: | | | |
| Author: | | Date: 5 Dec 2018 | |
| | Fric Yuen | | |
| | Wind Engineer | | |
| REVIEWED BY: | | | |
| Reviewer: | | Date: 5 Dec 2018 | |
| | | | |
| | Zhuyun Xu | | |
| | Senior Wind Consultant | | |
| AUTHORISED BY: | | | |
| | | Date:5 Dec 2018 | |
| | | | |
| | | | |
| | wind Engineer | | |
| REVISION HISTORY | | | |
| Revision No. | Date Issued | Reason/Comments | |
| 0 | 04/10/2017 | Initial Issue | |
| 1 | 12/10/2017 | Drawings updated | |
| 2 | 30/11/2018 | Updated Drawings | |
| 3 | | | |
| DISTRIBUTION | | | |
| Copy No. | Location | | |
| 1 | Project | | |
| 2 | Client (PDF Format) | Uncontrolled Copy | |
| 3 | | checking copy | |
| KEYWORDS: | | | |

NOTE: This is a controlled document within the document control system. If revised, it must be marked SUPERSEDED and returned to the Vipac QA Representative. This document contains commercial, conceptual and engineering information that is proprietary to Vipac Engineers & Scientists Ltd. We specifically state that inclusion of this information does not grant the Client any license to use the information without Vipac's written permission. We further require that the information not be divulged to a third party without our written consent

5 December 2018



EXECUTIVE SUMMARY

Flagship (Penny Place) Pty Ltd commissioned Vipac Engineers and Scientists Ltd to prepare a statement of wind effects for the ground level areas adjacent to the proposed development at **Penny Place, Adelaide – Stage 2**. This appraisal is based on Vipac's experience as a wind-engineering consultancy.

The updated drawings of the proposed development were provided by **Woods Bagot** in **Nov 2018**. The findings of this study can be summarized as follows:

- The proposed development would not generate wind conditions in excess of the criterion for safety.
- Most of the ground level footpath and building entrances would be expected to have wind conditions within the recommended criteria.
- The two corners on Nelson St are likely to experience elevated wind conditions due to corner acceleration. However, the proposed porous car park walls will reduce wind levels on the ground floor to within the recommended comfort criteria.

As such, Vipac makes no recommendations to alter the building form design for the pedestrian level comfort wind environment.

As a general statement, educating residents about wind conditions at high-level balconies and terrace areas during high-wind event and tying down loose lightweight furniture are highly recommended.

The assessments provided in this report have been made based on experience of similar situations in Adelaide and around the world. As with any opinion, it is possible that an assessment of wind effects based on experience and without experimental validation may not account for complex flow interactions in the vicinity. Vipac recommends a scaled wind tunnel study in the detail design stage to verify the predictions and determine the optimal wind controls, wherever necessary.



TABLE OF CONTENTS

| 1 | INTRODUCTION | 5 |
|-------|---|----|
| 2 | ANALYSIS APPROACH | 8 |
| 2.1 | Site Exposure | 9 |
| 2.2 | Regional Wind Climate | 10 |
| 2.3 | Building Geometry and Orientation | 11 |
| 2.4 | Flow Interactions with Adjacent Developments | 12 |
| 2.5 | Assessment Criteria | 13 |
| 2.6 | Recommended Criteria | 15 |
| 3 | PEDESTRIAN LEVEL WIND EFFECTS AND RECOMMENDATIONS | 17 |
| 3.1 | Recommendations | 17 |
| 4 | CONCLUSIONS | 19 |
| 5 | REFERENCES | 20 |
| APPEN | IDIX A: ENVIRONMENTAL WIND EFFECTS | 21 |



1 INTRODUCTION

Premier Capital Developments Pty Ltd commissioned Vipac Engineers and Scientists Ltd to prepare a statement of wind effects for the ground level areas adjacent to the proposed development at **Penny Place**, **Adelaide – Stage 2.** This appraisal is based on Vipac's experience as a wind-engineering consultancy.

The proposed development site is bounded by Nelson St to the west, Penny PI to the East and the existing buildings to the North and the south (see Figure 1). The Northeast side of the proposed development is the approved 103 m high Stage 1 building.

Stage 2 of the proposed development is a residential and commercial mixed use building. The proposed development has a roof height of 78 m from the ground level, with a 16 m podium. There are townhouses proposed on the east side of the site. The surrounding developments (within 2000 m radius) are medium to high rise towers in the sector from north to northwest and mid to low rise developments plus parklands in all other directions. The immediately adjacent buildings are shown in Figure 2 in a 3D perspective view. Figure 3 presents the west elevation of the proposed development showing the overall heights of the two stages.

This report details the opinion of Vipac as an experienced wind engineering consultancy regarding the wind effects in ground level public areas and access-ways adjacent to the development as proposed. No wind tunnel testing has been carried out for this development at this stage. Vipac has carried out wind tunnel studies on a large number of developments of similar shape and having similar exposure to that of the proposed development. These serve as a valid reference for the prediction of wind effects for this development. Empirical data for typical buildings in boundary layer flows has also been used to estimate likely ground level wind conditions adjacent to the proposed development [2] & [3].

The drawings of the proposed development were provided by Woods Bagot in November 2018.



Figure 1: Aerial view of the proposed development site at Penny Place Adelaide – Stage 2.

30N-17-0119-TNT-633114-2

5 December 2018 Commercial-In-Confidence



Flagship (Penny Place) Pty Ltd Penny Place, Adelaide - Stage 2 Wind Impact Assessment



Figure 2: Southeast view illustrating the surrounding buildings of the proposed development site at Penny Place Adelaide – Stage 2.

30N-17-0119-TNT-633114-2

5 December 2018


Flagship (Penny Place) Pty Ltd Penny Place, Adelaide - Stage 2 Wind Impact Assessment



Figure 3: West elevation of the proposed development (Stage 1 and 2)

30N-17-0119-TNT-633114-2



2 ANALYSIS APPROACH

When considering whether a proposed development is likely to generate adverse wind conditions in adjacent ground level areas, Vipac considers five main points:

- The exposure of the proposed development to wind,
- The regional wind climate,
- The geometry and orientation of the proposed development,
- The interaction of flows with adjacent developments,
- The assessment criteria, determined by the intended use of the public areas affected by wind flows generated or augmented by the proposed development.

The pedestrian wind comfort at specific locations around a site may be assessed by predicting the worst annual 3-second wind gust expected at that location. The location may be deemed generally acceptable for its intended use if the annual 3-second gust is within the threshold values noted in Section 2.5. For cases where Vipac predicts that a location would not meet its appropriate comfort criterion we may recommend the use of wind control devices and/or local building geometry modifications to achieve the desired comfort rating. For complex flow scenarios or where predicted flow conditions are well in excess of the recommended criteria, Vipac recommends scale model wind tunnel testing to determine the type and scope of the wind control measures required to achieve acceptable wind conditions.



Flagship (Penny Place) Pty Ltd Penny Place, Adelaide - Stage 2 Wind Impact Assessment

2.1 SITE EXPOSURE

Stage 2 of the proposed development is a residential and commercial mixed use building. The proposed development has a roof height of 78 m and with a 16 m podium and townhouses on the east of the site. The surrounding developments (within 2000 m radius) are medium to high rise towers in the sector from north to northwest and mid to low rise developments plus parklands in all other directions.

Therefore, for the current study, considering the proximity to Adelaide's CBD and the immediate presence of medium to low rise buildings, the site of the proposed development is considered to be Terrain Category 3 for all wind directions [1] (see Figure 4).



Figure 4: Terrain Categories for the site of the proposed development at Penny Place Adelaide – Stage 2.



2.2 REGIONAL WIND CLIMATE

The mean and gust wind speeds have been recorded in the Adelaide area for 30 years. These data have been analysed and the directional probability distribution of wind speeds have been determined. The directional distribution of hourly mean wind speed at the gradient height (≈500m), with a probability of occurring once per year (i.e. 1 year return period) is shown in Figure 5. The wind data at this free stream height are common to all Adelaide city sites and may be used as a reference to assess ground level wind conditions at the site. Figure 5 indicates that the stronger winds can be expected from the south-westerly, north-westerly and westerly directions.



Figure 5: Directional Distribution of Annual Return Period Maximum Mean Hourly Wind Velocities (m/s) at gradient height of 500m in Adelaide.



2.3 BUILDING GEOMETRY AND ORIENTATION

The proposed development is a residential and commercial mixed use building. It consists of a rectangular building plan with a common podium and has a maximum roof height of 78 m from the street level. The overall building boundary is about 60 m x 58 m, however the tower plan-form dimensions are approximately 58 m x 29 m (approximately) with the long axis of the tower running north to south. The main building entrances are at the east sides of the proposed development (Figure 6). The main footpaths are along Nelson St and Penny PI. There are proposed walkways around the main building and townhouses.



Figure 6: Ground floor plan of the proposed development.

Commercial-In-Confidence



2.4 FLOW INTERACTIONS WITH ADJACENT DEVELOPMENTS

The buildings immediately adjacent to the proposed development, with their number of floors, are shown in Figure 7. Figure 2 also shows the immediate surroundings in a 3D perspective view.

Except the north and northeast sectors, the proposed development is surrounded by 1 to 2 storey buildings in most directions. A 12 storey building to the north and the approved 32 storey Stage 1 building to the NE will provide some shielding from winds from this direction.

The winds from southwest to through west to northwest are high in strength on the proposed site due to the regional wind climate and the low rise developments in this direction.



Figure 7: Immediately adjacent buildings and their number of floors.



2.5 ASSESSMENT CRITERIA

With some consensus of international opinion, pedestrian wind comfort is rated according to the suitability of certain activities at a site in relation to the expected annual peak 3-second gust velocity at that location for each wind direction. Each of the major areas around the site are characterized by the annual maximum gust wind speeds. Most patrons would consider a site generally unacceptable for its intended use if it were probable that during one annual wind event, a peak 3-second gust occurs which exceeds the established comfort threshold velocity (shown in Table 1). If that threshold is exceeded once per year then it is also likely that during moderate winds, noticeably unpleasant wind conditions would result, and the windiness of the location would be considered as unacceptable.

| Annual Maximum Result on Perceived Pedestrian Comfort Gust Speed | | |
|--|---|--|
| >23m/s | Unsafe (frail pedestrians knocked over) | |
| <20m/s | Acceptable for fast walking (waterfront or particular walking areas) | |
| <16m/s | Acceptable for walking (steady steps for most pedestrians) | |
| <13m/s | Acceptable for standing (window shopping, vehicle drop off, queuing) | |
| <11m/s | Acceptable for sitting (outdoor cafés, gardens, park benches) | |

| TILLAD | 1.1141.10.1.1 | |
|-------------------|--------------------|--------------------------|
| Table 1: Recommen | aea wina Comfort a | and Safety Gust Criteria |

In a similar manner, a set of hourly mean velocity criteria (see Table 2) with a 0.1% probability of occurrence are also applicable to ground level areas in and adjacent to the proposed development. An area should be within both the relevant mean and gust limits in order to satisfy the particular human comfort and safety criteria in question.

| Mean Speed in 0.1% of Time | Result on Perceived Pedestrian Comfort | |
|-------------------------------|--|--|
| >15m/s | Unsafe (frail pedestrians knocked over) | |
| <13m/s | Acceptable for fast walking (waterfront or particular walking areas) | |
| <10m/s | Acceptable for walking (steady steps for most pedestrians) | |
| <7m/s | Acceptable for standing (window shopping, vehicle drop off, queuing) | |
| <5m/s | Acceptable for sitting (outdoor cafés, gardens, park benches) | |

Table 2: Recommended Wind Comfort and Safety Mean Criteria

The Beaufort Scale is an empirical measure that related the wind speed to observed conditions on the land and sea. Table 3 describes the categories of the Beaufort Scale. The comparison between these observed conditions and the comfort criteria described above can be found in Table 4.



| | | , I | | | |
|--------------------|---------------------|--------------------------------------|--|--|--|
| Beaufort Number | Descriptive Term | Wind Speed at 1.75 m height (m/s) | Specification for Estimating Speed | | |
| 0 | Calm | 0-0.1 | | | |
| 1 | Light Air | 0.1-1.0 | No noticeable wind | | |
| 2 | Light Breeze | 1.1-2.3 | Wind felt on face | | |
| 3 | Gentle Breeze | 2.4-3.8 | Hair disturbed, clothing flaps, newspapers difficult to read | | |
| 4 | Moderate Breeze | 3.9-5.5 | Raises dust and loose paper; hair disarranged | | |
| 5 | Fresh Breeze | 5.6-7.5 | Force of wind felt on body, danger of stumbling when entering a windy zone | | |
| 6 | Strong Breeze | 7.6-9.7 | Umbrellas used with difficulty, hair blown straight difficult to walk steadily, sideways wind force about equal to forwards wind force, wind noise on ears unpleasant | | |
| 7 | Near Gale | 9.8-12.0 | Inconvenience felt when walking | | |
| 8 | Gale | 12.1-14.5 | Generally impedes progress, great difficulty with balance in gusts | | |
| 9 | Strong Gale | 14.6-17.1 | People blown over | | |

Table 3: Beaufort Scale - empirical measure relating wind speed to observed conditions on land

Table 4: Comparison between Mean comfort criteria and the observed conditions

| Comfort Criteria | Beaufort Scale Equivalent |
|------------------|--------------------------------|
| Safety | 9 – Strong Gale |
| Walking | 5 – Fresh Breeze |
| Standing | 4-5 – Moderate to Fresh Breeze |
| Sitting | <4 – Moderate Breeze |



2.6 RECOMMENDED CRITERIA

The following table lists the specific areas adjacent to the development and the corresponding recommended criteria.

| Area | Recommended Criteria | | |
|---|---|--|--|
| Footpaths and internal landscaping areas | to comply with the criterion for Walking | | |
| Building Entrances | to comply with the criterion for Standing | | |
| Balconies | to comply with the criterion for Walking (see discussion below) | | |

Table 5: Recommended application of criteria

Apartment Balcony and Rooftop areas Recommended Criterion Discussion

Apartment balconies are located on all facades of the proposed Development. Vipac recommends as a minimum the apartment balcony/rooftop terrace areas meet the criterion for walking since:

- these areas are not public spaces;
- the use of these areas is optional;
- many similar developments in Adelaide and other Australian capital cities experience wind conditions on balconies and elevated deck areas in the vicinity of the criterion for walking.

Figure 8 highlights the areas on the ground floor where compliance with the above criteria recommended.





Areas recommended to comply with the criterion for Walking

Areas recommended to comply with the criterion for Standing

Figure 8: Plan view of the proposed development with the recommended wind criteria overlaid at ground level areas.



3 PEDESTRIAN LEVEL WIND EFFECTS AND RECOMMENDATIONS

Key Points

- The proposed development would not generate wind conditions in excess of the criterion for safety.
- The wind conditions at most of the ground level footpath areas would be within the criterion for walking. The northwest and southwest corners would be expected to have some high wind conditions due to the downwash and corner acceleration.
- The wind conditions near the entrance areas would be expected to be close to/within the criterion for standing.

Ground Level

The proposed development is surrounded by 1 to 2 storey buildings in the west, south and east directions. It is significantly higher than the immediate surroundings and will become a wind catcher for these directions. The downwash flows from west façade are the main concerns for the ground level footpath wind conditions; however, they are not likely to cause an exceedance of the walking criterion. The area with the highest wind levels is the footpath at the northwest and southwest corners; this is due to a combination of downwash and corner acceleration. Considering the natural ventilated car park design (porous walls from L1 to L3, see Figure 9), these areas would be expected to have wind conditions within the walking criterion.

The building entrances are expected to have wind conditions within the standing criterion.

Internal Landscaping Areas

Internal areas between Stage 1 and Stage 2 are well sheltered for the strong wind directions. The tower is well setback from east side so that the downwash from east façade would not be expected to create high wind conditions. These areas would be expected to be within walking criterion.

Should more stationary comfort conditions (standing or sitting) be required, additional wind treatments may be required in some areas.

Balconies General

Whilst wind conditions on the proposed apartment balconies will frequently be acceptable for outdoor recreation, during moderate to strong winds, conditions in these areas may exceed human comfort criteria. Balcony areas on similar developments in many major Australian capital cities typically experience similar elevated wind conditions. High exposure, corner acceleration flows and standing vortices would sometimes preclude these areas from use for outdoor recreation.

3.1 RECOMMENDATIONS

After careful consideration of the areas at the base of the proposed development, Vipac predicts that the proposed development will present some changes to existing wind conditions in adjacent ground level areas. However, the ground footpath and building entrances would be expected to have the wind conditions within the recommended criteria. As such, Vipac makes no recommendations to alter the building form design for the pedestrian level comfort wind environment.

It should be noted that this study is based on experience only and has not utilised any experimental data for the analysis.



Flagship (Penny Place) Pty Ltd Penny Place, Adelaide - Stage 2 Wind Impact Assessment



Figure 9: Car Park plans (Levels 2-3)

5 December 2018



4 CONCLUSIONS

An appraisal of the likely wind conditions adjacent to and within the proposed development at Penny Place, Adelaide – Stage 2 has been made.

Vipac has carefully considered the flow structures likely to be generated by the proposed development that would affect ground level areas. From this analysis, Vipac predicts that all the ground footpath and building entrances would be expected to have the wind conditions within the recommended criteria. As such, Vipac makes no recommendations to alter the building form design for the pedestrian level comfort wind environment.

As a general statement, educating residents about wind conditions at high-level balconies and terrace areas during high-wind event and tying down loose lightweight furniture are highly recommended.

The assessments provided in this report have been made based on experience of similar situations in Adelaide and around the world. As with any opinion, it is possible that an assessment of wind effects based on experience and without experimental validation may not account for all complex flow interactions in the vicinity. Vipac recommends a scaled wind tunnel study in the detail design stage to verify the predictions and determine the optimal wind controls if required.

This Report has been Prepared For Flagship (Penny Place) Pty Ltd By

VIPAC ENGINEERS & SCIENTISTS PTY LTD



5 REFERENCES

- [1] Structural Design Actions, Part 2: Wind Actions, Australian/New Zealand Standard 1170.2:2011
- [2] Wind Effects on Structures E. Simiu, R Scanlan, Publisher: Wiley-Interscience
- [3] Architectural Aerodynamics R. Aynsley, W. Melbourne, B. Vickery, Publisher: Applied Science Publishers
- [4] Drawings in the pdf files provided by Woods Bagot in November 2018 as follows:

| Title | Sheet Number | Revision |
|-------------------------------|--------------|----------|
| Ground Plan | SK-02 | J |
| Level 1 Carpark | SK-03 | J |
| Typical Level 2-4 Carpark | SK-04 | J |
| Level 4 Carpark | SK-05 | А |
| Level 5 Apartments | SK-06 | J |
| Typical Levels 6-22 | SK-07 | J |
| Roof Plan | SK-08 | G |
| Overall Elevation West | SK-12 | Н |



Flagship (Penny Place) Pty Ltd Penny Place, Adelaide - Stage 2 Wind Impact Assessment

Appendix A: ENVIRONMENTAL WIND EFFECTS

Atmospheric Boundary Layer

As wind flows over the earth it encounters various roughness elements and terrain such as water, forests, houses and buildings. To varying degrees, these elements reduce the mean wind speed at low elevations and increase air turbulence. The wind above these obstructions travels with unattenuated velocity, driven by atmospheric pressure gradients. The resultant increase in wind speed with height above ground is known as a wind velocity profile. When this wind profile encounters a tall building, some of the fast moving wind at upper elevations is diverted down to ground level resulting in local adverse wind effects.

The terminology used to describe the wind flow patterns around the proposed Development is based on the aerodynamic mechanism, direction and nature of the wind flow.

Downwash – refers to a flow of air down the exposed face of a tower. A tall tower can deflect a fast moving wind at higher elevations downwards.

Corner Accelerations – when wind flows around the corner of a building it tends to accelerate in a similar manner to airflow over the top of an aeroplane wing.

Flow separation – when wind flowing along a surface suddenly detaches from that surface and the resultant energy dissipation produces increased turbulence in the flow. Flow separation at a building corner or at a solid screen can result in gusty conditions.

Flow channelling – the well-known "street canyon" effect occurs when a large volume of air is funnelled through a constricted pathway. To maintain flow continuity the wind must speed up as it passes through the constriction. Examples of this might occur between two towers, in a narrowing street or under a bridge.

Direct Exposure – a location with little upstream shielding for a wind direction of interest. The location will be exposed to the unabated mean wind and gust velocity. Piers and open water frontage may have such exposure.







Stormwater Management Plan

Penny Place Stage 2

Issue: B - Draft

27 November 2018

Prepared For: Flagship (Penny Place) Pty Ltd

Project No.: 17453

Document No.: 17453-REP-stormwater

P:\2017 JOBS\17453 Penny Place Stage 2 - Adelaide component\Engineering Design\Civil\Stormwater Design\17453_REP_stormwater_revB.docx

| Issue | Section & Page No. | Issue / Amendment Details | Author | Reviewer | Date |
|-------|--------------------|---------------------------|------------|---------------|----------|
| А | | Draft | G Klopp | I Drewe | 18/10/17 |
| В | | Draft | C. Roberts | R. Mahapatuna | 27/11/18 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Report Amendment Register

ISSUE / AMENDMENT AUTHOR:

REVIEWER:

.....

Author of Issue / Amendment Signing for and on behalf of Robert Bird Group Pty Ltd

Reviewer of Issue / Amendment Signing for and on behalf of Robert Bird Group Pty Ltd

P:\2017 JOBS\17453 Penny Place Stage 2 - Adelaide component\Engineering Design\Civil\Stormwater Design\17453_REP_stormwater_revB.docx

2

Table of Contents

| 1.0 | Introd | uction | .1 |
|-----|--------|------------------------|-----|
| | 1.1 | Site description | . 1 |
| 2.0 | Existi | ng conditions | .1 |
| | 2.1 | Stormwater network | 1 |
| | 2.2 | Pre-construction flows | 1 |
| 3.0 | Propo | sed conditions | .2 |
| | 3.1 | Proposed site layout | 2 |
| | 3.2 | Apartment building | 2 |
| | 3.3 | Townhouses | 2 |
| | 3.4 | Landscaped area | 2 |
| | 3.5 | Hard stand | 2 |
| | 3.6 | Quality of discharge | 3 |
| 4.0 | Sumn | nary | .3 |

This report has been prepared on behalf of and for the exclusive use of the Client, and is subject to and issued in accordance with the agreement between the Client and Robert Bird Group Pty Ltd. Robert Bird Group Pty Ltd accepts no liability or responsibility whatsoever for any use of or reliance upon this report by any third party. Any copying of this report to external parties requires the permission of the Client and Robert Bird Group Pty Ltd.

P:\2017 JOBS\17453 Penny Place Stage 2 - Adelaide component\Engineering Design\Civil\Stormwater Design\17453_REP_stormwater_revB.docx



Project No. 17453. 18 October 2017

1.0 Introduction

A new 24 level apartment building is proposed for the site between Nelson Street and Penny Place, Adelaide. The site is at the northern end of the streets and is currently a car park. The building has 4 levels of carparking and 19 levels of apartments (levels 5 to 23).

The site is shown in Figure 1.



Figure 1 – Subject site

1.1 Site description

The site is currently an asphalt car park and a vacant site that has asphalt surfacing in poor condition.

The site is approximately 58 metres by 52 metres and is generally level.

2.0 Existing conditions

2.1 Stormwater network

Neither Nelson Street nor Penny Place have underground stormwater infrastructure. There is a side entry pit at the southern ends of the streets adjacent Carrington Street.

The site currently discharges stormwater to the street kerb and gutter through standard Adelaide City Council steel channel drains with steel floor plate covers at footpath level.

There is no evidence of stormwater treatment systems to remove contaminants from the storm water.

2.2 Pre-construction flows

The current site is generally impermeable.

The total area of the site is 2187 square metres.

P:\2017 JOBS\17453 Penny Place Stage 2 - Adelaide component\Engineering Design\Civil\Stormwater Design\17453_REP_stormwater_revB.docx

3.0 **Proposed conditions**

3.1 Proposed site layout

The proposed development on the site includes a 24 level apartment building, 4 townhouses, landscaped public square and the balance paved areas.

The post development areas are shown in Table 1.

Table 1 – Post development areas

| ITEM | AREA (square metres) | |
|----------------------|----------------------|--|
| Apartment | 1387 | |
| Townhouses | 168 | |
| Landscaped area | 273 | |
| Hard stand (balance) | 359 | |
| TOTAL | 2187 | |

It can be considered that the landscaped area will have some absorption into the soil and that the run-off from the site overall will be less with the post development configuration than the current site.

For the purposes of this report it is considered that the post development flow is the same as the predevelopment flow.

3.2 Apartment building

The apartment building has box gutters at roof level. The box gutters discharge to ten (10) downpipes. Eight (8) of the downpipes collect stormwater run-off from the eight (8) apartment balconies.

The downpipes and box gutters have been designed to accommodate the 5 minute (time of concentration) 100 year ARI event in accordance with AS 3500.3.

The areas contributing to each downpipe has been configured such that the maximum flow is 16 litres per second.

All downpipes are collected into five (5) pits at ground level (inside the building car park). The pits discharge using standard Adelaide City Council steel channels with steel floor plate lids at footpath level to Nelson Street. The pits have grated lids as the kerb and gutter in Nelson Street will not accommodate the 100 year ARI event. The overflow from the pits will flow to Nelson Street.

3.3 Townhouses

The townhouses will have roof box gutters that discharge to four (4) downpipes. The downpipes will be collected in pits and discharged to a standard Adelaide City Council steel channels with steel floor plate lid at footpath level in Penny Place.

3.4 Landscaped area

The landscaped area will have sub soil drainage that will pass through a filter system before being discharged into a standard Adelaide City Council steel channels with steel floor plate lid at footpath level.

Details of the landscaped area are not sufficiently developed at this stage to provide complete details.

3.5 Hard stand

The levels of the hard stand areas will be set so that overland flow paths lead to the cross overs on Penny Place. The Penny Place cross overs will have a grated trench drain that will discharge to an



adjacent pit and then to a standard Adelaide City Council steel channel with steel floor plate lid at footpath level.

3.6 Quality of discharge

The storm water from the apartments will be directly discharged to Nelson Street.

The storm water from the Townhouses will be directly discharged to Penny Place.

The storm water from the landscaped area will be treated to remove contaminants.

The storm water from the hard stands will be directly discharged to Nelson Street, There is no car parking on the hard stand areas.

4.0 Summary

The discharge rates and volumes from the proposed development are less than the pre-development flows.

The water quality will be improved from the current pre-development discharge from the car parking areas.

The discharge to the kerb and gutter will be by standard Adelaide City Council steel channels as there is no storm water infrastructure in Nelson Street or Penny Place.

Stormwater Management Plan Penny Place Issue: A - Draft

Project No. 17453. 18 October 2017

Appendix A Drawings

P:2017 JOBS/17453 Penny Place Stage 2 - Adelaide component/Engineering Design/Civil/Stormwater Design/17453_REP_stormwater_revB.docx













Adelaide Office

Robert Bird Group Pty Ltd ABN 67 010 580 248 ACN 010 580 248

Level 2, 276 Flinders Street Adelaide SA 5000 PO Box 7221 Hutt Street Adelaide SA 5000 Australia

P: +61 (0) 8 8232 6683

www.robertbird.com

20 Greenhill Rd Wayville SA 5034 PO Box 109 Goodwood SA 5034 T088273 0888 F088273 0800 katnichdodd com au

ABN4430372S328



19 January, 2018

Flagship (Penny Place) Pty Ltd 2 Clarendon Street South Wharf Vic 3006

Attention: Willy Hoogeveen

Re: 27 Penny Place Adelaide – NCC – BCA – Vol1 – Initial Certifier Review Comments

Dear Willy

This correspondence is to confirm that Katnich Dodd has been engaged as the Private Certifiers for the project. To date we have undertaken a preliminary review of the planning documentation and believe that the building (subject to performance based alternate solutions to be further reviewed and supported) will be able to satisfy the minimum requirements of the NCC BCA Vol 1 Parts A-J with regards to a mixed use building of Class 2, 6 & 7a classifications.

The initial review and comments are based on the Woods Bagot Architects drawings received via email dated 19 January 2018 Job Number 140292 Rev G sheet SK02-13

This correspondence does not constitute a certificate of compliance with the Building Rules and is to be considered only for a planning application and approval process only.

Yours faithfully

Vic Barone 19 January, 2018 Certificate of Registration as a Private Certifier No. 057



Address 1st Floor 20 Greenhill Rd Wayville SA 5034 Postal Address P.O. Box 109 Goodwood SA 5034 Contact Ph: (08) 8273 0888 Fax: (08) 8273 0800



C

Knowledgeable Dependable

Directors Ian Dodd: 0417 827 800 Peter Harmer: 0417 827 013 Vic Barone: 0433 457 588



18 January 2018

Ms Natalie Burdon Premier Capitol Developments Level 29, 140 William Street Melbourne VIC 3000

Email: natalie@premiercapitaldevelopments.com.au

Dear Natalie,

Mixed Use /Residential Development: Penny Place Stage 2 Design Review

Landscape Design Updates

In response to ODASA and ACC review and questions the following amend plans and section show the updates made to landscape works. The following list outlines changes to the previous presentation set.

Landscape Illustrative Masterplan - Overall Stage 1 and Stage 2 works

- Amendments to tree locations to enhance the visual legibility to the building lobby (refer to drawing)
- Section shown to demonstrate viewlines below canopy of trees to building lobby. Shrub plantings in garden beds are to be small shrubs and low groundcovers to enable full visual access along the laneway for visual access to building entrances and to provide a safe and secure environment based on CPTED principles.
- Adjustment of garden outside of building lobby to provide a direct pathway access to the doorway (refer to drawing)

Landscape illustrative Masterplan – Stage 2 Level 4 Podium

 Update to planter locations to within the private balcony areas to match updated architectural base. Planters to have irrigation system controlled by residents and connected to their private water supply to water planters.

Landscape Maintenance

- Paving materiality to match that of Stage 1 works to be exfoliated black granite of paving module sizes to align with ACC Laneway Strategy. Stage 1 Laneway works are currently under review with ACC and has been amended in line with ACC workshops in order for ACC to take over ownership and ongoing maintenance post final completion.
- Proposed planting schedule to match that of Stage 1 Laneway works (Refer to schedule attached). Stage 1 Laneway works are currently under review with ACC and has been amended in line with ACC workshops in order for ACC to take over ownership and ongoing maintenance post final completion.

TRACT CONSULTANTS PTY LTD ACN 055 213 842 AS TRUSTEE FOR THE TRACT CONSULTANTS UNIT TRUST ABN 75 423 048 489 195 LENNOX STREET RICHMOND (PO BOX 181 RICHMOND) VIC 3121 AUSTRALIA TELEPHONE 61 3 9429 6133 FACSIMILE 61 3 9429 5925 melbourne@tract.netau www.tract.netau

MELBOURNE BRISBANE SYDNEY CANBERRA ADELAIDE GEELONG

QUALITY ENDORSED COMPANY ISO 9001 LIC NO 2095 - Defects Liability period for Landscape contractor is 52 weeks (1 year) during which the landscape contractor is to maintain all works and water all plants to establish them prior to final completion and handover.

Please do not hesitate to call if further clarification is required. Yours sincerely,

Deiter Lim Managing Director **Tract Consultants Pty Ltd**

0315-0179-10 Angas Street - GROUND LEVEL

| CODE | BOTANIC NAME | COMMON NAME | DENSITY | INSTALL SIZE |
|------|------------------------------------|-----------------------|------------------|-----------------|
| | TREES | | | |
| | Steno carpas sinuatus | Fírewheel tree | As shown | 100L |
| | *Tristani opsis Laurina 'Luscious' | Watergum | As shown | 100L |
| | Fern | | | |
| | Dicksonia Antarctica | Soft Tree fern | As shown | 1m trunk height |
| Aa | Asplenium australasicum | Bird's Nest fern | 4/m ² | 150mm pots |
| | | | | Total |
| | SHRUBS AND CLIMBERS | | | |
| Tj | Trachelospermum jasminoides | Star Jasmíne | 3/lm | 150mm pots |
| Hp | Hydrangea petiolaris | Climbing Hydrangea | 4/lm | 200mm pots |
| Ac | Arthropodium cirratum | New Zealand Rock Lily | 5/m ² | 200mm pots |
| LI | Lomandra longifolia 'Tanika' | Tanika | 4/m ² | 150mm pots |
| DI | Dianella Little Jess | Líttle Jess | 6/m ² | 150mm pots |
| Asm | Acmena smithii 'Minor' | Dwarf Lilly Pilly | 4/m ² | 150mm pots |
| As | Austrostipa stipoides | Prickly Spear Grass | 4/m ² | 150mm pots |
| Cd | Correa Dusky Bell | Duscky Bell | 4/m ² | 150mm pots |
| Cr | Cycas Revoluta | Sago Palm | 2/m ² | 150mm pots |
| Af | Anigozanthos Flavidus | Duscky Bell | 4/m ² | 150mm pots |
| Cm | Clívia míniata | Kaffir líly | 5/m ² | 150mm pots |
| Ds | Dichondra Silver Fall | Silver Fall Dichondra | 8/m ² | 150mm pots |
| Zf | Zamía Furfuracea | Silver Fall Dichondra | 2/m ² | 150mm pots |
| | | | | Total |

* TREES REQUOIRED BY VIPAC WIND MITIGATION SOLUTION (OPTION 2 IN REPORT), MATURE SIZE OF THE TREE IS MIN. 3-4m TALL

Plant species will be finalised after review with ACC in order to finalise agreement for handover, ownership and ongoing maintenance by ACC.



SCALE 1:400 (A3)

0 4 8 20



Overall Landscape Section

SCALE 1:400 (A3) 0 4 8 20



SA Housing Authority

Level 5 Riverside Building North Terrace Adelaide SA 5000

Tel: 131 299

GPO Box 1669 Adelaide SA 5001

Ref: 1285909

State Commission Assessment Panel Development Division Level 5, 5 Flinders Street ADELAIDE SA 5000

Dear State Commission Assessment Panel,

Referral Response to Application for Development Plan Consent

| Application Number | 020/A102/18 |
|--------------------|--|
| Applicant | Flagship (Penny Place) Pty Ltd c/- Intro Design |
| Subject Land | 27 ANGAS ST ADELAIDE SA 5000 |
| Proposal | Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space |

The abovementioned development application (020/A102/18) was referred to the SA Housing Authority for comment under Section 37 of the Development Act 1993 and Schedule 8(23) of the Development Regulations 2008.

The staged mixed-use development project consist of Kodo Apartments building (Stage 1, 202 apartments, under construction) and Penny Place (Stage 2, 152 residential apartments, project design). The application is looking for development consent for the Stage 2 of the development.

The application is within the City of Adelaide Affordable Housing Overlay which requires the inclusion of a minimum of 15% affordable housing with residential development in a form of either private / social rental or home purchase.

The Applicant has entered into a Land Management Agreement under Section 57 of the Development Act 1993, committing to 15% of the dwellings to be developed on the land being for affordable housing (AG 12322475). According to further agreements with SA Housing Authority (letter from 15/06/2015) the commitment will be applied to all residential dwellings delivered across both stages of the project with exception of 138 residential apartments.

The Applicant has provided an Affordable Housing Plan, according to which development delivers 21 affordable housing apartments in Stage 1 and 10 affordable

housing apartments in Stage 2. The Affordable Housing Plan complies with the commitment above.

The Development Application should be assessed based on the commitment to providing affordable housing.

Further information please contact Maria Klimenchuk at the SA Housing Authority on tel. 8207 0625.

Yours sincerely,

Maria Klimenchuk Affordable Housing Planning Officer Homes and Partnerships SA HOUSING AUTHORITY

16/01/2019



Australian Government

* Department of Infrastructure, Regional Development and Cities

File reference: F16/562-43

| ТО | CC | FROM |
|--|--|---|
| Anthony Gatti INTRO A.Gatti@INTRO.com.co | Brett Eaton Adelaide Airport Limited beaton@aal.com.au | Flysafe Airspace Protection <u>flysafe@infrastructure.gov.au</u> |
| For | Civil Aviation Safety Authority airspace.protection@casa.gov.au | |
| Flagship Penny Place Pty Ltd | Airservices Australia airport.developments@airservicesaustralia.com ifp@airservicesaustralia.com | |
| | Adelaide City Council City@adelaidecitycouncil.com | |

DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996

| Proposed Activity: | Construction of a building | |
|---------------------------|---|--|
| Location: | 11-19 Penny Place (27 Angas Street), Adelaide, SA | |
| AMG 66 Coordinates: | E 280805.23, N 6131790.79 | |
| Proponent: | INTRO for Flagship Penny Place Pty Ltd | |

I refer to the application from INTRO on behalf of Flagship Penny Place Pty Ltd (the Proponent), received by the Department of Infrastructure, Regional Development and Cities (the Department) on 24 January 2019 from Adelaide Airport Limited (AAL). This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a building at 11-19 Penny Place (27 Angas Street) (the site) into airspace which, under the Regulations, is prescribed airspace for Adelaide Airport.

Under regulation 6(1), 'prescribed airspace' includes 'the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface for the airport'.

The Conical Surface of the OLS above this site is at a height of 111 metres above the Australian Height Datum (AHD) and hence prescribed airspace above the site commences at 111 metres AHD. At a maximum height of 124.45 metres AHD, the building will penetrate the OLS by 13.45 metres.
Accordingly, the construction of the building constitutes a "controlled activity" under Section 182 of the *Airports Act 1996* (the Act). Section 183 of the Act specifies that controlled activities cannot be carried out without approval. Details of the penetration of prescribed airspace are provided in Table 1.

Table 1: Height and location of the proposed activity that will intrude into prescribed airspace for Adelaide Airport.

| Activity | AGM 66 Coordinates | Maximum height | Penetration of |
|----------|---------------------------|----------------|---------------------|
| | | (AHD) | prescribed airspace |
| Building | E 280805.23, N 6131790.79 | 124.45 metres | 13.45 metres |

Regulation 14 provides that a proposal to carry out a controlled activity must be approved unless carrying out the controlled activity would interfere with the safety, efficiency or regularity of existing or future air transport operations into or out of the airport concerned. Regulation 14(1)(b) provides that an approval may be granted subject to conditions.

Under the Regulations, the Secretary of the Department is empowered to make decisions in relation to the approval of controlled activities, and impose conditions on the approval. I am the Secretary's Delegate for the purposes of the Regulations.

Decision

In accordance with regulation 14, **I approve** the controlled activity for the intrusion of a building at 11-19 Penny Place (27 Angas Street), Adelaide, SA into prescribed airspace for Adelaide Airport to a **maximum height of 124.45 metres AHD**.

In making my decision, I have taken into consideration the opinions of the Proponent, the Civil Aviation Safety Authority, Airservices Australia's advice number YPAD-CA-018 and AAL.

In accordance with regulation 14(1)(b), I impose the following conditions on my approval:

- 1. The building **must not exceed** a maximum height of **124.45 metres AHD**, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.
- 2. The Proponent **must advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing *<ifp@airservicesaustralia.com>* and quoting YPAD-CA-018.
- 3. Separate approval **must be sought** under the Regulations for any equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.
- 4. On completion of construction of the building, the Proponent **must provide** AAL with a written report from a certified surveyor on the finished height of the building.

Breaches of approval conditions are subject to significant penalties under Sections 185 and 187 of the Act.

Yours sincerely

Sharyn Owen Director, Airport Safeguarding Aviation and Airports Division

6 February 2019

OFFICE FOR DESIGN + ARCHITECTURE®

File No: 2014/11234/01

Ref No: 13549947 18 January 2019

Lauren Talbot Senior Planning Officer Planning and Development Directorate Department of Planning, Transport and Infrastructure Level 5, 50 Flinders Street Adelaide SA 5000

lauren.talbot@sa.gov.au

For the attention of the State Commission Assessment Panel

27 Angas Street, Adelaide (Also known as 27 Penny Place)

Further to the referral 020/A102/18 received 7 January 2019 pertaining to the development application at the above address and in my capacity as a statutory referral in the State Commission Assessment Panel, I am pleased to provide the following comments for your consideration.

The project was presented to the Design Review panel on one occasion in October 2017 prior to the lodgement of the previous planning application for the same development. The original application, DA 020/A068/17, received Development Consent on 22 February 2018. This new application is generally consistent with the approved scheme, however it proposes an increase in the number of apartment floors and the overall building height. Amendments to the height and expression of the podium are also proposed. From considering the material supplied with the referral and evaluating the design merit of the project I am pleased to offer my in principle support to the planning application.

The proposal is the second stage of an integrated master plan, which includes the first stage (Kodo Apartments) currently under construction. This proposal includes a residential apartment building, three storey townhouses and a publicly accessible open space 'Penny Square'. The entire site of the overall development is approximately 5300 square metres and has frontages to Angas Street to the north, Nelson Street to the west and Penny Place to the east. The surrounding buildings include a State heritage place (House at 34 Carrington Street) to the south of the site, and the Federal Court building on Angas Street to the immediate north of the proposed residential building. In the immediate locality, the existing built form character of Carrington Street is predominantly one to three storey commercial, office and civic buildings. The buildings on Angas Street are larger in scale, and include the Federal Court building, SA Water building and St Aloysius College buildings.

