

Council Assessment Panel

Meeting Agenda

Monday, 27 July 2020, at 5.30 pm, Colonel Light Room, Town Hall, Adelaide.

Presiding Member – Mr Mark Adcock

Panel Member – Councillor Arman Abrahamzadeh

Specialist Members – Mr Marc Duncan, Ms Colleen Dunn and Prof Mads Gaardboe

1. Confirmation of Minutes – 22/6/2020 [CAP]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 22 June 2020, be taken as read and be confirmed as an accurate record of proceedings.

2. Non-Complying Applications - Nil

3. Applications for consideration on Merit (Four)

3.1 Subject Site 106-108 Tynte Street, North Adelaide SA 5006 [Page 3]

Application No. DA/193/2020

Proposal Demolition of existing building (restaurant) and construction of single storey building to be used as a restaurant

Representations Listed to be Heard – Nil

Recommendation Development Plan Consent Be Granted

3.2 Subject Site 58 Kingston Terrace, North Adelaide SA 5006 [Page 56]

Application No. DA/212/2020

Proposal Internal and external alterations to existing part single/part two storey dwelling

Representations Listed to be Heard – Nil

Recommendation Development Plan Consent Be Granted

3.3 Subject Site 10-20 Witcombe Street, Adelaide SA 5000 [Page 95]

Application No. DA/204/2020

Proposal Demolish existing building and construct single storey building containing five new retail tenancies with associated car parking and signage

Representations Listed to be Heard – Nil

Recommendation Development Plan Consent Be Granted

- 3.4** Subject Site 247-249 Pirie Street, Adelaide SA 5000 [Page 159]
- Application No. DA/481/2019
- Proposal Change the use of existing car park for ancillary use for premises in the locality
- Representations Listed to be Heard – Nil
- Recommendation Development Plan Consent Be Granted
- 4.** **Other Application – Nil**
- 5.** **Other Business**
- 5.1** List of Recent Lodgements for Planning Consent (2017/02505) [CAP] [Page 192]
- 5.2** Other Business
- 5.3** Next Meeting – 24 August 2020
- 6.** **Exclusion of the Public from attendance to Receive, Discuss or Consider Information/Matter on a Confidential Basis (If required)**
- 7.** **Confidential Matters (If any)**
- 8.** **Closure**

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CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 27/7/2020

Item No	3.1
Address	106-108 Tynte Street, North Adelaide SA 5006
Proposal	Demolition of existing building (restaurant) and construction of single storey building to be used as a restaurant, DA/193/2020 (SG) [CAP]
Applicant	Franklin House P/L
Relevant Development Plan	16 January 2020
Lodgement Date	15 April 2020
Zone / Policy Area	North Adelaide Historic (Conservation) Zone / Margaret Street Policy Area 6
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representations
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information	
• Proposal Plans	1 - 7
• Consultant Planning Report	8 - 21
• Certificate of Title	22 - 23
Comments from Public Notification	24 - 29
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PERSONS SPEAKING BEFORE THE PANEL

Nil

1. DESCRIPTION OF PROPOSAL

- 1.1 Planning consent is sought for the demolition of an existing single storey building (restaurant) and the construction of a single storey restaurant building.
- 1.2 The proposed building will have a height of up to 7.6 metres and a ceiling height of 6.8 metres above ground level.
- 1.3 A building floor area of 206m² is proposed.
- 1.4 The entry to the restaurant is proposed to be setback approximately 9 metres from Tynte Street. A 1.5 metre setback from the eastern boundary will allow pedestrian access from Tynte Street. A 3 metre high aluminium batten security gate is proposed within the side access and is setback approximately 5 metres from the street frontage.
- 1.5 At the rear, a 4 metre high wall is proposed adjacent approximately half of the Lohrman Street frontage. Sliding gates to a height of 1.8 metres are proposed for the remaining portion.
- 1.6 An exhaust flue is proposed to be positioned centrally on the roof, as opposed to its current location on the eastern boundary.
- 1.7 On-site car parking is not proposed. Deliveries will mostly occur from Tynte Street with infrequent deliveries proposed from Lohrman Street.
- 1.8 Waste bins are proposed to be stored at the rear of the site.
- 1.9 An indoor capacity of 89 indoor is shown on the floor plan. The applicant has confirmed the existing liquor license capacity of 100 persons is proposed to continue and the existing hours of operation as follows:
 - Monday to Thursday – 7am to midnight
 - Fridays and Saturdays – 7am to 1am the following day
 - Sunday – 7am to midnight

2. DEVELOPMENT DATA

Not relevant to this application.