Level 1 26-28 Leigh Street Adelaide SA 5000

GPO Box 1533 Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884 E- odasa@sa.gov.au



Government of South Australia

OFFICE FOR DESIGN + ARCHITECTURE

File No: 2014/11234/01

Ref No: 13549947 The Stage Two residential building is located at the southwest corner of the site along the Nelson Street frontage, and the four townhouses are located on the southeast corner along the southern boundary. 'Penny Square' is located in the centre of the block to the south of the Stage One Kodo Apartments. I support the provision of a substantial public space within the development and access link between 'Penny Square' and Nelson Street through the lobby of the residential apartment building. However I am of the opinion that an opportunity exists to provide a clearer and more intuitive connection. To that end, I recommend development of a high quality lobby area, informed by urban design and wayfinding principles to maximise the development's engagement with the public realm. I am also concerned by the inactive frontage provided to Nelson Street, as in my opinion, it can restrict future development opportunities on the adjoining sites and their potential contributions to the public realm. However in this instance, I support the proposal on balance, as the application demonstrates a provision is made for future commercial tenancies on the Nelson Street frontage.

Acknowledging the planning report discusses the Crime Prevention through Environmental Design (CPTED) strategies including the provision of retail and communal spaces presenting to 'Penny Square', I am yet to be convinced that the successful implementation of the strategies are demonstrated in the submitted documents. I am particularly concerned about the lack of sufficient passive surveillance to the public spaces after hours. I understand that the project team intend to transfer the publicly accessible spaces to the City of Adelaide. Therefore it is particularly critical to the success of the overall development that the public spaces are safe at all times for the residents and the wider community alike. I encourage ongoing discussion with Council with the view to achieving a mutually appropriate generous public space, informed by building management, solar access, lighting and a landscaping strategy. Consideration of daytime and nighttime uses of the public spaces is also strongly recommended.

The built forms of this proposal include a 25 storey (78 metre) tall residential tower, and four three-storey townhouses. The residential apartment building includes a 16.5 metre high podium, and the apartment built form above is setback from the podium by ten metres to the east and 4.6 metres from the west. I support the proposed height of the residential tower, as the project site is located within the Capital City Zone where no prescribed height limit applies. The proposed height is also significantly lower than the height of the Stage One apartment building. I also support the provision of the podium. The height of the podium has been increased by 1.5 metres since the original scheme was approved. I do not object to the proposed podium height, however my support is contingent on the convincing demonstration of a visual relationship between the podium and the adjoining State heritage place at 34 Carrington Street. To that end, I am of the opinion that the provision of an enlarged western elevation drawing depicting the redesigned podium facade patterns and the detailing of the State heritage place, would assist in clearly communicating the design intent.

The residential apartments on the floors above the podium are oriented east-west with the intention to address potential overlooking to the Federal Court building. In my opinion, reorientation of the building to provide north-south apartments will improve the residential amenity and sustainability performance of the development.

Level 1 26-28 Leigh Street Adelaide SA 5000

GPO Box 1533 Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884 E- odasa@sa.gov.au



OFFICE FOR DESIGN + ARCHITECTURE©

File No: 2014/11234/01

Ref No: 13549947 However I acknowledge the challenges of the site specific adjacency issues with the Federal Court building and support the proposed orientation on balance.

I strongly support the architectural expression of the residential apartment building, which reflects the design principle to deliver a rational building outcome. I also support the expression to be distinctive from the Stage One development, as both buildings are designed through different conceptual approaches. Profiled metal sheet cladding (solid and perforated) is proposed for the podium, with the intent to deliver an architectural expression that is respectful of the adjoining State heritage place. I also acknowledge that the project team has consulted with Heritage SA while redesigning the podium expression from brickwork as previously proposed for the approved scheme. I defer any heritage related comments to Heritage SA, however I am of the view that the profile, scale and finish of the metal sheet cladding, as well as the colours, are critical in achieving the envisaged architectural expression. I request confirmation of the metal cladding details and the provision of the material samples to clearly demonstrate the consistency of the amended podium expression with the original design intent. I note that Heritage SA has previously advised for a cladding material with a matt finish.

The apartment floors above are horizontally articulated with continuous balconies on the west and east facades. The party walls and integrated air conditioning condenser enclosures provide secondary vertical articulations. The north and south elevations of the residential building are proposed to be solid in-situ concrete walls. While I support the intent to provide a neutral backdrop to the State heritage place, I am concerned by the challenges of controlling the concrete finishes to deliver the intended visual outcome. I support the provision of vertically expressed windows to the southern elevation.

The architectural expression of the three storey townhouses is contemporary and residential. I support the proposed approach, as the townhouses respond to the established scale of the existing built forms to the east of the subject site, while remaining coherent with the overall development.

On each apartment floor, four apartments are located on both sides of the central corridor. I support the mix of apartment types proposed, including affordable housing options. I also support the proposed apartment configurations, which are highly efficient and afford outlook, and access to natural light and ventilation to all habitable rooms. Acknowledging the proposed balcony depth of 1.8 metres is below the minimum dimension set by the City of Adelaide, I consider them functional in the proposed configuration, particularly given the proposal for level threshold to balconies. I generally do not support the location of air conditioning condenser units on balconies, due to adverse impacts on the amenity of that space and the street. While I support the intent to locate the condensers within integrated furniture pieces, further information is required to demonstrate that the proposed arrangement successfully mitigates the environmental impacts on balcony user amenity. An opportunity exists to enlarge the private open space provisions at the top of the podium (level five) to vary the apartment offerings. It can also assist in improving passive surveillance of the public spaces. While I acknowledge the rational planning approach to mirror the apartment layouts along the central corridor, I remain concerned about the location of apartment entries opposite each other, which does not reflect good practice in apartment living. I recommend the

Level 1 26-28 Leigh Street Adelaide SA 5000

GPO Box 1533 Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884 E- odasa@sa.gov.au



Government of South Australia

OFFICE FOR DESIGN + ARCHITECTURE

File No: 2014/11234/01

Ref No: 13549947 review of the apartment entry locations to improve residents' privacy and amenity. I support the provision of access to natural light and ventilation at the ends of corridors.

In comparison to the approved scheme, the floor to floor height for the each apartment level has been reduced by 80mm. While the reduction is minor, my support for this amendment is contingent on the floor to ceiling height for the residential apartments being maintained at 2.7 metres.

The proposal includes five levels of above ground car parking within the podium. I typically do not support above ground car parking for this location, due to the risk of poor urban design outcomes. However, I support the proposed arrangement on balance, as the car parking floors have sufficient ceiling heights to allow for future adaptability.

I strongly support the provision of the publicly accessible square within the development site. However further information is required to demonstrate that the proposed soft landscaping can be successfully sustained and maintained. I recommend further development of the landscaping design, incorporating the urban design and CPTED principles. It is important to the overall success of the project that the active involvement of a landscape architect is maintained, to ensure successful outcomes for all communal open spaces.

To ensure the most successful design outcome is achieved the State Commission Assessment Panel may like to consider particular aspects of the project, which would benefit from protection as part of the planning permission, such as:

- Development of a high quality lobby area to provide a clear and intuitive connection between 'Penny Square' and Nelson Street.
- Implementation of CPTED strategies to ensure that the public spaces are safe at all times for the residents and the wider community.
- Provision of further information to demonstrate that the proposed air conditioning condenser enclosure arrangement successfully mitigates the environmental impacts.
- Review of the apartment entry locations to avoid adjacency.
- Provision of further information to demonstrate the successful sustainment and maintenance of the proposed soft landscaping.
- A high quality of external materials for building and landscaped areas supported by the provision of a materials sample board.

Yours sincerely

Kirsteen Mackay South Australian Government Architect

Level 1 26-28 Leigh Street Adelaide SA 5000

GPO Box 1533 Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884 E- odasa@sa.gov.au



Government of South Australia



Government of South Australia Department for Environment and Water

Heritage South Australia

Economic and Sustainable Development Group Level 8 81-91 Waymouth Street Adelaide SA 5000 GPO Box 1047 Adelaide SA 5001 Australia DX138

Ph: +61 8 8124 4960 Fax: +61 8 8124 4980

www.environment.sa.gov.au

Ref: SH/13432D Date: 10 January 2019

Secretary - Ms Alison Gill State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

Attention: Lauren Talbot

Dear Ms Talbot

DESCRIPTION: STAGED APPLICATION COMPRISING DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF A TWENTY-FOUR (24) STOREY MIXED USE DEVELOPMENT AND A THREE (3) STOREY RESIDENTIAL FLAT BUILDING, ANCILLARY CAR PARKING, LANDSCAPING, PUBLIC CIRCULATION AREAS AND LANDSCAPED COMMUNAL OPEN SPACE – 27 ANGAS STREET/11-19 PENNY PLACE, ADELAIDE

| Application number: | 020/A102/18 (previously assessed as 020/A068/17 and 020/A068/17 V1) |
|-----------------------|--|
| Referral received: | 7/01/2019 |
| State heritage place: | Bar Chambers (former Dwelling), 34 Carrington Street ADELAIDE |

The above application has been referred to the Minister for Environment and Water in accordance with Section 37 of the *Development Act* 1993 as development that directly affects a State heritage place or, in the opinion of the relevant authority, materially affects the context within which a State heritage place is situated.

Subject to the recommendation set out below, the proposed development is considered to be acceptable in relation to the above State heritage place for the following reason/s.

Direct material impacts on the State heritage place

• The proposed development is confined to a site adjacent to the site of the State heritage place. It does not directly affect the physical fabric or material heritage values of the State heritage place.

Visual impacts on the context of the State heritage place

- The proposed three-storey townhouse building will not be visible in views of the State heritage place, and consequently does not affect its visual context.
- The proposed apartment tower is set back approximately 26 metres from the Carrington Street boundary of Bar Chambers. This degree of separation is considered to maintain an adequate visual presence for the State heritage place within the streetscape context of Carrington Street without the height of the tower overly dominating its scale and sense of place within the streetscape.
- The following aspects of the proposed apartment tower are considered to demonstrate a reasonable design response to the two-storey State heritage place.

The metal-clad podium component is considered capable (as conditioned) of achieving a sympathetic scale relationship with the State heritage place, assisted a) by the separation resulting from the intervening right-of-way to the north of the State heritage place; b) by its singular expression of form arising from the 4.5m setback of the main tower above the podium level; and c) by the strong material and architectural differentiation between the design languages of the podium and tower.

Subject to further design development and detail as conditioned below, the architectural and material expression of the podium is considered an appropriate response to the visual character and scale of the State heritage place. Similarly, subject to further information and detail as conditioned below, the in-situ concrete southern service core is considered an acceptably neutral backdrop to the State heritage place.

• The application demonstrates the flexibility of the apartment building design to respond to future land use changes in Nelson Street by delivering greater activation of the ground floor frontage, with consequential benefit to the context of the State heritage place.

Recommendation

A. The following condition/s should be incorporated into any consent or approval.

Condition 1: Design development of the podium's western aspect shall be undertaken to the satisfaction of the State Commission Assessment Panel, prior to construction.

Aspects requiring resolution shall include:

for the ground floor brickwork...

a) the specification of materials, colours, finishes, bond pattern and pointing; and for the metal cladding of the upper section...

- b) the specification of material, colours and finish;
- c) the perforation pattern;
- d) the layout and disposition of perforated versus solid facets;
- e) the layout and disposition of colours; and
- f) detailing of corners, top and bottom edges and junctions.

Reason for condition: The final visual expression of the metal screen's western face, and its articulation of solidity versus permeability, are important to the quality of the podium's visual relationship with the State heritage place.

Bearing in mind that the height of the podium at 17.5 metres above ground level is considerably greater than the datum lines of Bar Chambers (drawn at 10 metres to the gable and 7.5/8.5 metres for the horizontal parapets), the success of this visual relationship will depend on the way in which the colouring and perforation of the podium screen are applied across this face as a contextual response to Bar Chambers.

It is unclear whether perforations are intended to be applied to one or both faces of the V-shaped panels. The sense of solidity versus transparency as seen from the Carrington Street/Nelson Street corner is an important factor in developing a design that adequately responds and relates to the scale of Bar Chambers, and one that will be influenced by the orientation of perforated sections to face north-west or south-west.

Condition 2: Details of the finished appearance of the in situ concrete service cores shall be confirmed to the satisfaction of the State Commission Assessment Panel, prior to the granting of development approval.

Aspects requiring further detail shall include...

- a) how junctions between floor-by-floor concrete pours are to be managed;
- b) whether the faces are expressed as monolithic surfaces or visually articulated;
- c) the surface texture (eg smooth off-form finish or textured/modelled finish); and
- d) whether the surfaces are to have a secondary applied finish, and suitable quality control measures to achieve consistency of finish to an acceptable standard.

Reason for condition: The quality and consistency of the southern core's finish is important to its success as a neutral backdrop to the State heritage place.

Condition 3: External materials, colours and finishes shall be subject to the provision of a materials sample board to the satisfaction of the State Commission Assessment Panel, prior to the granting of development approval.

Reason for condition: The finished appearance and visual character of the apartment tower are important to the quality of its visual relationship with the State heritage place.

General notes

- Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Environment and Water. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
- 2. To ensure a satisfactory heritage outcome, the relevant planning authority is requested to consult the Department for Environment and Water in finalising any conditions or reserved matters above.
- 3. In accordance with Regulation 43 of the Development Regulations 2008, please send the Department for Environment and Water a copy of the Decision Notification.
- 4. The relevant planning authority is requested to inform the applicant of the following requirements of the Heritage Places Act 1993.
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department for Environment and Water.

- 5. The relevant planning authority is requested to inform the applicant of the following requirements of the Aboriginal Heritage Act 1988.
 - (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

For any enquiries in relation to this application, I can be contacted on telephone 8124 4935 or e-mail <u>peter.wells@sa.gov.au</u>.

Yours sincerely

Peter Wells Principal Conservation Architect DEPARTMENT FOR ENVIRONMENT AND WATER as delegate of the MINISTER FOR ENVIRONMENT AND WATER



25 Pirie Street, Adelaide GPO Box 2252 Adelaide South Australia 5001

W cityofadelaide.com.au

ABN 20 903 762 572

T (08) 8203 7203 **F** (08) 8203 7575

 Enquiries:
 Helen Dand 8203 7380

 CoA Ref:
 \$10/2/2019

 SCAP Ref:
 020/A102/18

25 January 2019

State Commission Assessment Panel GPO Box 1815 Adelaide SA 5001

Attention: State Commission Assessment Panel

Dear Sir/Madam

| Application: Applicant: | S10/2/2019 FLAGSHIP (PENNY PLACE) P/L |
|----------------------------|--|
| Address: | KODO, 23-31 ANGAS STREET, ADELAIDE SA 5000 |
| Description: | STAGED APPLICATION COMPRISING DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A 24 STOREY MIXED USE DEVELOPMENT AND A THREE (3) STOREY RESIDENTIAL FLAT BUILDING, ANCILLARY CAR PARKING, LANDSCAPING, PUBLIC CIRCULATION AREAS AND LANDSCAPED COMMUNAL OPEN SPACE TO BE UNDERTAKEN IN STAGES |

Council has the following comment(s) to make on the above application:

| TECHNICAL COMMENTS | |
|------------------------|--|
| TRAFFIC / TRANSPORT | No objections from a traffic perspective subject to: All traffic controls to comply with AS1742 Car parking layout to comply with AS2890 |
| WASTE | There appears to be no amended waste management plan to demonstrate changes in increased waste generation to assess the impact on the previously approved design. This needs to be reviewed to ensure storage area and collection frequency is still adequate to support the development. This also needs to include waste generation and pathways from townhouses and public space (common area). |



PLANNING RELATED COMMENTS

Council Administration has not undertaken a thorough planning assessment of the proposal but makes the following comments in relation to the proposed development:

AMENDED PODIUM It is considered that the podium element is a positive inclusion and provides an improved interface with the State Heritage place adjacent to the south.

Yours faithfully

Helen Dand ACTING MANAGER - PLANNING ASSESSMENT

6.

| Applicant: | Flagship (Penny Place) Pty Ltd c/- Intro Design | | | | |
|---|---|--|--|--|--|
| Development Number: | 020/A102/18 | | | | |
| Nature of Development: | Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space (must be consistent with APPIAN description) | | | | |
| Development Type: Merit | | | | | |
| Zone / Policy Area: | Capital City Zone, Central Business Policy Area 13 | | | | |
| Subject Land: 27-31 Angas Street, Adelaide | | | | | |
| Contact Officer: Lauren Talbot | | | | | |
| Phone Number: | 8402 1786 | | | | |
| Close Date: | 30 January 2019 | | | | |
| My Name: Poli | Y CALDOW My phone number: 0417454052 | | | | |
| Primary method(s) of conta | Act: Email: Poly, caldow C ismapny, org, au Postal P-0. Box 5067. | | | | |
| | Address: AUPHINATON Postcode: 3078. | | | | |
| You may be contacted via you be heard by the State Commi | r nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to | | | | |
| | | | | | |
| My interests are: | owner of local property | | | | |
| E | occupier of local property | | | | |
| a representative of a company/other organisation affected by the proposal | | | | | |
| Г | a private citizen 53 Walcefield & Adelaide | | | | |
| The address of the propert | y affected is: 41-47 Augus at Postcode | | | | |
| | | | | | |
| (please tick one) | I support the development | | | | |
| Г | I support the development with some concerns | | | | |
| Г | I oppose the development | | | | |
| The specific aspects of the app | plication to which I make comment on are: | | | | |
| | | | | | |
| | | | | | |
| I: wish to b | e neard in support of my submission | | | | |
| (please do not w tick one) (Please tid | ish to be heard in support of my submission <i>:k one)</i> | | | | |
| By: appearing | personally | | | | |
| (please being repr tick one) (Please tick | esented by the following person | | | | |
| Signature: | | | | | |
| Date: 16/01 | 2018 | | | | |
| | | | | | |

| Applicant: Development Number: Nature of Development: Development Type: Zone / Policy Area: Subject Land: Contact Officer: Phone Number: Close Date: My Name: Chilstopho Primary method(s) of contact: <u>u may be contacted via your ne</u> heard by the State Commissio My interests are: (please tick one) | Flagship (Penny Place) Pty Ltd c/- Intro Design 020/A102/18 Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space (must be consistent with APPIAN description) Merit Capital City Zone, Central Business Policy Area 13 27-31 Angas Street, Adelaide Lauren Talbot 8402 1786 30 January 2019 M = OS + CM My phone number: $D427 525244Email: Chrisfoster Are gmail-6mPostalAddress: Postcode: SODtominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish toon Assessment Panel in support of your submission.$ | | |
|--|--|--|--|
| Development Number: Nature of Development: Development Type: Zone / Policy Area: Subject Land: Contact Officer: Phone Number: Close Date: My Name: <u>/////StopWarestee</u> My Name: <u>/////StopWarestee</u> Primary method(s) of contact: <u>u may be contacted via your ne heard by the State Commission</u> My interests are: (please tick one) | 020/A102/18 Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space (must be consistent with APPIAN description) Merit Capital City Zone, Central Business Policy Area 13 27-31 Angas Street, Adelaide Lauren Talbot 8402 1786 30 January 2019 V + OS + CV My phone number: $D427 + 525244Email: chrisfoster tv & gmail-comPostalAddress: Postcode: 500tominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish toon Assessment Panel in support of your submission.$ | | |
| Nature of Development: Development Type: Zone / Policy Area: Subject Land: Contact Officer: Phone Number: Close Date: My Name: <u>histopho</u> Primary method(s) of contact: <u>u may be contacted via your ne</u> <u>heard by the State Commissio</u> My interests are: (please tick one) | Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space (must be consistent with APPIAN description) Merit Capital City Zone, Central Business Policy Area 13 27-31 Angas Street, Adelaide Lauren Talbot 8402 1786 30 January 2019 M + OS + CM My phone number: $D427 + S25244Email: Christoster tree gmail Gmail GmailAddress: Postcode SOOrominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish toon Assessment Panel in support of your submission.$ | | |
| Development Type: Zone / Policy Area: Subject Land: Contact Officer: Phone Number: Close Date: My Name: <u>A I IS</u> OP Primary method(s) of contact: <u>u may be contacted via your ne</u> <u>heard by the State Commissio</u> My interests are: (please tick one) | Merit Capital City Zone, Central Business Policy Area 13 27-31 Angas Street, Adelaide Lauren Talbot 8402 1786 30 January 2019 U + OS + CU My phone number: $D427 52524Email: Christoster tv @ gmail.comPostalAddress: Postcode: 500nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish toon Assessment Panel in support of your submission.$ | | |
| Zone / Policy Area: Subject Land: Contact Officer: Phone Number: Close Date: My Name: <u>A I ISTOP</u> Primary method(s) of contact: <u>u may be contacted via your nu- heard by the State Commissio</u> My interests are: (please tick one) | Capital City Zone, Central Business Policy Area 13 27-31 Angas Street, Adelaide Lauren Talbot 8402 1786 30 January 2019 U = OS + CU My phone number: $D427 52524Email: Christoster tv @ gmail. GmPostalAddress: Postcode: 500100100100100100100100$ | | |
| Subject Land: Contact Officer: Phone Number: Close Date: My Name: <u>A I ISTOP</u> Primary method(s) of contact: <u>u may be contacted via your ne heard by the State Commissio</u> My interests are: (please tick one) | 27-31 Angas Street, Adelaide Lauren Talbot 8402 1786 30 January 2019 W + OS+CW My phone number: 0427 52524 Email: Chrisfoster tv @ gmail. Gm Postal Address: Postcode: 500 ³ postcode: 500 ³ postcode: 500 ³ | | |
| Contact Officer: Phone Number: Close Date: My Name: <u>/////Stopho</u> Primary method(s) of contact: <u>u may be contacted via your nu- heard by the State Commission</u> My interests are: (please tick one) | Lauren Talbot 8402 1786 30 January 2019 W TOSTEW My phone number: 0427 52524 Email: Christostert & GMail. Gm Postal Address: Postcode: 500 cominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to on Assessment Panel in support of your submission. | | |
| Phone Number: Close Date: My Name: <u>(h 1 St 0 ph)</u> Primary method(s) of contact: <u>u may be contacted via your ne heard by the State Commissio</u> My interests are: (please tick one) | 8402 1786 30 January 2019 W +OS+CW My phone number: 0427 52524 Email: Christostertv@gmail.com Postal Address: Postcode: 500 postcode: 5 | | |
| Close Date: My Name: <u>/////Stop//</u> Primary method(s) of contact: <u>u may be contacted via your m</u> <u>heard by the State Commissio</u> My interests are: (please tick one) | 30 January 2019 W FOSTEW My phone number: 0427 52524 Email: Christoster tv @ gmail. 60 Postal Address: Postcode: 500 cominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to on Assessment Panel in support of your submission. | | |
| My Name: <u><u>hit 15</u> 0 <u>p</u><u>M</u> Primary method(s) of contact: <u>u may be contacted via your ne heard by the State Commissio</u> My interests are: (please tick one)</u> | W +OS+CV My phone number: 042752524 Email: Chrisfostertv@gmail.com Postal 22/15 SerMov Pl Address: Postcode: 5003 nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to on Assessment Panel in support of your submission. | | |
| Primary method(s) of contact: <u>u may be contacted via your no- heard by the State Commission</u> My interests are: (please tick one) | Email: Christoster tv @ gmail. Com Postal Address: Postcode: 5003 Cominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to on Assessment Panel in support of your submission. | | |
| u may be contacted via your n heard by the State Commissic My interests are: (please tick one) | ominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to on Assessment Panel in support of your submission. | | |
| In the state of th | ominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to on Assessment Panel in support of your submission. | | |
| My interests are: | Assessment Parler in support of your submission. | | |
| My interests are: (please tick one) | | | |
| | owner of local property | | |
| | occupier of local property | | |
| | a representative of a company/other organisation affected by the proposal | | |
| | a private citizen | | |
| The address of the property af | fected is: 22/15 SefMOVE Place Postcode 500 | | |
| My interests are: | J support the development | | |
| (please lick one) | I support the development with some concerns | | |
| | is support the development with some concerns | | |
| | l oppose the development | | |
| e specific aspects of the applica | ation to which I make comment on are: See opposite Side | | |
| | | | |
| | | | |
| | | | |
| I: 🔽 wish to be h | eard in support of my submission | | |
| (please 🗖 do not wish tick one) (Please tick or | to be heard in support of my submission <i>ne</i>) | | |
| By: 🗖 appearing per | rsonally | | |
| lease 🔲 being réprese | y ted by the following person | | |
| ck one) (Flease tick of e | | | |
| | | | |
| gnature: V//L fr | | | |
| gnature: $\frac{1}{26}$ | 9 | | |

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or Email: scapreps@sa.gov.au

X (Demolition has already been completed) - Howis this even possible? (1) personally attempted with the contact listed on site via sms and the company Flagship via email. In both instances, there was no reply. (2) I contacted ACC CSPOC) Michael Banitsiotis, Via email and informed that (a) The demolition was occuring without notification (b) Works were occurring outside of CEMP conditions, via jackhannering before 9Am (c) works were conducted on a Sunday, including Jackhammer, before 9An (d) SPOC advised they would contact Project Manager regarding violations, but no change in behavior coccurer. The applicant is clearly a comboy outfit with no concern to abiding to a CEMP or communications with nearly stateholdors nearby stateholders. * The ACC (SPCC) have no accountability mechanisms n place to action complaints of CEMP breacher. They have no ticketivis system / reference numbers as an audit trail. They simply state to send complaints to s. spoce () Finalised CEMP must be sent to all adjacent resident, with clear instructions on how to report breaches Noise Level (ab) limits must be advised and instruction on how to report Limits what must happen from here? (3) ACC (SPOC), Must have an ticketing system for Complaint tracking. I Breacks of CEMP must have ramifications for applicant Mow are we to be in the loop on outcomes re Acc(SPOC)

| Applicant: Flagship (Penny Place) Pty Ltd d-Intro Design Development Number: 020/A102/18 Nature of Development: Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey mixed use development and a three (3) storey and advecting in the consistent with APPIAN description) Development Type: Merit Zone / Policy Area: Capital City Zone, Central Business Policy Area 13 Subject Land: 27-31 Angas Street, Adelaide Contact Officer: Laurein Tailot Phone Number: 8402 1786 Close Date: 30 January 2019 My Name: AWD REX Pointary method(s) of contact: Email: Post Merice Contracted Via your nominated PRIMARY METHOD(s) OF CONTACT If you indicate below that you wish to be heard by the State Commission Assessment Panel. In support of your submission. My interests are: □ owner of local property If east by the State Commission Assessment Panel. In support of your submission. Postcode: Soco My interests are: □ owner of local property Postcode: Soco My interests are: □ Isupport the development with some concerns Foloo CARGE Aconconcerns Foloo CARGE Aconcon | | | | | | |
|---|--------------------------------|----------------------------------|---|--|--|--|
| Development Number: 020/AND2/18 Nature of Development: Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, anciliary car parking, landscaping, public decidion areas and landscaped communal open space (must be consistent with APPIAN description) Development Type: Merit Zone / Policy Area: Capital City Zone, Central Business Policy Area 13 Stubject Land: 27-31 Angas Street, Adelaide Contact Officer: Lauren Talbot Phone Number: 3402 1786 Close Date: 30 January 2019 My Name: AWD RLK) String and the space of | Applicant: | | Flagship (Penny Place) Pty Ltd c/- Intro Design | | | |
| Nature of Development: Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey interval and take 20) storey interval and | Developme | velopment Number: 020/A102/18 | | | | |
| Development Type: Merit Zone / Policy Area: Capital City Zone, Central Business Policy Area 13 Subject Land: 27-31 Angas Street, Adelaide Contact Officer: Guaren Talbot Phone Number: 8402 1786 Close Date: 30 January 2019 My Name: AV D & G.S. Primary method(s) of contact: Email: Average Postal Postal < | Nature of D | Development: | Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space (must be consistent with APPIAN description) | | | |
| Zone / Policy Area: Capital City Zone, Central Business Policy Area 13 Subject Land: 27-31 Angas Street, Adelaide Contact Officer: Lauren Talbot Phone Number: S402 1786 Close Date: 30 January 2019 My Name: AWD AGS Primary method(s) of contact: Email: Potal Potal Address: If Contact You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT If you indicate below that you wish to be heard in support of your submission. My Interests are: Concupier of local property (please tick one) Concupier of local property The address of the property affected is: 38-40 Christwice Contract Stapport the development If please tick one) If support the development The specific aspects of the application to which I make comment on are: Postcode My Interests are: Isupport the development (please tick one) If support the development The specific aspects of the application to which I make comment on are: Ref Contact My interests are: Isupport the development (please tick one) If support of my submission < | Developme | nt Type: | Merit | | | |
| Subject Land: 27-31 Angas Street, Adelaide Contact Officer: Gairen Talbot Phone Number: 8402 1786 Close Date: 30 January 2019 My Name: AWD AGS Status The Address My Name: AWD AGS Status Contact Officer: Primary method(s) of contact: Email: Primary method(s) of contact: Email: Postal Contact Max METHOD(s) OF CONTACT If you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission. My Interests are: Coccupier of local property Coccupier of local property Coccupier of local property My interests are: I support the development If leave tick one! I support the development If leave tick one! I support the development with some concerns If leave tick one! I support the development with some Concererus If leav | Zone / Polic | cy Area: | Capital City Zone, Central Business Policy Area 13 | | | |
| Contact Officer: Lauren Talbot Phone Number: 8402 1786 Close Date: 30 January 2019 My Name: AND RESCONDENT Control of the property affected is: Primary method(s) of contact: Email: Postal Address: Postal Address: Vou may be contacted via your nominated PRIMARY METHOD(s) or CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission. My interests are: Concupier of local property Image: Image: Postcode: Image: Image: Signature: Image: Image: Signature: Image: Image: Signature: Image: Image: Signature: Image: Im | Subject Lan | d: | 27-31 Angas Street, Adelaide | | | |
| Phone Number: 8402 1786 Close Date: 30 January 2019 My Name: ANDRES STABLIDES My phone number: 0439803639 Primary method(s) of contact: Email: Refew Q with a commercial low and postal Address: Postal Postal Postal Contact: Postal Postal Postal Contact: You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission. Postcode: Co 6-7 You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission. Postcode: Co 6-7 My interests are: occupier of local property a representative of a company/other organisation affected by the proposal a private citizen The address of the property affected is: 38-40 CAREWARDEN ST Postcode support the development i support the development with some concerns i support the development on are: Buttoptick Heard Method Steres ACMENTATION Method Posteres ACMENTATION Method Posteres ACMENTATION Method Posteres ACMENTATION Method Posteres Method Posteres ACMENTATION Method Posteres<td>Contact Off</td><td>icer:</td><td>Lauren Talbot</td> | Contact Off | icer: | Lauren Talbot | | | |
| Close Date: 30 January 2019 My Name: $AVDR(K)$ STMBOLIDES My phone number: 0439803639 Primary method(s) of contact: Email: $andrew C with an commercial.com.an Postal Box KS Postol andrew C with an commercial.com.an You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission. Postcode: 50.67 You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission. Postcode: 50.67 You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission. My interests are: I compose the development If a private citizen If a private citizen Postcode 5000 My interests are: I support the development Postcode 5000 If please tick one? I support the development Fis postcode 5000 My interests are: I support the development If Contact House Mich I make comment on are: But I DI PA HOUSE A CONDENSER J Actine States Fis powrmeterevelopment The specif$ | Phone Num | iber: | 8402 1786 | | | |
| $\begin{array}{c c c c c c c c c c c c c c c c c c c $ | Close Date: | | 30 January 2019 | | | |
| Primary method(s) of contact:Email:Andrew Curban connercial. com. and PostalPostalPostalPostalPostalPostalPostalPostalSox 75You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT If you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.Postcode:Go 67You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT If you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.Postcode:Go 67My interests are: (please tick one)Cowner of local propertyFoccupier of local propertyThe address of the property affected is:Sb 40CARCWARD STPostcodeSocoMy interests are: (please tick one)I support the developmentPostcodeSocoMy interests are: (please tick one)I support the development with some concerns I support the development to ALETATESPostcodeSocoMy interests are: (please tick one)I support of my submissionCRETEAL (PORTACEALETATESMy interests are: (please tick one)I support of my submissionCRETEAL (PORTACEMy interests are: (please tick one)I support the development with some concerns I support the development to ALETATE ALETATE ALETATEThe specific aspects of the application to which I make comment on are: BUIL DIMA CONDENSERS ALETATE ALETATE ALETATEKetter (PortateIf wish to be heard in support of my submission | My Name: | ANDRES | STABOLIDES My phone number: 0439803639 | | | |
| You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT IT you indicate below that your desines be heard by the State Commission Assessment Panel in support of your submission. My interests are: $\[\] owner of local property \\ \] coccupier of loca$ | Primary me | thod(s) of contact: | Email: <u>andrew Curban commercial.com.am</u> Postal <u>Po Box 755</u> Address: <u>Kirt Nown</u> Postcode: <u>5067</u> | | | |
| My interests are: owner of local property coccupier of local property a representative of a company/other organisation affected by the proposal a private citizen The address of the property affected is: 38 - 40 CARAWLYON ST Postcode 50000 5000 50000 | You may be co | ontacted via your no | minated PRIMARY METHOD(s) OF CONTACT IF you indicate below that you wish to | | | |
| My interests are: owner of local property occupier of local property a representative of a company/other organisation affected by the proposal a private citizen The address of the property affected is: 38 - 40 CARAWLYON ST Postcode 5000 <td>be neard by u</td> <td>ne state commission</td> <td></td> | be neard by u | ne state commission | | | | |
| □ occupier of local property □ a representative of a company/other organisation affected by the proposal □ a private citizen □ a private citizen ■ ■ My interests are: □ □ I support the development □ □ □ □ ■ □ ■ □ ■ □ ■ □ □ □ ■ □ ■ □ □ □ □ □ ■ □ ■ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ | My interest (please tick o | is are: | owner of local property | | | |
| The address of the property affected is: $38-40$ (ARAWGON STPostcodeThe address of the property affected is: $38-40$ (ARAWGON STPostcodeMy interests are: (please tick one) Γ I support the developmentThe specific aspects of the application to which I make comment on are: BUICDIPA HEIGHT, BYICRIPA ORIERS; ACTIVE STREET FOONTARE VENILLE ACLER; South Contract Street FoontareI support the developmentThe specific aspects of the application to which I make comment on are: BUICDIPA HEIGHT, BYICRIPA ORIERS; ACTIVE STREET FOONTARE VENILLE ACLER; South Contract Street Foontare UENILLE ACLER; South Contract Street Foontare By: I wish to be heard in support of my submission (please tick one)(REFER LEOTER: BURNE (MASSEDIEND) By: I appearing personally being represented by the following person (Please tick one)GRAMMENT BURNE (MASSEDIEND) BURNE STREET FOONTARE BURNE (MASSEDIEND) BURNE STREET FOONTARE | | Г | occupier of local property | | | |
| $ \begin{array}{c ccccccccccccccccccccccccccccccccccc$ | | X | a representative of a company/other organisation affected by the proposal | | | |
| The address of the property affected is: $38-40$ (ARAWADON ST Postcode 500) My interests are: (please tick one) Γ I support the development Γ I support the development with some concerns ∇ I oppose the development on are: <u>BUILDING HEIGHT</u> , <u>BUILDING ORIENTATION</u> <u>AIR GONDITES FING</u> CONDENSERS A ACT STREET FOONTAGE <u>VENILLE RELEAR</u> , <u>SOUTHERN</u> ROUMANT INTERFACE I: ∇ wish to be heard in support of my submission (please Γ do not wish to be heard in support of my submission (please Γ do not wish to be heard in support of my submission (please Γ do not wish to be heard in support of my submission (please Γ do not wish to be heard in support of my submission (please Γ do not wish to be heard in support of my submission (please Γ do not wish to be heard in support of my submission (please tick one) By: Γ appearing personally (please tick one) Γ being represented by the following person (Please tick one) Γ being represented by the following person Γ AN BE REDUINCES THAT | | ŕ | a private citizen | | | |
| The address of the property affected is: $38-40$ CARGWGON STPostcodeMy interests are: (please tick one) Γ I support the development Γ I support the development with some concerns ∇ I oppose the developmentThe specific aspects of the application to which I make comment on are: $BUILDINA HEIGHT, BYILIDINA ONIENTATIONAIR GONDITES FINAL CONDENSERS A ACTIVE STREET FOONTAFEVENILLE RELEAR SOUTHERS ROUTHERS ACTIVE STREET FOONTAFEI:\nabla wish to be heard in support of my submission(Please tick one)By:Please tick one)Appendent of my submissionPlease tick one)By:Please tick one)Appendent of my method Succes for any of the following personAppendent of following personAppendent of following following personAppendent of following following personAppendent of following person$ | | , | | | | |
| My interests are: (please tick one) Γ I support the development Γ I support the development with some concerns Γ Γ I oppose the developmentThe specific aspects of the application to which I make comment on are: R R <t< td=""><td>The address</td><td>s of the property aff</td><td>ected is: 38-40 CARGINGTON ST Postcode 5000,</td></t<> | The address | s of the property aff | ected is: 38-40 CARGINGTON ST Postcode 5000, | | | |
| I support the development with some concerns I oppose the development The specific aspects of the application to which I make comment on are: <u>BUILDING HERGHART</u> , <u>BUILDING OMENTATION</u> AIR GONDITES FING CONDENSERS; <u>ACTIVE STREET FOONTATE</u> <u>VENULE ACLERY</u> ; <u>SOUTHERN</u> BURNE ACCE I: Wish to be heard in support of my submission (please do not wish to be heard in support of my submission (please tick one) On out wish to be heard in support of my submission (please tick one) Definition of the following person of the following person of the support of my submission (please tick one) Definition of the following person of the support of the | My interest (please tick o | ts are: | I support the development | | | |
| Image: Second | | Γ. | I support the development with some concerns | | | |
| The specific aspects of the application to which I make comment on are: BUILDING HERGHT, BYILIDING ONEWTATEON AIR GONDITED FING CONDENSERS; ACTIVE STREET FOONTAGE VENILLE ACLEAR; SOUTHERN ROWNAMY INTERFACE I: Wish to be heard in support of my submission (please tick one) do not wish to be heard in support of my submission (please tick one) appearing personally being represented by the following person (Please tick one) GRAMAEM BURNE (MASTEN RUM) Signature: AMM Date: 30/01/19, | | | l oppose the development | | | |
| VENILLE ACLER, Southerw Rowrodd interaction I: Wish to be heard in support of my submission (please do not wish to be heard in support of my submission (please do not wish to be heard in support of my submission (please go not wish to be heard in support of my submission (please go not wish to be heard in support of my submission (please go not wish to be heard in support of my submission (please tick one) go not wish to be heard in support of my submission (please tick one) go not wish to be heard in support of my submission (please tick one) go not wish to be heard in support of my submission (please tick one) go not wish to be heard in support of my submission Signature: Apple Date: 30/01/19. | The specific as BUIL AIR | DING HEN CONDITED | tion to which I make comment on are: 6HT, BYILIDING ONENTATION ING CONDENSERS; ACTIVE STREET FOCUMPLE | | | |
| I: \swarrow wish to be heard in support of my submission(REFERILIENTER)(please tick one) \Box do not wish to be heard in support of my submission (Please tick one) \Box \Box By: \Box appearing personallyappearing personally being represented by the following person (Please tick one) \Box \Box \Box \Box \Box Signature: \Box \Box \Box \Box \Box \Box \Box \Box \Box \Box \Box \Box Date: \exists \Box \Box \Box \Box \Box \Box \Box \Box \Box \Box \Box | VE | MILE ACLE | IN, SOUTHERN BOUNDANY INTERFACE | | | |
| (please tick one)do not wish to be heard in support of my submission (Please tick one)By:appearing personally $(please tick one)$ $(Please tick one)$ $(please tick one)$ $(Please tick one)$ Signature: $Am on on on on on on on o$ | l: | wish to be he | eard in support of my submission | | | |
| By: appearing personally (please tick one) being represented by the following person - GRAMAEM BURNS (MASPENDIUM) (Please tick one) - Ano Jon STHERG SUCH REPRESENTATIVES THAT Date: 30/01/19. MAY BE REDUILED. | (please tick one) | do not wish t (Please tick on | o be heard in support of my submission e) | | | |
| (please tick one) being represented by the following person - GRAMAEM BURNE (MASPENDIUM) (Please tick one) - AND JON STHERE SUCH REPRESENTATIVES THAT Date: 30/01/19. MAY BE REDUINED. | By: | - appearing per | sonally | | | |
| Signature: Allo Date: 30/01/19. MAY BE REWLINED. | (please tick one) | being represen | nted by the following person - GRANARY BURNS (MASTER 1000) - AND JON STHERE SUCH | | | |
| Date: 30/01/19. MAY ISE RECONTINEP. | Signature: | Asul | 2 REPRESENTATIVES THAT | | | |
| | Date: | 30/01 | 119. MAY ISE REQUITING. | | | |

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or Email: <u>scapreps@sa.gov.au</u>



Level 5, 50 Flinders Street Adelaide SA 5000

GPO Box 1815 Adelaide SA 5001

Telephone: 08 7109 7060 ABN 92 366 288 135

http://www.saplanningcommission.sa.gov.au/scap

TMAR P/L c/- Urban Commercial Property Group PO Box 755 KENT TOWN DC SA 5071

2019/00586/01

Dear Sir / Madam

Our Ref:

9 January 2019

| Application Number: | 020/A102/18 |
|---------------------|--|
| Applicant: | Flagship (Penny Place) Pty Ltd c/- Intro Design |
| Proposed | Staged application comprising demolition of existing building |
| Development: | and construction of a 24 storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped square |
| Subject Land: | 27 Angas Street (11-19 Penny Place) Adelaide |

As an adjoining owner/person potentially affected by the above development application, you are invited to view details of the application and make comment.

The application may be examined during normal business hours from the 15 January at the office of the State Commission Assessment Panel (SCAP), Level 5, 50 Flinders Street, Adelaide and at the office of Adelaide City Council. The application documentation is also available on the SCAP website http://www.saplanningcommission.sa.gov.au/scap/public_notices.

If you wish to comment on the application please complete the attached form. This must reach the Secretary, State Commission Assessment Panel, GPO BOX 1815, Adelaide SA 5001 by no later than **Close of Business** 30 January 2019.

You may be given an opportunity to appear before the SCAP to further explain your views. You will be contacted should a hearing be arranged.

If you have any questions relating to this matter, please contact me.

Yours sincerely

Lauren Talbot Senior Planning Officer as delegate of the STATE COMMISSION ASSESSMENT PANEL



Government of South Australia Department of Planning, Transport and Infrastructure

SAPLANNINGCOMMISSION.SA.GOV.AU/SCAP



30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

Attention: Lauren Talbot

Dear Ms Talbot,

Re: Flagship (Penny Place) Pty Ltd - DA 020/A102/18

We act for Bar Chambers Pty Ltd and Tmar Pty Ltd. Our clients are the registered proprietors of commercial premises situated at 34 Carrington Street, Adelaide and 38-40 Carrington Street, Adelaide respectively.

Our clients have requested us to review the above development application by Flagship (Penny Place) Pty Ltd, and if necessary, to make a representation in response to the State Commission Assessment Panel's letter dated 9 January 2019. We note that the development application has been classified as a Category 2 Development for notification purposes by SCAP.

In forming our opinions in this matter, we have:

- reviewed all the documents and plans made available for inspection for Category 2 notification purposes;
- reviewed an earlier application made by Flagship (Penny Place) Pty Ltd and which was considered by SCAP at its meeting held on 22 February 2018 (DA 020/A068/17);
- inspected the site of the proposed development and the surrounding locality; and

33 Carrington Street Adelaide, 5000 P (08) 8193 5600

Offices in SA | NT | QLD ISO 9001:2015 Certified ABN 30 007 755 277 masterplan.com.au iplan@masterplan.com.au



51185LET01



reviewed what we consider to be the relevant provisions of the City of Adelaide Development
 Plan (consolidated version dated 7 June 2018).

Summary Position

We are of the opinion that the proposal in its present form fails to adequately satisfy the relevant provisions of the Development Plan. For this reason, Development Plan Consent should be refused.

Concerns

1. <u>Building Height</u>

The site of the proposed development is in the Capital City Zone, and in Central Business Policy Area 13 of that Zone. The site is furthermore located in a part of the CBD where no building height limits apply, but abuts land immediately to the east where a 53 metre maximum building limit applies (see Adelaide (City) Building Heights Concept Plan Figure CC/1).

The proposed building will be 77.96 metres tall to the top of the parapet. It will therefore be 47 percent *taller* than the maximum building height specified for land in the abutting Policy Area.

Council-wide PDC 270 states:

270 Development located either abutting, straddling or within 20 metres of a Zone or Policy Area boundary should provide for a transition and reasonable gradation from the character desired from one to the other.

Capital City Zone PDC 22(c) is also relevant and states:

22 Development should have optimal height and floor space yields to take advantage of the premium City location and should have a building height no less than half the maximum shown on Concept Plan Figures CC/1 and CC/2,, except where one or more of the following applies:

.....

(c) the site is adjacent to a heritage place, or includes a heritage place;

The proposal fails to satisfy Zone PDC 270 of the Development Plan because it does not provide for a transition or reasonable gradation from the character desired in the Capital City Zone with the character sought for the adjacent Central Business Policy Area 13 immediately to the east. Instead, the proposal will create a drastic and sudden transition from the maximum building height permissible in the adjacent Capital City Zone.



I further note that the proposal shares a locality with a nearby City Living Zone. Such a substantial building will not provide for a transition or reasonable gradation from the desired character of the City Living Zone to the Central Business Policy Area 13.

It also fails to satisfy Zone PDC 22(c) because the site immediately to the south is a registered State Heritage place. In these circumstances the development should not be considered as one where any height is permissible, particularly in the context of an adjacent two-storey State Heritage Place.

2. <u>Building Orientation</u>

The apartment building is oriented east-west, contrary to good planning and contrary also to energy efficiency initiatives which encourage buildings to have a north-south orientation.

Council-wide PDC 108 (a) requires buildings to be energy efficient by:

a) Appropriate orientation of the building by;

- i. maximising north-south facing facades;
- ii. designing and locating the building so the north façade receives good direct solar radiation;
- iii. minimising east-west facades to protect the building from summer sun and winter winds;

The orientation of the proposed development presents a fundamental discrepancy with the Development Plan which is not explained. The proposed development does not warrant Development Plan Consent on this basis.

We also note that the apartment balconies are only 1.8 metres wide, which is less than the 2.0 metres minimum width specified for private open space for medium to high scale residential apartments (Council-wide PDC 61). The usable private open space on these balconies is further reduced by the location of external air-conditioning units on the balconies rather than on the roof which occurs on similar developments. The positioning of these air-conditioning units on the balconies rather than the roof will also likely have negative impacts on adjoining land-owners' amenity.

The balconies' inadequate depth will expose the apartments' living rooms and bedrooms to excessive sunlight penetration due to the lack of shadowing provided by the balcony ceiling. This will exacerbate the issues arising from the poor east-west orientation.

In the event the building were to be orientated North/South rather than East/West this would have a substantial flow-on effect to overcoming a number of other issues including the impact on the adjacent State Heritage item, the loss in amenity arising out of the location of air conditioning units and issues regarding the design of the southern-boundary interface.



3. Heritage Impact

Bar Chambers' building is listed as a State Heritage Item. Accordingly, the proposal is required to be designed and sited in accordance with Council-wide PDC 140 which states:

- 140 Development on land adjacent to a heritage place in non-residential Zones or Policy Areas should incorporate design elements, including where it comprises an innovative contemporary design that;
 - a) utilise materials, finishes and other built form qualities that complement the adjacent heritage place; and
 - b) is located no closer to the primary street frontage than the adjacent heritage place.

Surprisingly, the proposal was lodged without an independently prepared heritage assessment. Under Section 5.3.3 of the Planning Report submitted with the application, the only support that has been offered for the proposal's conformity to PDC 140 is a reference to the use of *"recycled brick which complements the western façade materiality of the State Heritage building to the south"*. We respectfully suggest that the use of red bricks alone does not go anywhere near satisfying PDC 140 (a), which, apart from materials, requires ".... finishes and other built form qualities that complement the adjacent heritage place".

Heritage SA, in its letter to SCAP dated 10 January 2018, advises that the previously approved and similar development was considered to be "acceptable", but goes on to list three conditions which should be incorporated into any consent. We are surprised that Heritage SA considers the south facing wall of the proposed building closest to the State Heritage Item is acceptable subject to the provision of further information. The southern wall of the proposal is very tall and plain. We do not understand how it could be concluded that the south facing wall, or the building itself "utilise(s) materials, finishes and other built form qualities that complement the adjacent heritage place".

Given the scale of the proposed development adjacent to the State Heritage Place, the proposed development fails to meet Council Wide Objective 43 in that it does not "*retain the heritage value and setting of a heritage place and its built form contribution to the locality*". The proposal also fails to satisfy Council Wide PDC 142 in that the State Heritage Place abuts the proposed development but has not been carefully integrated (or integrated in any manner whatsoever) and will be to the detriment of the heritage value of the State Heritage Place.

The scale of the proposed development will also take from the architectural contribution and character and amenity of the area to which the adjacent State Heritage Place provides. This is contrary to Council Wide PDC 146.



4. <u>Air Conditioner Condensers</u>

Each apartment will have an air conditioning unit placed on the associated balcony. As noted above, the balconies are very small and less than the minimum width specified in the Development Plan. Placing air conditioning units into this already confined space will further constrain the balconies' use and will be visually unappealing. We furthermore cannot identify how waste water from the air conditioning units will be discharged from each balcony unit.

The *"Typical AC Enclosure Axo"* hand drawn sketch on the application drawings furthermore lacks essential detail. The sketch has the top and bottom louvres for the air conditioner enclosure marked *"TBC"* which we assume is short-hand for *"To be confirmed"*. We are surprised that the associated acoustic report can conclude that the air conditioning units mounted on each balcony will comply with relevant noise legislation, when the louvre details are not even known.

We note that air conditioning units in developments such as this are commonly located on the roof or in some other concealed position to minimise the loss of amenity to adjacent land-owners.

5. <u>Vehicle Access</u>

The principal point of vehicle access into the building will be via a 6.3 metre-wide ramp on the south side of the building closest to our clients' premises. The Transport Impact Assessment by GTA Consultants predicts that 16 vehicles currently enter and 21 vehicles exit Nelson Street in the morning peak hour, and 13 vehicles enter, and 13 vehicles exit Nelson Street in the afternoon peak hour. GTA predicts that the proposal will generate 5 vehicles into the building and 18 vehicles out of the building in the morning peak hour.

| Traffic Volumes – Existing and Projected (Peak Hour) | | | | |
|--|-------------------|-----|---------------------|-----|
| | Morning Peak Hour | | Afternoon Peak Hour | |
| | In | Out | In | Out |
| Existing Volumes | 16 | 21 | 13 | 13 |
| Projected Volumes | 5 | 18 | 15 | 4 |
| Total | 21 | 39 | 28 | 17 |

The Traffic Consultant's volumes are summarised in the table below.



We are not experts in the field of traffic management analysis, but the projected additional traffic volumes generated in Nelson Street by the proposal will in our opinion have a noticeable perceived effect on Nelson Street and our clients' property.

GTA considers that "the low volumes of additional traffic generated by the proposed development could not be expected to compromise the safety or function of the surrounding road network". We note that GTA makes no comment on the perceived impact which these additional volumes are likely to have on the amenity of our clients' property.

6. <u>Southern Boundary Interface</u>

The Ground Plan (SK-02 Revision J) locates the gas meter enclosure, the stairs, a service yard and other plant and equipment housed in dedicated rooms which will open south onto the site boundary. The site boundary is not square to the building, which means that the gap between the building and the site boundary is very narrow at the western end (1.17 metres wide), and progressively narrower towards the eastern end.

Currently, a fence runs along the site boundary shared with our clients' premises. In the absence of detailed dimensions on the drawings submitted, there is not enough room to conveniently access the three rooms and service yard at the southern end of the proposed building.

7. <u>Active Street Frontage</u>

Council-wide PDC 196 requires buildings to "be designed to create active street frontages that provide activity and interest to passing pedestrians and contribute to the liveliness, vitality and security of the public realm". The proposal by contrast has <u>no</u> active frontage at ground level to Nelson Street.

Nelson Street terminates approximately 90 metres north of Carrington Street. The adjacent Federal Courts building at 3 Angas Street was designed with an associated pedestrian walkway connecting Angas Street and Carrington Street via the northern end of Nelson Street. The walkway between Carrington Street and Angas Street is now frequently used and will obviously be more frequently used if the development proceeds.

At Ground Floor level, the development will consist of a car park, bike store and two car park entrances. The car park will extend to Levels 1, 2, 3 and 4. As detailed on Overall Elevation West (Drawing SK-12 Revision H) the combined height of these levels will be in the order of 16.5 metres high from ground level. SK-12 is poorly detailed but at Ground Floor level the façade facing Nelson Street will consist of masonry brickwork, concrete blockwork and two car park entrances. There will be no glazing facing Nelson Street at Ground level, nor will there be any active frontages onto Nelson Street at Ground Floor level.



It is reasonable to assume that the pedestrian link between Carrington Street and Angas Street will be used to a much greater extent when Kodo is occupied and if the proposed development is built. There is no justification for the building's frontage to Nelson Street to be so lacking in activation, contrary to Council-wide Objective 50 and 51, PDC 196 and the associated Design Technique 196.1.

Conclusion

We have concluded from our assessment of the proposal that it is not deserving of Development Plan Consent.

In particular, the proposal:

- does not grade down in height at the Policy Area interface or at the interface shared with our clients' two storey State Heritage building;
- is poorly oriented;
- has insufficient regard to the significance and location of our clients' State Heritage listed building;
- is poorly designed with respect to the width and functional use of the balconies;
- places an air conditioner unit on each balcony with insufficient detail as to how noise from the air conditioning units will be alleviated;
- will generate additional and noticeable traffic volumes in Nelson Street likely to impact adversely on our clients' premises;
- crams various utility services and the service yard almost onto the southern site boundary, making it difficult if not impossible to access these utility services and service yard; and
- is completely lacking an active street frontage to Nelson Street.

For all these reasons the proposal in its current form is not deserving of Development Plan Consent.

Yours sincerely

Graham Burns MasterPlan SA Pty Ltd

STATE COMMISSION ASSESSMENT PANEL

Level 5, 50 Flinders Street Adelaide SA 5000

GPO Box 1815 Adelaide SA 5001

Telephone: 08 7109 7060 ABN 92 366 288 135

http://www.saplanningcommission.sa.gov.au/scap

INTERACT LEARNING P/L 38-40 Carrington St ADELAIDE SA 5000

2019/00586/01

Dear Sir / Madam

Our Ref:

9 January 2019

| Application Number: Applicant: | 020/A102/18 Flagship (Penny Place) Pty Ltd c/- Intro Design |
|-----------------------------------|---|
| Proposed Development: | Staged application comprising demolition of existing building and construction of a 24 storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped square |
| Subject Land: | 27 Angas Street (11-19 Penny Place) Adelaide |

As an adjoining owner/person potentially affected by the above development application, you are invited to view details of the application and make comment.

The application may be examined during normal business hours from the 15 January at the office of the State Commission Assessment Panel (SCAP), Level 5, 50 Flinders Street, Adelaide and at the office of Adelaide City Council. The application documentation is also available on the SCAP website <u>http://www.saplanningcommission.sa.gov.au/scap/public_notices</u>.

If you wish to comment on the application please complete the attached form. This must reach the Secretary, State Commission Assessment Panel, GPO BOX 1815, Adelaide SA 5001 by no later than **Close of Business** 30 January 2019.

You may be given an opportunity to appear before the SCAP to further explain your views. You will be contacted should a hearing be arranged.

If you have any questions relating to this matter, please contact me.

Yours sincerely

Lauren Talbot Senior Planning Officer as delegate of the STATE COMMISSION ASSESSMENT PANEL





Government of South Australia Department of Planning, Transport and Infrastructure

SAPLANNINGCOMMISSION.SA.GOV.AU/SCAP

| ~ RE | South Australian DEVELOPMENT ACT, 1993 PRESENTATION ON APPLICATION – CATEGORY 2 | | | | |
|--|---|--|--|--|--|
| Applicant: | Flagship (Penny Place) Pty Ltd c/- Intro Design | | | | |
| Development Number: 020/A102/18 | | | | | |
| Nature of Development: | Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space (must be consistent with APPIAN description) | | | | |
| Development Type: | Merit | | | | |
| Zone / Policy Area: | Capital City Zone, Central Business Policy Area 13 | | | | |
| Subject Land: | 27-31 Angas Street, Adelaide | | | | |
| Contact Officer: | Lauren Talbot | | | | |
| Phone Number: | 8402 1786 | | | | |
| Close Date: | 30 January 2019 | | | | |
| My Name: Louise Ry | AN -SMITH Myphone number: 0426987995 | | | | |
| Primary method(s) of contact: | Email: 100158.ryan-Smith & Kined. am. and Postal 38-40 (ARRINGTON STREET Address: MCLMDE Postcode: 5000 | | | | |
| You may be contacted via your no be heard by the State Commission My interests are: (please tick one) | ninated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to Assessment Panel in support of your submission. owner of local property occupier of local property a representative of a company/other organisation affected by the proposal | | | | |
| The address of the property affe | a private citizen | | | | |
| My interests are: (please tick one) | Appended and a support the development with some concerns | | | | |
| UT - | l oppose the development | | | | |
| The specific aspects of the application of the appl | ion to which I make comment on are: U'S REPRESENTATION BATCO 30 1 19. WE ADOPT TION, PLANSE PLSO REPORTO ATTACTED LETTER. | | | | |
| I: wish to be he | ard in support of my submission | | | | |
| (please do not wish t tick one) (Please tick one | ס כ אס כי my submission) | | | | |
| By: T appearing pers | onally | | | | |
| (please being represer tick one) (Please tick one) | ted by the following person MASTERS UND MNO LOR A REPRESENTATILE TO BE ADVISED | | | | |
| Date: 301119 | | | | | |

r

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or Email: scapreps@sa.gov.au



30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

By email: scapreps@sa.gov.au

Dear Secretary,

DA 020/A012/18, 27-31 Angas Street, Adelaide

- 1. I, Maria Del Carmen Tirado Lagunes of 38-40 Carrington Street, Adelaide, am employed as the Compliance and Legal Manager of Interact Learning Pty Ltd (Kineo) an elearning business.
- 2. My office is at 38-40 Carrington Street and overlooks the developer's property such that I have been able to observe what has occurred during the demolition.
- 3. On 24 January 2019, I received notice of DA 020/A012/18 which seeks approval for a 24 storey apartment tower.
- 4. I understand this DA to relate to the property located immediately behind 38-40 Carrington Street that has been the subject of demolition works between early November and 21 December 2018.
- 5. I wish to make a representation in opposition to the development and in particular in respect of the conduct of the demolition and conditions that I believe are essential to be imposed so as to minimise the ruinous impact of the conduct of the Developer and its contractor should the development proceed.
- The first time I was told anything of the development was at a meeting on 19 October 2018 when two representatives of Maxcon Constructions Pty Ltd (Maxcon) attended at Kineo offices. At that meeting the representatives of Maxcon:
 - 6.1. provided me with what they said was the Traffic Management Plan for the demolition works. To my observations this was never implemented all traffic movement was via Nelson Street only;
 - 6.2. assured me that there was no asbestos in the building being demolished. I asked for a report to be provided, but it has never been provided.
 - 6.3. assured me that they would do everything practicable to ensure that there was minimal disruption to Kineo's business; and
 - 6.4. advised that Maxcon would do the bulk of its demolition work between 21 December 2018 and 7 January 2019 to ensure that there was minimal disturbance to Kineo's business. I told them Kineo had a Christmas shut down during this period.

AUSTRALIA 38-40 Carrington St Adelaide 5000, SA 1300 303 318

- 7. I am aware that the developer or Maxcon provided to the SCAP a Construction Management Plan.
- 8. I note that page 2 of the Construction Management Plan states that "Construction works shall be confined to the hours noted below ... 7:00 am 6:00 pm Monday to Friday".
- 9. Employees of Kineo reported that construction works frequently commenced before 7:00 am. I have personally observed construction works continuing past 6:00 pm.
- 10. I note that at page 5 of the Construction Management Plan it states "Hoarding shall be erected to the front and rear boundary of the site and at a 2.5 metre height".
- 11. Hoarding was not erected to the front boundary of the site at a 2.5 metre height.
- 12. I note that at page 12 of the Construction Management Plan there are a number of methods in which "*noise reduction shall be managed*".
- 13. I have not seen any of the listed methods set out in the Construction Management Plan being implemented. No steps to mitigate noise were taken.
- 14. I note that page 14 of the Construction Management Plan refers to the control of dust on site stating "During bulk earthworks, dust shall be controlled by watering sprays or similar, as well as the following when necessary" and then gives a list of other methods.
- 15. I have not observed any of the other methods being observed.
- 16. Substantial noise and vibration was emitted by the demolition works at all times of day which fundamentally impacted Kineo and its employees. In particular:
 - 16.1. a large orange excavator was used for much of the actual demolition work – much of which involved a jackhammer attached to it;
 - 16.2. that same excavator was used to crush the demolition rubble which was extraordinarily noisy making it all but impossible to work in our offices.
- 17. Kineo has endured a huge negative impact on staff productivity by being unable to concentrate on writing and developing education content and coding. The sound and vibration pollution was disruptive of these activities and processes of the Kineo business and caused stress and consequently absenteeism in some of our staff.
- 18. Kineo also operates a call-centre (Support/help desk) for use in its business. This team is directly client-facing. Customer service operators had to work from home as the noise being emitted from the works is too loud to operate the phones in a professional manner, and we received complaints from clients. The Support team is also consequently unable to run webinars and conferences.
- 19. Kineo houses 13 Content/Library staff who prepare materials for use in the elearning business, and 30 developers who write algorithms. High levels of concentration are required to carry out these roles. The noise and level of vibration has had a huge impact causing constant distraction which has significantly affected productivity, as well as causing headaches and sickness. For example, a developer was writing daily

70 lines of code. This has dropped to 40 lines of code per day per developer. The writers have experienced a loss in productivity due to distraction caused by the substantial noise being emitted.

- 20. Kineo has relocated staff to different parts of the building trying to alleviate the impact caused by noise mainly to client facing staff. Unfortunately, this was not enough as noise continued.
- 21. High amounts of dust causing headaches and respiratory problems also occurred.
- 22. Vibrations being emitted by the demolition works have damaged the Kineo Property.
- 23. I have asked that the dilapidation report obtained before the works commenced be provided by Maxcon but they have refused.
- 24. At a minimum, if the State Commission Assessment Panel is minded to grant development plan consent to DA 020/A012/18, it should do so subject to stringent and enforceable conditions that are imposed before consent is granted or as a condition of it.
- 25. A noise and vibration monitoring regime with an alarm trigger must be installed and set at tolerable levels.
- 26. Prior to construction the developer must install appropriate noise barriers and noise enclosures to ensure the minimum impact on adjoining land occupiers. This should include construction of hoarding (or acoustic curtains) so as to block line of sight into the site where noise is being created.
- 27. Construction should be scheduled so that activity which is closest to the Kineo building is conducted outside of office hours.

I wish to be heard in support of my representation.

Yours faithfully,

Jun Smith



30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

Attention: Lauren Talbot

Dear Ms Talbot,

Re: Flagship (Penny Place) Pty Ltd - DA 020/A102/18

We act for Bar Chambers Pty Ltd and Tmar Pty Ltd. Our clients are the registered proprietors of commercial premises situated at 34 Carrington Street, Adelaide and 38-40 Carrington Street, Adelaide respectively.

Our clients have requested us to review the above development application by Flagship (Penny Place) Pty Ltd, and if necessary, to make a representation in response to the State Commission Assessment Panel's letter dated 9 January 2019. We note that the development application has been classified as a Category 2 Development for notification purposes by SCAP.

In forming our opinions in this matter, we have:

- reviewed all the documents and plans made available for inspection for Category 2 notification purposes;
- reviewed an earlier application made by Flagship (Penny Place) Pty Ltd and which was considered by SCAP at its meeting held on 22 February 2018 (DA 020/A068/17);
- inspected the site of the proposed development and the surrounding locality; and

33 Carrington Street Adelaide, 5000 P (08) 8193 5600

masterplan.com.au

Offices in **SA** | NT | QLD ISO 9001:2015 Certified ABN 30 007 755 277 plan@masterplan.com.au



51185LET01



reviewed what we consider to be the relevant provisions of the City of Adelaide Development
 Plan (consolidated version dated 7 June 2018).

Summary Position

We are of the opinion that the proposal in its present form fails to adequately satisfy the relevant provisions of the Development Plan. For this reason, Development Plan Consent should be refused.

Concerns

1. Building Height

The site of the proposed development is in the Capital City Zone, and in Central Business Policy Area 13 of that Zone. The site is furthermore located in a part of the CBD where no building height limits apply, but abuts land immediately to the east where a 53 metre maximum building limit applies (see Adelaide (City) Building Heights Concept Plan Figure CC/1).

The proposed building will be 77.96 metres tall to the top of the parapet. It will therefore be 47 percent *taller* than the maximum building height specified for land in the abutting Policy Area.

Council-wide PDC 270 states:

.....

270 Development located either abutting, straddling or within 20 metres of a Zone or Policy Area boundary should provide for a transition and reasonable gradation from the character desired from one to the other.

Capital City Zone PDC 22(c) is also relevant and states:

22 Development should have optimal height and floor space yields to take advantage of the premium City location and should have a building height no less than half the maximum shown on Concept Plan Figures CC/1 and CC/2,, except where one or more of the following applies:

(c) the site is adjacent to a heritage place, or includes a heritage place;

The proposal fails to satisfy Zone PDC 270 of the Development Plan because it does not provide for a transition or reasonable gradation from the character desired in the Capital City Zone with the character sought for the adjacent Central Business Policy Area 13 immediately to the east. Instead, the proposal will create a drastic and sudden transition from the maximum building height permissible in the adjacent Capital City Zone.



I further note that the proposal shares a locality with a nearby City Living Zone. Such a substantial building will not provide for a transition or reasonable gradation from the desired character of the City Living Zone to the Central Business Policy Area 13.

It also fails to satisfy Zone PDC 22(c) because the site immediately to the south is a registered State Heritage place. In these circumstances the development should not be considered as one where any height is permissible, particularly in the context of an adjacent two-storey State Heritage Place.

2. Building Orientation

The apartment building is oriented east-west, contrary to good planning and contrary also to energy efficiency initiatives which encourage buildings to have a north-south orientation.

Council-wide PDC 108 (a) requires buildings to be energy efficient by:

- a) Appropriate orientation of the building by;
 - i. maximising north-south facing facades;
 - ii. designing and locating the building so the north façade receives good direct solar radiation;
 - iii. minimising east-west facades to protect the building from summer sun and winter winds;

The orientation of the proposed development presents a fundamental discrepancy with the Development Plan which is not explained. The proposed development does not warrant Development Plan Consent on this basis.

We also note that the apartment balconies are only 1.8 metres wide, which is less than the 2.0 metres minimum width specified for private open space for medium to high scale residential apartments (Council-wide PDC 61). The usable private open space on these balconies is further reduced by the location of external air-conditioning units on the balconies rather than on the roof which occurs on similar developments. The positioning of these air-conditioning units on the balconies rather than the roof will also likely have negative impacts on adjoining land-owners' amenity.

The balconies' inadequate depth will expose the apartments' living rooms and bedrooms to excessive sunlight penetration due to the lack of shadowing provided by the balcony ceiling. This will exacerbate the issues arising from the poor east-west orientation.

In the event the building were to be orientated North/South rather than East/West this would have a substantial flow-on effect to overcoming a number of other issues including the impact on the adjacent State Heritage item, the loss in amenity arising out of the location of air conditioning units and issues regarding the design of the southern-boundary interface.



3. <u>Heritage Impact</u>

Bar Chambers' building is listed as a State Heritage Item. Accordingly, the proposal is required to be designed and sited in accordance with Council-wide PDC 140 which states:

- 140 Development on land adjacent to a heritage place in non-residential Zones or Policy Areas should incorporate design elements, including where it comprises an innovative contemporary design that;
 - a) utilise materials, finishes and other built form qualities that complement the adjacent heritage place; and
 - b) is located no closer to the primary street frontage than the adjacent heritage place.

Surprisingly, the proposal was lodged without an independently prepared heritage assessment. Under Section 5.3.3 of the Planning Report submitted with the application, the only support that has been offered for the proposal's conformity to PDC 140 is a reference to the use of *"recycled brick which complements the western façade materiality of the State Heritage building to the south"*. We respectfully suggest that the use of red bricks alone does not go anywhere near satisfying PDC 140 (a), which, apart from materials, requires ".... *finishes and other built form qualities that complement the adjacent heritage place"*.

Heritage SA, in its letter to SCAP dated 10 January 2018, advises that the previously approved and similar development was considered to be "acceptable", but goes on to list three conditions which should be incorporated into any consent. We are surprised that Heritage SA considers the south facing wall of the proposed building closest to the State Heritage Item is acceptable subject to the provision of further information. The southern wall of the proposal is very tall and plain. We do not understand how it could be concluded that the south facing wall, or the building itself "utilise(s) materials, finishes and other built form qualities that complement the adjacent heritage place".

Given the scale of the proposed development adjacent to the State Heritage Place, the proposed development fails to meet Council Wide Objective 43 in that it does not "*retain the heritage value and setting of a heritage place and its built form contribution to the locality*". The proposal also fails to satisfy Council Wide PDC 142 in that the State Heritage Place abuts the proposed development but has not been carefully integrated (or integrated in any manner whatsoever) and will be to the detriment of the heritage value of the State Heritage Place.

The scale of the proposed development will also take from the architectural contribution and character and amenity of the area to which the adjacent State Heritage Place provides. This is contrary to Council Wide PDC 146.



4. <u>Air Conditioner Condensers</u>

Each apartment will have an air conditioning unit placed on the associated balcony. As noted above, the balconies are very small and less than the minimum width specified in the Development Plan. Placing air conditioning units into this already confined space will further constrain the balconies' use and will be visually unappealing. We furthermore cannot identify how waste water from the air conditioning units will be discharged from each balcony unit.

The *"Typical AC Enclosure Axo"* hand drawn sketch on the application drawings furthermore lacks essential detail. The sketch has the top and bottom louvres for the air conditioner enclosure marked *"TBC"* which we assume is short-hand for *"To be confirmed"*. We are surprised that the associated acoustic report can conclude that the air conditioning units mounted on each balcony will comply with relevant noise legislation, when the louvre details are not even known.

We note that air conditioning units in developments such as this are commonly located on the roof or in some other concealed position to minimise the loss of amenity to adjacent land-owners.

5. Vehicle Access

The principal point of vehicle access into the building will be via a 6.3 metre-wide ramp on the south side of the building closest to our clients' premises. The Transport Impact Assessment by GTA Consultants predicts that 16 vehicles currently enter and 21 vehicles exit Nelson Street in the morning peak hour, and 13 vehicles enter, and 13 vehicles exit Nelson Street in the afternoon peak hour. GTA predicts that the proposal will generate 5 vehicles into the building and 18 vehicles out of the building in the morning peak hour.

| | Morning Peak Hour | | Afternoon Peak Hour | |
|----------------------|-------------------|-----|---------------------|-----|
| | In | Out | In | Out |
| Existing Volumes | 16 | 21 | 13 | 13 |
| Projected Volumes | 5 | 18 | 15 | 4 |
| Total | 21 | 39 | 28 | 17 |

The Traffic Consultant's volumes are summarised in the table below.



We are not experts in the field of traffic management analysis, but the projected additional traffic volumes generated in Nelson Street by the proposal will in our opinion have a noticeable perceived effect on Nelson Street and our clients' property.

GTA considers that "the low volumes of additional traffic generated by the proposed development could not be expected to compromise the safety or function of the surrounding road network". We note that GTA makes no comment on the perceived impact which these additional volumes are likely to have on the amenity of our clients' property.

6. <u>Southern Boundary Interface</u>

The Ground Plan (SK-02 Revision J) locates the gas meter enclosure, the stairs, a service yard and other plant and equipment housed in dedicated rooms which will open south onto the site boundary. The site boundary is not square to the building, which means that the gap between the building and the site boundary is very narrow at the western end (1.17 metres wide), and progressively narrower towards the eastern end.

Currently, a fence runs along the site boundary shared with our clients' premises. In the absence of detailed dimensions on the drawings submitted, there is not enough room to conveniently access the three rooms and service yard at the southern end of the proposed building.

7. Active Street Frontage

Council-wide PDC 196 requires buildings to "be designed to create active street frontages that provide activity and interest to passing pedestrians and contribute to the liveliness, vitality and security of the public realm". The proposal by contrast has <u>no</u> active frontage at ground level to Nelson Street.

Nelson Street terminates approximately 90 metres north of Carrington Street. The adjacent Federal Courts building at 3 Angas Street was designed with an associated pedestrian walkway connecting Angas Street and Carrington Street via the northern end of Nelson Street. The walkway between Carrington Street and Angas Street is now frequently used and will obviously be more frequently used if the development proceeds.

At Ground Floor level, the development will consist of a car park, bike store and two car park entrances. The car park will extend to Levels 1, 2, 3 and 4. As detailed on Overall Elevation West (Drawing SK-12 Revision H) the combined height of these levels will be in the order of 16.5 metres high from ground level. SK-12 is poorly detailed but at Ground Floor level the façade facing Nelson Street will consist of masonry brickwork, concrete blockwork and two car park entrances. There will be no glazing facing Nelson Street at Ground level, nor will there be any active frontages onto Nelson Street at Ground Floor level.



It is reasonable to assume that the pedestrian link between Carrington Street and Angas Street will be used to a much greater extent when Kodo is occupied and if the proposed development is built. There is no justification for the building's frontage to Nelson Street to be so lacking in activation, contrary to Council-wide Objective 50 and 51, PDC 196 and the associated Design Technique 196.1.

Conclusion

We have concluded from our assessment of the proposal that it is not deserving of Development Plan Consent.

In particular, the proposal:

- does not grade down in height at the Policy Area interface or at the interface shared with our clients' two storey State Heritage building;
- is poorly oriented;
- has insufficient regard to the significance and location of our clients' State Heritage listed building;
- is poorly designed with respect to the width and functional use of the balconies;
- places an air conditioner unit on each balcony with insufficient detail as to how noise from the air conditioning units will be alleviated;
- will generate additional and noticeable traffic volumes in Nelson Street likely to impact adversely on our clients' premises;
- crams various utility services and the service yard almost onto the southern site boundary, making it difficult if not impossible to access these utility services and service yard; and
- is completely lacking an active street frontage to Nelson Street.

For all these reasons the proposal in its current form is not deserving of Development Plan Consent.

Yours sincerely

All

Graham Burns MasterPlan SA Pty Ltd

| Applicant: | | Flagship (Penny Place) Pty Ltd c/- Intro Design | | | | | | | |
|---|---|---|---------------------------------------|--|--|---|------------------------|---|--|
| Development Number: Nature of Development: Development Type: Zone / Policy Area: Subject Land: Contact Officer: Phone Number: | | 020/A102/18 Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space (must be consistent with APPIAN description) Merit Capital City Zone, Central Business Policy Area 13 27-31 Angas Street, Adelaide Lauren Talbot 8402 1786 | | | | | | | |
| | | | | | | Close Date: | | 30 January 2 | 2019 |
| | | | | | | My Name: David C | hopping | (Acting Dire | ctor) My phone number: 02 62151542 |
| | | | | | | Primary method(s) of You may be contacted vi | contact: ia your no | Email: Postal Address: ominated PRII | David.chopping@finance.gov.au 1 Canberra Avenue Forrest ACT 2603 MARY METHOD(s) OF CONTACT if you indicate below that you wish to |
| | | | | | | be heard by the State Co | ommissio | n Assessment | t Panel in support of your submission. |
| | | | | | | My interests are: (please tick one) | R | owner of lo | cal property |
| | | | | | | | Г | occupier of local property | |
| | a representative of a company/other organisation affected by the proposal | | | | | | | | |
| Г | a private cit | izen | | | | | | | |
| The address of the pro | operty aff | ected is: 3 | Angas Street, Adelaide Postcode: 5000 | | | | | | |
| My interests are : (please tick one) | | I support th | e development | | | | | | |
| | N | I support the development with some concerns | | | | | | | |
| | ٣ | Loppose the | adevelopment | | | | | | |
| | P | i oppose the | development | | | | | | |
| The specific aspects of th | ne applica | tion to which | I make comment on are: | | | | | | |

• The use of Commonwealth land during construction and for ongoing maintenance.

| l: | V | wish to be heard in support of my submission | |
|----|---|--|--|
|----|---|--|--|

(please do not wish to be heard in support of my submission (Please tick one)
South Australian DEVELOPMENT ACT, 1993 REPRESENTATION ON APPLICATION – CATEGORY 2

By:
 appearing personally

| (please | being represented by the following person |
|------------|---|
| tick one) | Clayton Utz Lawyers |
| Signature: | N.C.C. |
| Date: | 30 Japuary 2019 |

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or Email: scapreps@sa.gov.au



Australian Government

Department of Finance

Ref: Development Number 020/A102/18

Ms. Lauren Talbot Senior Planning Officer Planning and Development Directorate Department of Planning, Transport and Infrastructure Level 5/50 Flinders Street Adelaide SA 5000

Dear Ms. Talbot

The Department of Finance (Finance) has recently become aware of the proposed residential development at 27-31 Angas Street in Adelaide (Stage 2 – Penny Place) and the notification and consultation period expiring 30 January 2019. Finance sought an extension of time to lodge a representation which was not granted due to statutory timeframes.

Finance was advised that it could submit a formal representation by the due date outlining our high level concerns with the development and then forward any detailed information to support the formal representation at a later date.

The Adelaide Commonwealth Law Court (CLC) Building located at 3 Angas Street is owned by the Commonwealth Government, represented by Finance, and is directly to the north of and adjoins the proposed development.

The planning approval for Stage 1 of the development at 27-31 Angas Street was challenged by Finance in the Environment Resources and Development Court and the matter was subsequently resolved at mediation (No 279 of 2016).

Finance has consulted with tenants in the CLC building, the High Court of Australia, Federal Court, Federal Circuit Court and the Attorney General's Department (AGD) as the key stakeholders in this matter.

Finance supports the development in principle but has concerns, specifically for tenants and members of the public who access the CLC building. These concerns relate to safety, security, privacy and amenity, and include:

- Balconies, terraces and windows that have direct views into courts, judge's chambers, court registrar offices, child minding areas and hearing/mediation rooms;
- The proposed use of a pedestrian walkway as a formal landscaped pedestrian thoroughfare on Commonwealth owned land;

- The risk of video surveillance and/or monitoring of the courts;
- Noise disturbances (during and after construction) from the development causing interruption to Court proceedings in session; and
- The use of Commonwealth land during construction and for ongoing maintenance.

Finance's concerns are supported by preliminary reports by independent specialist advisers, Davenport-Campbell Architects and Connley Walker Independent Security and Risk Consultants. It is anticipated that these reports will be finalised by Friday 9 February 2019, at which time they will be provided to you.

The contact person in relation to this matter is

David Chopping Acting Director Portfolio Management and Land Administration Branch Department of Finance 02 62151542 David.Chopping@finance.gov.au

Yours sincerely

Lorraine Holcroft Assistant Secretary Portfolio Management and Land Administration Property and Construction Division 02 6215 3202

30 January 2019

Talbot, Lauren (DPTI)

From: Sent: To: Subject: Stuart Henry <s.henry@carringtonchambers.com.au> Wednesday, 30 January 2019 9:57 AM DPTI:scapreps Application 020/A102/118

Attention: Laurent Talbot

I am an owner and occupier of portion of the premises at 48 Carrington Street, Adelaide.

I practice as a barrister from chambers at 48 Carrington Street. Our chambers are immediately south of the land the subject of this application.

I make the following representations about the proposed development.

First, the application includes the demolition of what is said to be an existing building. This building is, or rather was, located immediately behind our building. It was demolished in December 2018, causing extreme disruption to my practice and the practices of other barristers in our chambers. At times the whole of our building shook.

The current application applies to demolish a building that no longer exists. As such, the application is incompetent. It is not legally possible to apply to do something that cannot be done. By demolishing the building in December, the applicant legally abandoned any right to pursue the current application, or the development it proposes. I refer you to the Supreme Court case of Baker v Norwood [2004] SASC 135, and the ERD Court case of Marko Nominees v Petaine[2017] SAERDC 33.

Second, the application does not include the developer's real intentions for the development of the land at the rear of our building. During the course of demolition of the old building, contractors made it clear to us that the low rise town houses, now called a residential flat building in the current application, are never going to be built. Rather, the developer will be changing the plans to include a high rise office building immediately behind our building.

The Supreme Court has made it plain that SCAP has the right and duty to enquire into the real intentions of the applicant and is not bound to accept at face value what the applicant chooses to reveal in the development application as lodged. See Compaction Application Tips v Development Assessment Commission (2001) 118 LGERA 215. This is an important planning issue, because the whole of the site should be carefully planned and assessed including all its proposed elements. SCAP has ample power in s 39 of the Act to require the applicant to reveal its true intentions. We are entitled to know what is really proposed so that we can consider it and make representations about it under the Act.

Third, if the proposal is to be approved, adequate measures must be taken to ensure that construction impacts on us, including in terms of traffic and parking disturbance and noise and vibration impacts are actively managed so as to ensure the minimisation if not avoidance of such impacts.

We have had the experience of working next door when the old building was demolished. The contractors took few if any steps to manage the process to minimise impacts. This was in large part made worse by the inadequacy of the conditions of consent imposed by SCAP when it approved DA 020/A068/17. Condition 10 required the developer to prepare and implement a Construction Environment Management Plan in terms that were so vague as to be meaningless. Further, the condition required that the CEMP be provided

to SCAP, but did not provide for any meaningful input by SCAP into the content or adequacy of the CEMP, and did not enable SCAP to reject the CEMP as inadequate. Condition 10 was a toothless tiger. The CEMP was, as it turned out, completely inadequate as a means of regulating construction impacts, and neighbours and SCAP found themselves unable to do anything about the situation.

If approval is to be given, there must be much more rigorous process for the drafting and approval of the CEMP. Preferably, a draft CEMP should be requested of the applicant before the SCAP considers granting consent to the development as a whole, so that the sufficiency of the CEMP can be determined. When a CEMP has been lodged, the application should be renotified so that neighbours such as us can consider and comment on the CEMP. The Development Act requires no less in my view. By doing it this way, SCAP can be satisfied that construction impacts will be managed, and a condition can be imposed requiring adherence to the CEMP. If the CEMP is not satisfactory, consent should be refused.

If SCAP is not prepared to proceed in this way, the only other alternative is for a carefully drafted condition of consent to require that a CEMP be drafted in such a way that it properly and meaningfully addresses a list of relevant construction impact topics, that it does so to the satisfaction of SCAP, that construction is not to commence until the CEMP has been drafted and approved, and that construction is to take place in accordance with the CEMP as approved.

For the avoidance of doubt, the issues that should be addressed include noise and vibration impacts from construction, and an orderly regime of access to the site along public roads so that there is no disruption of existing users of the roads and the occupiers of nearby properties, including ours.

I wish to be heard by SCAP at a duly convened meeting.

Regards

--

STUART HENRY SC CARRINGTON CHAMBERS 48 CARRINGTON STREET ADELAIDE SA 5000 (T) 08 8212 4511 (F) 08 8231 6080

Liability limited by a scheme approved under professional standards legislation



MARK HOFFMANN QC BARRISTER LLB (Hons)

34 Carrington Street Adelaide SA 5000

Telephone (+61 8) 8205 2966 Facsimile (+61 8) 8212 6590 Mobile 0419 809 874

DX 107 Adelaide SA mhoffmann@barchambers.com.au

30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

By email: scapreps@sa.gov.au

Dear Secretary,

Statement of Representation - DA 020/A012/18, 27-31 Angas Street, Adelaide

I, Mark Hoffmann QC am a member of Bar Chambers located at 34 Carrington Street, Adelaide.