3. BACKGROUND

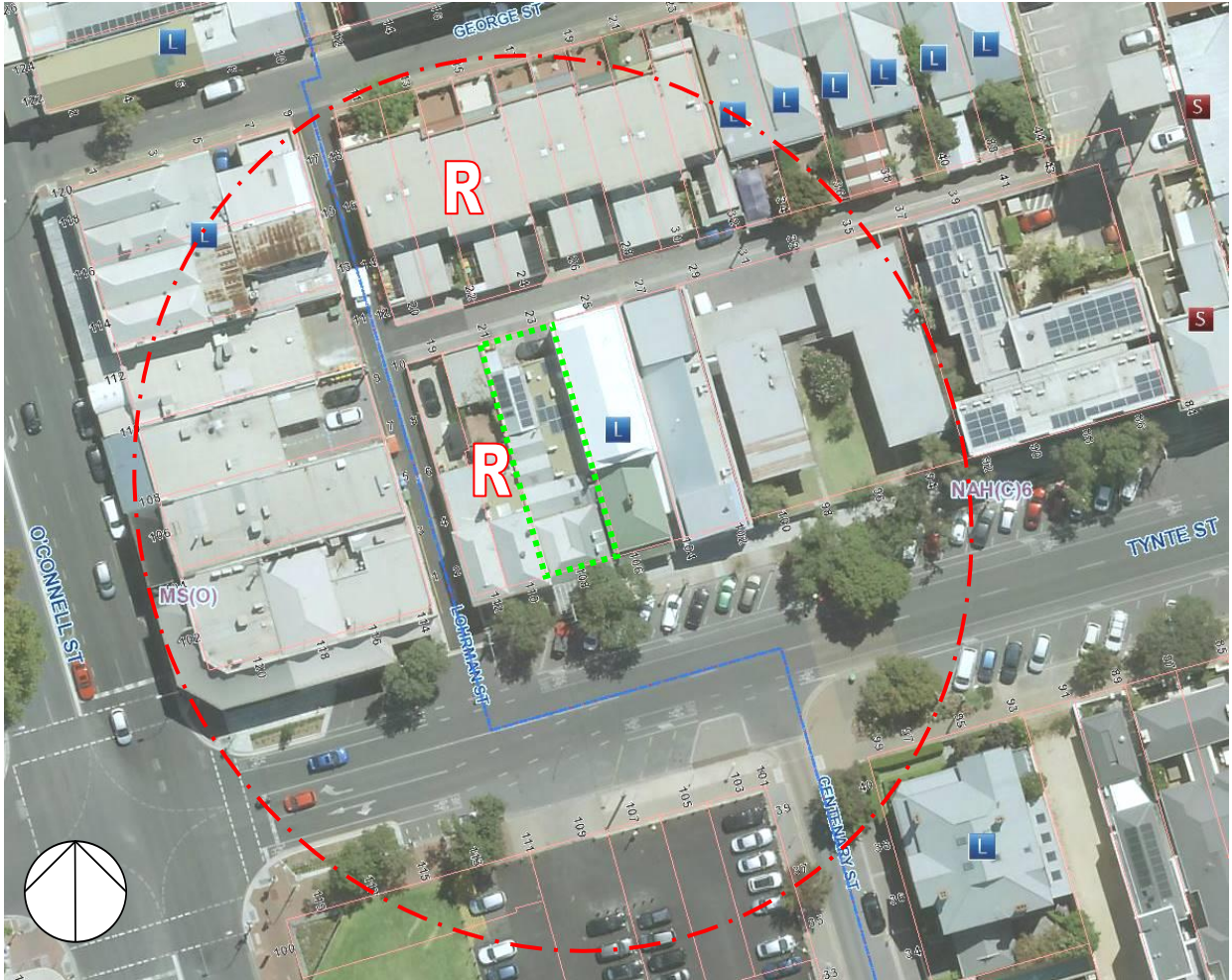
- 3.1 Council Administration requested changes to the proposal during both pre-lodgement and assessment. Changes focused on the design of the proposed frontage to Tynte Street and its impact on the neighbouring Local Heritage Place at 104 Tynte Street. The applicant has amended the proposal to address the above.

4. SITE

- 4.1 The subject site is a rectangular allotment located on the northern side of Tynte Street, approximately 9 metres east of the junction between Tynte Street and Lohrman Street.
- 4.2 The site has a frontage to Tynte Street of 8.69 metres and a maximum depth of 29.49 metres. This results in a site area of approximately 257m².
- 4.3 A single storey building currently occupied by a restaurant (Armarin Thai) is located on the site.
- 4.4 To the rear of the site is an unfenced area open to Lohrman Street. This area is used to store waste bins and to receive deliveries.
- 4.5 The site is generally level with no regulated or significant trees.

5. LOCALITY

- 5.1 The locality comprises a mix of land uses in single and two storey buildings. These land uses and built form are reflective of the interface between the North Adelaide Historic (Conservation) Zone and the Main Street (O'Connell) Zone to the west and south.
- 5.2 A mix of residential and office land uses are located to the east of the subject site. Residential land uses are also located to the north. A large vacant site (former Le Cornu at 88 O'Connell Street) is located on the southern side of Tynte Street.
- 5.3 North Adelaide Primary School is located further east on the northern side of Tynte Street. The school is located outside of the locality, however school drop-off and pick-up activity impacts the locality with significantly increased traffic volumes during some morning and afternoon periods.
- 5.4 Lohrman Street essentially functions as a service lane and provides access to the rear of properties that front Tynte Street, O'Connell Street and George Street. This appears to negatively impact the amenity of this area, primarily as a result of odours and frequent waste collection vehicle movements.
- 5.5 In summary, the locality has a mixed commercial and residential character.



KEY



Subject Site



Local Heritage Place

NAH(C)6

North Adelaide Historic (Conservation) Zone/
Margaret Street Policy Area 6



State Heritage Place

MS(O)