Bar Chambers Pty Ltd is the registered proprietor of the land comprised in Certificate of Title Volume 5879 Folio 90.

I am Head of Chambers and in that capacity have been required to have principal carriage of issues associated with the proposed development three (3) metres to the north of Bar Chambers' property fronting Nelson Street facing the City Watch House.

- 1. I have received a category 2 public notification of DA 020/A012/18 being for a "Staged application comprising demolition of existing buildings and construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped communal open space" (proposed development).
- 2. While the Development Application is stated to be at 27 to 31 Angas Street, it in fact has a frontage on Nelson Street and is 3 metres to the south of Bar Chambers' premises which are on the corner of Carrington and Nelson Streets.
- 3. I hereby make a representation with respect to the proposed development.
- 4. I am aware that Bar Chambers Pty Ltd has lodged a representation with respect to the merits of the proposed development. I agree with and adopt that representation.
- 5. However, if contrary to Bar Chambers Pty Ltd's representation, the Panel is nonetheless minded to approve the development application or aspects of it, I respectfully submit

Liability limited by a scheme approved under professional standards legislation

that the Panel should impose stringent conditions on the implementation of any development authorisation for the reasons set out below.

- 6. A substantially similar development application (DA 020/A068/17) for the land was lodged by the same developer and approved by SCAP on 22 February 2018 for the "Demolition of existing building and construction of a 21 storey mixed-use development and a 3 storey residential flat building, ancillary car parking, landscaping, public circulation areas and landscaped square".
- 7. On 19 October 2018, I was informed by representatives of the builder that:
 - 7.1. the Developer intends to build a 27 storey tower on the site;
 - 7.2. the Developer does not intend to build the 3 storey flats subject of the DA before the Panel but rather a 6 storey office building facing Penny Place immediately behind the buildings fronting Carrington Street;

Neither of these matters are addressed or disclosed in the DA 020/A012/18.

- 8. Demolition for this development commenced in early November 2018 and was completed on or about 20 December 2018 notwithstanding there being an application for review of the approval under section 86(1)(f) of the *Development Act 1993* in Action 226 of 2018 to which the Developer is a party. Its contactor was also aware of this. It is far from clear why, or on what basis, an application for demolition approval is now made.
- 9. The demolition was extraordinarily disruptive to my work. In particular:
 - 9.1. extreme noise coming through closed windows and hallways measured by Sonus at double that reasonably acceptable inside the building;
 - 9.2. the extent of the noise often prevented reasonable occupation of my office or capacity to work including it being all but impossible to conduct telephone calls;
 - 9.3. extensive vibration both of windows, desks and other furniture.

The First Construction Environment Management Plan ("CEMP")

- 10. A copy of the First CEMP Revision 1 dated 17 September 2018 was provided to SCAP on 10 October 2018 for Stage 1 demolition works.
- 11. By email dated 2 November 2018 from the solicitor for Maxcon Constructions Pty Ltd, the Builder, it was stated:

"The Construction Management Plan has been approved by Council and also by the Development Assessment Commission (DAC) [presumably intended to be a reference to SCAP] and our client relies upon those approvals".

12. I understand that the Crown Solicitor's Office informed Bar Chambers' solicitors on 29 November 2018 that:

"A delegate of the SCAP reviewed the document and confirmed that it identified the subject land and identified and addressed hazards of the type referenced in the EPA publications cited in Condition 10".

- 13. That a delegate formed this view is surprising in circumstances where the First CEMP:
 - 13.1. concerned a site located at Fawkner Street, which is in Melbourne, Victoria;
 - 13.2. concerned a contractor known as City Circle, which is also based in Melbourne and is not a contractor on the site;
 - 13.3. numerous requirements of EPA publications cited in Condition 10 were not addressed;
 - 13.4. numerous other defects and errors are clear from a cursory review of the CEMP, including missing annexures.

The Second CEMP

14. On or about 18 December 2018, a Second CEMP was apparently provided to SCAP. While certain obvious errors were remedied – e.g. the removal of references to Fawkner Street and City Circle – no substantive change was made, nor errors/omissions addressed. I do not know whether SCAP or the Adelaide City Council considered this document.

Traffic Management Plan

- 15. On 19 October 2018, the attached purported Traffic Management Plan was provided to Bar Chambers. It was stated that this was the plan to be implemented during demolition.
- 16. This purported Traffic Management Plan was never implemented or complied with. Contrary to the plan, semi-trailers and articulated trucks with trailers entered and egressed via Nelson Street only, requiring them to attempt to reverse into the former carpark adjacent Bar Chambers' building. Movements of semi-trailers/articulated trucks on Nelson Street that Bar Chambers adjoins were in effect doubled from the movements described in the plan.
- 17. As noted below, the demolition rubble and scrap was loaded not adjacent Penny Place where the building stood but adjacent Bar Chambers' building on Nelson Street/Carrington Street corner.

The Demolition

- 18. The Demolition Plan attached to the purported CEMP stated that:
 - Safework SA Demolition and Hazmat Notices would be served by 20 October 2018 and that Demolition Stage 1 would commence 1 November 2018 concluding 24 January 2019;
 - 18.2. the Demolition Plan anticipated the use of 8 tonne excavators carrying out demolition works with a rubble pile immediately adjacent at 11 Penny Place.

19. The CEMP stated:

19.1. in respect of noise reduction:

"...collection between the hours of 7am to 3pm

| NOISE | | | | |
|---|---|---|----------------|----------------------|
| Risk/Work activity | Possible Cause | Hazards Controls | Risk Level | Responsible Party |
| Noise/Excavation Duration of construction | Machinery impact such as: Jack hammers Excavators Nail guns Cranes, Alimak, demolition, | elimination or replacement of the plant or its operation by quieter plant or a quieter operation; addition of noise barriers, noise enclosures, vibration isolation mountings, use of lagging to dampen vibrating surfaces, mufflers or silencers for air or gas flows, or reducing the velocity of free air jets Noise transmission path controls include: use of a sound-reducing enclosure which fully encloses the noise source use of a sound-reducing partition to separate noisy areas and the area to be quietened use of sound-absorbing material on floors, ceiling and/or walls to reduce the sound level due to reverberation, and use of acoustical silencers in intake and exhaust systems associated with gaseous flows. | Low to High | Site Manager |

- 19.2. hours of work would be 7am to 6pm Monday to Friday and 9am to 3pm Saturdays;
- 19.3. a series of dust minimisation strategies were set out.
- 20. Contrary to the assertions in the CEMP:
 - 20.1. work regularly commenced prior to 7am. I observed workers undertaking works on site and semi-trailers on Carrington Street/Nelson Street from 6.35am;
 - 20.2. the works were completed by 20 December 2018, some six weeks ahead of schedule;
 - 20.3. no steps were taken to minimise noise and no sound reducing enclosures or partitioning or anything else was deployed. The noise was extraordinarily intrusive as was vibration caused by the use of the 50 tonne excavator;
 - 20.4. work was substantially undertaken by the 50 tonne excavator rather than the 8 tonne excavators as set out in the Plan by reason of which (in part) work was completed 6 weeks ahead of schedule. The use of the far larger excavator caused the nuisance occasioned from its operation to be far worse than that which would have been caused by the planned use of 8 tonne machines;

- 20.5. the 50 tonne excavator and jackhammer were used to break up/crush the demolished concrete as if the site were a quarry no doubt to reduce the cost of transporting the refuse. This was particularly egregious;
- 20.6. scrap metal removed from the building was stock piled not on Penny Place but immediately adjacent Bar Chambers' building a city block away on Nelson Street. Not only that, but iron and other metal was, to a significant degree, dragged across the bitumen surface from one side of the site to the other, thereby causing incredibly intense and unnecessary noise pollution;
- 20.7. the rubble from the demolition was not stock piled as planned but rather was moved into the car park by creating a stock pile adjacent to Bar Chambers' building standing at approximately level 2 of it;
- 20.8. virtually no dust minimisation strategies were implemented. To the extent there was any effort to address these issues the enclosed photographs reveal that they were grossly inept and inadequate.
- 21. Two photos evidencing the above are enclosed herewith.
- 22. The extent of the nuisance and impact on adjoining owners caused by noise is subject of ERD Court Action 258 of 2018.
- 23. The Developer was requested to address these issues at a meeting on 12 December 2018.
- 24. Nothing was done as a result of this meeting. Indeed, the noise and egregious disruption of adjoining owners' amenity only worsened from this time.

Conditions

- 25. At a minimum, if the State Commission Assessment Panel is minded to grant development plan consent to DA 020/A012/18, it should do so subject to the following conditions:
 - 25.1. The developer must strictly monitor noise controls when conducting works. Specific noise and vibration monitoring regime with an alarm trigger.
 - 25.2. Prior to construction the developer must install appropriate noise barriers and noise enclosures to ensure the minimum exertion of noise to adjoining land occupiers. This should include construction of hoarding (or acoustic curtains) to a height so as to block line of sight into the noise generating activities at the site.
 - 25.3. The developer must ensure that no damage is caused to the adjacent state heritage place arising out of the works.
 - 25.4. The developer must prepare and provide for approval to the Adelaide City Council a traffic management plan for all stages of construction. The developer must adhere to the approved traffic management plan. That plan should not permit all entry and egress to the site via Nelson Street.

- 25.5. Construction scheduling so that the activity which is closest to the building is conducted outside of office hours.
- Given the history of the development to date and the developer and its contractors 26. disregard for the conditions imposed for the first Development Application (DA 020/A068/17) and its failure to comply with these conditions, there should be clear and enforceable obligations imposed in the CEMP constructed for DA 020/A012/18 such that they are capable of enforcement.

I wish to be heard in support of my representation and Stuart Henry SC will speak on my behalf.

Yours faithfully

Mark C J Hoffmann





Talbot, Lauren (DPTI)

| From: | Mark Hoffmann <mhoffmann@barchambers.com.au></mhoffmann@barchambers.com.au> |
|----------|---|
| Sent: | Wednesday, 30 January 2019 11:21 AM |
| То: | Stuart Henry; DPTI:scapreps |
| Subject: | RE: Application 020/A102/118 |

That's great stuff.

I will add to mine that I was informed by the builder on 19/10/18 that in fact it is proposed to seek 27 storey's and build a 6 storey office tower behind you

Regards,

Mark Hoffmann QC Barrister I Bar Chambers 34 Carrington Street I Adelaide SA 5000

M +61 (0)419 809 874 T +61 8 8205 2966 F +61 8 8212 6590 W www.barchambers.com.au

Liability limited by a scheme approved under professional standards legislation

This email is intended for the named recipient only. Its contents are confidential and may be protected by legal professional privilege. If you are not the intended recipient, please do not read, use, save, distribute, copy or disclose the contents of this email. If you have received this email in error, please delete it and any copies or links to it completely from your system and contact me on 8205 2966. Thank you. I give no assurance that this email or any attachment is free of software viruses, or that the opening or execution of any such attachment will not cause damage to the computer systems of the recipient. I accept no liability whatsoever for any such damage.

From: Stuart Henry [mailto:s.henry@carringtonchambers.com.au] Sent: Wednesday, 30 January 2019 9:57 AM To: scapreps@sa.gov.au Subject: Application 020/A102/118

Attention: Laurent Talbot

I am an owner and occupier of portion of the premises at 48 Carrington Street, Adelaide.

I practice as a barrister from chambers at 48 Carrington Street. Our chambers are immediately south of the land the subject of this application.

I make the following representations about the proposed development.

First, the application includes the demolition of what is said to be an existing building. This building is, or rather was, located immediately behind our building. It was demolished in December 2018, causing extreme

30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 Adelaide SA 5001

By email: scapreps@sa.gov.au

Dear Secretary

Statement of Representation- DA 020/A012/18-27-31 Angus Street, Adelaide

I, Michael Burnett of 34 Carrington Street, Adelaide

- I am a member of Bar Chambers, a group of 16 barristers who work from 34 Carrington Street, Adelaide.
- I refer to the proposed development at 27-31 Angus Street, Adelaide, DA 020-A012/18.
- 3. I refer to the joint statement of representation made by Mark Livesey QC, Tom Duggan SC, Brendon Roberts SC, Damien O Leary and Ian Tomas about the effect that the proposed development has had on our work at Bar Chambers. I refer also to the statement of representation made by Mr Mark Hoffman QC. I agree with both statements of representations.
- 4. I wish to add to those statements some specific observations about the effect that the building and demolition work has had on my work.
- 5. My office is upstairs at the rear of bar chambers.
- 6. The back wall to my office and the 2 windows of my office are less than 5 metres from the southern boundary of the proposed development. My desk is less than 6 metres from the southern boundary.
- 7. With the removal by the developer of the trees that abutted this southern boundary, there is no barrier to noise emanating from the development.
- 8. Throughout November and December, the noise from the development has frequently been intolerable.

- 9. The noise is particularly intrusive and intolerable when there has been
 (1) jack-hammering (2) demolition of the existing building and (3)
 moving, by excavators, of rubble.
- 10. This noise frequently will continue throughout the day.
- 11. The noise has an effect on my ability to work. My work, when in chambers, requires detailed concentration. That concentration is impossible because of the noise.
- 12. I have also experienced excessive vibrations at various times during the demolition work. I am concerned about the possibility of structural damage caused by that vibration.
- 13. I have observed through my windows the progress of the demolition and preparatory work.
- 14. I have observed on some occasions excessive dust from the work. I have not observed any dust minimization measures (such as hosing down with water) being undertaken.

Dated 30 January 2019

m.R.Bull

Michael Burnett



ENZO BELPERIO BARRISTER

34 Carrington Street Adelaide SA 5000 Telephone (+61 8) 8205 2966 Facsimile (+61 8) 8212 6590 DX 107 Adelaide SA ebelperio@barchambers.com.au

30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

By email: <u>scapreps@sa.gov.au</u>

Dear Secretary,

Statement of Representation - DA 020/A012/18, 27-31 Angas Street, Adelaide

- I have read the Statements of Representation made by Bar Chambers Pty Ltd, Mark Hoffmann QC, Michael Burnett SC, and the joint Statement of Mark Livesey QC, Tom Duggan SC, Brendon Roberts SC and Damian O'Leary. I adopt and agree with those Statements. In addition, I make the following personal observations.
- 2. I am a barrister at Bar Chambers, 34 Carrington Street, being the land comprised in Certificate of Title Volume 5879 Folio 90.
- 3. I work in that office Monday to Friday, usually commencing between 6:30am to 7am and finishing around 5:30pm. The nature of the work that I do is that, if I am not in Court, then I am in my room at Bar Chambers reading complex materials, writing documents for Court, and speaking on the phone with solicitors.

- 4. My room is located on the eastern side of the building, three rooms in from the back (the northern side, where the development is occurring).
- 5. At the eastern side of my room is a window which looks out into a narrow alleyway between our building and the next building.
- 6. During the demolition late last year, the noise coming through the alleyway, and into my room through the window, was intense. It was extremely loud, to the point where it interfered with my ability to concentrate while reading and writing. It was also regularly impossible to have phone conversations with anyone I simply couldn't hear what was being said over the phone.
- 7. Aside from the noise itself, the vibrations caused my window to rattle, causing extra noise and disturbance.
- 8. I regularly observed that work had commenced on the site by 6:45am when I arrived in the office.
- 9. I wish to be heard in support of my representation.

Yours faithfully

Enzo Belperio Bar Chambers

Talbot, Lauren (DPTI)

| From: | James Roder <jlr@bllawyers.com.au></jlr@bllawyers.com.au> |
|--------------|---|
| Sent: | Wednesday, 30 January 2019 4:44 PM |
| То: | DPTI:scapreps |
| Cc: | 'Mark Hoffmann' |
| Subject: | Flagship (Penny Place) Pty Ltd – DA 020/A102/18 |
| Attachments: | 51185LET01 - Amended.pdf |

Dear Secretary,

We act for Bar Chambers Pty Ltd with respect to development application no. 020/A102/18. Please find the attached representation on their behalf.

We confirm out client wishes to make verbal representations before the Panel when the application is considered.

Yours Sincerely,



James Roder Counsel e. jlr@bllawyers.com.au t. 8212 9777 | f. 8212 8099 | m. Botten Levinson Lawyers | Level 1, 28 Franklin Street, Adelaide SA 5000 www.bllawyers.com.au

Please notify us immediately if this communication has been sent to you by mistake. If it has, client legal privilege is not waived or lost and you are not entitled to use it in any way.

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering. http://www.mailguard.com.au/mg



30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

Attention: Lauren Talbot

Dear Ms Talbot,

Re: Flagship (Penny Place) Pty Ltd – DA 020/A102/18

We act for Bar Chambers Pty Ltd and Tmar Pty Ltd. Our clients are the registered proprietors of commercial premises situated at 34 Carrington Street, Adelaide and 38-40 Carrington Street, Adelaide respectively.

Our clients have requested us to review the above development application by Flagship (Penny Place) Pty Ltd, and if necessary, to make a representation in response to the State Commission Assessment Panel's letter dated 9 January 2019. We note that the development application has been classified as a Category 2 Development for notification purposes by SCAP.

In forming our opinions in this matter, we have:

- reviewed all the documents and plans made available for inspection for Category 2 notification purposes;
- reviewed an earlier application made by Flagship (Penny Place) Pty Ltd and which was considered • by SCAP at its meeting held on 22 February 2018 (DA 020/A068/17);
- inspected the site of the proposed development and the surrounding locality; and

Adelaide, 5000 P (08) 8193 5600

33 Carrington Street Offices in SA | NT | QLD ISO 9001:2015 Certified ABN 30 007 755 277 masterplan.com.au plan@masterplan.com.au



51185LET01



• reviewed what we consider to be the relevant provisions of the City of Adelaide Development Plan (consolidated version dated 7 June 2018).

Summary Position

We are of the opinion that the proposal in its present form fails to adequately satisfy the relevant provisions of the Development Plan. For this reason, Development Plan Consent should be refused.

Concerns

1. <u>Building Height</u>

The site of the proposed development is in the Capital City Zone, and in Central Business Policy Area 13 of that Zone. The site is furthermore located in a part of the CBD where no building height limits apply, but abuts land immediately to the east where a 53 metre maximum building limit applies (see Adelaide (City) Building Heights Concept Plan Figure CC/1).

The proposed building will be 77.96 metres tall to the top of the parapet. It will therefore be 47 percent *taller* than the maximum building height specified for land in the abutting Policy Area.

Council-wide PDC 270 states:

.....

270 Development located either abutting, straddling or within 20 metres of a Zone or Policy Area boundary should provide for a transition and reasonable gradation from the character desired from one to the other.

Capital City Zone PDC 22(c) is also relevant and states:

22 Development should have optimal height and floor space yields to take advantage of the premium City location and should have a building height no less than half the maximum shown on Concept Plan Figures CC/1 and CC/2,, except where one or more of the following applies:

(c) the site is adjacent to a heritage place, or includes a heritage place;

The proposal fails to satisfy Zone PDC 270 of the Development Plan because it does not provide for a transition or reasonable gradation from the character desired in the Capital City Zone with the character sought for the adjacent Central Business Policy Area 13 immediately to the east. Instead, the proposal will create a drastic and sudden transition from the maximum building height permissible in the adjacent Capital City Zone.



I further note that the proposal shares a locality with a nearby City Living Zone. Such a substantial building will not provide for a transition or reasonable gradation from the desired character of the City Living Zone to the Central Business Policy Area 13.

It also fails to satisfy Zone PDC 22(c) because the site immediately to the south is a registered State Heritage place. In these circumstances the development should not be considered as one where any height is permissible, particularly in the context of an adjacent two-storey State Heritage Place.

2. <u>Building Orientation</u>

The apartment building is oriented east-west, contrary to good planning and contrary also to energy efficiency initiatives which encourage buildings to have a north-south orientation.

Council-wide PDC 108 (a) requires buildings to be energy efficient by:

a) Appropriate orientation of the building by;

- i. maximising north-south facing facades;
- ii. designing and locating the building so the north façade receives good direct solar radiation;
- iii. minimising east-west facades to protect the building from summer sun and winter winds;

The orientation of the proposed development presents a fundamental discrepancy with the Development Plan which is not explained. The proposed development does not warrant Development Plan Consent on this basis.

We also note that the apartment balconies are only 1.8 metres wide, which is less than the 2.0 metres minimum width specified for private open space for medium to high scale residential apartments (Council-wide PDC 61). The usable private open space on these balconies is further reduced by the location of external air-conditioning units on the balconies rather than on the roof which occurs on similar developments. The positioning of these air-conditioning units on the balconies rather than the roof will also likely have negative impacts on adjoining land-owners' amenity.

The balconies' inadequate depth will expose the apartments' living rooms and bedrooms to excessive sunlight penetration due to the lack of shadowing provided by the balcony ceiling. This will exacerbate the issues arising from the poor east-west orientation.

In the event the building were to be orientated North/South rather than East/West this would have a substantial flow-on effect to overcoming a number of other issues including the impact on the adjacent State Heritage item, the loss in amenity arising out of the location of air conditioning units and issues regarding the design of the southern-boundary interface.



3. <u>Heritage Impact</u>

Bar Chambers' building is listed as a State Heritage Item. Accordingly, the proposal is required to be designed and sited in accordance with Council-wide PDC 140 which states:

- 140 Development on land adjacent to a heritage place in non-residential Zones or Policy Areas should incorporate design elements, including where it comprises an innovative contemporary design that;
 - a) utilise materials, finishes and other built form qualities that complement the adjacent heritage place; and
 - b) is located no closer to the primary street frontage than the adjacent heritage place.

Surprisingly, the proposal was lodged without an independently prepared heritage assessment. Under Section 5.3.3 of the Planning Report submitted with the application, the only support that has been offered for the proposal's conformity to PDC 140 is a reference to the use of *"recycled brick which complements the western façade materiality of the State Heritage building to the south"*. We respectfully suggest that the use of red bricks alone does not go anywhere near satisfying PDC 140 (a), which, apart from materials, requires ".... finishes and other built form qualities that complement the adjacent heritage place".

Heritage SA, in its letter to SCAP dated 10 January 2018, advises that the previously approved and similar development was considered to be "acceptable", but goes on to list three conditions which should be incorporated into any consent. We are surprised that Heritage SA considers the south facing wall of the proposed building closest to the State Heritage Item is acceptable subject to the provision of further information. The southern wall of the proposal is very tall and plain. We do not understand how it could be concluded that the south facing wall, or the building itself "utilise(s) materials, finishes and other built form qualities that complement the adjacent heritage place".

Given the scale of the proposed development adjacent to the State Heritage Place, the proposed development fails to meet Council Wide Objective 43 in that it does not "*retain the heritage value and setting of a heritage place and its built form contribution to the locality*". The proposal also fails to satisfy Council Wide PDC 142 in that the State Heritage Place abuts the proposed development but has not been carefully integrated (or integrated in any manner whatsoever) and will be to the detriment of the heritage value of the State Heritage Place.

The scale of the proposed development will also take from the architectural contribution and character and amenity of the area to which the adjacent State Heritage Place provides. This is contrary to Council Wide PDC 146.



4. <u>Air Conditioner Condensers</u>

Each apartment will have an air conditioning unit placed on the associated balcony. As noted above, the balconies are very small and less than the minimum width specified in the Development Plan. Placing air conditioning units into this already confined space will further constrain the balconies' use and will be visually unappealing. We furthermore cannot identify how waste water from the air conditioning units will be discharged from each balcony unit.

The *"Typical AC Enclosure Axo"* hand drawn sketch on the application drawings furthermore lacks essential detail. The sketch has the top and bottom louvres for the air conditioner enclosure marked *"TBC"* which we assume is short-hand for *"To be confirmed"*. We are surprised that the associated acoustic report can conclude that the air conditioning units mounted on each balcony will comply with relevant noise legislation, when the louvre details are not even known.

We note that air conditioning units in developments such as this are commonly located on the roof or in some other concealed position to minimise the loss of amenity to adjacent land-owners.

5. Vehicle Access

The principal point of vehicle access into the building will be via a 6.3 metre-wide ramp on the south side of the building closest to our clients' premises. The Transport Impact Assessment by GTA Consultants predicts that 16 vehicles currently enter and 21 vehicles exit Nelson Street in the morning peak hour, and 13 vehicles enter, and 13 vehicles exit Nelson Street in the afternoon peak hour. GTA predicts that the proposal will generate 5 vehicles into the building and 18 vehicles out of the building in the morning peak hour.

The Traffic Consultant's volumes are summarised in the table below.

| | Morning Peak Hour | | Afternoon | Peak Hour |
|----------------------|-------------------|-----|-----------|-----------|
| | In | Out | In | Out |
| Existing Volumes | 16 | 21 | 13 | 13 |
| Projected Volumes | 5 | 18 | 15 | 4 |
| Total | 21 | 39 | 28 | 17 |

| raffic Volumes – Existing and Projected (Peak Hou |
|---|
|---|



We are not experts in the field of traffic management analysis, but the projected additional traffic volumes generated in Nelson Street by the proposal will in our opinion have a noticeable perceived effect on Nelson Street and our clients' property.

GTA considers that "the low volumes of additional traffic generated by the proposed development could not be expected to compromise the safety or function of the surrounding road network". We note that GTA makes no comment on the perceived impact which these additional volumes are likely to have on the amenity of our clients' property.

6. <u>Southern Boundary Interface</u>

The Ground Plan (SK-02 Revision J) locates the gas meter enclosure, the stairs, a service yard and other plant and equipment housed in dedicated rooms which will open south onto the site boundary. The site boundary is not square to the building, which means that the gap between the building and the site boundary is very narrow at the western end (1.17 metres wide), and progressively narrower towards the eastern end.

Currently, a fence runs along the site boundary shared with our clients' premises. In the absence of detailed dimensions on the drawings submitted, there is not enough room to conveniently access the three rooms and service yard at the southern end of the proposed building.

7. <u>Active Street Frontage</u>

Council-wide PDC 196 requires buildings to "be designed to create active street frontages that provide activity and interest to passing pedestrians and contribute to the liveliness, vitality and security of the public realm". The proposal by contrast has <u>no</u> active frontage at ground level to Nelson Street.

Nelson Street terminates approximately 90 metres north of Carrington Street. The adjacent Federal Courts building at 3 Angas Street was designed with an associated pedestrian walkway connecting Angas Street and Carrington Street via the northern end of Nelson Street. The walkway between Carrington Street and Angas Street is now frequently used and will obviously be more frequently used if the development proceeds.

At Ground Floor level, the development will consist of a car park, bike store and two car park entrances. The car park will extend to Levels 1, 2, 3 and 4. As detailed on Overall Elevation West (Drawing SK-12 Revision H) the combined height of these levels will be in the order of 16.5 metres high from ground level. SK-12 is poorly detailed but at Ground Floor level the façade facing Nelson Street will consist of masonry brickwork, concrete blockwork and two car park entrances. There will be no glazing facing Nelson Street at Ground level, nor will there be any active frontages onto Nelson Street at Ground Floor level.



It is reasonable to assume that the pedestrian link between Carrington Street and Angas Street will be used to a much greater extent when Kodo is occupied and if the proposed development is built. There is no justification for the building's frontage to Nelson Street to be so lacking in activation, contrary to Council-wide Objective 50 and 51, PDC 196 and the associated Design Technique 196.1.

Conclusion

We have concluded from our assessment of the proposal that it is not deserving of Development Plan Consent.

In particular, the proposal:

- does not grade down in height at the Policy Area interface or at the interface shared with our clients' two storey State Heritage building;
- is poorly oriented;
- has insufficient regard to the significance and location of our clients' State Heritage listed building;
- is poorly designed with respect to the width and functional use of the balconies;
- places an air conditioner unit on each balcony with insufficient detail as to how noise from the air conditioning units will be alleviated;
- will generate additional and noticeable traffic volumes in Nelson Street likely to impact adversely on our clients' premises;
- crams various utility services and the service yard almost onto the southern site boundary, making it difficult if not impossible to access these utility services and service yard; and
- is completely lacking an active street frontage to Nelson Street.

For all these reasons the proposal in its current form is not deserving of Development Plan Consent.

Yours sincerely

Graham Burns MasterPlan SA Pty Ltd

Our ref: JLR/218336

30 January 2019

The Secretary State Commission Assessment Panel GPO Box 1815 ADELAIDE SA 5001

By email: scapreps@sa.gov.au

Dear Secretary,

Statement of Representation - DA 020/A012/18, 27-31 Angas Street, Adelaide

We, Mark Livesey QC, Tom Duggan SC, Brendon Roberts SC, Damian O'Leary and Ian Thomas, are members of Bar Chambers. We have all received category 2 public notification of DA 020/A012/18 (proposed development).

We, together with Mark Hoffmann QC, Michael Burnett SC and Enzo Belperio, are the members of Bar Chambers that are most proximate to, and affected by, the proposed development, each having a room in chambers that is at the northern end of the building. We understand that Bar Chambers Pty Ltd, Mark Hoffmann QC, Michael Burnett SC and Enzo Belperio have lodged separate submissions.

We wish to make representations with respect to the proposed development.

Bar Chambers abuts the proposed development site at 27-31 Angas Street, Adelaide **(the land)**.

We agree with and adopt the representations made by Bar Chambers Pty Ltd and wish to make these further submissions as to matters relevant to our opposition to the proposed development.

The demolition works for this proposed development commenced in November 2018 and were completed in December 2018

Those works caused a very significant degree of adverse effect on our (and other members') ability to work at Bar Chambers.

In short, the noise and vibration during the works was insufferable. For many days, and for most of the working day, we could not hear ourselves think.

Vibration was such that pictures hanging on walls became skewed on a close to daily basis.

We sought out alternative places to work rather than our rooms because of the degree of noise we were experiencing. A number of other of our members chose

to work from home or from solicitors' offices in order to avoid the noise and vibration.

Bar Chambers retained Sonus, the sound engineers, to assess the levels. They took noise and vibration measurements during the site inspections on 4, 5 and 10 December 2018.

The noise from a range of construction activities on the site was measured and the site testing indicated that the noise was:

- up to 92dB(A) as a continuous (short term) noise level outside the Carrington Street offices (this occurred during jackhammering).
- more than 70dB(A) as a continuous (short term) noise level within the Carrington Street offices (this occurred during jackhammering).

Such levels are very significant.

Sonus have advised that the above levels can cause general disruption and can impact on speech intelligibility (such as when communicating within the office and while on phones).

That was certainly our experience. It affected the way we were able to go about our work throughout the month of December.

The vibration from a range of different construction activities was also measured by Sonus in accordance with the applicable standards. The results indicate that the construction vibration exceeded the level of the Australian Standard where adverse sensations may begin to arise in an office environment.

We note Mr Hoffmann QC has dealt with the CEMP in his submission. Most concerning to us was the fact that, to the extent that it was intelligible, the CEMP did not consider the effect that the construction work would have on adjacent landowners. At no stage were adjacent landowners consulted about how the construction works could as far as practicable not detract from the amenity and usability of adjacent premises. The CEMP and conditions of development plan consent should have provided for mandatory consultation by the developer and its contractor with adjoining land occupiers to mitigate the effects of construction work on those occupiers.

From our observations the developer and its contractor disregarded the CEMP and specifically provisions in the CEMP to mitigate the effects on adjacent land occupiers such as traffic management plans, hours of operation and methods to reduce noise.

Rather than attenuate the noise, the measures taken increased it.

In fact, it seemed at times the developer and its contractor sought to exacerbate these issues where possible. No noise or vibration attenuation measures seemed to be taken. Much of the processing could have been done off-site. Other acts which increased noise are dealt with in Mr Hoffmann's letter.

Because there does not appear to have been any effort made to attenuate noise during demolition (and, instead, larger machines were used which caused even more noise than anticipated), we have a real cause for concern that the developer will simply disregard any conditions of consent in a similar manner to the way in which the condition regarding the provision and implementation of the CEMP were disregarded during the demolition.

We and fellow members shudder to think what noise, dust and vibration will occur when the foundations of a 24 storey building are commenced.

Simply put, given this was the way the developers and builders chose to commence their work on this project, it seems to us and other members of Bar Chambers that the developer cannot be trusted to implement any approval without stringent conditions imposed to regulate its conduct.

We have also heard that it is the intention of the developer that the six separate townhouses/'flats' will not ever be built and that at a later stage a further application will be made for approval to build a multi-storey office tower in that location. The developer should be asked whether that is something that it is considering in any way shape or form. We note that, with numerous of the changes in design, the height and number of storeys of this development have been steadily increased.

We ask that, if the proposed development is to be given approval, there should be a set of obligations imposed that will enable our fellow members and us to work in our office, which conditions are capable of enforcement.

Yours sincerely,

Mark Livesey QC

ALL

Brendon Roberts SC

m D'

Damian O'Leary

Tom Duggan SC

lan Thomas

| 1 al cate | South Austra | lian |
|---|---|--|
| + 8/66 Carring 10 | DEVELOPMENT A | CT, 1993 |
| Adelaide 5000 | REPRESENTATION ON APPLICA | ATION – CATEGORY 2 |
| Applicant: | Flagship (Penny Place) Pty Ltc | l c/- Intro Design |
| Development Numbe | r: 020/A102/18 | |
| Nature of Developme | nt: Staged application comprising a twenty-four (24) storey mix residential flat building, ancill and landscaped communal op description) | g demolition of existing buildings and construction of ed use development and a three (3) storey ary car parking, landscaping, public circulation areas ben space (must be consistent with APPIAN |
| Development Type: | Merit | |
| Zone / Policy Area: | Capital City Zone, Central Bus | iness Policy Area 13 |
| Subject Land: | 27-31 Angas Street, Adelaide | |
| Contact Officer: | Lauren Talbot | |
| Phone Number: | 8402 1786 | |
| Close Date: | 30 January 2019 | |
| My Name: | | My phone number: |
| | | |
| Primary method(s) of | contact: Email: | |
| | Postal | Portcodo |
| | Address: | Postcode: |
| | occupier of local property a representative of a company a private citizen | y/other organisation affected by the proposal |
| The address of the pro | operty affected is: | Postcode |
| My interests are: (please tick one) | I support the development | th some concerns |
| The specific aspects of the $PARKIND(V)$ NOISES(V) SUASETE = 100000000000000000000000000000000000 | e application to which I make comment $\underline{si70RS}$ WORKPEDPFF (\underline{ev} $\underline{k} - \underline{iddusfri@(degene)}$ $\underline{probably}$ UG4 (\underline{bu} | on are: INCREASED TRAFFIC) len thank prop. carpark, [250) Lack of Natura Licht o 10,000 - eg. 33 stored behind |
| I: 🕅 wisi | to be heard in support of my submission ا | n (A Shodily built) - Cracket |
| (please 🗖 do r tick one) (Plea | not wish to be heard in support of my sub ase tick one) | - Will it Enhance |
| By: 🗖 appe | aring personally Skyline | -will it combine mistorical |
| (please Deing tick one) (Pleas | represented by the following person etick one) | - cincular parking (runtables |
| Signature: | Tow p | - I CT MANINOT SUSTAIN |
| Date: 30/ | 1/19 CAR | TRAFFIC (PARKING) I've been |
| here - | AYRS + NOW EARRINGTON | IS USED AS THRU -ROTTO TO CIT |
| Return Addreśs: The Secr Email: <u>scapreps@sa.gov.</u> ; | etary, State Commission Assessment Pa <u>au</u> | nel, GPU Box 1815, Adelaide, SA 5001 /or IVCREDIBLY |

(PEEstaml Planning Dept. ADELAIDE CITY COUNCIL LOCAL GOVERNMENT Secretary State Com: Assess Rand Level 5 50 thindders ST. CITY OF ADELAIDE CUSTOMER CENTRE RECEIVED 1 FEB 2019 ALELAIDE 12 1 19

14 February 2019

Lauren Talbot Senior Planning Officer Department of Planning, Transport and Infrastructure

Via e-mail: lauren.talbot@sa.gov.au

Dear Lauren,

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

intro.com.co

RE: 11-19 PENNY PLACE – RESPONSE TO REFERRALS AND REPRESENTATIONS

I am writing to you regarding your correspondence dated 5 February 2019 regarding DA 020/A102/18. Intro act on behalf of the applicant with respect to the proposed development, at 11-19 Penny Place, Adelaide. This correspondence has been prepared in response to the Government Agency Referrals and representations received pursuant to the Category 2 public notification process.

RESPONSE TO AGENCY REFERRALS

I respond to the Government Agency Referrals below:

ADELAIDE CITY COUNCIL

An amended Waste Management Plan is provided in Appendix 01 for review. As is stipulated within the report, the building is functional from a waste management perspective.

ODASA

ODASA have identified a range of items for clarification. I provide a response to each of these items below:

• Development of a high quality lobby area to provide a clear and intuitive connection between 'Penny Square' and Nelson Street.

Additional information is provided in Appendix 02. As is demonstrated on the revised renders, the lobby area is proposed to be a high quality space that provides a clear connection between the open space and Nelson Street.

• Implementation of CPTED strategies to ensure that the public spaces are safe at all times for the residents and the wider community.



The proposed development provides for a range of active and passive surveillance strategies within and surrounding the public spaces. The proposed building provides for appropriate CPTED strategies by providing:

- active uses framing and with direct line of sight to public spaces;
- video surveillance; and
- opportunities for passive surveillance from lobby spaces and apartment balconies.
- Provision of further information to demonstrate that the proposed air conditioning condenser enclosure arrangement successfully mitigates the environmental impacts.

An Acoustic Report is provided in Appendix 03 (which was provided as part of the application) finds that Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will meet the environmental noise criteria (refer pages 8, 9 and 12).

An email from the acoustic engineer provided in Appendix 04 confirms that the calculations provided in the acoustic report do not take into account the fact that the condenser is in a unit enclosure. The unit enclosure will provide additional noise reduction.

• Review of the apartment entry locations to avoid adjacency.

Apartment entry locations will not be reviewed. The floor plan has been developed to ensure it is highly rationalised. The floor plan will not be altered.

• Provision of further information to demonstrate the successful sustainment and maintenance of the proposed soft landscaping.

The proponent has provided a range of information pertaining to the requirements and maintenance of the landscaping. I request that the successful maintenance of the landscaping forms a condition of consent.

 A high quality of external materials for building and landscaped areas supported by the provision of a materials sample board.

The materials provided in the landscaped open space is subject to detailed design in consultation with the Adelaide City Council. The proponent remains committed to delivering the open space as Public Open Space and will work with Council to ensure this happens.

 Provision of an enlarged western elevation drawing depicting the redesigned podium facade patterns and the detailing of the State heritage place

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

An enlarged elevation is provided in Appendix 02.

HERITAGE SA

Heritage SA has recommended a range of conditions associated with the proposed development.

The proponent does not object to these forming conditions of consent.

DEPARTMENT OF PLANNING

Department of Planning Staff have requested additional information for storage within each apartment. Revised plans demonstrating the storage calculations are provided in Appendix 05.

I have reviewed the relevant provision of the Development Plan which states:

| PDC 81: | Medium to high scale residential (other than student accommodation) or serviced apartment development should provide adequate and accessible storage facilities for the occupants at the following minimum rates: |
|---------|---|
| (a) | studio: 6 cubic metres |
| (b) | 1 bedroom dwelling/apartment: 8 cubic metres |
| (c) | 2 bedroom dwelling/apartment: 10 cubic metres |
| (d) | 3+ bedroom dwelling/apartment: 12 cubic metres |

50 percent of the storage space should be provided within the dwelling/apartment with the remainder provided in the basement or other communal areas.

The proposed development provides apartment storage rates at the following rate:

- 1 Bedroom: 9.78 cubic metres;
- 2 Bedroom (Type 1): 13.7 cubic metres; and
- 2 Bedroom (Type 2): 12.6 cubic metres.

As is demonstrated in the plans the apartments exceed the minimum storage criteria.

RESPONSE TO REPRESENTATIONS

As a result of the public notification process, a total of twelve representations were received. An additional representation was received following the public notification closing date. For completeness of information I will respond to the representation. It is not a valid representation and the representor should have no opportunity to participate in the process further. The representors are identified as follows:

| Representor | Address |
|-------------------|-----------------------------------|
| Andrew Stabolidis | 38-40 Carrington Street, Adelaide |
| Stuart Henry | 48 Carrington Street, Adelaide |
| James Roder | 34 Carrington Street, Adelaide |

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

| Brendon Roberts | 34 Carrington Street, Adelaide |
|--------------------|------------------------------------|
| N/A* | 8/66 Carrington Street, Adelaide |
| Polly Caldow | 53 Wakefield Street, Adelaide |
| Christopher Foster | 22/15 Seymour Place, Adelaide |
| Louise Ryan-Smith | 38-40 Carrington Street, Adelaide |
| Greg Saunders | Roma Mitchell Law Courts, Adelaide |
| Mark Burnett | 34 Carrington Street, Adelaide |
| Enzo Belperio | 34 Carrington Street, Adelaide |
| | |

*invalid representation

The representations identified similar concerns and cognisant of this, I will respond to the themes raised. The representation provided by James Roder of Botten Levinson includes a planning letter by Masterplan. I will respond to this in its entirety.