Main Street O'Connell Zone



Policy Area Boundary

R

Representor



Locality

Photo 1 – Subject site, viewed from southern side of Tynte Street, looking north

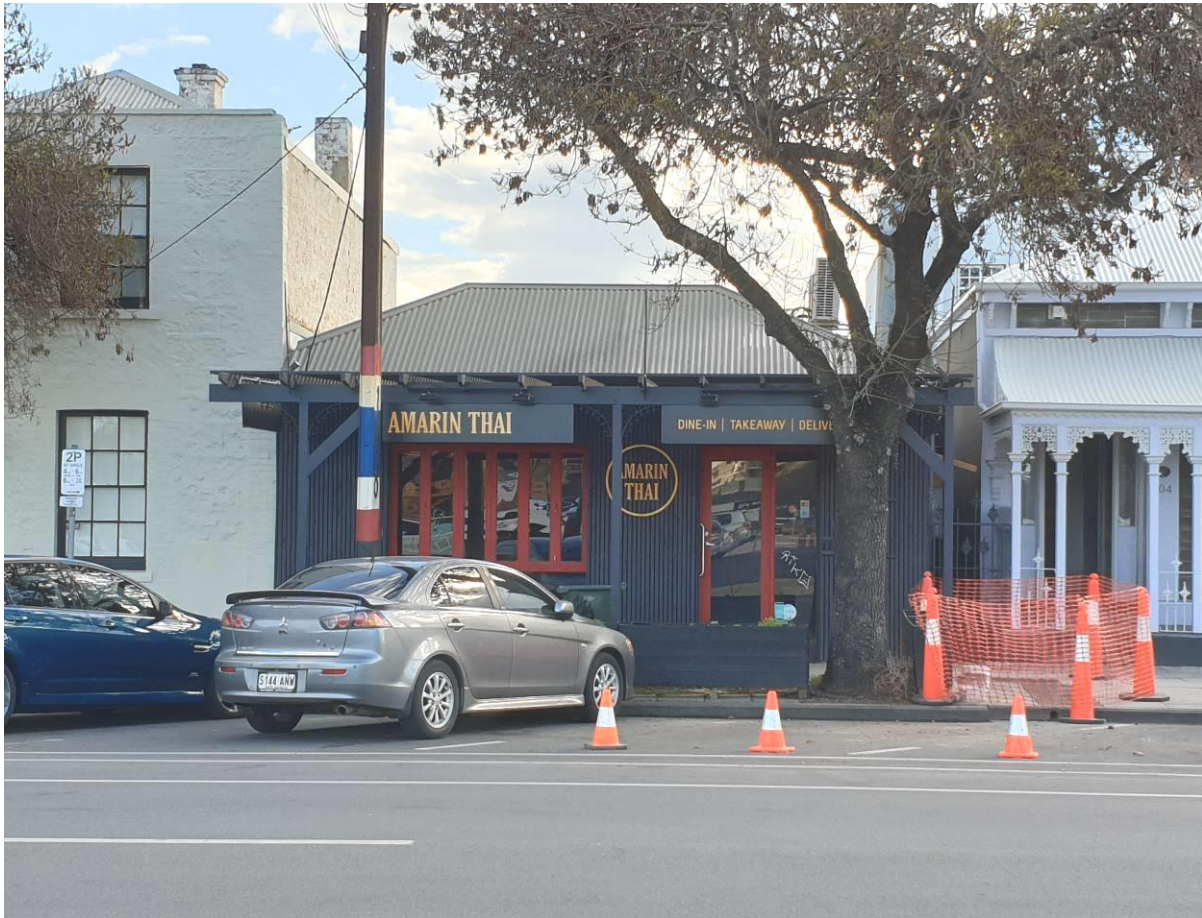


Photo 2 – Existing development to the west of subject site, viewed from south side of Tynte Street, looking northwest



Photo 3 – Existing development to the east of subject site, viewed from southern side of Tynte Street, looking northeast



Photo 4 – 88 O'Connell Street, located directly south of subject site, looking south



Photo 5 – Rear of subject site, viewed from Lohrman Street, looking south



Photo 6 –Lohrman Street, viewed from western end, looking east



6. **PUBLIC NOTIFICATION**

- 6.1 The proposal is a Category 2 form of development and therefore public notification has been undertaken.

Please note: Category 2 representations only have effect under the legislation if the representor has been directly notified in writing, by Council, of the development. Only representations made by a person who is entitled to be given notice are afforded the opportunity to be heard by the Council Assessment Panel. This is in accordance with legislation and a resolution of Council on 27 June 2017.

Category of Notification	Category 2
Representations Received – 2	<ul style="list-style-type: none"> • Mrs Maria and Mr Frank Ballestrin – 13A George Street, North Adelaide • Mr Bill Iliadis – 110 Tynte Street, North Adelaide
One invalid representation was received. It was invalid as it was received after the notification period closed.	

Summary of Representations	Applicant Response
Concerned regarding inconvenience and disruption caused during construction. Trades people parking will impact access to Lohrman Street.	Issues regarding construction of a development are not considerations for a planning assessment. The applicant will seek to minimise disturbance to local roads during construction as much as possible, however this has no bearing on an assessment of the proposal.
Occupier at 110 Tynte Street (to the west) is concerned regarding impact of the proposal in terms of construction on the boundary of this property. The building is over 100 years old and if demolition occurs there could be impacts and movements. This may result in damage.	The applicant will appoint a licensed builder for the project. A dilapidation report will be prepared to consider stability of adjoining walls. Necessary care and measures will be undertaken to ensure stability of the representor's wall will not be undermined during construction.

7. REQUIRED EXTERNAL REFERRALS

7.1 No external referrals required.

8. SPECIALIST ADVICE**8.1 Local Heritage**

- The proposed development will have a high quality design contributing to the historic streetscape character of the locality.
- The scale of the building and its innovative contemporary design are appropriate for the site which is close to O'Connell Street. The new building maintains the heritage significance of the local heritage place by utilising appropriate materials, finishes and setbacks.

8.2 Outdoor Dining

- No objection.

8.3 Operational Support Cleansing

- The waste management information provided is acceptable, particularly as waste will be collected by a private contractor and will be serviced twice weekly.

9. DETAILED ASSESSMENT

9.1 Summary of Margaret Street Policy Area 6 Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character Objective 1 & P1	<ul style="list-style-type: none"> Refer Section 9.4. 	✓/✗
Objectives O1-2	<ul style="list-style-type: none"> Existing non-residential land use and low density development. 	✓
Building Height P3 & 8	<ul style="list-style-type: none"> Refer Section 9.4. 	✓/✗
Plot Ratio P4	<ul style="list-style-type: none"> A building floor area of 206m² is proposed which represents a plot ratio of 0.8. 	✓
Landscaped Open Space P6	<ul style="list-style-type: none"> Approximately 5% landscaped open space (LOS) proposed instead of required 30%. Currently no LOS as service areas not included. Acceptable as existing shortfall and minimal LOS in locality. 	✓/✗
Non-residential Development P9	<ul style="list-style-type: none"> Site located in area where two storey development prevalent. 	✓
Advertising P10-13	<ul style="list-style-type: none"> Although proposed sign will not have an area of 0.2m², it is proposed in locality with commercial uses and signs of a similar size. 	✓/✗

9.2 Summary of North Adelaide Historic (Conservation) Zone Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Objectives O1, 2, 3	<ul style="list-style-type: none"> Complementary to neighbouring heritage place. Non-residential use retained. 	✓/✗
Form & Character P1 & 3	<ul style="list-style-type: none"> Will not adversely impact heritage character. Appropriate bulk and scale similar to neighbouring buildings. 	✓
Land Use P2	<ul style="list-style-type: none"> Existing non-residential land use. 	✓/✗
Design and Appearance P4	<ul style="list-style-type: none"> New building utilises brick as main external finish. 	✓
Building Heights P7	<ul style="list-style-type: none"> Refer Section 9.4. 	✓/✗
Setbacks P9	<ul style="list-style-type: none"> Building in accordance with established setbacks of neighbouring properties. 	✓
Roof Form P11	<ul style="list-style-type: none"> Generally flat roof form proposed. Varied roof forms in locality. 	✓
Fencing P14	<ul style="list-style-type: none"> 3 metre high gate setback from Tynte Street 5 metres to not appear out of character. 1.8 metre high gates to Lohrman Street in keeping with fencing on this street. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
ENVIRONMENTAL		
Crime Prevention through Urban Design O24 P82, 84, 85	<ul style="list-style-type: none"> Passive surveillance to Tynte Street increased with a large glazed windows proposed. 	✓
Operating Hours & Associated Activities of Licensed Premises O25 P87 & 88	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Noise O26 Noise Sources P89 & 90	<ul style="list-style-type: none"> Applicant confirmed only background music will be played to limit potential noise disturbance. 	✓
Waste Management O28 P101, 102, 104	<ul style="list-style-type: none"> Waste management information provided is acceptable. 	✓
Energy Efficiency O30 P106-109, 111-112	<ul style="list-style-type: none"> Main south facing facade, therefore window shading not required. Openable windows will ensure breezes can be captured for natural ventilation. 	✓
Heritage & Conservation O42 & 43 P136, 140	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Heritage & Conservation – North Adelaide P165	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Height, Bulk and Scale P168-170	<ul style="list-style-type: none"> Refer Section 9.4. 	✓

Plot Ratio P175	<ul style="list-style-type: none"> Refer Table 9.1 P4. 	✓
Landscape Open Space P177	<ul style="list-style-type: none"> Refer Table 9.1 P6. 	✓
Composition & Proportion P180	<ul style="list-style-type: none"> Floor to ceiling height glazing to ground level frontage to Tynte Street. 	✓
Articulation & Modelling P182, 185, 186	<ul style="list-style-type: none"> Greater articulation proposed with increased glazing to Tynte Street and varied façade. 	✓
Materials, Colours & Finishes P187-190	<ul style="list-style-type: none"> Materials, colours and finishes will be sympathetic to neighbouring development. 	✓
Active Street Frontages O50 & 51 P196 & 198	<ul style="list-style-type: none"> Proposal increases glazing and active frontage to Tynte Street. 	✓
Outdoor Dining O52 P200	<ul style="list-style-type: none"> Outdoor dining will continue to add activity and vibrancy to Tynte Street. 	✓
Advertising O56 P211, 213, 217	<ul style="list-style-type: none"> Small cantilevered sign to project over Tynte Street footpath. Individual cut lettering and size in keeping with design of proposed building. Footpath clearance of 3.5 metres. 	✓
Bicycle Access O64 P234, 236, 237	<ul style="list-style-type: none"> Specific bicycle parking areas not provided, however areas available if required. 	✓/✗
Car Parking O71 & 72 P251-254	<ul style="list-style-type: none"> Refer Section 9.4. 	✓

9.4 **Detailed Discussion**

Desired Character

The Desired Character for Margaret Street Policy Area 6 refers to the following:

The Margaret Street Policy Area should be conserved as one of the most historically intact residential areas in South Australia. Residential development should be in the form of low and medium density detached or semi-detached dwellings, residential flat buildings, or small groups of row dwellings or terrace housing where it should complement or reinstate a continuous built form edge in an historic streetscape.

Development along Tynte Street should respond to the areas of historic townscape which give it charm and distinction, and buildings may be larger in scale and frontage than that prevailing elsewhere in the Policy Area.

Development west of Margaret Street should comprise a mixture of dwelling types up to two-storeys in height and be set close to the street frontage. East of Margaret Street development should conserve the mixture of dwelling types characterised by more generous landscaped grounds and deeper setbacks.

It is clear residential development is desired and commercial development not envisaged. This proposal will maintain the existing licensed restaurant use without increasing its intensity. Consequently, the proposal is acceptable, even though it is a commercial use. It is also a licensed premise. If it was not existing, this use would be non-complying in the Zone. This will be discussed in further detail below.

The building has been designed with consideration of the neighbouring Local Heritage Place, particularly with the 1.5 metre side setback from the eastern boundary. Although the building is proposed directly abutting Tynte Street, this is reflective of neighbouring building setbacks on the northern side of Tynte Street.

Non-complying Development

A restaurant is not listed as a non-complying development in Margaret Street Policy Area 6 according to Zone PDC 27. However, a licensed premise is non-complying.

If this was proposed on a site not already used as a licensed premise, it would be non-complying but as it is existing, it is not non-complying.

Demolition of an existing building does not extinguish the associated existing use. Legal advice confirmed it is not extinguished, so long as a replacement building of a similar scale with the same use is proposed together with the demolition.

It should be noted an expansion of the licensed restaurant is not proposed. The licensed capacity of 100 persons and hours of operation will be in accordance with the existing capacity and hours.

Consequently, the proposal is not a non-complying form of development.

Height, Bulk and Scale

Margaret Street Policy Area PDC 3 stipulates development should not exceed two building levels or locate a ceiling more than 6 metres above median natural or finished ground level at any one point or any part of a building.

The proposal is single storey. Generous ceiling heights are proposed, varying from approximately 5.2 metres near Tynte Street to 6.8 metres near the bar (central portion). Although the ceiling height will exceed 6 metres, this will occur towards the central portion of the site which will limit its impact when viewed from Tynte Street and Lohrman Street. This height is also consistent with neighbouring two storey development.

Policy Area PDC 8 suggests two storey development abutting a street frontage can be appropriate at corners of major streets and minor street junctions. This application proposes single storey development abutting Tynte Street, however it will have the appearance of being two storeys due to the generous ceiling height. Although this is not in accordance with PDC 8, it will be in keeping with neighbouring two storey development.

Built Form and Design

The balance between vertical and horizontal elements, use of vertically proportioned openings, extensive glazing, depths of reveals and selection of colour and texture of materials used will add to visual interest of the front facade. This design approach is expected to create a development which sits comfortably within the variable context of the locality and is in accordance with Zone PDCs 1 and 3.