BUILDING HEIGHT

The planning letter asserts that the building is too tall cognisant of the provisions of the Development Plan, namely, PDC 22 (c) within the Capital City Zone and Council Wide PDC 270 which are stated verbatim below:

- PDC 22: Development should have optimal height and floor space yields to take advantage of the premium City location and should have a building height no less than half the maximum shown on Concept Plan Figures CC/1 and 2, or 28 metres in the Central Business Policy Area, except where one or more of the following applies:
- (a) a lower building height is necessary to achieve compliance with the Commonwealth Airports (Protection of Airspace) Regulations;
- (b) the site is adjacent to the City Living Zone or the Adelaide Historic (Conservation) Zone and a lesser building height is required to manage the interface with low-rise residential development;
- (c) the site is adjacent to a heritage place, or includes a heritage place;
- (d) the development includes the construction of a building in the same, or substantially the same, position as a building which was demolished, as a result of significant damage caused by an event, within the previous 3 years where the new building has the same, or substantially the same, layout and external appearance as the previous building.
- PDC 270: Development located either abutting, straddling or within 20 metres of a Zone or Policy Area boundary should provide for a transition and reasonable gradation from the character desired from one to the other.

The respondent has identified two key points within their correspondence, being, total building height and the transition of building heights to adjoining policy areas.

I have formed the view that the proposed building is of an appropriate height. In forming my opinion, I have reviewed the entirety of the Capital City Zone, Desired Character Statement, Objectives and Principles of Development Control.

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

The intent of the Capital City Zone is to stimulate high quality development in what is the economic and cultural focus of the State. Development should provide for an increased population within the Zone contributing to vibrancy. The proposal achieves this by delivering residents into the city and providing opportunities for retail business to occur.

High scale development is envisaged within the Zone, and specifically high street walls that frame the streets are supported. Balancing height with pedestrian amenity is important and buildings should provide for a human scale at the ground level. The proposed development is setback minimal distances from Nelson Street, providing a high street wall. Pedestrian amenity is created at the ground level through the provision of activity and appropriate materiality.

The Zone acknowledges heritage by stating that contemporary juxtapositions will provide new settings for heritage places. Innovative design is encouraged that responds to site context and the broader streetscape while supporting optimal site development.

The proposed development has been conceptualised since the masterplanning stage. The entire masterplan has considered the surrounding area and provides the tallest building element along Angas Street. The masterplan lowers in height as it transitions from the Central Business Policy Area 13 to the Capital City Zone, which exhibits maximum heights of 53m. The built form has been designed such that it presents a neutral backdrop to the State Heritage place at Carrington Street. The masterplan prioritises pedestrian movement from Angas Street through open space to Penny Place. The masterplan was conceived to present a balance between development and the contribution to amenity within the broader area.

The Capital City Zone sets out maximum building heights through Concept Map CC/1 and CC/2. The subject land is located entirely within the Central Business Policy Area 13 which corresponds with the area that has no no prescribed height limit as depicted in Concept Map CC/2.

Objective 7 of the Zone states that large sites developed to their full potential while ensuring a cohesive scale of development and responding to a building's context.

The proposed development satisfies Zone Objective 7 as it represents the second stage of a masterplanned development. The first stage of the development is the Kodo building located at 27-31 Angas Street which is some 30 storeys in height. The Penny Place development is a height of 24 levels and transitions down to its surrounding context. The subject land, being located in the Central Business Policy Area 13 has no height limit, the proposal provides a transition down to the Capital City Zone (no policy area) which allows development up to 53m in height.

I have reviewed PDC 21 and 22 which provides further guidance around building heights. The precursor to each provision is provided below:

PDC 21: Development should not exceed the maximum building height shown in Concept Plan Figures CC/1 and 2 unless;

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co
PDC 22: Development should have optimal height and floor space yields to take advantage of the premium City location and should have a building height no less than half the maximum shown on Concept Plan Figures CC/1 and 2, or 28 metres in the Central Business Policy Area, except where one or more of the following applies:

These two provisions have been worded in a specific way. PDC 21 clearly states that development should not exceed the maximum building height unless specific conditions are met. Where the conditions are met, the Capital City Zone allows development to exceed the maximum building height. Within Concept Map CC/2 no prescribed height limit is proposed at the subject land. As no maximum height limit is allowed for, the proposed building height is appropriate and consistent with the Desired Character for the Capital City Zone.

PDC 22 clearly states that *Development should have optimal height* ... to take advantage of the premium City location no less than half the maximum... except where one or more of the following applies. Importantly PDC 22 argues for buildings to achieve no less than half of the maximum identified height. Development can only provide a height of less than half of the maximum if it achieves one or more of the stipulated conditions. PDC 22 has not been worded in a way which requires a development to accord with the provision, that is, the provision does not stipulate that where a condition is achieved development *must* or *should* be lower in height if the conditions are met.

It is clear when taking these two provisions into account, within the context of a Zone which espouses height as Desired Character, the height is acceptable and satisfies the relevant provisions of the Development Plan.

The submission further argues that the proposed development does not satisfiy Council Wide PDC 270. I provide PDC 270 verbatim below (my underlining):

PDC 270: Development located either abutting, straddling or within 20 metres of a Zone or Policy Area boundary should provide for a transition and reasonable gradation from the character desired from one to the other.

The subject land lies within the Capital City Zone, Central Business Policy Area 13. Abutting the subject land, to all sides, exists the Capital City Zone (no Policy Area assigned). The Desired Character for the Capital City Zone is shared across this Policy Area boundary.

There is no statement within the Desired Character section of the Zone that points to the Concept Plan Figures CC/1 and CC/2 with reference to height limits.

Both Kodo and Penny Place are located in the Central Business Policy Area 13 which prescribes no height limits. The proposed development provides a transition from the taller Kodo tower on Angas Street. The transition occurs down to the Capital City zone (no Policy Area) which is subject to a maximum height limit of 53 metres, in Figure CC/1, to the south or east of the site. The transition in height that the proposed building delivers is considered appropriate as depicted in SK-12 of the architectural plans.

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

The tower element proposed is located some 70 metres west of the City Living Zone. This separation provides for ample separation for a successful transition towards the City Living Zone to the east.

The Zone specific interface provisions, namely PDC 23, 24 and 25, are primarily concerned with the interface between the Capital City Zone and the City Living, Main Street (Adelaide) or the Adelaide Historic (Conservation) Zone boundaries. The Zone is primarily concerned with the interface between low scale development in other Zones, rather than between separate policy areas within the Capital City Zone.

Cognisant of Desired Character Statement, Zone Objectives and Principles of Development Control, I am of the opinion that the proposed development is an appropriate height and provides a suitable transition in building height. The proposed development satisfies the relevant provisions of the Development Plan.

BALCONY DEPTH

The proposed balconies are 1.8m in width, which are a minor variation from Council Wide PDC 61 of the Development Plan.

The proposed balconies have a flush transition between internal and external spaces and as such, when the generous sliding doors are opened the apartment can be used as an indoor/outdoor space.

The minor departure from Council Wide PDC 61 and the benefits provided by the overall balcony design, ensure that the balcony design is appropriate.

BUILDING ORIENTATION

The representation argued that the building does not have an appropriate orientation. The representation has used PDC 108 which states:

| PDC 108: | Energy reductions should, | where possible, | be achieved by | the following: |
|----------|---------------------------|-----------------|----------------|----------------|
| | | | | |

| (a) | appropriate orientation of the building by: |
|-------|---|
| (i) | maximising north/south facing facades; |
| (ii) | designing and locating the building so the north facade receives good direct solar radiation; |
| (iii) | minimising east/west facades to protect the building from summer sun and winter winds; |
| (iv) | narrow floor plates to maximise the amount of floor area receiving good daylight; and/or |
| (v) | minimising the ratio of wall surface to floor area. |
| (b) | window orientation and shading; |
| (c) | adequate thermal mass including night time purging to cool thermal mass; |
| (d) | appropriate insulation by: |
| (i) | insulating windows, walls, floors and roofs; and |
| (ii) | sealing of external openings to minimise infiltration. |
| (e) | maximising natural ventilation including the provision of openable windows; |
| (f) | appropriate selection of materials, colours and finishes; and |

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

(g)

introduction of efficient energy use technologies such as geo-exchange and embedded, distributed energy generation systems such as cogeneration*, wind power, fuel cells and solar photovoltaic panels that supplement the energy needs of the building and in some cases, export surplus energy to the electricity grid.

The building orientation has been highly scrutinised by experts during the concept design phase in architecture and sustainable design. As part of the planning application, the proponent has provided an energy assessment which has reviewed the building orientation and energy efficiency. Please refer to Page 58 of the Woods Bagot Design report lodged with the application for the thermal performance diagrams.

As is demonstrated within the report, the building orientation, in combination with its use of deep and uninterrupted balcony overhangs for the entire length of the façade, is highly energy efficient from the outset.

In response to the criteria identified by PDC 108 in achieving energy reductions, the proposal provides for:

- a low ratio of wall surface to floor area;
- narrow floor plates for optimal access to daylight and natural ventilation;
- shading to all apartment windows and doors;
- thermal mass through the use of appropriate materials;
- insulation which meets or exceeds the requirements by the NCC;
- natural ventilation to all habitable rooms;
- colours and materials which contribute to the performance of the building; and
- opportunities for energy generating technologies such as solar panels.

Orientation is one aspect which contributes to energy efficiency. Despite departing from this portion of the provision, the proposed building provides for an energy efficient building which satisfies PDC 108.

The representor has not provided any evidence to demonstrate that the building design is inappropriate and would not satisfy the relevant provisions of the National Construction Code (NCC). As part of the planning application an ESD report was submitted. The Section J assessment found that:

models have been built for 24 apartments in the development, selected to represent both typical and worst case apartment types.

As shown ... all apartment types modelled meet the required minimum rating of 5 Stars and an average rating of greater than 6 Stars.

HERITAGE IMPACT

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

A Heritage Impact Statement has been provided in Appendix 06. The proponent commissioned this report from the outset which has underpinned the building design.

The representation has not provided expert evidence finding that the proposed building represents an unacceptable impact on the State Heritage place.

The proposed development has support from Heritage SA (with conditions) and from an independent Heritage Advisor. The proponent will address any conditions on the approval imposed by Heritage SA.

The representation raised:

- the southern wall materiality;
- failure to satisfy PDC 142 as the building is not integrated; and
- the scale will take from the architectural contribution of the State Heritage place and the character of the area and (PDC 146).

The Heritage Impact Statement finds that the proposed materiality is appropriate and, while modern in appearance, will add a level of *architectural interest to the podium without detracting from the heritage place.* Furthermore, throughout the pre-lodgement and design review process it was advised by Peter Wells that *the southern core's finish is important to its success as a neutral backdrop to the State heritage place.* The proposed development achieves this through the use of appropriate materiality and is confirmed by Heritage SA's referral.

The proposed development does not abut built form of a heritage place, and as such PDC 142 is not relevant. The proposed podium element successfully responds to the form and scale of Bar Chambers by referencing the existing gable and parapet heights and responding to the colour and texture of the existing masonry wall facing Nelson Street. This approach has been supported by Heritage SA.

Pages 19 and 20 of the Heritage Impact Statement responds to the architectural contribution of the property and the character of the area. The Heritage Impact Statement finds that:

- the heritage value of the place lies in its history as an early residential building;
- [the proposal] will not obscure views to the place or change its contribution to Carrington Street; and
- proposed development will be a contemporary structure in an area which has already seen much recent development, and is considered to have only a minor impact on views to Bar Chambers, as it will be visible to the rear of the State Heritage Place.

Cognisant of this I am of the opinion that the proposed development does not deleteriously impact on the heritage place and is appropriate.

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

AIR CONDITIONING CONDENSERS

Air conditioning condensers are not provided on a shared boundary location. They are provided entirely within the confines of the strata unit. Furthermore, an Acoustic Report is provided in Appendix 03 (which was provided as part of the application) that finds that *Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will meet the environmental noise criteria (refer pages 8, 9 and 12).*

An email from the acoustic engineer provided in Appendix 04 confirms that the calculations provided in the acoustic report do not take into account the fact that the condenser is in a unit enclosure. The unit enclosure, including any louvre, will provide additional noise reduction.

The representor has not provided expert evidence finding that the proposed air condenser units provide an unacceptable acoustic impact on other units or the locality.

With respect to the discharge of air conditioning condensate, the proposal will ensure it discharges condensate in accordance with *EPA 245/16 Air conditioning* and pipework systems – wastewater removal.

The proposed impact of the air conditioning condenser units have been calculated and assessed against the relevant provisions of the Development Plan, NCC and EPA guidelines The proposed air conditioning condensers are appropriate.

TRAFFIC

A comprehensive Traffic Impact Assessment has been provided by a qualified expert. The report finds that there will be an acceptable increase in traffic movements within the locality as a result of the proposed development.

The anticipated traffic generation identified within the Traffic Impact Assessment in combination with the constraints surrounding Nelson Street, that is its width and length, ensures that traffic will be slow moving and minimises the potential impact on amenity.

SOUTHERN BOUNDARY INTERFACE

The representation argues that there will be a range of enclosures and other plant equipment which will not be accessible.

The proposed development provides for a minimum clearance of 780mm at the closest point between the building and the fence. This distance is considered trafficable.

Access to this zone can also be gained through the plantroom coloured in grey through doors into Plant Room 2, and from Plant Room 2 through the double doors into the service yard.

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

Access to this area is considered as adequate.

ACTIVE STREET FRONTAGES

The representor states that there will be no active uses at the ground floor for the entire Nelson Street Frontage. This statement is incorrect. The proposed development provides for a bike workshop which, as a building feature should attract residents to use this space. Furthermore, the proposed development provides for the entrance lobby with access from Nelson Street.

The masterplan proposes a landscaped public square central to the site which encourages pedestrian movement between Angas Street and Carrington Street to occur via Penny Place. Active ground floor frontages have been prioritised in this space to contribute to pedestrian amenity and safety.

The future activation of Nelson Street has also been identified at the masterplanning stage. In response to this principle, the proposed development has a floor to floor height which allows the Nelson Street frontage to be converted to an active use in the future. It is envisaged that it would become feasible to provide additional active frontages upon Nelson Street when land west of Nelson Street is redeveloped. An adaptive use plan has been provided at Page 59 of the Woods Bagot Design report lodged.

DEMOLITION INCLUDED IN THE APPLICATION

At the time of lodgement, the buildings upon the subject land had not yet been demolished. The buildings have now been demolished pursuant a separate application and approval.

The proponent requests that the demolition component of the application be removed from the description.

The development should be described as:

Staged application comprising the construction of a twenty-four (24) storey mixed use development and a three (3) storey residential flat building, ancillary car parking, landsdcaping, public circulation areas and landscaped communal open space

I note that the application plans do not require amendment as no demolition plan was provided.

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

A range of the representation received have raised the Construction Environment Management Plan (CEMP) as a concern. No CEMP has been prepared for this application. The provision of a CEMP for this application would be the subject of an approval condition and would be provided by the Builder as

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

a response to this condition. The Authority would then assess the CEMP and sign off this condition. Cognisant of the process that is yet to occur, the representations raising the CEMP are not relevant.

Few representations have made suggestions regarding what should be included within the CEMP. The requests that have been made are overly onerous and do not reflect widely accepted construction techniques in a city environment.

NOISE IMPACTS

The representations identified surrounding noise impacts primarily relate to the CEMP and the demolition of the property. This application should not be used to raise issues with the incumbent CEMP associated with DA 020/A068/17 which is not related to this application. The respondents have a legal recourse through the Council to make complaints relating to construction activity.

My client urges that any representors aggrieved by any perceived breaches to the CEMP during construction take the appropriate form of action.

LEGITIMACY OF BUILDING HEIGHT AND TOWNHOUSES

It is not the proponents current intention to vary the application to increase the building height to 27 levels or change the townhouses to an office building.

OVERSHADOWING

The application package was lodged with overshadowing plans. As demonstrated the proposed development does not overshadow a sensitive land use in excess of the recommended criteria.

COMMONWEALTH LAW COURTS

The proponent provides the following in direct response to the Commonwealth Law Courts representation. Plans and elevations demonstrating sight lines will be provided in Appendix 07. The Commonwealth Law Courts identify the following concerns:

Balconies, terraces and windows having views into sensitive areas;

The proposed building has been strategically orientated with clear apartment glazing facing only east and west. The Development Plan provides guidelines which define distances at which direct overlooking becomes appropriate. The Development Plan identifies this distance as being a minimum of 15m to sensitive development. Any apartment within this distance has been appropriately treated to ensure direct overlooking cannot occur.

The apartment building and screened podium are bookended with paired precast concrete cores. Separating the northern elevations paired precast core is opaque glazing from L01 up to the roof (refer lodged architectural drawings SK03-SK08 -

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

annotation 'obscure glass to window'). The application of opaque glazing in this instance results in no possible over looking into the Commonwealth Law Courts (CLC) from corridors or carpark floors.

A privacy study has been undertaken and is provided in Appendix 07. The privacy study demonstrates the areas for potential overlooking to occur and the proponents response to this.

During the construction process the potential for overlooking has been minimised. The northern facade of the building is constructed of precast, it is not intended that a scaffold will be installed on this face. Rather, there will be cranes lifting the precast panels into place. The installation of the northern precast building face will be discussed between the builder and the Commonwealth Law Courts to minimise overlooking at sensitive Court operation times. In relation to the views into the Law Courts from the building during construction, we would note that the access to north facing windows during the construction period will be for a minimal period prior to the windows (with screening) being installed. Nevertheless, my client will agree to install temporary screens on the northern face windows up to level 09 prior to the opaque windows being installed.

Pedestrian walkway on Commonwealth owned land;

The pedestrian walkway is entirely within the subject land.

• Risk of video surveillance or monitoring of courts;

The proposed development must balance Council Wide provisions desiring the ability for passive surveillance to public areas against the potential for filming. The proposed development minimises the potential for this to occur by screening balconies and common areas where they are sited within easy viewing distance to the court. The measures proposed to minimise the potential for overlooking are considered sufficient to prevent the filming of court proceedings from outside the building.

Noise disturbances during and post construction; and

The development plan consent will require the preparation and implementation of a Construction Environment Management Plan ("CEMP"). The CEMP will address all issues in relation to noise and amenity. The hours that the site can operate are defined, as is the allowable noise levels. Should the impact on amenity be considered unacceptable during the construction process, we recommend that the CLC contact the relevant person from the proponents team to resolve the matter. It is anticipated that, failing a satisfactory resolution (which would be unlikely) the various nuisance risk required to be addressed pursuant *to our development plan* will be enforced by the South Australian Environment Protection Authority ("EPA").

The proponent is required to ensure that the appointed builder is able to agree to and implement a CEMP that in turn ensures compliance with all environmental and occupational, health and safety laws and standards. This understanding is reinforced by both the reference to the EPA publication "Environmental

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

Management of On-site Remediation" and the various Advisory Notes relating to environment protection. In particular, the propoent is very mindful of their general environmental duty to take all reasonable and practicable measures to prevent or minimise environmental harm arising from construction works. Environmental harm includes the kind of potential environmental nuisance that is of concern to the CLC. While it is not appropriate to prescribe all reasonable and practicable measures within the conditions of development approval, our client is committed to ensuring that compliance with all EPA, safety and any other relevant standards are addressed in the CEMP and will be monitored closely and if and when necessary appropriate consultation will be undertaken with your client as with other stakeholders. A copy of the CEMP will be provided to the CLC.

Once the building is complete the building will function as any completed building within the CBD. The Environmental Noise Assessment undertaken has demonstrated that the building will function in accordance with the relevant nose criteria of the Development Plan and NCC.

Use of Commonwealth owned land for maintenance.

There are no works proposed on Commonwealth owned land, nor will any Commonwealth land be required for ongoing maintenance. The proposed building is setback 2.9m south of the adjoining boundary to Commonwealth Law Courts.

I note that a supplementary submission has been provided by the CLC on 14 February 2019. Cognisant of the need to respond to the referrals and representations, a formal response to the CLC supplementary information will be provided prior to the SCAP meeting.

Should you require further information, please do not hesitate to contact the undersigned on 0402 424 403.

Yours sincerely

Anthony Gatti Senior Planning Advisor

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co



APPENDIX 01 – WASTE INFORMATION

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

Anthony Gatti

| From: | Willy Hoogeveen <willy@flagshipgroup.com.au></willy@flagshipgroup.com.au> |
|----------|---|
| Sent: | Monday, January 21, 2019 2:09 PM |
| То: | Anthony Gatti |
| Cc: | Paul Yerondais |
| Subject: | FW: Penny Place - Public Open Space |

FYI

From: Chris Colby | Colby Phillips Advisory <chris.colby@colbyphillips.com.au>
Sent: Monday, 21 January 2019 2:38 PM
To: Willy Hoogeveen <willy@flagshipgroup.com.au>
Cc: Paul Yerondais <paul@flagshipgroup.com.au>; Joel Phillips | Colby Phillips Advisory
<joel.phillips@colbyphillips.com.au>
Subject: RE: Penny Place - Public Open Space

Dear Willy

Thank you for this inquiry and per our phone discussion I provide the following advice before making any update to the WMP.

The Public Square waste the building was included in the design of the waste system in the 15 June 2018 letter advice provided for Review of the Waste Management System – see attached, refer Table 1, copy of this table is also re-produced below.

- It was estimated as 990L/week of General Waste
- This can be considered approximately equivalent to 2x140L MGBs (i.e. two bin stations) emptied up to 3 times per week (e.g. every 2-3 days).

If the proposed Public Square waste bins are not to be serviced by Council (at least initially), this volume could be accommodated as part of the general waste bin storage in the Ground Level waste room of the Apartment Building.

- This could be achieved by providing an extra 1100L skip bin in addition to the existing Public Place waste 1100L skip bin presently allowed for by the current WMP (issued 30 November 2019, see copy attached, refer Table 5-3 and Figure 5-1, copies of this table and figure are reproduced below).
- In my opinion, there should be enough space within the Ground level waste room for this extra bin (with some reconfiguration of waste storage as proposed in Figure 5-1).
- Alternatively, it could be temporarily located in a spare area of the Ground level car park, adjacent to where Council's rear-lift collection truck would be parking to collect waste & recycling from the site.

It would be relatively easy to update the WMP to include the above, but I would need some guidance on where you would like the extra bin to be located.

Hope the above makes sense. Let me know if you need or want me to proceed with updating the WMP.

Thanks & kind regards, Chris

Table 1 – Table 5-2 from WMP (Colby Industries, 26 October 2017) updated to re-estimate waste and recyclin (in L/week) for the residential land use in the Development (updated values are highlighted in yellow)

| | Apartment Building | | | | | |
|------------------------------|---|--------------------------------|-------------------|-----------------|------------|-------|
| Waste / Recycling Service | Residential Apartments | Residential Amenity Area | Retail tenancy | Public Place | Townhouses | s |
| | L/week | L/week | L/week | L/week | L/week | L |
| General Waste | 8550 190 930 | | | | 360 | |
| Recyclables | 713 | 90 | | 300 | | |
| Food Waste | 285 | | | 120 | | |
| Garden Waste | Not applicable: Maintenance Service, Nil on-site storage needed | | | | | NE: N |
| Hard waste | 1995 4.0 10 | | | | 84 | |
| E-waste | 356 0.7 4 | | | | 15 | |
| Sanitary | NE: Maintenance Service^ | | | | | |
| Lighting waste | NE: External Drop-off^ | | | | | |
| Printer Cartridges/Batteries | NE: External Drop-off^ | | | | | |
| TOTAL | 2088 | 31 | 285 | 943 | 879 | |

* These services do not require separate on-site storage, volumes are not estimated (NE)

Table 5-3: Routine Services – Summary of waste volumes, collection service provider, and number of bins stored and collected. Note: Volume in table for Apartment Building General Waste from chute considers compaction (by overhead compactor)

| Land Use | Storage Location | Service | Volume (estimated) (L/week) | Provider | Bins (| ollecte per ever | d (up to, nt) | Frequency |
|--|-----------------------|---|-----------------------------------|--------------------------------------|---------|-----------------------|------------------|-------------|
| Apartment Buildings - Residential | | General Waste (Chute & compacted) | 4061 | Council (Rear-lift / Bulk bin) | 4 | 1,100 | L Skip | Weekly |
| | oom | Recyclables - Chute | 5757* | | 6 | 1,100 | L Skip | 8 |
| | te Chu rage R | Recyclables - Bulky Cardboard bin | 1016* | | 1 | 1,100 | L Skip | |
| | al Was e & Sto | Food Waste | 2708 | | 5 | 660 | L Skip | |
| Public Place - Apartment Building | Residenti Discharg | General Waste | 830 | | 1 | 1,100 | L Skip | |
| Apartment Building - | g | General Waste | 428 | | 1 | 660 | L Skip | 1 |
| Area | dential nity Arr | Recyclables | 357 | | 2 | 660 | L Skip | |
| | Ame | Food Waste | 143 | | In Food | waste dro see abov | poffskip – e | |
| Townhouses - | 7 | General Waste | 360 | Council | 4 | 140 | L MGB | Weekly |
| Residential | r rking ba of | Recyclables | 300 | Kerbside | 4 | 240 | L MGB | Fortnightly |
| <u>a s a</u> | 92229 | Food Waste | 120 | Service) | 4 | 240 | L MGB | Fortnightly |
| Apartment Building - Retail tenancy | Retail Tenancy | General Waste | 170 | Private / Commercial | 1 | 240 | L MGB | Weekly |
| | | Recyclables | 80 | | 1 | 240 | L MGB | 5 |

* Based on minimum 15% split for bulky cardboard ordinarily present in the recycling stream but now separately disposed to a bulk cardboard bin at Ground level



Figure 5-1: Apartment Building Residential, Retail, Kitchen Amenity and Public Place Waste Storage areas – Concept only

From: Willy Hoogeveen <<u>willy@flagshipgroup.com.au</u>>
Sent: Thursday, 17 January 2019 12:24 PM
To: Chris Colby <<u>chris.colby@colbyindustries.com.au</u>>
Cc: Paul Yerondais <<u>paul@flagshipgroup.com.au</u>>
Subject: Penny Place - Public Open Space

Chris,

SCAP have queried the public open space bins.

'Can you please revise the waste management plan and add the calculations for the public square back into the predicted volumes of waste and servicing frequency for the most recent plan. This will be raised as part of the new application too I would say.'

Whilst the intent is to vest back this land to the CoA, they have not been receptive thus far. We're still hopeful, however, if were not successful these bins will need to be managed by the Penny Place Strata.

Can the proposal accommodate these two external bins? And what would be the management strategy?

Regards,

Willy Hoogeveen Development Manager



Suite 3321, Level 14, 333 Collins Street, Melbourne VIC 3000

P: 03 8639 5838 M: 0424 833 811 willy@flagshipgroup.com.au flagshipgroup.com.au

Facebook | Twitter | Instagram | LinkedIn





APPENDIX 02 – ADDITIONAL PLANS

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co





Building Signage



PENNY PLACE



Building Signage above Entrance

WOODSBAGOT.COM



General Finishes

1. Core wall finish Precast Concrete 2. Wall material finish Honed Concrete Block 3. Feature wall wladding Prefinished Aluminium Cladding, Sapphire Aluminium 4. Floor tile finish Terrazzo Tile, Surface Gallery, 5. Feature ceiling Stained timber panel Table Tops 6. American Limed Oak 7. Waiting Chairs Leather Upholstery 8. Chair Table Leg Black Powdercoat Frame 9. Carpet Inlay Custom Weave Premium Wool Rug Tip Sheared Textural Stripe Col: Toscana, Location: Waiting Rug



WOODSBAGOT.COM



WOODSBAGOT.COM

03 Podium Facade Design Response

Podium Facade Proposed Design

Key Points:

- Masonry Used in a more traditional typology within the lower level facade.
- Singular Expression of the screen material blurs the internal program of the Podium. As a cross ventilated carpark arrangement the open area requirements are 1/2m2 per carpark which allows for a relatively opaque screening solution. This again allows for a blu rring of the internal program as well as the effective mitigation of light pollution at night.
- Referencing the colours of the red bricks of the adjacent heritage place with a metal screen facade. Variation of colour, perforation as well as the profile of the panels provides visual texture to the Podium.





Nelson Street Elevation



04 Tower Facade Design Response



Carrington Street Perspective Image

Key Points:

• The light grey precast core panels form a neutral backdrop to the State heritage place. Precast panels were selected in lieu instu-concrete to have greater control over the materials finish. Furthermore, vertical dummy joints are arrayed to mimic (at a larger scale) the adjoining State heritage place stretcher bond brickwork.



Proposed Updated Precast Facade Breakup



General Materials

CE:01 & CE:02



<u>Precast Concrete Specification</u> Exposed Precast Concrete: Brighton Lite Class 2C

Surface finish class to AS 3160: Class 2 Form Lining Type: Concrete or Steel Colour Control: C Bolt Hole Fixing: Not Permitted to normal visible faces Surface Finish Type: Off Form to visible face. Flatness Tolerance: 3m straight edge. 3mm maximum deviation

<u>Precast Concrete</u> Location: Balconies and Core Walls



CD:05



Profiled Metal Sheet Location: Tower Podium (Two Colours, One Third of Panels Perforated with 10mm holes)



<u>Colour 2</u> Dulux 'Hot Fudge' or Similar



Glass FacadePreLocation: Apartment facadesLocand

<u>Prefinished Fibre Cement</u> Location: Apartment facade and AC enclosure frontal (Colour Varies) Concrete Block Facade Location: Ground level back of house areas

MA:02

MA:03



<u>Brick Facade</u> Location: Ground level Street Frontage

Finish: Face Finish Clay Brick Colour: To match reference image and and adjacent state heritage place Bond Pattern: Stretcher Bond Pointing: Grey Mortar



APPENDIX 03 – ACOUSTIC REPORT

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

PREMIER CAPITAL DEVELOPMENTS

PENNY PLACE STAGE TWO DEVELOPMENT APPLICATION ACOUSTIC REPORT

DECEMBER 2018





Question today Imagine tomorrow Create for the future

Penny Place Stage Two Development Application Acoustic Report

Premier Capital Developments

WSP Level 1, 1 King William Street Adelaide SA 5000 GPO Box 398 Adelaide SA 5001

Tel: +61 8 8405 4300 Fax: +61 8 8405 4301 wsp.com

| REV | DATE | DETAILS |
|-----|-----------------|---------------|
| 3 | 6 December 2018 | Minor updates |

| | NAME | DATE | SIGNATURE |
|--------------|--------------|-----------------|-----------|
| Prepared by: | Simon Moore | 6 December 2018 | Hoce |
| Reviewed by: | Greg Barry | 6 December 2018 | Gau Bar |
| Approved by: | Jamie Hladky | 6 December 2018 | Madly |

This document may contain confidential and legally privileged information, neither of which are intended to be waived, and must be used only for its intended purpose. Any unauthorised copying, dissemination or use in any form or by any means other than by the addressee, is strictly prohibited. If you have received this document in error or by any means other than as authorised addressee, please notify us immediately and we will arrange for its return to us.

wsp

TABLE OF CONTENTS

| EXEC | UTIVE SUMMARYII |
|----------------|--|
| 1 | PROJECT BACKGROUND1 |
| 1.1 | Introduction1 |
| 2 | SITE DESCRIPTION2 |
| 2.1 | Environmental noise survey3 |
| 2.2 | Measurement results3 |
| 3 | NOISE CRITERIA4 |
| 3.1 | Adelaide City Council Development Plan 4 |
| 3.1.1 3.1.2 | Council Wide Principles of Development Control |
| 3.2 | Australian Standard AS/NZS 2107:20165 |
| 3.3 | Sleep disturbance criteria |
| 3.4 | Environment Protection (Noise) Policy6 |
| 3.5 | Noise criteria summary8 |
| 4 | ASSESSMENT9 |
| 4.1 | Noise ingress9 |
| 4.1.1 | Traffic noise ingress |
| 4.1.2 4.1.3 | Condenser noise ingress 9 Car park noise ingress 10 |
| 4.2 | Noise emissions 10 |
| 4.2.1 | Condenser noise emissions |
| 4.2.2 4.2.3 | Other mechanical plant10 Car park noise |
| 5 | CONCLUSION11 |

EXECUTIVE SUMMARY

The following report provides an acoustic assessment of the proposed Penny Place Stage 2 development, located between Penny Place and Nelson Street, Adelaide.

Proposed design criteria for the project utilises the legislative requirements stated in Adelaide City Council Development Plan and the South Australian EPA Environment Protection (Noise) Policy 2007.

Design advice is based on an environmental noise survey conducted at the proposed site and the adjacent surroundings.

The report concludes that the proposed Penny Place Stage 2 development will be able to comply with the acoustic requirements outlined in the Adelaide City Council Development Plan, as follows:

- Traffic noise emissions in to noise sensitive areas can be controlled to satisfactory levels using typical single glazed and double glazed IGU windows and doors.
- Noise ingress from the car park into apartments located on Level 5 can be controlled to satisfactory levels with minimum 200mm thick concrete floor slab.
- Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will
 meet the environmental noise criteria.
- Noise emissions from the lower level car parking area to surrounding noise sensitive receivers will meet the environmental noise criteria without any specific acoustic treatment to the building façade (i.e. we have assumed the façade for the car park to be acoustically open to allow for ventilation).

1 PROJECT BACKGROUND

1.1 INTRODUCTION

WSP was commissioned by Premier Capital Developments to conduct an acoustic assessment as part of the Development Application relating to the proposed development located between Penny Place and Nelson Street, Adelaide.

The acoustic assessment has been conducted in accordance with the requirements of the Adelaide City Council Development Plan and the South Australian EPA Environment Protection (Noise) Policy 2007.

This report provides information regarding:

- An overview of the proposed development works.
- Acoustic criteria applicable to the proposed development.
- Façade glazing recommendations.
- Recommendations to control noise emissions from the site.

2 SITE DESCRIPTION

The proposed development site is located between Penny Place and Nelson Street, Adelaide. An aerial photograph illustrating the proposed development site location and surrounding area is presented in Figure 2.1.



Imagery © 2016 Google, Map data ©2016 Google

Figure 2.1 Development site aerial photo and measurement locations

The background noise environment for the proposed site is controlled by road traffic noise (including trams) from King William Street to the West and Carrington Street to the South. Some noise is also attributed to noise emissions from nearby buildings with external plant, and from an automatic roller door on the eastern side of the SAPOL building located at 20 Carrington Street.

The project as understood comprises a 24 storey tower including:

- Retail space at ground level.
- Under cover car parking from ground to level 4.
- Apartments on levels 5-23.
- Plant room on level 24.

The closest noise sensitive receptors are located on the corner of Seymour and Penny Place, along Seymour Place and Moore Street, the City South Apartments on Carrington Street and the Kodo apartment building located on Angas Street. All these buildings are residential dwellings except for some retail space at ground level.

2.1 ENVIRONMENTAL NOISE SURVEY

An attended short-term environmental noise survey was conducted at the development site between 16:30 - 17:15 hours on 27 September and 06:45 - 07:30 hours on 28 September 2017 to determine the existing ambient noise levels.

All measurements were taken with a type 1 sound level meter within valid laboratory calibration. Calibration measurements were taken out before and after the measurements and showed no significant drift in readings. The sound level meter and calibration information is presented in Table 2.1. Calibration certificates for the equipment are available upon request.

| Table Z. I Equipment details | Table 2.1 | Equipment details |
|------------------------------|-----------|-------------------|
|------------------------------|-----------|-------------------|

| EQUIPMENT | MANUFACTURER | MAKE | SERIAL NUMBER | CALIBRATION STATUS |
|---------------------|--------------|------|---------------|-----------------------|
| Sound Level Meter | Brüel & Kjær | 2250 | 2749881 | Current |
| Acoustic Calibrator | Brüel & Kjær | 4231 | 2385016 | Current |

A number of measurement locations were selected as follows (shown in Figure 2.1):

- Location 1 Nelson Street, at the south west corner of the site.
- Location 2 Carrington Street, approximately 7m from the centreline of the road.
- Location 3 King William Street, approximately 15m from the centreline of the road.

The attended noise measurements were approximately 5-10 minutes in duration at each location, which was long enough for the equivalent noise level to settle and provide a good representation of the background noise environment.

2.2 MEASUREMENT RESULTS

The results for the attended noise measurements are shown in Table 2.2.

| summary |
|---------|
| summary |

| SURVEY MEASUREMENT | DATE / TIME | L _{AEQ} dB | L _{A10} dB | L _{A90} dB | L _{AMAX(F)} dB |
|-----------------------|---------------|---------------------|---------------------|---------------------|-------------------------|
| Location 1 | 27/9/17 16:38 | 59 | 62 | 54 | 73 |
| | 28/9/17 06:53 | 57 | 60 | 53 | 72 |
| Location 2 | 27/9/17 16:52 | 66 | 70 | 52 | 80 |
| | 28/9/17 07:01 | 67 | 72 | 54 | 78 |
| Location 3 | 27/9/17 17:00 | 68 | 72 | 61 | 79 |
| | 28/9/17 07:09 | 66 | 70 | 57 | 79 |

3 NOISE CRITERIA

3.1 ADELAIDE CITY COUNCIL DEVELOPMENT PLAN

3.1.1 COUNCIL WIDE PRINCIPLES OF DEVELOPMENT CONTROL

The Adelaide City Council Development Plan (Consolidated 20 June 2017) provides the following council wide Principles of Development Control (PDC) that are applicable to this development:

Noise Sources

- 93 Mechanical plant or equipment should be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site should not exceed
 - (a) 55 dB(A) during daytime (7.00am to 10.00pm) and 45 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
 - (b) 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) in or adjacent to a City Living Zone, the Adelaide Historic (Conservation) Zone, the North Adelaide Historic (Conservation) Zone or the Park Lands Zone when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
- 94 To ensure minimal disturbance to residents:
 - (a) ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like should not occur:
 - (i) after 10.00pm; and
 - (ii) before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.
 - (b) typical activity within any car park area including vehicles being started, doors closing and vehicles moving away from the premises should not result in sleep disturbance when proposed for use after 10.00pm as defined by the limits recommended by the World Health Organisation.

Noise Receivers

- 95 Noise sensitive development should incorporate adequate noise attenuation measures into their design and construction to provide occupants with reasonable amenity when exposed to noise sources such as major transport corridors (road, rail, tram and aircraft), commercial centres, entertainment premises and the like, and from activities and land uses contemplated in the relevant Zone and Policy Area provisions.
- 96 Noise sensitive development in mixed use areas should not unreasonably interfere with the operation of surrounding non-residential uses that generate noise levels that are commensurate with the envisaged amenity of the locality.
- 97 Noise sensitive development adjacent to noise sources should include noise attenuation measures to achieve the following:
 - (a) satisfaction of the sleep disturbance criteria in the bedrooms or sleeping areas of the development as defined by the limits recommended by the World Health Organisation;

- (b) the maximum satisfactory levels in any habitable room for development near major roads, as provided in the Australian/New Zealand Standard AS/NZS 2107:2000 - 'Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors';
- 98 Attached dwellings/serviced apartments should be designed to minimise the transmission of sound between dwellings/serviced apartments and should particularly protect bedrooms from possible noise intrusion.

Design Techniques (these are ONE WAY of meeting the above Principle)

- 98.1 Appropriate stacking and horizontal location of rooms, eg bedrooms over bedrooms and bedrooms next to bedrooms.
- 98.2 Bedrooms of any dwelling/serviced apartment:
 - (a) not sharing a wall with a living room* or a garage of another dwelling; and
 - (b) not located above or below a living room* of another abutting dwelling.

* Living room means a room used for social interaction, relaxation or dining, including a living room, lounge room or open eating area linked to a kitchen, but does not include a bedroom.

99 The number of dwellings/serviced apartments within a development sharing a common entry should be minimised to limit noise generation in internal access ways.

Design Techniques (these are ONE WAY of meeting the above Principle)

- 99.1 Common entries servicing a maximum of 10 dwellings/serviced apartments on each floor level.
- 99.2 Incorporation of acoustic core filled doors with airtight rubber seals for all entry doors into common access ways.

3.1.2 ADELAIDE CITY COUNCIL ZONING

The proposed development site is located within the Adelaide City Council "Capital City" zone, policy area 13. The surrounding noise sensitive receivers are in the following zones:

- Residences located on the corner of Penny and Seymour Place are in the "Capital City" zone (no policy area).
- Residences located along Seymour Place and Moore Street are in the "City Living" zone, policy area 32.
- The City South Apartments located on Carrington Street are in the "City Living" zone, policy area 32.
- The future Kodo Apartment building located on Angas Street is in the "Capital City" zone (no policy area).

The Capital City zone (no policy area) promotes a mix of commercial, retail, professional services, hospitality, entertainment, educational facilities and medium and high density living. It is noted that policy area 13 of the Capital City zone primarily promotes commercial land use, which is supported by educational, hospitality and entertainment activities and increased opportunities for residential, student and tourist accommodation.

The City Living zone primarily promotes residential land use, along with related non-residential uses that are compatible with residential amenity. Additional requirements for policy area 32 note that the area provides for medium scale residential development supported by a range of uses including shops, offices and consulting rooms, as well as community service and education, that maintain the areas residential amenity.

3.2 AUSTRALIAN STANDARD AS/NZS 2107:2016

Australian/ New Zealand Standard AS/NZS 2107:2016 – *Acoustics—Recommended design sound levels and reverberation times for building interiors* (AS/NZS 2107) provides internal design sound levels for spaces based on the occupancy of that space.

The Adelaide City Council, council wide PDC 97 (b) refers to Australian/New Zealand Standard AS/NZS 2107:2000, however we note that the 2000 version of this standard has been superseded with the 2016 version which was released in October 2016. Therefore, for the purpose of this assessment we have utilised the 2016 version of the standard.

For residential buildings, AS/NZS 2107 provides internal design sound levels for houses and apartments in inner city areas or entertainment districts or near major roads, summarised in Table 3.1

Table 3.1 Internal Noise Design Criteria

| TYPE OF OCCUPANCY | DESIGN SOUND LEVEL RANGE, LAEQ, T dB |
|---|--------------------------------------|
| Apartment common areas (e.g. foyer, lift lobby) | 45 to 50 |
| Living areas | 35 to 45 |
| Sleeping areas (night time) | 35 to 40 |
| Work areas | 35 to 45 |

3.3 SLEEP DISTURBANCE CRITERIA

The World Health Organisation (WHO), *Guidelines for Community Noise* report (Berglund, Lindvall, Schwela) was developed based on the outcome of a WHO expert task force meeting held in London, UK in April 1999.

This document has been used widely to define guideline values for sleep disturbance (among other things), and has generally been accepted for use in Australia. The guideline values for sleep disturbance are reproduced in Table 3.2.

Table 3.2 Sleep Disturbance Criteria

| SPECIFIC ENVIRONMENT | CRITICAL HEALTH EFFECT | L _{AEQ} dB | L _{AMAX(F)} dB |
|-------------------------|-------------------------------|---------------------|-------------------------|
| Inside bedrooms | Sleep disturbance, night time | 30 (8 hour) | 45 |

It is noted that the WHO internal L_{Aeq} noise criteria is more stringent than the AS/NZS 2107 criteria listed in Table 3.1. However, it should be noted that the WHO criteria is based on an 8 hour average, whereas the AS/NZS 2107 criteria is based on a measurement time to appropriately characterise the noise source. For this assessment we have adopted the AS/NZS 2107 criteria and for the purpose of assessing traffic noise ingress, have applied it to the typical worst case (highest) 1 hour noise level.

3.4 ENVIRONMENT PROTECTION (NOISE) POLICY

The South Australian *Environment Protection (Noise) Policy 2007* (Noise EPP) provides criteria for noise sources, which if complied with will satisfy the General Environmental Duty under Section 25 of the Environment Protection Act 1993.

The Noise EPP sets noise criteria based on the land uses principally promoted for the noise source and sensitive receivers by the relevant council development plan. For this development, the Adelaide City Council Development Plan principally promotes the following land uses for the noise source and nearest sensitive receivers. Where more than one land use is principally promoted for a zone, the Noise EPP requires that an average of the Indicative Noise Factors be taken for that zone. Similarly, where different land uses are promoted for the noise source and sensitive receivers, the Noise EPP requires an average of the Indicative Noise Factors be taken for the noise source and receiver.

A summary of the Indicative Noise Factors derived for each zone are presented in Table 3.3.

 Table 3.3
 Summary of Indicative Noise Factors for each Zone

| COUNCIL ZONE | LAND USES PRINCIPALLY PROMOTED | INDICATIVE NOISE FACTOR, LAEQ, 15MIN dB | | | |
|-------------------------------------|--------------------------------------|---|--------------------|--|--|
| | | Day (7am – 10pm) | Night (10pm – 7am) | | |
| Noise Source – proposed development | | | | | |
| Capital City, policy area 13 | Commercial | 62 | 55 | | |
| Sensitive Receivers | | | | | |
| Capital City (no policy area) | Commercial and residential | 57 | 50 | | |
| City Living, policy area 32 | Residential | 52 | 50 | | |

Based on the Indicative Noise Factors derived for each zone in Table 3.3, we are able to derive noise criteria for each of the noise sensitive receivers surrounding the site. Note that as this is a development authorisation application, the Part 5, Section 20 of the Noise EPP requires the predicted noise level to not exceed the Indicative Noise Factor less 5 dBA. The applicable noise criteria derived from the Noise EPP are presented in Table 3.4.

Table 3.4 Summary of Noise EPP Criteria

| NOISE SENSITIVE RECEIVER | NOISE EPP CRITERIA, LAEQ,15MIN dB | |
|--|-----------------------------------|--------------------|
| | Day (7am – 10pm) | Night (10pm – 7am) |
| Penny Place Stage 2 | 57 | 50 |
| Residences corner of Penny and Seymour Place | 55 | 48 |
| Residences along Seymour Place and Moore Street | 52 | 45 |
| City South Apartments located on Carrington Street | 52 | 45 |
| Kodo Apartment building located on Angas Street | 55 | 48 |

The derived Noise EPP criteria are applicable for all noise sources from the proposed development, which will consist of mechanical plant and car park noise. In addition to this it is noted that the Adelaide City Council PDC 93 (b) requires that mechanical plant in or adjacent to a City Living zone also achieve noise criteria of 50 dBA during the day and 40 dBA at night.
3.5 NOISE CRITERIA SUMMARY

A summary of the applicable noise criteria for the Penny Place Stage 2 development are presented in Table 3.5.

Table 3.5 Noise Criteria Summary, dB

| LOCATION | TIME PERIOD | TIME PERIOD | | |
|--|----------------------------|-------------------------------------|--|--|
| | Day (7am – 10pm) | Night (10pm – 7am) | | |
| Noise Ingress (Internal Receiver Locations) | | | | |
| Apartment common areas (e.g. foyer, lift lobby) | L _{Aeq,1hr} 50 | N/A | | |
| Living areas | L _{Aeq,1hr} 45 | N/A | | |
| Sleeping areas (night time) | N/A | L _{Aeq,1hr} 40 | | |
| | | L _{Amax(f)} 45 | | |
| Work areas | L _{Aeq,1hr} 45 | N/A | | |
| Noise Emissions (External Receiver Locations) | | | | |
| Penny Place Stage 2 ⁽¹⁾ | LAeq,15min 57 (overall) | LAeq,15min 50 (overall) | | |
| Residences corner of Penny and Seymour Place | LAeq,15min 55 (overall) | LAeq,15min 48 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |
| Residences along Seymour Place and Moore Street | LAeq,15min 52 (overall) | L _{Aeq,15min} 45 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |
| City South Apartments located on Carrington Street | LAeq,15min 52 (overall) | L _{Aeq,15min} 45 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |
| Kodo Apartment building located on Angas Street | LAeq,15min 55 (overall) | LAeq,15min 48 (overall) | | |
| | LAeq,15min 50 (mech plant) | LAeq,15min 40 (mech plant) | | |

Note (1): The criteria listed for Penny Place Stage 2 are intended for the purpose of the assessment of noise emissions from general plant and equipment to individual apartments balconies.

4 ASSESSMENT

4.1 NOISE INGRESS

4.1.1 TRAFFIC NOISE INGRESS

Based on an external façade noise level of 59 dB L_{Aeq} during the day and 57 dB L_{Aeq} at night, we predict the following internal noise levels for various glazing options in Table 4.1.

| ROOM | GLAZING TYPE | PREDICTED INTERNAL NOISE LEVEL | CRITERIA dB L _{AEQ} | COMPLIES? |
|------------------------------------|--|--------------------------------------|---------------------------------|-----------|
| | | dB L _{AEQ} | | |
| Living Room | IGU 6/12/6 (R _W 33) | 37 | 45 | Yes |
| | IGU 6/12/10.38 lam (R _W 39) | 31 | | Yes |
| | 6.38mm laminated (R _W 32) | 36 | | Yes |
| | 10.38mm laminated (R _w 34) | 33 | | Yes |
| Bedroom | IGU 6/12/6 (R _W 33) | 36 | 40 | Yes |
| | IGU 6/12/10.38 lam (R _W 39) | 30 | | Yes |
| | 6.38mm laminated (R _W 32) | 34 | | Yes |
| | 10.38mm laminated (R _W 34) | 32 | | Yes |
| Bedroom (L _{Amax(f)}) | IGU 6/12/6 (R _W 33) | 46 | 45 | No |
| | IGU 6/12/10.38 lam (R _W 39) | 39 | | Yes |
| | 6.38mm laminated (R _w 32) | 44 | | Yes |
| | 10.38mm laminated (R _w 34) | 42 | | Yes |

 Table 4.1
 Predicted Internal Noise Levels

Based on the results summarised in Table 4.1, all of the proposed glazing types are predicted to be compliant, with the exception of the 6mm glass /12mm air space /6mm glass IGU when used on the bedroom façade. The predictions assume that the doors to balconies are of the same glazing type as the façade, and the door assemblies include good quality acoustic seals that does not significantly degrade the acoustic performance of the façade glazing.

4.1.2 CONDENSER NOISE INGRESS

The proposed air conditioning arrangement for the apartment building will consist of single condensing unit installed on the balcony of each apartment, which serves either one or multiple indoor units within the apartment.

Note that there is no legislative requirement to achieve the internal noise criteria from condenser units for the apartment that it is serving, however we will endeavour to achieve the internal noise criteria for the noise produced by the condenser units.

It is likely that the façade glazing will sufficiently control condenser noise to within apartments, however this is still to be assessed, and will be confirmed upon selection of condenser units and finalising the façade glazing.

4.1.3 CAR PARK NOISE INGRESS

Noise emissions resulting from short term noise sources within the Level 4 car parking area has been assessed for its impact on the Level 5 apartments. Maximum short term noise emissions from the car park will likely be due to a car door closing.

The resultant noise level from a car door closing within the car parking area is predicted to be 79 dB $L_{Amax(f)}$. Based on a minimum 200mm thick floor slab for the Level 5 apartments that are located above the car parking area, the predicted noise level within the bedroom areas is 26 dB $L_{Amax(f)}$, which is compliant with the 45 dB $L_{Amax(f)}$ sleep disturbance criterion.

4.2 NOISE EMISSIONS

4.2.1 CONDENSER NOISE EMISSIONS

We have based the following condenser noise emission calculations on a preliminary condenser selection undertaken for the project. The preliminary condenser selection is a 14kW Daikin RXYMQ5AV4A with a published sound power level of 71 dBA re 10⁻¹²W. We understand that the air conditioning system is designed with a diversity factor of 60%, meaning that as a worst case up to 60% of the units will be simultaneously operating at full load. Furthermore, the condenser units will be located within an enclosure that will provide approximately 1 dBA noise reduction.

4.2.1.1 PENNY PLACE APARTMENTS

We have calculated the noise from the operation of a condenser unit on the neighbouring apartment balcony. The predicted noise level on the adjoining balcony is 48 dB L_{Aeq} . This is compliant with the 50 dB L_{Aeq} noise criteria.

4.2.1.2 PENNY PLACE TOWN HOUSES

We have calculated the noise from the operation of 60% of the apartment condenser units on the neighbouring Penny Place Town Houses. The predicted noise level at the Penny Place town houses is 44 dB L_{Aeq} . This is compliant with the 50 dB L_{Aeq} noise criteria.

4.2.1.3 RESIDENCES ON PENNY AND SEYMOUR PLACE AND BEYOND

We have calculated the noise from the operation of 60% of the apartment condenser units on the noise sensitive receivers (residences) located on Penny and Seymour Place. The predicted noise level at the residences is 40 dB L_{Aeq} . This is compliant with the 40 dB L_{Aeq} noise criteria for mechanical plant. Noise levels at receivers beyond this (i.e. Moore Street and City South Apartments) are expected to be lower than this and as such comply with the mechanical plant noise criteria.

4.2.1.4 KODO APARTMENTS

We have calculated the noise from the operation of 60% of the apartment condenser units on the noise sensitive receivers (residences) located at the Kodo Apartment building (currently in construction). The predicted noise level at the Kodo Apartments is 39 dB L_{Aeq} . This is compliant with the 40 dB L_{Aeq} noise criteria for mechanical plant.

4.2.2 OTHER MECHANICAL PLANT

Other mechanical plant will be required for the Penny Place Stage 2 development, such as car park ventilation fans, smoke spill fans and stair pressurisation fans.

The acoustic design of these systems will be undertaken once fan selections and duct work arrangements have been provided for review.

It is noted that these systems will be designed and located, and incorporate necessary acoustic attenuation (such as attenuators and screens) to ensure that the mechanical plant noise criteria are not exceeded at any of the noise sensitive receivers.

4.2.3 CAR PARK NOISE

Noise emissions from the car park has been assessed. The traffic report by GTA Consultants "Penny Place Stage 2, Nelson Street, Adelaide, Transport Impact Assessment", dated 5 December 2018 (ref S132540), notes that the traffic generation from the on-site car parking are 23 movements during the am peak hour and 19 movements during the pm peak hour. Based on these assumptions, we have calculated an internal reverberant noise level of 60 dB $L_{Aeq,15min}$ within the car park during the busier am peak hour.

The predicted noise emissions from the car park at the most affected noise sensitive receivers are 45 dB $L_{Aeq,15min}$ at the residences located on the corner of Penny Place and Seymour Place.

The predicted noise emission levels are less than the overall day time noise criteria for the residences located on the corner of Penny Place and Seymour Place (criterion 55 dB $L_{Aeq,15min}$).

5 CONCLUSION

WSP has undertaken an acoustic assessment for the proposed Penny Place Stage 2 development in order to support the development application.

Based on the assessment, it has been demonstrated that:

- Traffic noise emissions in to noise sensitive areas can be controlled to satisfactory levels using typical single glazed and double glazed IGU windows and doors.
- Noise ingress from the car park into apartments located on Level 5 can be controlled to satisfactory levels with minimum 200mm thick concrete floor slab.
- Noise emissions from balcony mounted air conditioning condenser units to surrounding noise sensitive receivers will
 meet the environmental noise criteria.
- Noise emissions from the lower level car parking area to surrounding noise sensitive receivers will meet the
 environmental noise criteria without any specific acoustic treatment to the building façade (i.e. we have assumed the
 façade for the car park to be acoustically open to allow for ventilation).

As such, WSP are of the opinion that the proposed Penny Place Stage 2 development will be able to comply with the acoustic requirements outlined in the Adelaide City Council Development Plan.



APPENDIX 04 – SUPPLEMENTARY ACOUSTIC INFORMATION

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

intro.com.co

Willy Hoogeveen FLAGSHIP GROUP

Simon Moore WSP (ANZ) AC Enclosure - Noise Emissions GENERAL CORRESPONDE...

Aconex

Re: AC Enclosure - Noise Emissions CONSULTANT ADVICE 02/11/2019 FPH P/L-GCOR-000073 Responded

8:15 AM WSP ANZ-CADV-000005

PENNY PLACE



MESSAGE

Willy,

Confirming that the calculations do not account for the noise reduction provided by the condenser unit enclosure. It was difficult to do so at such an early stage of the design, as the final details were not available. The 1 dBA reduction that was estimated for the enclosures is based on the side of the enclosure being solid and each end being open to allow airflow to the unit. The condensers would have to sit perpendicular to the length of the balcony such that the solid side is facing east and the open ends for airflow to the units are on the northern and southern sides (i.e. not facing the sensitive receivers).

The reduction provided by the enclosure would probably not be applicable to Kodo, but would be applicable to the other receivers.

Regards, Simon

From: W Hoogeveen Sent: 11/02/2019 2:27:55 PM AEDT (GMT +11:00) To: Simon Moore Cc: Ben Coley, Peyman Jadidi Mail Number: FPH P/L-GCOR-000073 Subject: AC Enclosure - Noise Emissions Simon,

4.2 NOISE EMISSIONS

4.2.1 CONDENSER NOISE EMISSIONS

We have based the following condenser noise emission calculations on a preliminary condenser selection undertaken for the project. The preliminary condenser selection is a 14kW Daikin RXYMQ5AV4A with a published sound power level of 71 dBA re 10-12W. We understand that the air conditioning system is designed with a diversity factor of 60%, meaning that as a worst case up to 60% of the units will be simultaneously operating at full load. Furthermore, the condenser units will be located within an enclosure that will provide approximately 1 dBA noise reduction.

Can you please confirm if the anticipated enclosure dBA reduction was accounted for in your studies of predicted noise levels at the following locations:

- 1. Penny Place Apartments adjacent apartments
- 2. Penny Place Town Houses
- 3. Residences on Penny and Seymour Place and Beyond
- 4. Kodo Apartments

Regards,

Willy Hoogeveen Development Manager

Suite 3321, Level 14, 333 Collins Street, Melbourne VIC 3000 P: 03 8639 5838

M: 0424 833 811

willy@flagshipgroup.com.au

flagshipgroup.com.au



APPENDIX 05 – APARTMENT STORAGE CALCULATIONS

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

intro.com.co









APPENDIX 06 – HERITAGE IMPACT STATEMENT

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

intro.com.co



Heritage Impact Assessment



Penny Place Development

Nelson Street, Adelaide

Hosking Willis Architecture Level 1, 121 South Terrace, Adelaide

(08) 8212 3089 http://www.hoskingwillis.com.au

Contents

| Contents | 1 |
|--|----|
| List of Figures | 2 |
| 1.0 Introduction | 3 |
| 1.1 Objectives of the Report | 3 |
| 1.2 Design Drawings | 3 |
| 1.3 Existing Heritage Context | 3 |
| 1.4 Location of the Place | 4 |
| 1.5 Zoning and Surrounding Locality | 4 |
| 1.6 Amendments to Proposed Design | 4 |
| 2.0 Historical Overview | 6 |
| 2.1 Historical Overview | 6 |
| 2.2 Site Development | 6 |
| 2.3 Historic photographs | 9 |
| 3.0 Site Context | 10 |
| 3.1 Introduction | 10 |
| 3.2 Description | 10 |
| 3.3 Heritage Integrity | 10 |
| 3.4 Current Photographs | 11 |
| 3.5 Description of the Proposal | 14 |
| 4.0 Review of Heritage Place | 16 |
| 4.1 General | 16 |
| 4.2 Statement of Heritage Value Bar Chambers | 17 |
| 5.0 Assessment of Proposed Development | 19 |
| 5.1 Relevant Policy | 19 |
| 5.2 Assessment Summary | 22 |
| 5.3 Conclusion of Heritage Impact | 22 |
| | |

_1

List of Figures

| Figure 1: | Overlay Map Adel/24 Zones. Red indicates subject site | 4 |
|------------|--|-------|
| Figure 2: | Aerial view showing subject site and adjacent heritage places | 5 |
| Figure 3: | Part of William Light's Map 1840. Subject site shown in red | 7 |
| Figure 4: | Part of Kingston's Map c1842. Subject site shown in red | 8 |
| Figure 5: | Part of the Smith Survey Sheet No. 32, 1881 | 8 |
| Figure 6: | Development Sequence, 34 Carrington Street | 9 |
| Figure 7: | 34 Carrington Street prior to construction of 2nd storey addition to | rear9 |
| Figure 8: | Levels of Significance | 11 |
| Figure 9: | Bar Chambers, 34 Carrington Street | 11 |
| Figure 10: | 34 Carrington Street | |
| Figure 11: | 34 Carrington Street | 12 |
| Figure 12: | 34 Carrington Street | 13 |
| Figure 13: | 34 Carrington Street | |
| Figure 14: | Proposed Development: Previously approved. | 14 |
| Figure 15: | Proposed Development: Revision to Podium Design | 15 |
| Figure 16: | Current View Looking North East | 15 |
| Figure 17: | Subject Site | |

1.0 Introduction

1.1 Objectives of the Report

The objective of this report for the proposed residential tower and townhouses at Penny Place, is to review and assess the heritage impact of the proposed development on the adjacent State Heritage Place at 34 Carrington Street, Adelaide.

The following tasks have been undertaken in order to develop an understanding of the place and to inform the statement:

- Inspection of the site and context to define and understand the extent of the heritage listed place affected by the development.
- Brief review of the history of the site.
- Review of the design of the proposed development and liaison with the client to understand the design objectives.
- Review of relevant Adelaide City Council Development Plan provisions.
- Assessment of the impact of the proposed development on the adjacent heritage place, against the provisions of the Adelaide City Council Development Plan – 7 June, 2018.
- Preparation of this Heritage Impact Statement.

1.2 Design Drawings

The following documentation prepared by Woods Bagot has been reviewed:

- Carpark Screen Revision; Penny Place, 15 September 2018 (10 pages)
- Drawing 140292 SK-02-07 Revision J, 03/09/2018
- Drawing 140292 SK-08 Revision G, 03/09/2018
- Drawing 140292 SK-09 Revision E, 15/09/18
- Drawing 140292 SK-10 Revision E, 15/09/18
- Drawing 140292 SK-11 Revision G, 15/09/18
- Drawing 140292 SK-12, Revision G, 15/09/18
- Drawing 140292 SK-13, Revision D, 03/09/18
- Drawing 140292 SK-14, Revision D, 03/09/18
- •

1.3 Existing Heritage Context

34 Carrington Street, Adelaide, was assessed by Donovan, Marsden, Stark as part of the City of Adelaide Heritage Study in 1982. It subsequently received recognition as being significant at a State level as a 'State Heritage Place' by the South Australian Heritage Branch.

The description and extent as listed in Table Adel/1 within the Adelaide (City) Development Plan is as follows:

| 34 | Bar Chambers | A741 | F182393 | CT 5879/90 | 13432 |
|------------|-------------------|------|---------|------------|-------|
| Carrington | (former Dwelling) | | | | |
| Street | | | | | |
| ADELAIDE | | | | | |
| | | | | | |

Refer to Section 4.0 for a more detailed discussion of the heritage value of the place and the impact on this by the proposed development.

34 Carrington Street is bounded by Nelson Street to the west, and modern commercial buildings to the east. The proposed development is located directly to the north of the Heritage Place.

1.4 Location of the Place

Bar Chambers is bounded by Nelson Street to the west and modern office buildings to the east.

To the west across Nelson Street is an open car park. To the south is a mixture of commercial buildings of one to three storeys in height and mostly built to the street boundary.

To the north of Bar Chambers is the site of the proposed development. The current use of the development site is an open car park.

1.5 Zoning and Surrounding Locality

In the Adelaide (City) Development Plan the subject site falls within the Capital City Zone as defined on Adelaide (City) Zones Map Adel/24. Central Business Policy Area 13 abuts the site to the west and north, as defined on Adelaide (City) Policy Areas Map Adel/56.

1.6 Amendments to Proposed Design

The proposed design has been amended from the previous application. The external appearance to the podium adjacent Bar Chambers has been changed from a terracotta tile screen to now include a brick façade to the Ground Level and profiled metal sheet above this for the remainder of the car parking floors. It is in two different colours and approximately one third of the screens are perforated. The amendment also includes an increase of half a floor of carparking / podium height and an additional two floors to the apartment tower. No changes have been made to the appearance of the tower.

There are no changes proposed to the tower above the podium.



Figure 1: Overlay Map Adel/24 Zones. Red indicates subject site.

Source: Adelaide (City) Development Plan, 7 June, 2018



Figure 2:Aerial view showing subject site and adjacent heritage places.Red indicates State Heritage Places and blue Local Heritage Places.
Subject site centre of image.Source:location.sa.gov.au. September, 2018.

Hosking Willis Architecture

2.0 Historical Overview

2.1 Historical Overview

The following historical overview has been mostly extracted from "*The City of Adelaide: A Thematic History*" by McDougall & Vines August 2006.

Development within the City of Adelaide has been characterised by a series of busts and booms with long periods between. Early development in Adelaide was hindered by the cost of the Town Acres with only those who were very well off being able to afford to purchase land. Many people were driven to purchase land outside of Adelaide, resulting in the development of smaller towns early in the establishment of the Colony.

Below is a summary of these bust and boom periods until the mid-twentieth century:

- 1840s recession;
- Copper mining boom 1843;
- Discovery of gold in Victoria leading to a slowing of development 1851;
- Farming boom early 1850s;
- Drought (bust) mid 1860s;
- Farming boom 1870 1882;
- mid 1880s early 1890s recession;
- Interstate mining ventures provided a boom to South Australia due to mining investment early 1890s;
- New technology and city development late 1890s WWI

Bar Chambers was developed just prior to the farming boom in 1870. It is located on the western end of Carrington Street. The Smith Survey (1880) shows this area of Adelaide as being relatively well developed with mostly housing, including terrace housing and larger dwellings. There were hotels and the law courts in close proximity, located on the south eastern corner of Victoria Square. This is in stark contrast to this part of Adelaide in the mid 1840s, as shown on Figure 4, which appears quite underdeveloped.

2.2 Site Development

The following information is mostly taken from the *Heritage Surveys of the City of Adelaide* undertaken in the early 1980s. The *History of the Independent Bar of South Australia* by John Emerson has also been referenced. The site is part of the original Town Acre 451.

The Colonel William Light Plan from 1837 showing original purchasers of town acres indicated that a John Brown purchased Acre 451 along with several others. This was typical, with many people noted as purchasing multiple acres spread around Adelaide.

A house was developed on the site in 1866 for William Tomsey Cooper, which still stands today. William Tomsey Cooper arrived in South Australia in 1853 and worked for the Governor's Private Secretary for seven years. In 1860 he went to work for the Waterworks Department as assistant accountant and then as Valuator. He lived at 34 Carrington Street until the 1880s when he leased the property to Dr Frederick William Niesche, who retained the first floor as a residence and converted the ground floor to consulting rooms. Following this it was leased by a saddler and then, in 1901, was leased by Christine Eicke and listed as a boarding house. It remained a boarding house until it was bought in 1965 by Christopher Legoe and Hoaed and Sesca Zelling for $\pounds10,500$ for the purposes of establishing Bar Chambers. 34 Carrington Street still operates as Bar Chambers today.

A ground floor addition was built adjacent the existing dwelling, and facing Carrington Street,

sometime after 1880 with the second storey not being added until after 1982. An addition was also constructed to the north east of the original dwelling prior to 1982. The last period of construction was directly to the north sometime after 1982.

It also appears the Boundary wall to Nelson Street has been substantially, if not completely, rebuilt.

The Smith Survey from 1881 reflects this with the original 1866 dwelling shown with smaller outbuildings to the north of the site. It is one of the larger dwellings shown in the area at the time.



Figure 3: Part of William Light's Map 1840. Subject site shown in red.

Source:

State Library of South Australia [b1831757]



Figure 4:

Part of Kingston's Map c1842. Subject site shown in red. Acre 451 is vacant.

Source:

State Library of South Australia [b1414879]



Figure 5: Part of the Smith Survey Sheet No. 32, 1881. Subject site outlined in red and showing original footprint of Bar Chambers.

Source: State Library of South Australia [b1378035]



CARENATON STREET

Figure 6:Development Sequence, 34 Carrington Street1: 1866; 2: ground post 1880, first post 1982; 3: two storey pre 1982;
4: post 1982.Source:Hosking Willis Architecture

2.3 Historic photographs

Hosking Willis Architecture were unable to find any historic photographs of Bar Chambers prior to 1975.



Figure 7: 34 Carrington Street prior to construction of 2nd storey addition to rear.

Source: Heritage of the City of Adelaide.

3.0 Site Context

3.1 Introduction

A survey of the site context was undertaken in September 2018. The survey was limited to visual observation and documentary evidence, without physical intervention to any fabric or access to the inside of any property.

3.2 Description

Bar Chambers, a two-storey State Heritage Place, is located on the corner of Nelson Street and Carrington Street. It is currently used as law chambers. The building is setback slightly from Carrington Street behind a masonry fence, and built to the street boundary on Nelson Street. A right of way or easement is located to the north of the site. As described in Section 2.2 the site was developed in stages and a significant part of the Nelson Street wall has been rebuilt.

To the north is an open space car park, and the site of the proposed development. To the north of the open carpark a multi-storey residential tower is under construction. To the west across Nelson Street is also an open car park and a ramp for accessing basement parking in the adjacent building. To the east is a contemporary two-storey office development. Opposite the site across Carrington Street is a mixture of office and retail buildings varying in one to three-storeys in height.

The site is essentially level, with minimal falls.

Bar Chambers is the only heritage place in the immediate vicinity.

3.3 Heritage Integrity

Externally the original two storey portion of the State Heritage Place appears to have undergone little change since its construction. The Carrington and Nelson Street elevations remain as recorded in the Heritage of the City of Adelaide. There is no reason to doubt that the existing openings have been changed since construction.

The rear of place on the Nelson Street boundary has been altered and rebuilt to incorporate a second storey addition.

The interior of the building was not inspected.

The diagram below indicates the levels of heritage significance of the place.



Figure 8: Levels of Significance

Source: Hosking Willis Architecture, September 2018.

3.4 Current Photographs

The following photographs of the site were taken in September, 2018.



Figure 9:

Source:

Bar Chambers, 34 Carrington Street

Photograph taken from the southern side of Carrington Street looking north east. Hosking Willis Architecture, September 2018.



Figure 10: 34 Carrington Street

Photograph taken from southern side of Carrington Street looking north. Also showing newer development adjacent.

Source: Hosking Willis Architecture, September 2018.



Figure 11: 34 Carrington Street

Photograph taken from southern side of Carrington Street looking north west. Hosking Willis Architecture, September 2018.

Source:



Figure 12: 34 Carrington Street

Photograph showing the Nelson Street façade. Taken from the open car park adjacent.

Source: Hosking Willis Architecture, September 2018.



Figure 13: 34 Carrington Street

Source:

Photograph looking east along the north façade. Hosking Willis Architecture, September 2018.

3.5 Description of the Proposal

The proposed development involves the construction of a twenty-four storey apartment building to the north of the State Heritage Listed Bar Chambers. Bar Chambers are not being altered as part of the development. The Development has received development plan consent previously, but the applicant has proposed a change in design to the podium which is directly adjacent 34 Carrington Street.

The portion of the tower above the level of the podium contains residential apartments. The north and south elevations consist of precast concrete with a central glazed 'strip' breaking up the expanse of concrete. The west and east elevations have long balconies that continue across most of the façade. Materials include pre-cast concrete, white cladding and clear glazing. There is also a parapet screening the roof space. The height has been increased by two levels from the previously approved application, with the tower façade treatment remaining unchanged.

The podium adjacent the heritage place conceals car parking behind. The proposed development includes load bearing brick masonry to the majority of the ground floor with some concrete block being utilised towards the north. It appears from the elevations that the brick continues up to approximately 4 metres above street level. Above ground a partially solid, partially perforated screen is proposed up to the height of the balconies at Level 5, continuing just above the level of the podium noted as being 16.5 metres above ground level. The two colours proposed for the screen, Colorbond 'Terrain' or similar and Dulux 'Hot Fudge' or similar. The new design represents approximately a half level increase in height of the carpark screened by the podium.



Figure 14:Proposed Development: Previously approved.
3D View taken from Carrington Street looking North East.Source:Woods Bagot, September 2018.



Figure 15:Proposed Development: Revision to Podium DesignSource:Woods Bagot, September 2018.



Figure 16:Current View Looking North EastSource:Hosking Willis Architecture, September 2018.

4.0 Review of Heritage Place

4.1 General

The concept of heritage value assists in identifying and assessing the qualities that make a place or object of value to the community. An understanding of the nature and degree of that value indicates where constraint is required with future work, and conversely, introduces flexibility by identifying aspects that can be developed with greater freedom.

Heritage value encompasses all the values or meanings that a place may have to people beyond its utilitarian value, and can refer to the criteria under Section 16 of the Heritage Places Act (1993) for state heritage places, and Section 23(4) of the Development Act 1993 for local heritage places. A place can be designated as a place of state or local heritage value if it meets one of the criteria listed in the relevant Act.

The following section reviews the statement of heritage value and extent of listing for 34 Carrington Street. It identifies its relationship with the development site, and assesses the impact of the proposed development on the identified heritage value of the individual place.

The following data relating to the state heritage places has been taken from the State Heritage Unit, Department for Environment Water and Natural Resources, property file for the property.



Figure 17: Subject Site

State Heritage listed properties shown red, Local Heritage Places shown blue.

Source: location.sa.gov.au. September, 2018

16

4.2 Statement of Heritage Value Bar Chambers

Taken from the State Heritage Register Base Data Report, 24 June 2003.

"Built 1866 as a residence for William Tomsey Cooper. Represents the development of housing in the city area during the early period of consolidation and prosperity. In its simple austere two storey form Bar Chambers is important as an example of the shape and detailing of a South Australian building prior to the excesses of the 1880s and 1890s Italianate style."

4.2.1 Assessment against current State Heritage Listing criteria

The Heritage Places Act 1993 lists the criteria that a state heritage place should meet to be eligible for listing. The following assesses the existing Bar Chambers against these criteria.

a) It demonstrates important aspects of the evolution or pattern of the State's history.

Bar Chambers demonstrates simple residential development within the City of Adelaide prior to more ornate Italianate styles from the 1880s and 1890s.

b) It has rare, uncommon or endangered qualities that are of cultural significance.

This building is a rare example of this 1860s residential architecture within Adelaide. There are few examples left, especially in this part of Carrington Street which has little heritage fabric remaining from the early years of the Colony when building stock was mostly residential.

c) It may yield information that will contribute to an understanding of the State's history, including its natural history.

There is no evidence that there is any further information regarding South Australia's history to be gained from Bar Chambers site. It does not meet the threshold for inclusion under this criterion.

d) It is an outstanding representative of a particular class of places of cultural significance.

Bar Chambers building is a good example of 1860s residential architecture that pre-dates the more ornate Italianate Architecture dating from the early twentieth century. The Nelson Street wall has been substantially altered and the modern additions to the east and north obscure views to the original footprint of the heritage place.

It is not considered an outstanding representative of this class of place.

e) It demonstrates a high degree of creative, aesthetic or technical accomplishment or is an outstanding representative of particular construction techniques or design techniques.

While being a good, and rare, example of 1860s residential architecture it does not demonstrate a high degree of creative, aesthetic or technical accomplishment nor is it an outstanding representative of a particular construction or design technique.

f) It has strong cultural or spiritual associations for the community or a group within it.

The Bar Chamber have occupied 34 Carrington Street since 1965. Prior to this it was a residence and boarding house. While Bar Chambers, and the Barristers that work here, have a strong association with the place this association is not one that started with its construction in 1866 (almost 100 years prior). It does not meet the threshold for inclusion under this criterion.

g) It has a special association with the life or work of a person or organisation or an event of historical importance.

As discussed in response to criterion f), while Bar Chambers and the Barristers that work there, have a strong association with the place this association is not one that started with its construction 100 years prior. The establishment of Bar Chambers, without further specific research into its past and current members, is not considered to be of historical importance to South Australia.

4.2.2 Comment against current State Heritage Listing criteria

Assessed against the current criteria for listing state heritage places, Bar Chambers demonstrates the more austere residential architecture of the 1860's and is a rare example of that type of architecture. It is considered to meet the threshold for inclusion on the State Heritage Register under the current criteria a & b.

5.0 Assessment of Proposed Development

5.1 Relevant Policy

The Adelaide (City) Development Plan provides the relevant statutory control for the development of State Heritage Places and sites adjacent state and local heritage places. Specific Heritage and Conservation objectives and principles are contained within the Development Plan.

The objectives and policies ensure that any development retains the heritage value and setting of a heritage place and ensures that its built form contribution to the locality is maintained. The objectives and policies guide development of sites adjacent heritage places to ensure that their context is not compromised, and that appropriate development and conservation is undertaken.

Development should generally facilitate continued or adaptive re-use and utilise materials, finishes, setbacks, scale and other built form qualities that are complementary to the heritage place.

Development affecting State and Local heritage places requires development approval.

5.1.1 Council Wide Policy - Heritage and Conservation

With regard to Heritage Places, the relevant broader Council-wide sections of the Adelaide (City) Council Development Plan (consolidated 7 June, 2018) are included below. Each policy statement is followed by a comment assessing the impact of the proposed development on each of the relevant provisions.

Given that the previous scheme had approval, the response to these Objectives and Principles will focus on the design and impact of the proposed change to the design of the podium.

Objective 42: Acknowledge the diversity of Adelaide's cultural heritage from pre-European occupation to current time through the conservation of heritage places and retention of their heritage value.

Comment

The proposed Penny Place development will have no physical impact on the fabric and identified heritage value of Bar Chambers. The building will continue to demonstrate its architectural significance as an austere 1860's residence in a part of Carrington Street and the city where there is little original residential built form remaining.

The heritage value of the place will be retained.

Objective 43: Development that retains the heritage value and setting of a heritage place and its built form contribution to the locality.

Comment

The heritage value of the place lies in its history as an early residential building. The proposed development at Penny Place will ensure the retention of the heritage value and setting of Bar Chambers. It will not obscure views to the place or change its contribution to Carrington Street.

Hosking Willis Architecture

Bar Chambers will remain an important visual element in Carrington Street, which consists of mostly contemporary retail and office buildings of varying design quality. The State Heritage Place is an easily recognisable landmark in the precinct as an intact heritage building. It is viewed from Carrington Street as you travel from both the east and west, although views from the west are much less obstructed by other development with Nelson Street and the open car park opening up the view to the Place. The proposed development will be a contemporary structure in an area which has already seen much recent development, and is considered to have only a minor impact on views to Bar Chambers, as it will be visible to the rear of the State Heritage Place. Bar Chambers are already viewed with a contemporary multi-level backdrop, as the SA Law Court building has been completed for a number of years and the first stage of the Penny Place development is under construction. Both buildings are already within the view catchments of this heritage place.

Due to the setback of the proposed development, the contribution to Bar Chambers to the Carrington Street streetscape will remain unaltered.

Principle 140: Development on land adjacent to a heritage place in non-residential Zones or Policy Areas should incorporate design elements, including where it comprises an innovative contemporary design, that:

- (a) utilise materials, finishes, and other built form qualities that complement the adjacent heritage place; and
- (b) is located no closer to the primary street frontage than the adjacent heritage place.

Comment

The proposed development is separated by the lane to the north of Bar Chambers, separating it physically from the State Heritage Place. It has been carefully designed with the podium element to respond to the scale, form and materials of the heritage place.

The ground floor is proposed to be constructed in red brick, an appropriate design response to the adjacent Bar Chambers, referencing the brick detailing and materials of the place without replicating the detail.

An angular, perforated metal screen is proposed for the podium above ground floor height and is to be in colours similar to the brickwork and the previously approved terracotta tile screen. It will be approximately two thirds solid to one third perforated. While the metal screen is not in a traditional finish, the proposed angles, colours and perforation will add a level of architectural interest to the podium without detracting from the heritage place. The screen is contemporary in appearance and has been designed to ensure it does not compete with the Heritage Place, with two muted colours – Colorbond 'Terrain' and Dulux 'Hot Fudge'. Vertical joints in the screen respond to the gable and parapet heights of Bar Chambers, and the interplay of the two colours and perforations will articulate the podium element, avoiding it from presenting as a homogenous mass.

As mentioned above, the proposed development will be located to the rear of the State Heritage Place, separated by the existing laneway and the additions to the rear of the place. The development will therefore be behind the primary street frontage of the place. Bar Chambers is built to the Nelson Street (side) boundary. The proposed development is setback slightly at ground level from Nelson Street, with the screen to the podium appearing to be built to the street boundary.

The proposed development will have no detrimental impact on the ability of Bar Chambers to continue its existing, and future, uses. The materials, finishes, setbacks, scale and other built

form qualities proposed are complementary to this heritage place and will not impact on the heritage value or integrity of the State Heritage Place.

5.1.2 Capital City Zone

The Adelaide (City) Development Plan includes the subject site in the Capital City Zone. It is not included in a policy area.

With regard to the subject site, the following objectives and principles of development are considered relevant:

Objective 5 Innovative design approaches and contemporary architecture that respond to a building's context.

Comment

The proposed development to the rear of the state heritage place proposes an innovative and contemporary design form. As discussed above, the podium design responds to the form and scale of Bar Chambers by referencing the existing gable and parapet heights and responding to the colour and texture of the existing masonry wall facing Nelson Street.

The proposal is considered to be innovative, contemporary and contextual.

5.2 Assessment Summary

The design intent for the proposed development at Penny Place is to deliver a contemporary multi-level residential building. Given that the previous scheme had already received approval, this summary will focus on the design and impact of the proposed change to the design of the podium and the additional two floors added to the tower.

The proposal has been designed to a considered architectural standard in a clearly contemporary manner that avoids replication of historic forms and details. The design intent is to provide an addition to Nelson Street that avoids a typical response to carparking in a residential tower in what is a secondary street.

It is a considered form that will become part of an already established contemporary architectural backdrop for Bar Chambers. The podium utilises a simple palate of materials and will not compete with the detail and articulation of the existing building.

The scale of the podium is a balance between the requirements for car parking in multi-storey residential development and the sensitive context provided by the heritage place adjacent.

The addition of two floors to the height of the tower will have no impact on the heritage value of Bar Chambers.

The proposed development will not have any physical impact on Bar Chambers. The setting of Bar Chambers will be impacted, but as discussed, this is not seen as detrimental and is an improvement on what is currently on the site of the proposed development.

It is considered that the development at Penny Place, and specifically the podium, will not detract from the heritage value of Bar Chambers.

5.3 Conclusion of Heritage Impact

We have reviewed the drawings prepared by Woods Bagot and carefully considered the likely visual and physical impacts of the proposed development on the heritage value of Bar Chambers.

Hosking Willis Architecture has also considered the requirements for heritage places contained within Adelaide (City) Development Plan and conclude that the proposed Penny Place development will not diminish the heritage value of 34 Carrington Street.


APPENDIX 07 – SIGHT LINES

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

T +61 (0)8 8410 0453 info@intro.com.co

intro.com.co

THE GUIDELINES (RESIDENTIAL)

VIEW CONE RULES APPLIED TO SITE LINE ANALYSIS



The view cone in plan





Figure 36.2 - direct view occurs if windows or outdoor areas overlooked are located within a horizontal distance of 15 metres from the vertical centre line of the overlooking window and beyond a 45° angle from the plane of the wall containing the overlooking window.

EXCERT FROM: Adelaide city development plan - Consolidated 24 September 2015



TYPICAL SITE LINE CONDITIONS - SOLUTIONS

Raise edge balcony to 1800mm to avoid over looking on Level 6, Level 7 and Level 8



WOODSBAGOT.COM

EASTERN TERRACE SITE LINES - SOLUTIONS

Raise edge balcony to 1800mm to avoid over looking on Level 6, Level 7 and Level 8



WOODSBAGOT.COM

WESTERN TERRACE SITE LINES - SOLUTIONS

Raise edge balcony to 1800mm to avoid over looking on Level 6, Level 7 and Level 8



WOODSBAGOT.COM



Australian Government

Department of Finance

Ref: Development Number 020/A102/18

Ms. Lauren Talbot Senior Planning Officer Planning and Development Directorate Department of Planning, Transport and Infrastructure Level 5/50 Flinders Street Adelaide SA 5000

Dear Ms. Talbot

Further to my letter of 30 January 2019, requesting a formal representation for the proposed residential development at 27-31 Angas Street in Adelaide (Stage 2 – Penny Place), and as agreed with you, I now enclose further information from Davenport-Campbell Architects and Connley-Walker Security Consultants in support of the Department of Finance's (Finance) initial request.