The design is simple, contemporary and considered to be high quality. Its insertion into the streetscape is appropriate within the North Adelaide Historic (Conservation) Zone.

The proposal will improve the ground level frontage to Tynte Street by incorporating floor to ceiling glazing. This will contribute positively to the public realm, activate this façade and enliven the building edge in accordance with Council Wide Objectives 50 and 51 and PDCs 196 and 198.

Operating Hours

Council Wide Objective 25 and PDC's 87 and 88 envisage operating hours, together with associated activities, that reinforce the desired character of the locality.

The restaurant will maintain the existing hours of operation which are:

- Monday to Thursday – 7am to midnight
- Fridays and Saturdays – 7am to 1am the following day
- Sunday – 7am to midnight

Considering these are existing hours, they are expected to maintain the amenity in the area.

Heritage and Conservation

Council's Heritage Architect has confirmed the proposal will incorporate a high quality design that will contribute to the historic streetscape character of the locality. The scale of the building and its innovative contemporary design are appropriate for the site which is also located close to O'Connell Street. The new building will maintain the heritage significance of the Local Heritage Place through the use of appropriate materials, finishes and setbacks.

Parking

Council Wide PDC 253 requires car parking be provided in accordance with Table Adel/7. This table stipulates a car parking rate of 1 space for every 3 seats in a restaurant/cafe.

A total of 89 seats are shown on the floor plan. However, the liquor license capacity is currently 100 persons and this is proposed to continue. This capacity requires 33.3 (34) on-site car parking spaces. The existing restaurant has no on-site parking and none is proposed.

Approval was granted for the existing restaurant use in November 1982. There was a condition associated with this approval requiring car parking for the use be provided on the former Le Cornu Furniture site at 88 O'Connell Street.

The applicant has confirmed this arrangement occurred for approximately 7 years to 1989. The car park has not been used in association with the restaurant for approximately the past 30 years. This has occurred without significant impact in the locality. This is reflective of the Zone interface and associated car parking expectations in the area, particularly associated with the commercial uses along O'Connell Street. Together with the intensity of the use not increasing, no on-site car parking is acceptable.

Amenity

Deliveries are mostly proposed from Tynte Street where there are five loading bays within proximity to the site on both the northern and southern sides of Tynte Street. Currently, some deliveries occur via Lohrman Street where informal parking occurs in an area that fronts this street. This informal arrangement is expected to cease as a portion of the new building will front Lohrman Street and sliding gates will be installed for the remainder of this frontage. Minimal deliveries are expected via Lohrman Street.

A condition is recommended that limits the hours in which deliveries and waste collections occur. The hours should not be after 10pm daily and not before 7am Monday to Saturday or 9am Sunday and public holidays. This will be in accordance with Council Wide PDC 94 and seeks to minimise impacts on adjoining residential properties in Lohrman Street.

As the proposal is a commercial use in a residential zone, there are no specific provisions that are applicable relating to overshadowing. Despite this, the higher portion is proposed centrally on the site and the mostly north-south orientation will ensure overshadowing of the neighbouring residential property to the west will be minimised.

Window Adjacent Eastern Boundary

What appears to be a glass block window is located adjacent the eastern boundary as shown in Photo 9.4.1 below. This two storey rear extension at 104 Tynte Street, was approved in 2015 (DA/173/2015). There is no reference to this window on the approved plans. It is not clear to what extent the proposal will impact this window, however it may enclose at least a portion of it. The window is unapproved and construction on a boundary is permitted, so if this does occur then it will be acceptable.



Photo 9.4.1 – Window located adjacent eastern boundary

9.5 **Conclusion**

This application proposes the demolition of an existing single storey building (restaurant) and the construction of a single storey building to be used as a restaurant.

The majority of the relevant Development Plan provisions are satisfied by the proposal and it is considered acceptable as:

- Non-residential land uses are appropriate for sites where the existing use is non-residential
- The use is proposed at the interface with a commercial zone
- The proposal is in keeping with the mix of uses in the locality
- The façade new building has been designed to a high standard and will result in further activation of Tynte Street
- Noise impacts are expected to be acceptable
- The existing development does not provide any on-site car parking and the intensity of use is not proposed to increase.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan as it proposes a land use and form of development that is desired in the Zone and Policy Area.

It has been determined that, on balance, the proposal warrants Development Plan Consent.

10. RECOMMENDATION

That the development, the subject of the application from Franklin House P/L for demolition of existing building (restaurant) and construction of single storey building to be used as a restaurant at 106-108 Tynte Street, North Adelaide SA 5006 as shown on plans designated DA/193/2020:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following conditions and advices:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**

Plans prepared by Proske Architects as follows:

- **Site Analysis Plan, DWG No. PL01.A, dated 25 May 2020**
- **Floor Plan, DWG No. PL02.B, dated 2 June 2020**
- **Proposed Stormwater and Roof Plan, DWG No. PL03.A, dated 26 March 2020**
- **Proposed South & West Elevations, DWG No. PL04.A, dated 26 March 2020**
- **Proposed North & East Elevations, DWG No. PL05.A, dated 26 March 2020**
- **Proposed Section, DWG No. PL06.A, dated 26 March 2020**
- **Proposed 3D Images, DWG No. PL07.A, dated 26 March 2020**

to the reasonable satisfaction of the Council except where varied by conditions below (if any).

***Reason:** To ensure that the Development is undertaken in accordance with the plans and details submitted.*

2. **External materials, surface finishes and colours of the Development shall be consistent with the descriptions granted consent and shall be to the reasonable satisfaction of the Council.**

***Reason:** To ensure a high standard of materials and finishes used in the finished presentation of the Development.*

3. **Only background music is permitted and shall be played at a level where patrons can comfortably hold a conversation without having to raise voices.**

***Reason:** To ensure the proposal does not unduly diminish the enjoyment of other land in the vicinity of the Development.*

4. **The hours of operation for the restaurant on the Land shall be limited to 7am to midnight Monday to Thursday, 7am to 1am the following day Fridays and Saturdays and 7am to midnight Sunday.**

Reason: To ensure the Development does not unduly diminish the enjoyment of other land in the vicinity of the Development.