Finance, as owner of the Commonwealth Law Court (CLC) Building located at 3 Angas Street, together with the building tenants, the High Court of Australia, Federal Court, Federal Circuit Court and the Attorney General's Department, remain concerned about the direct views into areas of the CLC Building from the proposed development during construction and when occupied.

Finance and CLC tenants also have concerns regarding the use of CLC property as a pedestrian connector between Nelson Street and Angas Street.

Finance proposes that it meets with the developers and their representatives to discuss the concerns and potential design and construction solutions.

My point of contact for this matter is David Chopping, Assistant Director, Portfolio Management and Land Administration Branch on 02 62151542 or David.Chopping@finance.gov.au.

Yours sincerely,

Lorraine Holcroft Assistant Secretary Portfolio Management and Land Administration Property and Construction Division 02 6215 3202

14February 2019

Enclosures:

1. Summary of Concerns – Davenport-Campbell Architects

2. Summary of Concerns - Connley Walker Security Consultants

Attachment 1 - Summary of Concerns - Davenport - Campbell Architects:

Background:

Western Core Projects Pty Ltd (WCP) have proposed and commenced a 30 level residential tower adjacent to the Adelaide Commonwealth Law Courts (CLC), located at 3 Angas St Adelaide.

The Department of Finance (Finance) engaged Davenport Campbell to carry out a Sight Line Impact Report that was completed on 13 Feb 2016.

Phase 2, a 25 level residential tower at Penny Place is at the DA stage.

Precinct Description:

The Commonwealth law Courts (CLC) is located at 3 Angas St Adelaide. It is a purpose built building for the Family Law courts, THE Federal Court of Australia and the High court of Australia. It is a 11 level building at a height of 100.8m.

Phase-1 of the residential tower is at 148.65m tall with the tower set back approximately 400mm from the western boundary of the CLC and development is under way.

The proposed Phase 2 is a potential 123.06m Tall Tower and is set back approximately 3000mm from the Southern Facade of CLC.

This places the towers at approximately 3m from the CLC at the closest point.

Level One CLC (Level G Development):

Issue:

The proposed development seeks to include the CLC property to form a larger pedestrian connector.

It must be noted that though access is possible to Nelson St from Angas St through the CLC property, this is not a pedestrian connector.

Level Two CLC (Level 2 Development):

Issue:

Sight lines from carpark windows at fire stair.

Sight Line:

The viewing distance is >10m.

Proposed Modification:

Proposed material on the carpark façade is a perforated steel. There is inadequate detail to determine if the interior of the CLC is clearly visible. At best, this facade can be an opaque material or vertical louvres directing views away from CLC.

Level Two A CLC (Level 3 Development):

Issue:

Sight lines from carpark windows at fire stair.

Sight Line:

The viewing distance is >10m.

Proposed Modification:

Proposed material on the carpark façade is a perforated steel. There is inadequate detail to determine if the interior of the CLC is clearly visible. At best, this facade can be an opaque material or vertical louvres directing views away from CLC.

Level Three CLC (Level 4 Development):

Issue:

Sight lines from carpark windows at fire stair.

Sight line:

The viewing distance is >10m.

Proposed Modification:

Proposed material on the carpark façade is a perforated steel. There is inadequate detail to determine if the interior of the CLC is clearly visible. At best, this facade can be an opaque material or vertical louvres directing views away from CLC.

Level Three A CLC (Level 5 Development):

Issue:

Possible sight lines from the Terraces on Level 5 on the Western and Eastern façade of the proposed development.

Sight Line:

The sight lines are >20m.

Proposed Modification:

Modification to the proposed landscape introducing a landscape screen at the parapet to prevent direct line of sight.

Level Four CLC (Level 6 Development):

Issue:

Possible sight lines from the balconies on Levels 6-15 on the Western and Eastern façade of the proposed development.

Sight Line:

The sight lines are >20m.

Proposed Modification:

Propose introducing at the side of the balcony a screen with a height >1.7M. This would prevent direct line of sight at the closest point.

Level Five CLC (Level 7 Development):

Issue:

Possible sight lines from the balconies on Levels 6-15 on the Western and Eastern façade of the proposed development.

Sight line:

The sight lines are >20m.

Proposed Modification:

Propose introducing at the side of the balcony a screen with a height >1.7M. This would prevent direct line of sight at the closest point.

Level Six - Eleven CLC (Level 8 – 15 Development):

Issue:

Possible sight lines from the balconies on Levels 6-15 on the Western and Eastern façade of the proposed development.

Sight Line:

The sight lines are >25m.

Proposed Modification:

No action required as distance at closest point is > 25m.

Traffic Movement:

Issue:

Disruption caused by refuse collection / delivery vehicles will enter Nelson Street in a forward direction and reverse into the loading area from the end of Nelson Street. The refuse vehicle will then exit Nelson Street in a forward direction.

Proposed Modification:

The proposed approach to refuse collection seems reasonable. The turning bay provided for the refuse collection trucks would be a better outcome than the current method where the trucks reverse. However, there is no information on the duration or frequency to make any further assessment on the impact on tenant amenity.

Pedestrian Movement:

Issue:

The proposed development seeks to include the CLC property to form a larger pedestrian connector. This will increase Pedestrian traffic due to the Pedestrian Connection located within the Proposed Stage 2 development.

Attachment 2 - Summary of Concerns - Connley Walker Security Consultants:

Impact of Kodo Stage 2 Development on Adelaide Commonwealth Law Courts (CLC) Building and Broader CLC property Security and Safety:

Security issues associated with the building include the following:

- Excessive noise from residential apartments, balconies and car parks.
- Although not strictly a security risk, there is a minor risk of excessive noise from apartments, balconies and car parks. This is best managed through the implementation of a process for the monitoring, reporting and acting upon noise complaints.
- Fire or other incident at residential property
- Although not strictly a security risk, fire or other incident at residential property requiring full or partial evacuation of CLC (Includes fire alarms at CLC initiated by residential balcony BBQs) may occur.
- Objects being thrown onto the roof of the Court.
- Objects of all types have previously been thrown onto the roof of court buildings that are adjacent to residential towers. It is therefore possible that this could occur from balconies facing the Court.

Traffic and Pedestrian Movement Impacting the Safety and Security of the Tenants and the Building:

Threats due to increased pedestrian traffic:

- An increase in pedestrian traffic will occur as a result of the development. The side of the Court facing the Stage 1 development currently has a pedestrian pathway on CLC land and Court staff have windows looking out to this path.
- Pedestrian traffic from the Stage 2 development may also use this path. The pedestrian traffic is currently minimal, however a significant increase will reduce staff privacy and may increase property damage, vandalism and increase the potential of threatening behaviour to court staff leaving via the car park.
- Threats due to increased vehicle traffic.
- An increase in vehicle traffic may occur but is unlikely to impact the CLC due to Stage 2 traffic entering from Carrington Street.

Building Activity Encroaching onto Adelaide CLC Land and Security Concerns:

- Building activities encroaching on the Adelaide CLC land are most likely to be related to noise from Council refuse collection vehicles (particularly when unloading and reversing). This is most likely to impact on the ground level outdoor courtyard where court users may be having quiet discussions.
- Vehicle access to the proposed tower will be via Nelson Street and pedestrian footpaths are provided on Nelson Street and Penny Place.
- The existing vehicular access point to the Kodo Apartments site from Angas Street on Commonwealth owned land will be closed and modified into a pedestrian and cyclist connection as part of the Stage 1 project. A connection from the proposed Stage 2 development to Penny Place will also be provided, which will be available following completion of Stage 1.
- An area where the building activity is likely to have a significant impact is during construction where encroachment on privacy and the additional noise is likely to impact Commonwealth Law Court operations.



ADELAIDE (CITY) ZONES MAP Adel/25

Zone Boundary Development Plan Boundary

Consolidated - 7 June 2018



Policy Area Boundary

Consolidated - 7 June 2018



CAPITAL CITY ZONE

Introduction

The Desired Character, Objectives and Principles of Development Control that follow apply in the whole of the Capital City Zone shown on Maps Adel/17 to 20, 23 to 26 and 29 to 31. They are additional to those expressed for the whole of the Council area and in cases of apparent conflict, take precedence over the more general provisions. In the assessment of development, the greatest weight is to be applied to satisfying the Desired Character for the Zone.

DESIRED CHARACTER

This Zone is the economic and cultural focus of the State and includes a range of employment, community, educational, tourism and entertainment facilities. It is anticipated that an increased population within the Zone will complement the range of opportunities and experiences provided in the City and increase its vibrancy.

The Zone will be active during the day, evening and late night. Licensed entertainment premises, nightclubs and bars are encouraged throughout the Zone, particularly where they are located above or below ground floor level to maintain street level activation during the day and evening.

High-scale development is envisaged in the Zone with high street walls that frame the streets. However an interesting pedestrian environment and human scale will be created at ground floor levels through careful building articulation and fenestration, frequent openings in building façades, verandahs, balconies, awnings and other features that provide weather protection.

In important pedestrian areas, buildings will be set back at higher levels above the street wall to provide views to the sky and create a comfortable pedestrian environment. In narrow streets and laneways the street setback above the street wall may be relatively shallow or non-existent to create intimate spaces through a greater sense of enclosure. In the Central Business Policy Areas, upper level setbacks are not envisaged.

Non-residential land uses at ground floor level that generate high levels of pedestrian activity such as shops, cafés and restaurants will occur throughout the Zone. Within the Central Business Policy Area, residential land uses at ground level are discouraged. At ground level, development will continue to provide visual interest after hours by being well lit and having no external shutters. Non-residential and / or residential land uses will face the street at the first floor level to contribute to street vibrancy.

New development will achieve high design quality by being:

(a) **Contextual** – so that it responds to its surroundings, recognises and carefully considers the adjacent built form, and positively contributes to the character of the immediate area.

(b) **Durable** – by being fit for purpose, adaptable and long lasting, and carefully considers the existing development around it.

(c) **Inclusive** – by integrating landscape design to optimize pedestrian and cyclist usability, privacy, and equitable access, and also promote the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimize security and safety both internally and into the public realm, for occupants and visitors alike.

(d) **Sustainable** – by integrating sustainable systems into new buildings and the surrounding landscape design to improve environmental performance and minimise energy consumption.

(e) **Amenable** – by providing natural light and ventilation to habitable spaces.

Contemporary juxtapositions will provide new settings for heritage places. Innovative design is expected in areas of identified street character with an emphasis on contemporary architecture that responds to site context and broader streetscape, while supporting optimal site development. The addition of height, bulk and massing of new form should be given due consideration in the wider context of the proposed development.

There will also be a rich display of art that is accessible to the public and contextually relevant.



Adelaide's pattern of streets and squares

The distinctive grid pattern of Adelaide will be reinforced through the creation of a series of attractive boulevards as shown on Concept Plan Figures CC/1 and 2. These boulevards will provide a clear sense of arrival into the City and be characterised by buildings that are aligned to the street pattern, particularly at ground level.

Views to important civic landmarks, the Park Lands and the Adelaide Hills will be retained as an important part of the City's charm and character.

The City's boulevards, terraces and Squares will be developed as follows:

(a) North Terrace will be reinforced as an important pedestrian promenade and cultural boulevard that provides an important northern edge to the City square mile.

(b) King William Street will be enhanced as the City's principal north-south boulevard and will be reinforced as the City's commercial spine.

(c) Grote Street-Wakefield Street will be enhanced as the City's principal east-west boulevard and will be developed to provide a strong frame that presents a sense of enclosure to the street.

(d) East Terrace will be characterised by buildings that maximise views through to the Park Lands and provide a distinct City edge.

(e) West Terrace will be reinforced as the western 'gateway' to the City centre and will form an imposing frontage to the western City edge. Buildings will be constructed to the front and side boundaries, and designed to maximise views through to the Park Lands. Corner sites at the junctions of West Terrace and the major east-west streets will be developed as strongly defined visual gateways to the City. This will provide an imposing frontage to the western edge of the City, which comprises a mixture of commercial, showroom and residential development.

(f) Pulteney and Morphett streets are key north-south boulevards. A sense of activation and enclosure of these streets will be enhanced through mixed use development with a strong built form edge. Pulteney Street will include residential, office and institutional uses, and retail activities. These boulevards will become important tree-lined commercial corridors.

(g) Currie, Grenfell, Franklin and Flinders streets, as wider east-west boulevards provide important entry points to the City. Currie and Grenfell streets will become a key focus for pedestrians, cycling and public transport. These streets also provide long views to the hills as their closing vistas and these view corridors should remain uncluttered.

(h) Victoria, Hindmarsh and Light Squares will have a continuous edge of medium to high-scale development that frames the Squares and increases ground level activity.

The Zone also includes a number of Main Street areas, encompassing Rundle Mall, Rundle Street, Hindley Street and Gouger Street, which are envisaged to have a wide range of retail, commercial and community uses that generate high levels of activity. These areas will have an intimately scaled built form with narrow and frequent building frontages. These areas are shown on Concept Plan Figures CC/1 and 2.

Development fronting North Terrace, King William Street, Wakefield Street, Grote Street, the Squares, and in the Main Street Policy Area, will reflect their importance though highly contextual design that reflects and responds to their setting and role.

Minor streets and laneways will have a sense of enclosure (a tall street wall compared to street width) and an intimate, welcoming and comfortable pedestrian environment with buildings sited and composed in a way that responds to the buildings' context. There will be a strong emphasis on ground level activation through frequent window openings, land uses that spill out onto the footpath, and control of wind impacts.



Development in minor streets and laneways with a high value character will respond to important character elements and provide a comfortable pedestrian environment, particularly in the following streets: Gray, Leigh, Union, Chesser, Coromandel, Tucker, Cardwell, Kenton, Market, Ruthven, Cannon, Tatham, Benthem streets, Murrays Lane and Wright Court.

A comprehensive, safe and convenient movement network throughout the City will develop, focusing on the provision of linkages on both public and private land between important destinations and public transport. A high quality system of bicycle or shared pedestrian and bicycle routes will be established within the Zone.

OBJECTIVES

General

- **Objective 1:** The principal focus for the economic, social and political life of metropolitan Adelaide and the State.
- **Objective 2:** A vibrant mix of commercial, retail, professional services, hospitality, entertainment, educational facilities, and medium and high density living.
- **Objective 3:** Design and management of City living to ensure the compatibility of residential amenity with the essential commercial and leisure functions of the Zone.
- **Objective 4:** City streets that provide a comfortable pedestrian environment.
- **Objective 5:** Innovative design approaches and contemporary architecture that respond to a building's context.
- **Objective 6:** Buildings that reinforce the gridded layout of Adelaide's streets and respond to the underlying built-form framework of the City.
- **Objective 7:** Large sites developed to their full potential while ensuring a cohesive scale of development and responding to a building's context.
- **Objective 8:** Development that contributes to the Desired Character of the Zone.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

1 The following types of development, or combinations thereof, are envisaged:

Affordable housing Aged persons accommodation Community centre Consulting room Convention centre Dwelling Educational establishment Emergency services facility Hospital Hotel Indoor recreation centre Licensed entertainment premises Library Motel Office Pre-school Personal service establishment Place of worship



Serviced apartment Restaurant Residential flat building Student accommodation Shop or group of shops Tourist accommodation

- 2 Land uses that are typically closed during the day should be designed to maximise daytime and evening activation at street level and be compatible with surrounding land uses, in particular residential development.
- 3 Low impact industries should be located outside the Central Business Policy Area and have minimal off-site impacts with respect to noise, air, water and waste emissions, traffic generation and movement.
- 4 Development listed as non-complying is generally inappropriate.

Form and Character

5 Development should be consistent with the Desired Character for the Zone.

Design and Appearance

- 6 Development should be of a high standard of architectural design and finish which is appropriate to the City's role and image as the capital of the State.
- 7 Buildings should achieve a high standard of external appearance by:

(a) the use of high quality materials and finishes. This may be achieved through the use of materials such as masonry, natural stone, prefinished materials that minimise staining, discolouring or deterioration, and avoiding painted surfaces particularly above ground level;

(b) providing a high degree of visual interest though articulation, avoiding any large blank facades, and incorporating design features within blank walls on side boundaries which have the potential to be built out;

(c) ensuring lower levels are well integrated with, and contribute to a vibrant public realm; and

(d) ensuring any ground and first floor level car parking elements are sleeved by residential or non-residential land uses (such as shops, offices and consulting rooms) to ensure an activated street frontage.

- 8 Buildings should present an attractive pedestrian-oriented frontage that adds interest and vitality to City streets and laneways.
- **9** The finished ground floor level of buildings should be at grade and/or level with the footpath to provide direct pedestrian access and street level activation.
- **10** Providing footpath widths and street tree growth permit, development should contribute to the comfort of pedestrians through the incorporation of verandahs, balconies, awnings and/or canopies that provide pedestrian shelter.
- 11 Buildings should be positioned regularly on the site and built to the street frontage, except where a setback is required to accommodate outdoor dining or provide a contextual response to a heritage place.
- **12** Buildings should be designed to include a podium/street wall height and upper level setback (in the order of 3-6 metres) that:
 - (a) relates to the scale and context of adjoining built form;



- (b) provides a human scale at street level;
- (c) creates a well-defined and continuity of frontage;
- (d) gives emphasis and definition to street corners to clearly define the street grid;
- (e) contributes to the interest, vitality and security of the pedestrian environment;

(f) maintains a sense of openness to the sky for pedestrians and brings daylight to the street; and

(g) achieves pedestrian comfort by minimising micro climatic impacts (particularly shade/shelter, wind tunnelling and downward drafts); other than (h) or (i):

(h) in the Central Business Policy Area;

(i) where a lesser (or zero) upper level setback and/or podium height is warranted to correspond with and complement the form of adjacent development, in which case alternative design solutions should be included to achieve a cohesive streetscape, provided parts (b) to

- (g) are still achieved.
- **13** Buildings north of Rundle Mall, Rundle Street, Hindley Street and Gouger Street should have a built form that incorporates slender tower elements, spaces between buildings or other design techniques that enable sunlight access to the southern footpath.
- **14** Buildings, advertisements, site landscaping, street planting and paving should have an integrated, coordinated appearance and should enhance the urban environment.
- **15** Building façades should be strongly modelled, incorporate a vertical composition which reflects the proportions of existing frontages, and ensure that architectural detailing is consistent around corners and along minor streets and laneways.
- 16 Development that exceeds the maximum building height shown in Concept Plan Figures CC/1 and 2, and meets the relevant quantitative provisions should demonstrate a significantly higher standard of design outcome in relation to qualitative policy provisions including site configuration that acknowledges and responds to the desired future character of an area but that also responds to adjacent conditions (including any special qualities of a locality), pedestrian and cyclist amenity, activation, sustainability, and public realm and streetscape contribution.

The Squares (Victoria, Hindmarsh and Light)

- 17 Outdoor eating and drinking facilities associated with cafés and restaurants are appropriate ground floor uses and should contribute to the vitality of the Squares and create a focus for leisure.
- **18** Buildings fronting the Squares should:

(a) provide a comfortable pedestrian and recreation environment by enabling direct sunlight to a minimum of 75 percent of the landscaped part of each Square at the September equinox; and

(b) reinforce the enclosure of the Squares with a continuous built-form with no upper level setbacks.

The Terraces (North, East and West)

19 Development along the terraces should contribute to a continuous built form to frame the City edge and activate the Park Lands.



20 Development along North Terrace should reinforce the predominant scale and 'City wall' character of the Terrace frontage.

Building Height

21 Development should not exceed the maximum building height shown in Concept Plan Figures CC/1 and 2 unless;

(a) it is demonstrated that the development complements the context (having regard to adjacent built form and desired character of the locality) and anticipated city form in Concept Plan Figures CC/1 and 2, and

(b) only if:

(i) at least two of the following features are provided:

(1) the development provides an orderly transition up to an existing taller building or prescribed maximum building height in an adjoining Zone or Policy Area;

(2) the development incorporates the retention, conservation and reuse of a building which is a listed heritage place;

(3) high quality universally accessible open space that is directly connected to, and well integrated with, public realm areas of the street;

(4) universally accessible, safe and secure pedestrian linkages that connect through the development site as part of the cities pedestrian network on Map Adel/1 (Overlay 2A);

(5) on site car parking does not exceed a rate of 0.5 spaces per dwelling, car parking areas are adaptable to future uses or all car parking is provided underground;

(6) residential, office or any other actively occupied use is located on all of the street facing side of the building, with any above ground car parking located behind;

(7) a range of dwelling types that includes at least 10% of 3+ bedroom apartments;

(8) more than 15 per cent of dwellings as affordable housing.

(ii) plus all of the following sustainable design measures are provided:

(1) a rooftop garden covering a majority of the available roof area supported by services that ensure ongoing maintenance;

(2) a greenroof, or greenwalls / façades supported by services that ensure ongoing maintenance;

(3) innovative external shading devices on all of the western side of a street facing façade; and

(4) higher amenity through provision of private open space in excess of minimum requirements, access to natural light and ventilation to all habitable spaces and common circulation areas.

22 Development should have optimal height and floor space yields to take advantage of the premium City location and should have a building height no less than half the maximum



shown on Concept Plan Figures CC/1 and 2, or 28 metres in the Central Business Policy Area, except where one or more of the following applies:

- (a) a lower building height is necessary to achieve compliance with the Commonwealth Airports (Protection of Airspace) Regulations;
- (b) the site is adjacent to the City Living Zone or the Adelaide Historic (Conservation) Zone and a lesser building height is required to manage the interface with low-rise residential development;
- (c) the site is adjacent to a heritage place, or includes a heritage place;
- (d) the development includes the construction of a building in the same, or substantially the same, position as a building which was demolished, as a result of significant damage caused by an event, within the previous 3 years where the new building has the same, or substantially the same, layout and external appearance as the previous building.

Interface

- 23 Development should manage the interface with the City Living Zone or the Adelaide Historic (Conservation) Zone in relation to building height, overshadowing, massing, building proportions and traffic impacts and should avoid land uses, or intensity of land uses, that adversely affect residential amenity.
- 24 Development on all sites on the southern side of Gouger Street Angas Street and adjacent to a northern boundary of the City Living Zone or the Adelaide Historic (Conservation) Zone should not exceed 22 metres in building height unless the Council Wide overshadowing Principles of Development Control are met.
- 25 Parts of a development that exceed the prescribed maximum building height shown on Concept Plan Figures CC/1 and 2 that are directly adjacent to the City Living, Main Street (Adelaide) or the Adelaide Historic (Conservation) Zone boundaries should be designed to minimise visual impacts on sensitive uses in the adjoining zones and to maintain the established or desired future character of the area. This may be achieved through a number of techniques such as additional setback, avoiding tall sheer walls, centrally locating taller elements, providing variation of light and shadow through articulation to provide a sense of depth and create visual interest, and the like

Movement

- 26 Pedestrian movement should be based on a network of pedestrian malls, arcades and lanes, linking the surrounding Zones and giving a variety of north-south and east-west links.
- 27 Development should provide pedestrian linkages for safe and convenient movement with arcades and lanes clearly designated and well-lit to encourage pedestrian access to public transport and areas of activity. Blank surfaces, shutters and solid infills lining such routes should be avoided.
- 28 Development should ensure existing through-site and on-street pedestrian links are maintained and new pedestrian links are developed in accordance with Map Adel/1 (Overlay 2A).
- 29 Car parking should be provided in accordance with Table Adel/7.
- **30** Multi-level car parks should locate vehicle access points away from the primary street frontage wherever possible and should not be located:
 - (a) within any of the following areas:
 - (i) the Core Pedestrian Area identified in Map Adel/1 (Overlays 2, 2A and 3)



(ii) on frontages to North Terrace, East Terrace, Rundle Street, Hindley Street, Currie Street, Waymouth Street (east of Light Square), Victoria Square or King William Street;

(b) where they conflict with existing or projected pedestrian movement and/or activity;

(c) where they would cause undue disruption to traffic flow; and

(d) where it involves creating new crossovers in North Terrace, Rundle Street, Hindley Street, Currie Street and Waymouth Street (east of Light Square), Grenfell Street and Pirie Street (west of Pulteney Street), Victoria Square, Light Square, Hindmarsh Square, Gawler Place and King William Street or access across primary City access and secondary City access roads identified in Map Adel/1 (Overlay 1).

- **31** Multi-level, non-ancillary car parks are inappropriate within the Core Pedestrian Area as shown on Map Adel/1 (Overlays 2, 2A and 3).
- 32 Vehicle parking spaces and multi-level vehicle parking structures within buildings should:

(a) enhance active street frontages by providing land uses such as commercial, retail or other non-car park uses along ground floor street frontages;

(b) complement the surrounding built form in terms of height, massing and scale; and

(c) incorporate façade treatments along major street frontages that are sufficiently enclosed and detailed to complement neighbouring buildings consistent with the Desired Character of the locality.

Advertising

- **33** Other than signs along Hindley Street, advertisements should use simple graphics and be restrained in their size, design and colour.
- 34 In minor streets and laneways, a greater diversity of type, shape, numbers and design of advertisements are appropriate provided they are of a small-scale and located to present a consistent message band to pedestrians.
- **35** There should be an overall consistency achieved by advertisements along individual street frontages.
- 36 In Chesser Street, French Street and Coromandel Place advertisements should be small and preferably square and should not be located more than 3.7 metres above natural ground level or an abutting footpath or street. However, advertisements in these streets may be considered above 3.7 metres at locations near the intersections with major streets.
- **37** Advertisements on the Currie Street frontages between Topham Mall and Gilbert Place and its north-south prolongation should be of a size, shape and location complementary to the desired townscape character, with particular regard to the following:

(a) On the southern side of Currie Street, advertisements should be fixed with their underside at a common height, except where the architectural detailing of building façades precludes it. At this 'canopy' level advertisements should be of a uniform size and fixed without the support of guy wires. Where architectural detailing permits, advertisements may mark the major entrances to buildings along the southern side of Currie Street with vertical projecting advertisements 1.5 metres high by 1.2 metres wide at, or marginally above, the existing canopy level. Painted wall or window signs should be restrained.

(b) On the northern side of Currie Street, advertisements should be of a uniform fixing height and consistent dimensions to match those prevailing in the area.

PROCEDURAL MATTERS



Complying Development

38 Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*. In addition, the following forms of development are assigned as **complying**:

(a) Other than in relation to a State heritage place, Local heritage place (City Significance), or Local heritage place, work undertaken within a building which does not involve a change of use or affect the external appearance of the building;

(b) Temporary depot for Council for a period of no more than 3 months where it can be demonstrated that appropriate provision has been made for:

- (i) dust control;
- (ii) screening, including landscaping;
- (iii) containment of litter and water; and
- (iv) securing of the site.

(c) Change in the use of land from a non-residential use to an office, shop or consulting room (excluding any retail showroom, adult entertainment premises, adult products and services premises or licensed premises).

Non-complying Development

39 The following kinds of development are **non-complying**:

A change in use of land to any of the following:

Amusement machine centre

Advertisements involving any of the following:

(a) third party advertising except on Hindley Street, Rundle Mall or on allotments at the intersection of Rundle Street and Pulteney Street, or temporary advertisements on construction sites;

(b) advertisements located at roof level where the sky or another building forms the background when viewed from ground level;

(c) advertisements in the area bounded by West Terrace, Grote Street, Franklin Street and Gray Street;

(d) animation of advertisements along and adjacent to the North Terrace, King William Street and Victoria Square frontages.

Total demolition of a State Heritage Place (as identified in Table Adel/1).

Vehicle parking except:

(a) where it is ancillary to an approved or existing use;

(b) it is a multi-level car park located outside the Core Pedestrian Area as indicated on Map Adel/1 (Overlay 2, 2A and 3); or

(c) it is within an existing building located outside the Core Pedestrian Area as indicated on Map Adel/1 (Overlay 2, 2A and 3).

Public Notification



40 Categories of public notification are prescribed in Schedule 9 of the *Development Regulations* 2008.

In addition, the following forms of development, or any combination of (except where the development is non-complying), are assigned:

- (a) **Category 1**, public notification not required:
- All forms of development other than where it is assigned Category 2.
- (b) Category 2, public notification required. Third parties do not have any appeal rights.

Any development where the site of the development is adjacent land to land in the City Living Zone or Adelaide Historic (Conservation) Zone and it exceeds 22 metres in building height.

Note: For Category 3 development, public notification is required. Third parties may make written representations, appear before the relevant authority on the matter, and may appeal against a development consent. This includes any development not classified as either Category 1 or Category 2.

Central Business Policy Area 13

Introduction

The Objectives and Principles of Development Control that follow apply to the Policy Area as shown on Maps Adel/49, 50, 55 and 56. They are additional to those expressed for the Zone and, in cases of apparent conflict, take precedence over the Zone provisions. In the assessment of development, the greatest weight is to be applied to satisfying the Desired Character for the Policy Area.

DESIRED CHARACTER

The Central Business Policy Area is the pre-eminent economic, governance and cultural hub for the State. This role will be supported by educational, hospitality and entertainment activities and increased opportunities for residential, student and tourist accommodation.

Buildings will exhibit innovative design approaches and produce stylish and evocative architecture, including tall and imposing buildings that provide a hard edge to the street and are of the highest design quality. A wide variety of design outcomes of enduring appeal are expected. Complementary and harmonious buildings in individual streets will create localised character and legible differences between streets, founded on the existing activity focus, building and settlement patterns, and street widths.

OBJECTIVES

- **Objective 1:** A concentration of employment, governance, entertainment and residential land uses that form the heart of the City and central place for the State.
- **Objective 2:** Development of a high standard of design and external appearance that integrates with the public realm.
- **Objective 3:** Development that contributes to the Desired Character of the Policy Area.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 Development should contribute to the area's role and function as the State's premier business district, having the highest concentration of office, retail, mixed business, cultural, public administration, hospitality, educational and tourist activities.
- 2 Buildings should be of a height that ensures airport operational safety is not adversely affected.



3 To enable an activated street level, residential development or similar should be located above ground floor level.

City Living

Housing Choice

OBJECTIVES

- **Objective 6:** A variety of housing options which supplement existing types of housing and suit the widely differing social, cultural and economic needs of all existing and future residents.
- **Objective 7:** A range of long and short term residential opportunities to increase the number and range of dwellings available whilst protecting identified areas of special character and improving the quality of the residential environment.
- **Objective 8:** A broad range of accommodation to meet the needs of low income, disadvantaged and groups with complex needs whilst ensuring integration with existing residential communities.

PRINCIPLES OF DEVELOPMENT CONTROL

1 Development should comprise of a range of housing types, tenures and cost, to meet the widely differing social and economic needs of residents.

Medium to High Scale Residential/Serviced Apartment

OBJECTIVE

- **Objective 22:** Medium to high scale residential (including student accommodation) or serviced apartment development that:
 - (a) has a high standard of amenity and environmental performance;
 - (b) comprises functional internal layouts;
 - (c) is adaptable to meet a variety of accommodation and living needs; and
 - (d) includes well-designed and functional recreation and storage areas.

PRINCIPLES OF DEVELOPMENT CONTROL

Building Entrances

- 2 Entrances to medium to high scale residential or serviced apartment development should:
 - (a) be oriented towards the street;
 - (b) be visible and easily identifiable from the street; and
 - (c) provide shelter, a sense of personal address and transitional space around the entry.
- **3** Entrances to individual dwellings or apartments within medium to high scale residential or serviced apartment development should:

(a) be located as close as practical to the lift and/or lobby access and minimise the need for long access corridors;(b) be clearly identifiable; and avoid the creation of potential areas for entrapment.

Daylight, Sunlight and Ventilation



- 4 Medium to high scale residential or serviced apartment development should be designed to maximise opportunities to facilitate natural ventilation and capitalise on natural daylight and minimise the need for artificial lighting during daylight hours.
- 5 Medium to high scale residential or serviced apartment development should be designed and located to maximise solar access to dwellings and communal open space on the norther facade.
- 5 All new medium to high scale residential or serviced apartment development should have direct ventilation and natural light.
- 6 The maximum distance of a habitable room such as a living, dining, bedroom or kitchen from a window providing natural light and ventilation to that room is 8 metres.
- 7 Light wells should not be used as the primary source of daylight for living rooms to ensure a sufficient level of outlook and daylight.
- 8 Medium to high scale residential or serviced apartment development should be designed to ensure living areas, private open space or communal open space, where such communal open space provides the primary area of private open space, are the main recipients of sunlight.
- **9** Medium to high scale residential or serviced apartment development should locate living areas, private open space and communal open space, where such communal open space provides the primary area of private open space, where they will receive sunlight and, where possible, should maintain at least two hours of direct sunlight solar time on 22 June to:

(a) at least one habitable room window (excluding bathroom, toilet, laundry or storage room windows);

(b) to at least 20 percent of the private open space; and

(c) communal open space, where such communal open space provides the primary private open space for any adjacent residential development.

10 Natural cross ventilation of habitable rooms should be achieved by the following methods:

(a) positioning window and door openings in different directions to encourage cross ventilation from cooling summer breezes;

(b) installing small low level windows on the windward side and larger raised openings on the leeward side to maximise airspeed in the room;

(c) installing higher level casement or sash windows, clerestory windows or operable fanlight windows to facilitate convective currents;

(d) selecting windows which the occupants can reconfigure to funnel breezes such as vertical louvred, casement windows and externally opening doors;

- (e) ensuring the internal layout minimises interruptions to airflow;
- (f) limiting building depth to allow for ease of cross ventilation; and/or
- (g) draught proofing doors, windows and other openings.

Private Open Space

11 Medium to high scale residential development and serviced apartments should provide the following private open space:

(a) studio (where there is no separate bedroom): no minimum requirement but some provision is desirable.

- (b) 1 bedroom dwelling/apartment: 8 square metres.
- (c) 2 bedroom dwelling/apartment: 11 square metres.
- (d) 3+ bedroom dwelling/apartment: 15 square metres.



A lesser amount of private open space may be considered appropriate in circumstances where the equivalent amount of open space is provided in a communal open space accessible to all occupants of the development.

Private open space for 2 or more bedroom dwellings/apartments may be divided into different areas whilst private open space for studios or 1 bedroom dwelling/apartments should be in a single area.

Areas used for parking of motor vehicles are not included as private open space.

- 12 Medium to high scale residential (other than student accommodation) or serviced apartment development should ensure direct access from living areas to private open space areas, which may take the form of balconies, terraces, decks or other elevated outdoor areas provided the amenity and visual privacy of adjacent properties is protected.
- **13** Other than for student accommodation, private open space should have a minimum dimension of 2 metres and should be well proportioned to be functional and promote indoor/outdoor living.

Balconies should be integrated into the overall architectural form and detail of the development and should:

(a) utilise sun screens, pergolas, shutters and openable walls to control sunlight and wind;

(b) be cantilevered, partially cantilevered and/or recessed in response to daylight, wind, acoustic and visual privacy;

(c) be of a depth that ensures sunlight can enter the dwelling below; and

(d) allow views and casual surveillance of the street while providing for safety and visual privacy.

- 14 Secondary balconies, including Juliet balconies or operable walls with balustrades should be considered, subject to overlooking and privacy, for additional amenity and choice.
- **15** For clothes drying, balconies off laundries or bathrooms and roof top areas should be screened from public view.
- **16** The incorporation of roof top gardens is encouraged providing it does not result in unreasonable overlooking or loss of privacy.

Visual Privacy

- 17 Medium to high scale residential or serviced apartment development should be designed and sited to minimise the potential overlooking of habitable rooms such as bedrooms and living areas of adjacent development.
- **18** A habitable room window, balcony, roof garden, terrace or deck should be set-back from boundaries with adjacent sites at least three metres to provide an adequate level of amenity and privacy and to not restrict the reasonable development of adjacent sites.

Noise and Internal Layout

- **19** Medium to high scale residential or serviced apartment development close to high noise sources (e.g. major roads, established places of entertainment and centres of activity) should be designed to locate noise sensitive rooms and private open space away from noise sources, or be protected by appropriate shielding techniques.
- **20** Attached or abutting dwellings/apartments should be designed to minimise the transmission of sound between dwellings and, in particular, to protect bedrooms from possible noise intrusions.

Minimum Unit Sizes



- 21 Medium to high scale residential or serviced apartment development should provide a high quality living environment by ensuring the following minimum internal floor areas:
 - (a) studio (where there is no separate bedroom): 35 square metres.
 - (b) 1 bedroom dwelling/apartment: 50 square metres
 - (c) 2 bedroom dwelling/apartment: 65 square metres
 - (d) 3+ bedroom dwelling/apartment: 80 square metres plus an additional 15 square metres for every additional bedroom over 3 bedrooms.

Note: Dwelling/apartment "unit size" includes internal storage areas but does not include balconies or car parking as part of the calculation.

22 Internal structural columns should correspond with the position of internal walls to ensure that the space within the dwelling/apartment is useable.

Adaptability

- 23 Within medium to high scale residential or serviced apartment development, dwelling/apartment layouts should be adaptable to accommodate:
 - (a) a range of activities and privacy levels between different spaces;
 - (b) flexible room sizes and proportions;
 - (c) efficient circulation to optimise the functionality of floor space within rooms; and

(d) the future reuse of student accommodation as residential apartments through a design and layout that allows individual apartments to be reconfigured into a larger dwelling or other alternative use.

Design Technique (this is ONE WAY of meeting the above Principle)

72.1 Design solutions may include:

(a) windows in all habitable rooms and to the maximum number of non-habitable rooms;

(b) adequate room sizes or open plan dwellings which provide a range of furniture layout options; and/or

(c) dual master bedrooms that can support two independent adults living together or a live/work situation.

Outlook

24 All medium to high scale residential or serviced apartment development should be designed to ensure the living rooms have a satisfactory external outlook. Living rooms that do not have an outlook or the only source of outlook is through high level windows or a skylight are not considered to provide an appropriate level of amenity for the occupiers.

Note: Outlook is a short range prospect and is distinct from a view which is more extensive and long range to particular objects or geographic features.

- 25 Light wells may be used as a source of daylight, ventilation, outlook and sunlight for medium to high scale residential or serviced apartment development provided that:
 - (a) living rooms do not have lightwells as their only source of outlook;
 - (b) lightwells up to 18 metres in height have a minimum horizontal dimension of 3 metres or 6 metres if overlooked by bedrooms; and

(c) lightwells higher than 18 metres in height have a minimum horizontal dimension of 6 metres or 9 metres if overlooked by bedrooms.

On-Site Parking and Fencing

OBJECTIVE



Objective 23: Safe and convenient on-site car parking for resident and visitor vehicles.

PRINCIPLES OF DEVELOPMENT CONTROL

- **26** To ensure an adequate provision of on-site parking, car parking should be provided for medium to high scale residential (other than student accommodation) or serviced apartment development in accordance with Table Adel/7.
- 27 Garages and parking structures associated with medium to high scale residential or serviced apartment development should be located so that they do not visually dominate the street frontage.
- 28 Car parking areas should be designed and located to:
 - (a) be close and convenient to dwellings/apartments;
 - (b) be lit at night;
 - (c) be well ventilated if enclosed;
 - (d) avoid headlight glare into windows; and
 - (e) clearly define visitor parking.
- 29 Where garages are located within a basement or undercroft:

(a) the width of access driveways should be kept to a minimum and should not detract from the streetscape;

- (b) driveways should be designed to ensure safe and convenient access and egress;
- (c) access should be restricted to one driveway or one point of access and egress;

(d) vehicles should be able to safely exit in a forward direction and should not compromise pedestrian safety or cause conflict with other vehicles; and

(e) the height of the car park ceiling should not exceed one metre above the finished ground floor level to ensure minimal impact on the streetscape.

- **30** Fencing and walls should:
 - (a) be articulated and detailed to provide visual interest;
 - (b) assist the development to address the street;
 - (c) assist in the provision of safety and surveillance;
 - (d) assist in highlighting entrances; and
 - (e) enable visibility of buildings from and to the street.

Storage Areas

- **31** Site facilities should be readily accessible to each dwelling/serviced apartment, complement the development and relevant desired character and should include:
 - (a) a common mail box structure located close to the main pedestrian entrance;

(b) areas for the storage and collection of goods, materials, refuse and waste including facilities to enable the separation of recyclable materials as appropriate to the size and nature of the development and screened from public view; and (c) external clothes drving areas for residential dwellings that do not incorporate

(c) external clothes drying areas for residential dwellings that do not incorporate ground level open space.

- 32 Medium to high scale residential (other than student accommodation) or serviced apartment development should provide adequate and accessible storage facilities for the occupants at the following minimum rates:
 - (a) studio: 6 cubic metres
 - (b) 1 bedroom dwelling/apartment: 8 cubic metres
 - (c) 2 bedroom dwelling/apartment: 10 cubic metres
 - (d) 3+ bedroom dwelling/apartment: 12 cubic metres



50 percent of the storage space should be provided within the dwelling/apartment with the remainder provided in the basement or other communal areas.

Environmental

Crime Prevention Through Urban Design

OBJECTIVES

Objective 24: A safe and secure, crime resistant environment that:

(a) ensures that land uses are integrated and designed to facilitate natural surveillance;

(b) promotes building and site security; and

(c) promotes visibility through the incorporation of clear lines of sight and appropriate lighting.