5. **Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like shall occur before 10.00pm and after 7.00am Monday to Saturday or after 9.00am on a Sunday or Public Holiday.**

Reason: To ensure the Development does not unduly diminish the enjoyment of other land in the locality.

6. **The existing footpath level shall not be modified to suit the floor level of the entry point to the development, unless otherwise agreed to by the Council in writing.**

Reason: To ensure public footpaths remain level and as such pedestrian and vehicle safety and amenity is not compromised.

7. **A dilapidation survey recording the condition of the buildings at 104 Tynte Street and 110 Tynte Street, adjacent the subject site boundary shall be provided to Council prior to the commencement of works, to the satisfaction of Council. As well as recording fabric in good condition, the survey shall also record the location, type and dimensional extent of any existing physical damage to the dwellings that might be affected by the proposed works.**

Reason: To provide a record prior to the commencement of the proposed works, as reference for the assessment of any potential subsequent damage.

Advices

1. Building Consent for Approval

Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.

2. Expiration Time of Approval

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

3. Vehicle Parking in Lohrman Street

The applicant is reminded that vehicles are not permitted to park in Lohrman Street.

4. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity.

The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at www.cityofadelaide.com.au

When applying for a City Works Permit you will be required to supply the following information with the completed application form:

- A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
- Description of equipment to be used;
- A copy of your Public Liability Insurance Certificate (minimum cover of \$20 Million required);
- Copies of consultation with any affected stakeholders including businesses or residents.

Please note: Upfront payment is required for all city works applications.

Applications can be lodged via the following:

Email: cityworks@cityofadelaide.com.au

Fax: 8203 7674

In Person: 25 Pirie Street, Adelaide

Item No. 3.1 – Attachments 1 – 31 (106-108 Tynte Street, North Adelaide SA 5006)

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ATTACHMENTS

Plans and Supporting Information

- Proposal Plans 1 - 7
- Consultant Planning Report 8 - 21
- Certificate of Title 22 - 23

Comments from Public Notification 24 - 29

Applicant Response to Representations 30 - 31

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Amarin Thai

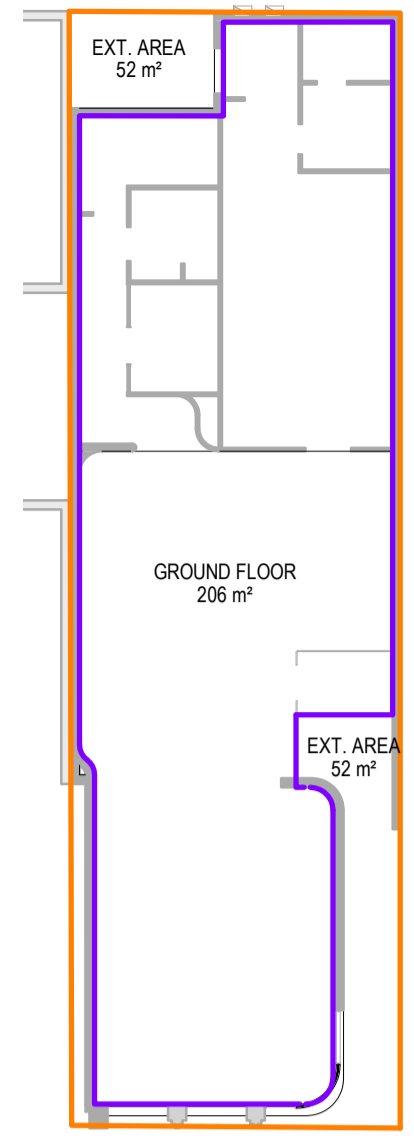
108 Tynte Street North Adelaide South Australia 5006

Drawing Schedule

SHEET NO.	DRAWING NAME	CURRENT REV.
FL01	Site Analysis Plan	A
FL02	Proposed Floor Plans	A
FL03	Proposed Stormwater Management & Roof Plan	A
FL04	Proposed South & West Elevations	A
FL05	Proposed North & East Elevations	A
FL06	Proposed Design Section	A
FL07	Proposed 3D Images	A

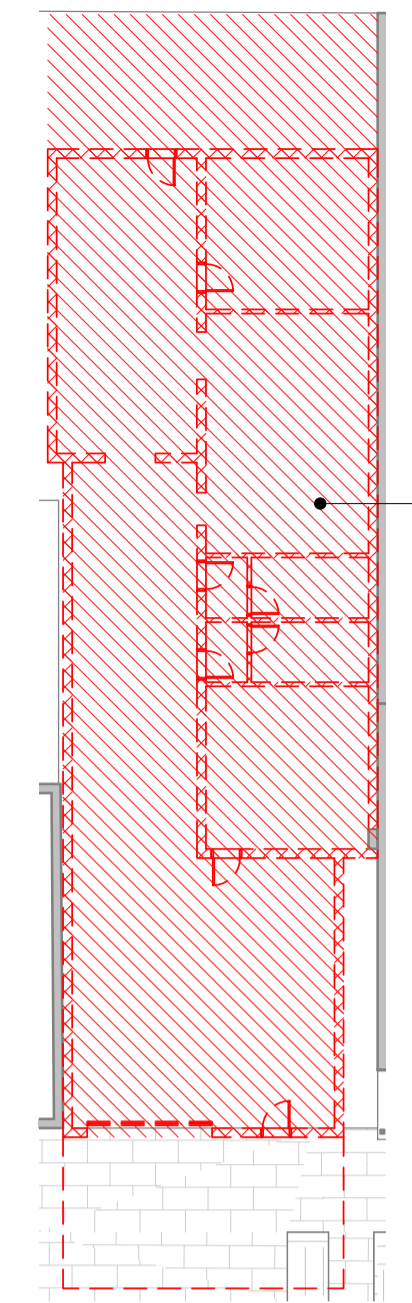
SITE ANALYSIS PLAN
SCALE 1:200

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/193/2020
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NET BUILDING AREA
AREAS ARE TAKEN FROM INTERNAL FACE OF EXTERNAL WALL LINE, UNLESS OTHERWISE SPECIFIED.