PRINCIPLES OF DEVELOPMENT CONTROL

33 Development should promote the safety and security of the community in the public realm and within development. Development should:

(a) promote natural surveillance of the public realm, including open space, car parks, pedestrian routes, service lanes, public transport stops and residential areas, through the design and location of physical features, electrical and mechanical devices, activities and people to maximise visibility by:

(i) orientating windows, doors and building entrances towards the street, open spaces, car parks, pedestrian routes and public transport stops;

(ii) avoiding high walls, blank facades, carports and landscaping that obscures direct views to public areas;

(iii) arranging living areas, windows, pedestrian paths and balconies to overlook recreation areas, entrances and car parks;

(iv) positioning recreational and public space areas so they are bound by roads on at least two road frontages or overlooked by development;

(v) creating a complementary mix of day and night-time activities, such as residential, commercial, recreational and community uses, that extend the duration and level of intensity of public activity;

(vi) locating public toilets, telephones and other public facilities with direct access and good visibility from well-trafficked public spaces;

(vii) ensuring that rear service areas and access lanes are either secured or exposed to surveillance; and

(viii) ensuring the surveillance of isolated locations through the use of audio monitors, emergency telephones or alarms, video cameras or staff eg by surveillance of lift and toilet areas within car parks.

(b) provide access control by facilitating communication, escape and path finding within development through legible design by:

(i) incorporating clear directional devices;

(ii) avoiding opportunities for concealment near well travelled routes;

(iii) closing off or locking areas during off-peak hours, such as stairwells, to concentrate access/exit points to a particular route;

(iv) use of devices such as stainless steel mirrors where a passage has a bend;

(v) locating main entrances and exits at the front of a site and in view of a street;

(vi) providing open space and pedestrian routes which are clearly defined and have clear and direct sightlines for the users; and



(vii) locating elevators and stairwells where they can be viewed by a maximum number of people, near the edge of buildings where there is a glass wall at the entrance.

(c) promote territoriality or sense of ownership through physical features that express ownership and control over the environment and provide a clear delineation of public and private space by:

(i) clear delineation of boundaries marking public, private and semi-private space, such as by paving, lighting, walls and planting;

(ii) dividing large development sites into territorial zones to create a sense of ownership of common space by smaller groups of dwellings; and

(iii) locating main entrances and exits at the front of a site and in view of a street.

(d) provide awareness through design of what is around and what is ahead so that legitimate users and observers can make an accurate assessment of the safety of a locality and site and plan their behaviour accordingly by:

(i) avoiding blind sharp corners, pillars, tall solid fences and a sudden change in grade of pathways, stairs or corridors so that movement can be predicted;(ii) using devices such as convex security mirrors or reflective surfaces where

lines of sight are impeded;

(iii) ensuring barriers along pathways such as landscaping, fencing and walls are permeable;

(iv) planting shrubs that have a mature height less than one metre and trees with a canopy that begins at two metres;

(v) adequate and consistent lighting of open spaces, building entrances, parking and pedestrian areas to avoid the creation of shadowed areas; and
 (vi) use of robust and durable design features to discourage vandalism.

- **34** Residential development should be designed to overlook streets, public and communal open space to allow casual surveillance.
- **35** To maximise security and safety, buildings should be designed to minimise access between roofs, balconies and windows of adjacent buildings.
- **36** Security features should be incorporated within the design of shop fronts to complement the design of the frontage and allow window shopping out of hours. If security grilles are provided, these should:
 - (a) be transparent and illuminated to complement the appearance of the frontage;
 - (b) provide for window shopping; and
 - (c) allow for the spill of light from the shop front onto the street.

Solid shutters with less than 75 percent permeability are not acceptable.

37 Public toilets should be designed and located to:

(a) promote the visibility of people entering and exiting the facility by avoiding recessed entrances and dense shrubbery which obstructs passive surveillance;(b) limit opportunities for vandalism through the use of vandal proof lighting on the

public toilet buildings and nearby;

(c) avoid features which facilitate loitering, such as seating or telephones immediately adjacent the structure; and

(d) maximise surveillance through location near public transport links, pedestrian and cyclist networks.

Operating Hours and Associated Activities of Licensed Premises

OBJECTIVE



Objective 25: Operating hours of licensed premises or licensed entertainment premises, together with associated activities of such premises, established and operated so as to reinforce the desired character of the locality and appropriate behavioural activities.

PRINCIPLES OF DEVELOPMENT CONTROL

38 Licensed premises and licensed entertainment premises or similar should:

(a) be located, designed and operated in order to reinforce the desired character of a locality, as expressed in the relevant Zone or Policy Area;
(b) be located, designed and operated so as to not negatively impact on peoples orderly use and enjoyment of a locality, such as through disorderly behavioural activities and/or disorderly behavioural movement to and from such land uses; and
(c) incorporate best practice measures to effectively manage the behaviour of users moving to and from such land uses.

39 Licensed premises and licensed entertainment premises or similar should operate with operating hours to reinforce the desired character of the locality.

Noise Emissions

OBJECTIVES

- **Objective 26:** Development that does not unreasonably interfere with the desired character of the locality by generating unduly annoying or disturbing noise.
- **Objective 27:** Noise sensitive development designed to protect its occupants from existing noise sources and from noise sources contemplated within the relevant Zone or Policy Area and that does not unreasonably interfere with the operation of non residential uses contemplated within the relevant Zone or Policy Area.

PRINCIPLES OF DEVELOPMENT CONTROL

Noise Sources

- **40** Development with potential to emit significant noise (including licensed entertainment premises and licensed premises) should incorporate appropriate noise attenuation measures in to their design to prevent noise from causing unreasonable interference with the amenity and desired character of the locality, as contemplated in the relevant Zone and Policy Area.
- 41 Development of licensed premises or licensed entertainment premises or similar in or adjacent to a City Living Zone, the Adelaide Historic (Conservation) Zone or the North Adelaide Historic (Conservation) Zone should include noise attenuation measures to achieve the following when assessed at the nearest existing or envisaged future noise sensitive development:
 - (a) the music noise (L10, 15 min) is:

(i) less than 8 dB above the level of background noise₂ ($L_{90,15 min}$) in any octave band of the sound spectrum; and

(ii) less than 5 dB(A) above the level of background noise (LA 90,15 min) for the overall (sum of all octave bands) A-weighted level.

42 Development of licensed premises or licensed entertainment premises or similar in the Capital City, Main Street, Mixed Use and City Frame Zones should include noise attenuation measures to achieve the following when assessed at:

(a) the nearest existing noise sensitive location in or adjacent to that Zone:

(i) music noise ($L_{10, 15 \text{ min}}$) less than 8 dB above the level of background noise ($L_{90,15 \text{ min}}$) in any octave band of the sound spectrum; and

(ii) music noise (LA10, 15 min) less than 5 dB(A) above the level of background noise (LA90,15 min) for the overall (sum of all octave bands) A-weighted levels; or



(b) the nearest envisaged future noise sensitive location in or adjacent to that Zone:

(i) music noise (L_{10, 15 min}) less than 8dB above the level of background noise (L_{90,15 min}) in any octave band of the sound spectrum and music noise (L_{10, 15 min}) less than 5dB(A) above the level of background noise (L_{A90,15 min}) for the overall (sum of all octave bands) A-weighted levels; or

(ii) music noise (L_{10, 15 min}) less than 60dB(Lin) in any octave band of the sound spectrum and the overall (L_{A10,15 min}) noise level is less than 55 dB(A).

43 Mechanical plant or equipment should be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site should not exceed

(a) 55 dB(A) during daytime (7.00am to 10.00pm) and 45 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

(b) 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) in or adjacent to a City Living Zone, the Adelaide Historic (Conservation) Zone, the North Adelaide Historic (Conservation) Zone or the Park Lands Zone when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

44 To ensure minimal disturbance to residents:

(a) ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like should not occur:

(i) after 10.00pm; and

(ii) before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.

(b) typical activity within any car park area including vehicles being started, doors closing and vehicles moving away from the premises should not result in sleep disturbance when proposed for use after 10.00pm as defined by the limits recommended by the World Health Organisation.

Noise Receivers

- **45** Noise sensitive development should incorporate adequate noise attenuation measures into their design and construction to provide occupants with reasonable amenity when exposed to noise sources such as major transport corridors (road, rail, tram and aircraft), commercial centres, entertainment premises and the like, and from activities and land uses contemplated in the relevant Zone and Policy Area provisions.
- **46** Noise sensitive development in mixed use areas should not unreasonably interfere with the operation of surrounding non-residential uses that generate noise levels that are commensurate with the envisaged amenity of the locality.
- 47 Noise sensitive development adjacent to noise sources should include noise attenuation measures to achieve the following:

(a) satisfaction of the sleep disturbance criteria in the bedrooms or sleeping areas of the development as defined by the limits recommended by the World Health Organisation;

(b) the maximum satisfactory levels in any habitable room for development near major roads, as provided in the Australian/New Zealand Standard AS/NZS 2107:2000 - 'Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors'; and



(c) noise level in any bedroom, when exposed to music noise (L10) from existing entertainment premises, being:

(i) less than 8 dB above the level of background noise ($L_{90,15 \text{ min}}$) in any octave band of the sound spectrum; and

(ii) less than 5 dB(Å) above the level of background noise ($L_{A90,15 min}$) for the overall (sum of all octave bands) A-weighted levels

Background noise within the habitable room can be taken to be that expected in a typical residential/apartment development of the type proposed, that is inclusive of internal noise sources such as air conditioning systems, refrigerators and the like as deemed appropriate.

Waste Management

OBJECTIVE

Objective 28: Development which supports high local environmental quality, promotes waste minimisation, re-use and recycling, encourages waste water, grey water and stormwater re-use and does not generate unacceptable levels of air, liquid or solid pollution.

PRINCIPLES OF DEVELOPMENT CONTROL

- **48** A dedicated area for on-site collection and sorting of recyclable materials and refuse should be provided within all new development.
- **49** A dedicated area for the collection and sorting of construction waste and the recycling of building materials during construction as appropriate to the size and nature of the development should be provided and screened from public view.
- **50** Development greater than 2 000 square metres of total floor area should manage waste by:

(a) containing a dedicated area for the collection and sorting of construction waste and recyclable building materials;

- (b) on-site storage and management of waste;
- (c) disposal of non-recyclable waste; and
- (d) incorporating waste water and stormwater re-use including the treatment and re-use of grey water.
- 51 Development should not result in emission of atmospheric, liquid or other pollutants, or cause unacceptable levels of smell and odour which would detrimentally affect the amenity of adjacent properties or its locality. Land uses such as restaurants, shops, cafés or other uses that generate smell and odour should:

(a) ensure extraction flues, ventilation and plant equipment are located in appropriate locations that will not detrimentally affect the amenity of adjacent occupiers in terms of noise, odours and the appearance of the equipment;

(b) ensure ventilation and extraction equipment and ducting have the capacity to clean and filter the air before being released into the atmosphere; and

(c) ensure the size of the ventilation and extraction equipment is suitable and has the capacity to adequately cater for the demand generated by the potential number of patrons.

Contaminated Sites

OBJECTIVE

Objective 29: A safe and healthy living and working environment.

PRINCIPLES OF DEVELOPMENT CONTROL



52 Where there is evidence of, or reasonable suspicion that land, buildings and/or water, including underground water, may have been contaminated, or there is evidence of past potentially contaminating activity/ies, development should only occur where it is demonstrated that the land, buildings and/or water can be made suitable for its intended use prior to commencement of that use.

Energy Efficiency

OBJECTIVE

Objective 30: Development which is compatible with the long term sustainability of the environment, minimises consumption of non-renewable resources and utilises alternative energy generation systems.

PRINCIPLES OF DEVELOPMENT CONTROL

All Development

53 Buildings should provide adequate thermal comfort for occupants and minimise the need for energy use for heating, cooling and lighting by:

(a) providing an internal day living area with a north-facing window, other than for minor additions, by:

(i) arranging and concentrating main activity areas of a building to the north for solar

penetration; and

(ii) placing buildings on east-west allotments against or close to the southern boundary to

maximise northern solar access and separation to other buildings to the north.

(b) efficient layout, such as zoning house layout to enable main living areas to be separately heated and cooled, other than for minor additions;

(c) locating, sizing and shading windows to reduce summer heat loads and permit entry of winter sun;

(d) allowing for natural cross ventilation to enable cooling breezes to reduce internal temperatures in summer;

(e) including thermal insulation of roof, walls, floors and ceilings and by draught proofing doors, windows and openings;

(f) ensuring light colours are applied to external surfaces that receive a high degree of sun exposure, but not to an extent that will cause glare which produces discomfort or danger to pedestrians, occupants of adjacent buildings and users of vehicles;

(g) providing an external clothes line for residential development; and

(h) use of landscaping.

- **54** All development should be designed to promote naturally ventilated and day lit buildings to minimise the need for mechanical ventilation and lighting systems.
- **55** Energy reductions should, where possible, be achieved by the following:

(a) appropriate orientation of the building by:

(i) maximising north/south facing facades;

(ii) designing and locating the building so the north facade receives good direct solar radiation;

(iii) minimising east/west facades to protect the building from summer sun and winter winds;

(iv) narrow floor plates to maximise the amount of floor area receiving good daylight; and/or

(v) minimising the ratio of wall surface to floor area.



- (b) window orientation and shading;
- (c) adequate thermal mass including night time purging to cool thermal mass;
- (d) appropriate insulation by:
 - (i) insulating windows, walls, floors and roofs; and
 - (ii) sealing of external openings to minimise infiltration.

(e) maximising natural ventilation including the provision of openable windows;

(f) appropriate selection of materials, colours and finishes; and

(g) introduction of efficient energy use technologies such as geo-exchange and embedded, distributed energy generation systems such as cogeneration*, wind power, fuel cells and solar photovoltaic panels that supplement the energy needs of the building and in some cases, export surplus energy to the electricity grid.

- **56** Orientation and pitch of the roof should facilitate the efficient use of solar collectors and photovoltaic cells.
- **57** Buildings, where practical, should be refurbished, adapted and reused to ensure an efficient use of resources.
- 58 New buildings should be readily adaptable to future alternative uses.
- 59 Selection of internal materials for all buildings should be made with regard to internal air quality and ensure low toxic emissions, particularly with respect to paint and joinery products.

Residential Development

- **60** New residential development and residential extensions should be designed to minimise energy consumption and limit greenhouse gas emissions.
- 61 Development is encouraged to avoid heat loss by incorporating treatments, such as double glazing of windows along the southern elevation, or by minimizing the extent of windows facing south.

Renewable Energy

OBJECTIVES

- **Objective 31:** The development of renewable energy facilities, such as wind and biomass energy facilities, in appropriate locations.
- **Objective 32:** Renewable energy facilities located, sited, designed and operated to avoid or minimise adverse impacts and maximise positive impacts on the environment, local community and the State.

PRINCIPLES OF DEVELOPMENT CONTROL

- 62 Renewable energy facilities, including wind farms, should be located, sited, designed and operated in a manner which avoids or minimises adverse impacts and maximises positive impacts on the environment, local community and the State.
- 63 Renewable energy facilities, including wind farms, and ancillary developments should be located in areas that maximise efficient generation and supply of electricity.

Micro-climate and Sunlight

OBJECTIVES

Objective 33: Buildings which are designed and sited to be energy efficient and to minimise microclimatic and solar access impacts on land or other buildings.



Objective 34: Protection from rain, wind and sun without causing detriment to heritage places, street trees or the integrity of the streetscape.

PRINCIPLES OF DEVELOPMENT CONTROL

- 64 Development should be designed and sited to minimise micro-climatic and solar access impact on adjacent land or buildings, including effects of patterns of wind, temperature, daylight, sunlight, glare and shadow.
- 65 Development should be designed and sited to ensure an adequate level of daylight, minimise overshadowing of buildings, and public and private outdoor spaces, particularly during the lunch time hours.
- 66 Development should not significantly reduce daylight to private open space, communal open space, where such communal open space provides the primary private open space, and habitable rooms in adjacent City Living Zone, Adelaide Historic (Conservation) Zone and North Adelaide Historic (Conservation) Zone.

Adeiaide Historic (Conservation) Zone.

- 67 Glazing on building facades should not result in glare which produces discomfort or danger to pedestrians, occupants of adjacent buildings and users of vehicles.
- 68 Buildings within the Core and Primary Pedestrian Areas identified in Map Adel/1 (Overlays 2, 2A and 3), unless specified otherwise within the relevant Zone or Policy Area, should be designed to provide weather protection for pedestrians against rain, wind and sun. The design of canopies, verandahs and awnings should be compatible with the style and character of the building and adjoining buildings, as well as the desired character, both in scale and detail.
- 69 Weather protection should not be introduced where it would interfere with the integrity or heritage value of heritage places or unduly affect street trees.
- **70** Development that is over 21 metres in building height and is to be built at or on the street frontage should minimise wind tunnel effect.

Infrastructure

OBJECTIVES

- **Objective 40:** Minimisation of the visual impact of infrastructure facilities.
- **Objective 41:** Provision of services and infrastructure that are appropriate for the intended development and the desired character of the Zone or Policy Area.

PRINCIPLES OF DEVELOPMENT CONTROL

- 71 Provision should be made for utility services to the site of a development, including provision for the supply of water, gas and electricity and for the satisfactory disposal and potential reuse of sewage and waste water, drainage and storm water from the site of the development.
- 72 Service structures, plant and equipment within a site should be designed to be an integral part of the development and should be suitably screened from public spaces or streets.

Heritage and Conservation

OBJECTIVES

Objective 42: Acknowledge the diversity of Adelaide's cultural heritage from pre-European occupation to current time through the conservation of heritage places and retention of their heritage value.



Objective 43: Development that retains the heritage value and setting of a heritage place and its built form contribution to the locality.

PRINCIPLES OF DEVELOPMENT CONTROL

General

- 73 Development affecting a State heritage place (Table Adel/1), Local heritage place (Table Adel/2), Local heritage place (Townscape) (Table Adel/3) or Local heritage place (City Significance) (Table Adel/4), including:
 - (a) adaptation to a new use;
 - (b) additional construction;
 - (c) part demolition;
 - (d) alterations; or

(e) conservation works; should facilitate its continued or adaptive use, and utilise materials, finishes, setbacks, scale and other built form qualities that are complementary to the heritage place.

74 Development on land adjacent to a heritage place in non-residential Zones or Policy Areas should incorporate design elements, including where it comprises an innovative contemporary design, that:

(a) utilise materials, finishes, and other built form qualities that complement the adjacent heritage place; and

- (b) is located no closer to the primary street frontage than the adjacent heritage place.
- **75** Development that abuts the built form/fabric of a heritage place should be carefully integrated, generally being located behind or at the side of the heritage place and without necessarily replicating historic detailing, so as to retain the heritage value of the heritage place.

Built Form and Townscape

OBJECTIVES

Objective 46: Reinforcement of the city's grid pattern of streets through:

(a) high rise development framing city boulevards, the Squares and Park Lands

(b) vibrant main streets of a more intimate scale that help bring the city to life (c) unique and interesting laneways that provide a sense of enclosure and intimacy.

Objective 47: Buildings should be designed to:

(a) reinforce the desired character of the area as contemplated by the minimum and maximum building heights in the Zone and Policy Area provisions;

(b) maintain a sense of openness to the sky and daylight to public spaces, open space areas and existing buildings;

(c) contribute to pedestrian safety and comfort; and

(d) provide for a transition of building heights between Zone and Policy Areas where building height guidelines differ.

Objective 48: Development which incorporates a high level of design excellence in terms of scale, bulk, massing, materials, finishes, colours and architectural treatment.

PRINCIPLES OF DEVELOPMENT CONTROL

76 Where development significantly exceeds quantitative policy provisions, it should demonstrate


significantly higher standard of design outcome in relation to qualitative policy provisions including pedestrian and cyclist amenity, activation, sustainability and public realm and streetscape contribution.

Height, Bulk and Scale

PRINCIPLES OF DEVELOPMENT CONTROL

77 Development should be of a high standard of design and should reinforce the grid layout and distinctive urban character of the City by maintaining a clear distinction between the following:

(a) the intense urban development and built-form of the town acres in the Capital City, Main Street, Mixed Use, City Frame and City Living Zones;

(b) the less intense and more informal groupings of buildings set within the landscaped environment of the Institutional Zones;

(c) the historic character of the Adelaide and North Adelaide Historic (Conservation) Zones and groups of historic housing within the City Living Zone; and

(d) the open landscape of the Park Lands Zone.

- **78** The height and scale of development and the type of land use should reflect and respond to the role of the street it fronts as illustrated on Map Adel/1 (Overlay 1).
- **79** The height, scale and massing of buildings should reinforce:

(a) the desired character, built form, public environment and scale of the streetscape as contemplated within the Zone and Policy Area, and have regard to:

(i) maintaining consistent parapet lines, floor levels, height and massing with existing buildings consistent with the areas desired character;

(ii) reflecting the prevailing pattern of visual sub-division of neighbouring building frontages where frontages display a character pattern of vertical and horizontal sub-divisions; and

(iii) avoiding massive unbroken facades.

(b) a comfortable proportion of human scale at street level by:

- (i) building ground level to the street frontage where zero set-backs prevail;
- (ii) breaking up the building facade into distinct elements;
- (iii) incorporating art work and wall and window detailing; and
- (iv) including attractive planting, seating and pedestrian shelter.
- **80** Where possible, large sites should incorporate pedestrian links and combine them with publicly accessible open space.
- 81 Buildings and structures should not adversely affect by way of their height and location the long term operational, safety and commercial requirements of Adelaide International Airport. Buildings and structures which exceed the heights shown in Map Adel/1 (Overlay 5) and which penetrate the Obstacle Limitation Surfaces (OLS) should be designed, marked or lit to ensure the safe operation of aircraft within the airspace around the Adelaide International Airport.
- 82 Buildings within the Capital City Zone should be built to the street edge to reinforce the grid pattern, create a continuity of frontage and provide definition and enclosure to the public realm whilst contributing to the interest, vitality and security of the pedestrian environment.

Composition and Proportion

- 83 Development should respect the composition and proportion of architectural elements of building facades that form an important pattern which contributes to the streetscape's distinctive character in a manner consistent with the desired character of a locality by:
 - (a) establishing visual links with neighbouring buildings by reflecting and reinforcing the prevailing pattern of visual sub-division in building facades where a pattern of



vertical and/or horizontal sub-divisions is evident and desirable, for example, there may be strong horizontal lines of verandahs, masonry courses, podia or openings, or there may be vertical proportions in the divisions of facades or windows; and (b) clearly defining ground, middle and roof top levels.

- 84 Where there is little or no established building pattern, new buildings should create new features which contribute to an areas desired character and the way the urban environment is understood by:
 - (a) frontages creating clearly defined edges;
 - (b) generating new compositions and points of interest;
 - (c) introducing elements for future neighbouring buildings; and
 - (d) emphasising the importance of the building according to the street hierarchy.

Articulation and Modelling

Building facades fronting street frontages, access ways, driveways or public spaces should be composed with an appropriate scale, rhythm and proportion which responds to the use of the building, the desired character of the locality and the modelling and proportions of adjacent buildings.

- 86 Balconies should:
 - (a) respond to the street context and building orientation; and
 - (b) incorporate balustrade detailing to reflect the balcony type and location and the materials and detail of the building facade.
- 87 No part of any fully enclosed building should extend over property boundaries, including streets and public spaces, whether above a balcony at a lower level or not.

Materials, Colours and Finishes

- **88** The design, external materials, colours and finishes of buildings should have regard to their surrounding townscape context, built form and public environment, consistent with the desired character of the relevant Zone and Policy Area.
- 89 Development should be finished with materials that are sympathetic to the design and setting of the new building and which incorporate recycled or low embodied energy materials. The form, colour, texture and quality of materials should be of high quality, durable and contribute to the desired character of the locality. Materials, colours and finishes should not necessarily imitate materials and colours of an existing streetscape
- **90** Materials and finishes that are easily maintained and do not readily stain, discolour or deteriorate should be utilised.
- **91** Development should avoid the use of large expanses of highly reflective materials and large areas of monotonous, sheer materials (such as polished granite and curtained wall glazing).

Sky and Roof Lines

OBJECTIVE

Objective 49: Innovative and interesting skylines which contribute to the overall design and performance of the building.

PRINCIPLES OF DEVELOPMENT CONTROL

- **92** Where a prevailing pattern of roof form assists in establishing the desired character of the locality, new roof forms should be complementary to the shape, pitch, angle and materials of adjacent building roofs.
- **93** Buildings should be designed to incorporate well designed roof tops that:



(a) reinforce the desired character of the locality, as expressed in the relevant Zone or Policy Area;

(b) enhance the skyline and local views;

(c) contribute to the architectural quality of the building;

(d) provide a compositional relationship between the upper-most levels and the lower portions of the building;

(e) provide an expression of identity;

(f) articulate the roof, breaking down its massing on large buildings to minimise apparent bulk;

(g) respond to the orientation of the site; and

(h) create minimal glare.

Active Street Frontages

OBJECTIVES

- **Objective 50:** Development that enhances the public environment and, where appropriate provides activity and interest at street level, reinforcing a locality's desired character.
- **Objective 51:** Development designed to promote pedestrian activity and provide a high quality experience for City residents, workers and visitors by:
 - (a) enlivening building edges;
 - (b) creating welcoming, safe and vibrant spaces;
 - (c) improving perceptions of public safety through passive surveillance; and
 - (d) creating interesting and lively pedestrian environments.

PRINCIPLES OF DEVELOPMENT CONTROL

- **94** Development should be designed to create active street frontages that provide activity and interest to passing pedestrians and contribute to the liveliness, vitality and security of the public realm.
- **95** Retail frontages should be designed to provide interest to passing pedestrians at street level and relief to building mass.
- **96** Commercial buildings should be designed to ensure that ground floor facades are rich in detail so they are exciting to walk by, interesting to look at and to stand beside.

Outdoor Dining

OBJECTIVE

Objective 52: Development that contributes to the vibrancy, activity and desired character of a locality.

PRINCIPLES OF DEVELOPMENT CONTROL

- **97** Outdoor dining should:
 - (a) be located outside the associated premises;

(b) provide sufficient set-backs, such as from kerbs and property boundaries, and clearances, such as from buildings;

(c) be located in an area safe for patrons where the security of the building is not compromised;

(d) ensure the dining area is set back from the building line at street intersections;

(e) ensure unimpeded pedestrian flow through free and uninterrupted pedestrian paths; and

(f) ensure wheelchair access to pedestrian ramps is not compromised.



98 Structures should:

- (a)
- (b) be of high quality design and form an integral part of the streetscape;
- (b) not restrict public access;
- (c) not detract or restrict views of significant sightlines, buildings and landmarks;
- **99** Signage that identifies the business name or logo, or advertises goods sold on the premises is only appropriate on glass and canvas screens and umbrellas and should meet the following:

(a) signage and advertisements should be designed to improve and complement the amenity of the premises, be of an appropriate design and consistent with the desired character of the locality;

(b) advertisements on outdoor dining items such as umbrellas and canvas screens should not exceed a portion that covers 10 percent of the total available space on each outdoor dining item, up to half of which may be commercial advertisements in the form of product logos used or sold by the premises;

- (c) advertisements should not be illuminated or animated; and
- (d) third party advertising on outdoor dining items is inappropriate.

Landscaping

OBJECTIVE

Objective 55: Water conserving landscaping that enhances the local landscape character and creates a pleasant, safe and attractive living environment.

PRINCIPLES OF DEVELOPMENT CONTROL

- **100** Landscaping should:
 - (a) be selected and designed for water conservation;
 - (b) form an integral part of the design of development; and
 - (c) be used to foster human scale, define spaces, reinforce paths and edges, screen utility areas and enhance the visual amenity of the area.
- **101** Landscaping should incorporate local indigenous species suited to the site and development, provided such landscaping is consistent with the desired character of the locality and any heritage place.
- **102** Landscaping should be provided to all areas of communal space, driveways and shared car parking areas.
- **103** Landscaping between the road and dwellings should be provided to screen and protect the dwellings from dust and visual impacts of the road.

Advertising

OBJECTIVE

Objective 56: Outdoor advertisements that are designed and located to:

(a) reinforce the desired character and amenity of the locality within which it is located and rectify existing unsatisfactory situations;
(b) be concise and efficient in communicating with the public, avoiding a proliferation of confusing and cluttered displays or a large number of advertisements; and
(c) not create a hazard.

PRINCIPLES OF DEVELOPMENT CONTROL



104 Advertisements should be designed to respect and enhance the desired character and amenity of the locality by the means listed below:

(a) the scale, type, design, location, materials, colour, style and illumination of any advertisements should be compatible with the design and character of the buildings and land to which it is related, and should be in accordance with provisions for the Zone and Policy Area in which it is situated and any relevant adjacent Zones or Policy Areas;

(b) advertisements should be integrated with the architectural form, style and colour of buildings and wherever possible, requirements for advertisements should be considered in the design of new buildings;

(c) advertisements should be artistically interesting in terms of graphics and construction with intricacy and individuality in design encouraged while maintaining consistency in design and style where co-ordinated advertisements are appropriate;

(d) structural supports should be concealed from public view or of minimal visual impact;

(e) advertisements on individual premises should be co-ordinated in terms of type and design and should be limited in number to minimize visual clutter;

(f) advertisements should be displayed on fascia signs or located below canopy level;
 (g) advertisements on buildings or sites occupied by a number of tenants should be coordinated, complementary and the number kept to a minimum; and

(h) advertisements on or adjacent to a heritage place should be designed and located to respect the heritage value of the heritage place.

- **105** Product advertisements illustrating products sold on the premises in conjunction with the business name should not exceed 25 percent of the area of any advertisement.
- **106** Advertisements should not endanger public safety or detrimentally affect the amenity of adjacent premises by reason of their location, position, construction or design and should:

(a) not emit excessive glare or reflection from internal or external illumination;

(b) not obscure road users' and pedestrians' views of vehicles, pedestrians or potentially hazardous road features;

(c) not cause confusion with, or reduce the effectiveness of traffic control devices;

(d) have a clearance between the footpath and base or underside of projecting signage of at least 2.5 metres for permanent advertisements and 2.3 metres for temporary advertisements, and between the kerb face and outside edge of the sign of at least 600 millimetres; and

- (e) permit safe and convenient pedestrian movement.
- **107** Temporary advertisement hoardings or shrouds required for the screening of construction sites or for creating visual interest should occur only where they are:
 - (a) of a high standard of design;
 - (b) displayed only during the period of construction;
 - (c) comprised of high quality opaque, solid and non-reflective material that is durable,
 - low maintenance and appropriate to the City context;
 - (d) required to conceal wiring and conduits; and
 - (e) do not create undue risk to public or private safety.

Transport and Access

Access and Movement

OBJECTIVE

Objective 60: Access to and movement within the City that is easy, safe, comfortable and convenient with priority given to pedestrian and cyclist safety and access.

PRINCIPLES OF DEVELOPMENT CONTROL



- **108** Development should provide safe, convenient and comfortable access and movement.
- **109** Vehicle access points along primary and secondary city access roads and local connector roads, as shown on Map Adel/1 (Overlay 1) should be restricted.

Pedestrian Access

OBJECTIVES

- **Objective 61:** Development that promotes the comfort, enjoyment and security of pedestrians by providing shelter and reducing conflict with motor vehicles.
- **Objective 62:** Development that contributes to the quality of the public realm as a safe, secure and attractive environment for pedestrian movement and social interaction.
- **Objective 63:** Safe and convenient design of and access to buildings and public spaces, particularly for people with disabilities.

PRINCIPLES OF DEVELOPMENT CONTROL

110 Development should reflect the significance of the paths and increase the permeability of the pedestrian network identified within Map Adel/1 (Overlay 2) by ensuring:

(a) pedestrians are not disrupted or inconvenienced by badly designed or located vehicle access ramps in footpaths or streets; and(b) vehicle and service entry points are kept to a minimum to avoid adverse impact on pedestrian amenity.

- 111 Within the Core, Primary and Secondary Pedestrian Areas identified within Map Adel/1 (Overlays 2, 2A and 3), development should be designed to support the establishment and maintenance of continuous footpaths so that pedestrian flow is free and uninterrupted. Pedestrian access should be provided at ground level mid-block between all streets.
- **112** Development should provide and maintain pedestrian shelter, access and through-site links in accordance with the walking routes identified within Map Adel/1 (Overlays 2, 2A and 3) and the provisions of the Zone or Policy Area in which it is located. Such facilities should be appropriately designed and detailed to enhance the pedestrian environment, have regard to the mobility needs of people with disabilities, and be safe, suitable and accessible.
- **113** Corner buildings in the Central Business Policy Area of the Capital City Zone, buildings adjacent to street intersections and buildings along a high concentration public transport route or along public transport pedestrian routes identified within Map Adel/1 (Overlay 4) should provide weather protection for pedestrians in the form of verandahs, awnings or canopies. Where verandahs or awnings are provided which block street lighting, they should include additional lighting beneath the canopy.
- **114** Permanent structures over a footpath should have a minimum clearance of 3.0 metres above the existing footpath level, except for advertisements which should have a minimum clearance of 2.5 metres and temporary structures and retractable canopies which should have a minimum clearance of 2.3 metres above the existing footpath level.
- 115 Where posts are required to support permanent structures, they should be located at least 600 millimetres from the kerb line.
- **116** Access for people with disabilities should be provided to and within all buildings to which members of the public have access in accordance with the relevant Australian Standards. Such access should be provided through the principal entrance, subject to heritage considerations and for exemptions under the relevant legislation.

Bicycle Access



OBJECTIVES

- **Objective 64:** Greater use of bicycles for travel to and within the City and the improvement of conditions, safety and facilities for cyclists.
- **Objective 65:** Adequate supply of secure, short stay and long stay bicycle parking to support desired growth in City activities.

PRINCIPLES OF DEVELOPMENT CONTROL

- **117** Development should have regard to the bicycle routes identified within Map Adel/1 (Overlay 3) by:
 - (a) limiting vehicular access points; and

(b) ensuring that vehicles can enter and leave the site in a forward direction, thereby avoiding reverse manoeuvres.

- **118** An adequate supply of on-site secure bicycle parking should be provided to meet the demand generated by the development within the site area of the development. Bicycle parking should be provided in accordance with the requirements set out in Table Adel/6.
- **119** Onsite secure bicycle parking facilities for residents and employees (long stay) should be:
 - (a) located in a prominent place;
 - (b) located at ground floor level;
 - (c) located undercover;
 - (d) located where passive surveillance is possible, or covered by CCTV;
 - (e) well lit and well signed;
 - (f) close to well used entrances;
 - (g) accessible by cycling along a safe, well lit route;

(h) take the form of a secure cage with locking rails inside or individual bicycle lockers; and

(i) in the case of a cage have an access key/pass common to the building access key/pass.

- 120 Onsite secure bicycle parking facilities for short stay users (i.e. bicycle rails) should be:
 - (a) directly associated with the main entrance;
 - (b) located at ground floor level;
 - (c) located undercover;
 - (d) well lit and well signed;
 - (e) located where passive surveillance is possible, or covered by CCTV; and
 - (f) accessible by cycling along a safe, well lit route.
- 121 Access to bicycle parking should be designed to:
 - (a) minimise conflict with motor vehicles and pedestrians;
 - (b) ensure the route is well signed and well lit including the use of road markings such
 - as a bicycle logo if appropriate to help guide cyclists; and
 - (c) ensure the route is unhindered by low roof heights.

Traffic and Vehicle Access

OBJECTIVES

- **Objective 68:** Development that supports a shift toward active and sustainable transport modes (i.e. public transport, cycling and walking).
- **Objective 69:** An enhanced City environment and the maintenance of an appropriate hierarchy of roads to distribute traffic into the City to serve development in preference to through traffic.



Objective 70: Adequate off-street facilities for loading and unloading of courier, delivery and service vehicles and access for emergency vehicles.

PRINCIPLES OF DEVELOPMENT CONTROL

- **122** Development should be designed so that vehicle access points for parking, servicing or deliveries, and pedestrian access to a site, are located to minimise traffic hazards and vehicle queuing on public roads. Access should be safe, convenient and suitable for the development on the site, and should be obtained from minor streets and lanes unless otherwise stated in the provisions for the relevant Zone or Policy Area and provided residential amenity is not unreasonably affected.
- **123** Facilities for the loading and unloading of courier, delivery and service vehicles and access for emergency vehicles should be provided on-site as appropriate to the size and nature of the development. Such facilities should be screened from public view and designed, where possible, so that vehicles may enter and leave in a forward direction.
- 124 Where practicable, development sites should contain sufficient space for the location of construction equipment during the course of building construction, so that development does not rely on the use of Council road reserves to locate such equipment.
- 125 Vehicular access to development located within the Core and Primary Pedestrian Areas identified in Map Adel/1 (Overlay 2A) should be limited and designed to minimise interruption to street frontages.
- **126** Where vehicular access to a development is gained by an existing crossing in the Core Pedestrian Area identified in Map Adel/1 (Overlay 2A), there should be no increase in the number of parking spaces served by the crossing, nor any increase in the number of existing crossings serving that development.

Car Parking

OBJECTIVES

- **Objective 71:** To meet community expectation for parking supply while supporting a shift toward active and sustainable transport modes.
- **Objective 72:** An adequate supply of short-stay and long-stay parking to support desired growth in City activities without detrimental affect on traffic and pedestrian flows.

PRINCIPLES OF DEVELOPMENT CONTROL

127 Car parking areas should be located and designed to:

(a) ensure safe and convenient pedestrian movement and traffic circulation through and within the car parking area;

(b) include adequate provision for manoeuvring and individually accessible car standing areas;

(c) enable, where practical, vehicles to enter and leave the site in a forward direction;

(d) minimise interruption to the pattern of built form along street frontages;

(e) provide for access off minor streets and for the screening from public view of such car parking areas by buildings on the site wherever possible;

(f) minimise adverse impacts on adjoining residential properties in relation to noise and access and egress;

(g) minimise loss of existing on-street parking spaces arising through crossovers and access;

(h) incorporate secure bicycle parking spaces and facilitate convenient, safe and comfortable access to these spaces by cyclists; and



(i) provide landscaping, such as semi-mature trees, to shade parked vehicles and reduce the visual impact of the car parking area while maintaining direct sight lines and informal visual surveillance.

- **128** Off-street parking should:
 - (a) be controlled in accordance with the provisions for the relevant Policy Area;
 - (b) be located away from street frontages or designed as an integral part of buildings on the site. Provision of parking at basement level is encouraged; and
 - on the site. Provision of parking at basement level is encouraged; and
 - (c) not include separate garages or carports in front of buildings within front set-backs.
- **129** Off-street parking in the Core Pedestrian Area identified in Map Adel/1 (Overlay 2A) will only be appropriate where:
 - (a) parking is ancillary to another activity carried out on the land;
 - (b) it can be provided without loss of pedestrian amenity; and
 - (c) it is not separately created on a strata title or community title basis (unless in association with another title held on the site).
- **130** Multi-level car parks and short stay public use of ancillary car parking spaces are discouraged at ground floor street frontages in the Primary Pedestrian Area identified in Map Adel/1 (Overlays 2, 2A and 3). Multi-level car parks, short stay public use of ancillary car parking spaces or nonancillary car parking use of an existing building may be appropriate where it: is located away from ground floor street frontages to major streets;

(a) ensures vehicle access is from the road with less pedestrian activity in instances where a site has access to more than one road frontage;

(b) has no more than one entry lane and one exit lane;

(c) has a controlled exit at the property boundary to stop vehicles before travelling across the footpath;

(d) has no more than one left in and one left out access point;

(e) avoids access points along high concentration public transport routes identified in Map Adel/1 (Overlay 4); and

(f) with respect to ancillary parking, is provided at basement level, or undercroft if located behind other uses which provide activity on the street frontage.

131 Multi-level car parks should be designed to:

(a) provide active street frontages and land uses such as commercial, retail or other non-car park uses, along ground floor street frontages to maintain pedestrian interest and activity at street level;

(b) be of a high quality design and complement the surrounding built form in terms of height, bulk and scale;

(c) provide surveillance, lighting and direct sightlines along clearly defined and direct walkways, through and within car parking areas and to lift and toilet areas;

(d) on a corner site with two major street frontages, be set back from the major street frontages, with commercial or other non-car park floor space in front of and screening the car parking building;

(e) on a site with only one major street frontage, include screening so that any car parking is not visible from the public realm either day or night, and detailed to complement neighbouring buildings in a manner consistent with desired character in the relevant Zone and Policy Area;

(f) incorporate treatments to manage the interface with adjacent housing, such as careful use of siting and use of materials and landscaping;

(g) not have vehicle access points across major walking routes identified in Map Adel/1 (Overlay 2); and

(h) provide safe and secure bicycle parking spaces in accordance with the requirements of Table Adel/6.

Economic Growth and Land Use



OBJECTIVES

Objective 73: The role of the City enhanced as:

(a) the community, civic and cultural heart of South Australia and as a driving force in the prosperity of the State;

(b) the State centre for business, administration, services, employment, education, political and cultural activities, government and public administration;

(c) a welcoming, secure, attractive and accessible meeting place for the people of metropolitan Adelaide and beyond for leisure, entertainment, civic and cultural activity, specialty shopping, personal and community services;

(d) the gateway to the attractions of South Australia for international and interstate visitors by developing a wide range of visitor accommodation, facilities and attractions, particularly attractions which showcase the particular strengths of South Australia; and

(e) a great place to live, with a growing diversity of accommodation for different incomes and lifestyles.

- **Objective 74:** A business environment which encourages investment from domestic and foreign sources, business development and employment.
- **Objective 75:** Development which reinforces clusters and nodes of activity and distinctive local character.
- **Objective 76:** A diverse mix of commercial, community, civic and residential activities to meet the future needs of the Capital City of South Australia.

PRINCIPLES OF DEVELOPMENT CONTROL

132 Development, particularly within the Capital City and Institutional Zones, is encouraged to:

(a) provide a range of shopping facilities in locations that are readily accessible;

(b) provide for the growth in economic activities that sustain and enhance the variety and mix of land uses and the character and function of the City;

(c) be accessible to all modes of transport (particularly public transport) and safe pedestrian and cycling routes; and

(d) have minimal impact on the amenity of residential areas.