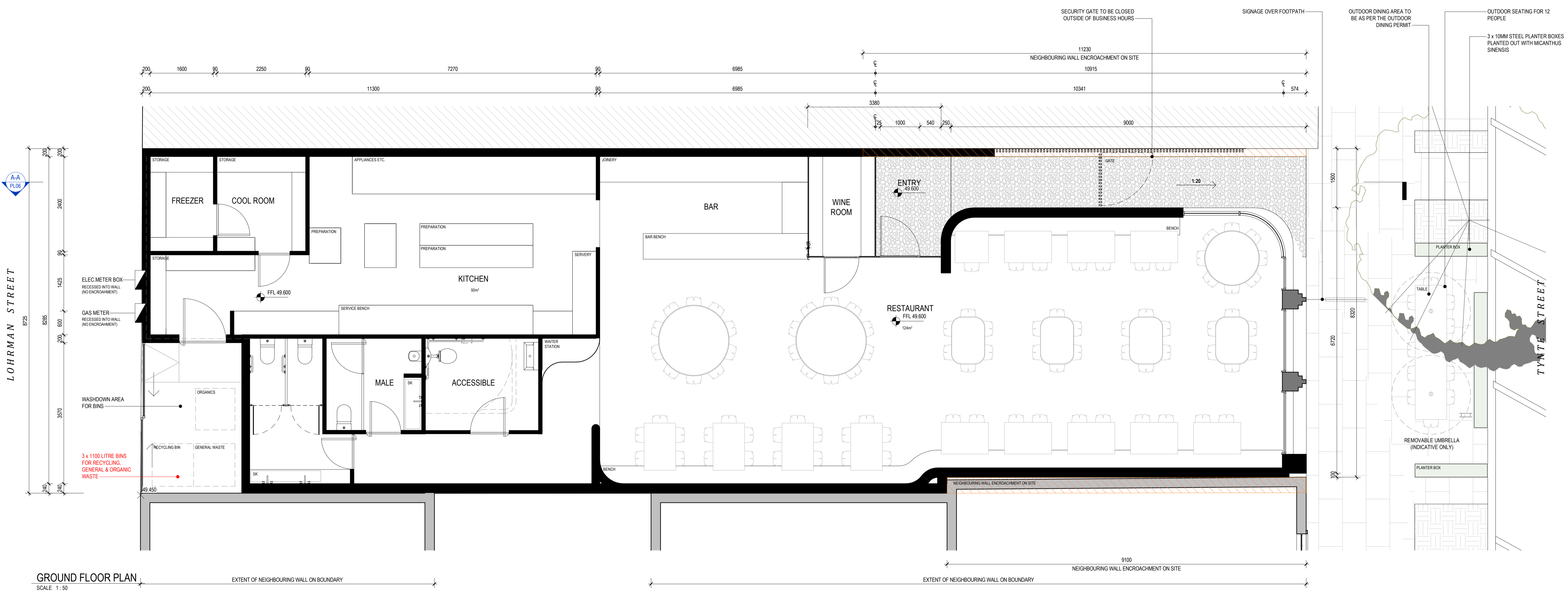
DESCRIPTION	AREA	SITE COV. %
GROUND FLOOR	206 m ²	79.97%
EXT. AREA	52 m ²	20.03%
	257 m ²	



ALL EXISTING BUILDINGS AND HARD LANDSCAPING TO BE DEMOLISHED AND SITE FULLY CLEARED

GROUND FLOOR AREA
SCALE 1:200

DEMOLITION PLAN
SCALE 1:200



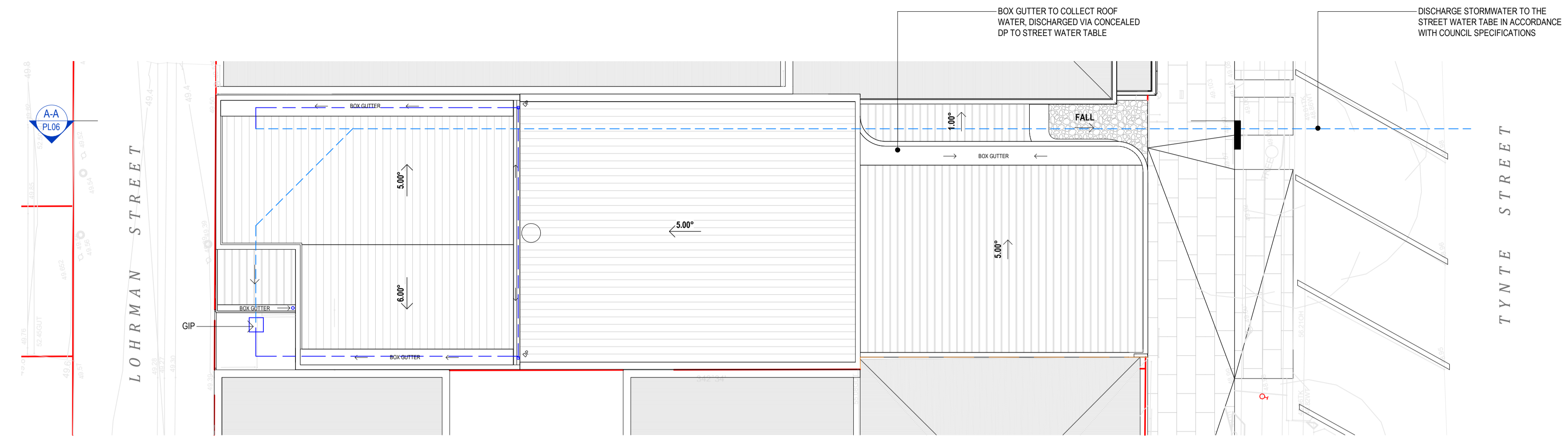
GROUND FLOOR PLAN
SCALE 1:50

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architecture + interiors
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Adelaide, SA, 5000
08 8271 0100
proske.com.au

Client
Franklin House Pty Ltd
Drawn: WC, Checked: RP, Date: 02.06.2020
Scale: As indicated, Paper Size: A1
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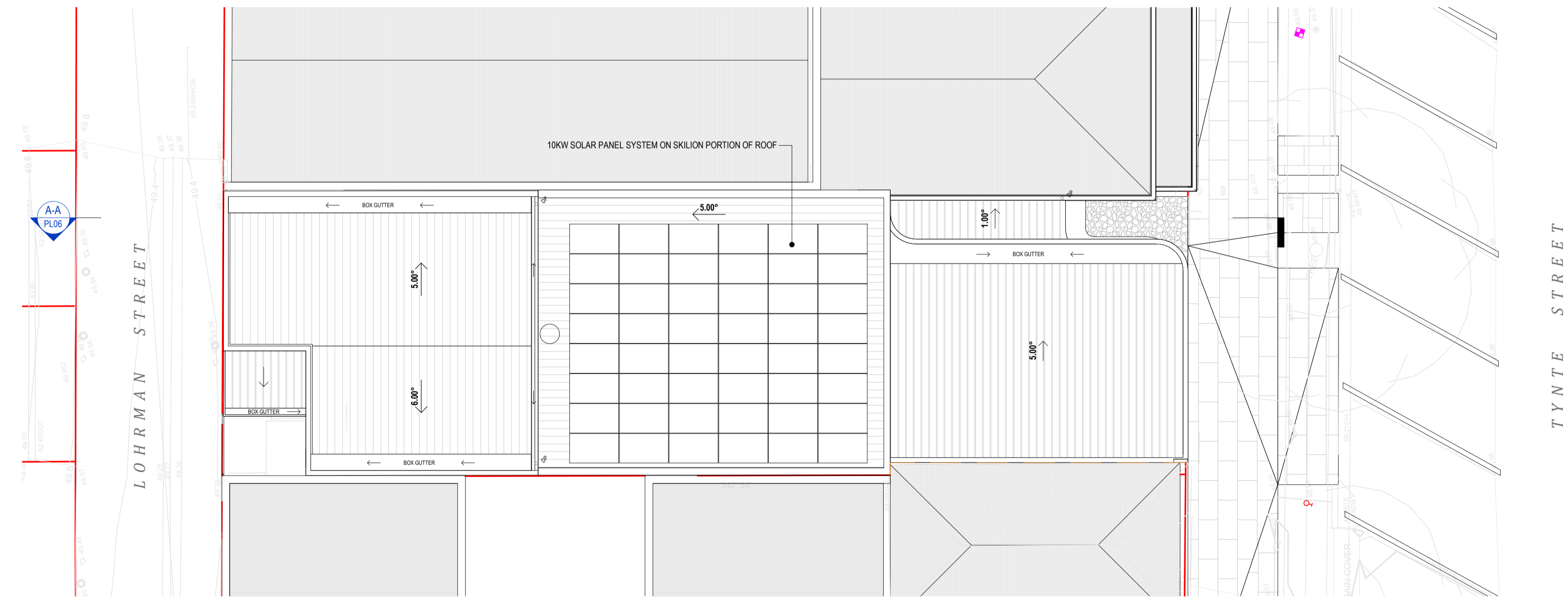
For Approval
- Issued For Approval: 26.03.2020
A RFI: 25.05.2020
B RFI Regarding Waste Management: 02.06.2020

Drawing Title
Proposed Floor Plans
Project
Amarin Thai
Project Address
**108 Tynne Street,
North Adelaide, SA
5006**
Project No.
19.050
Drawing No.
PL02.B

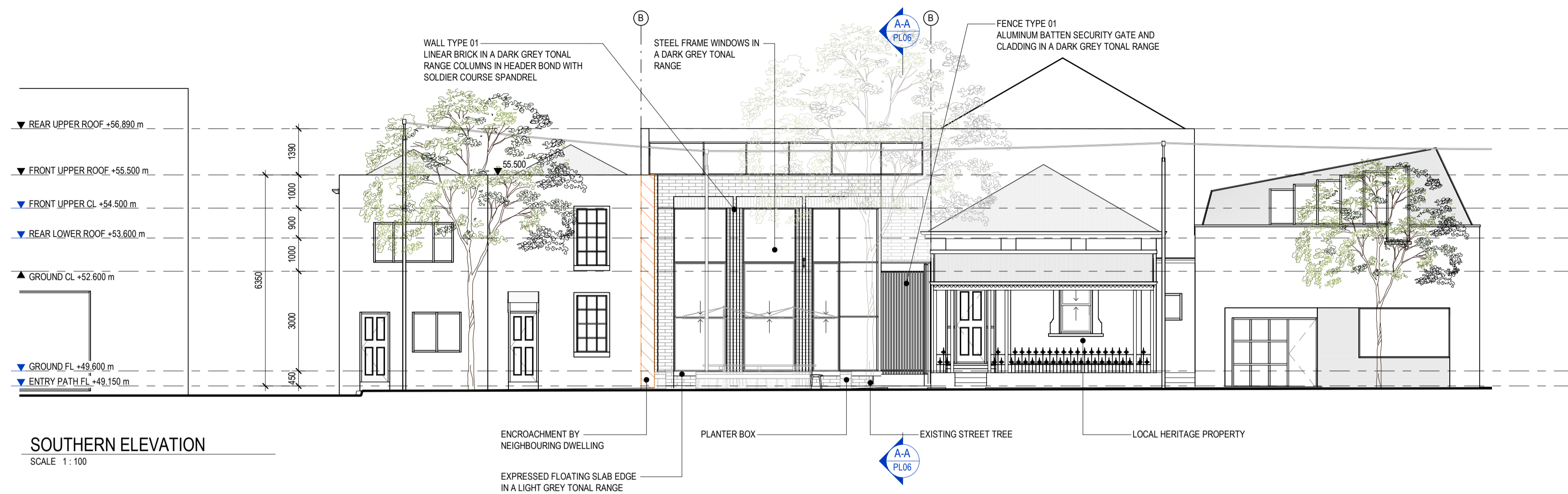


PROPOSED STORMWATER MANAGEMENT PLAN
SCALE 1:100

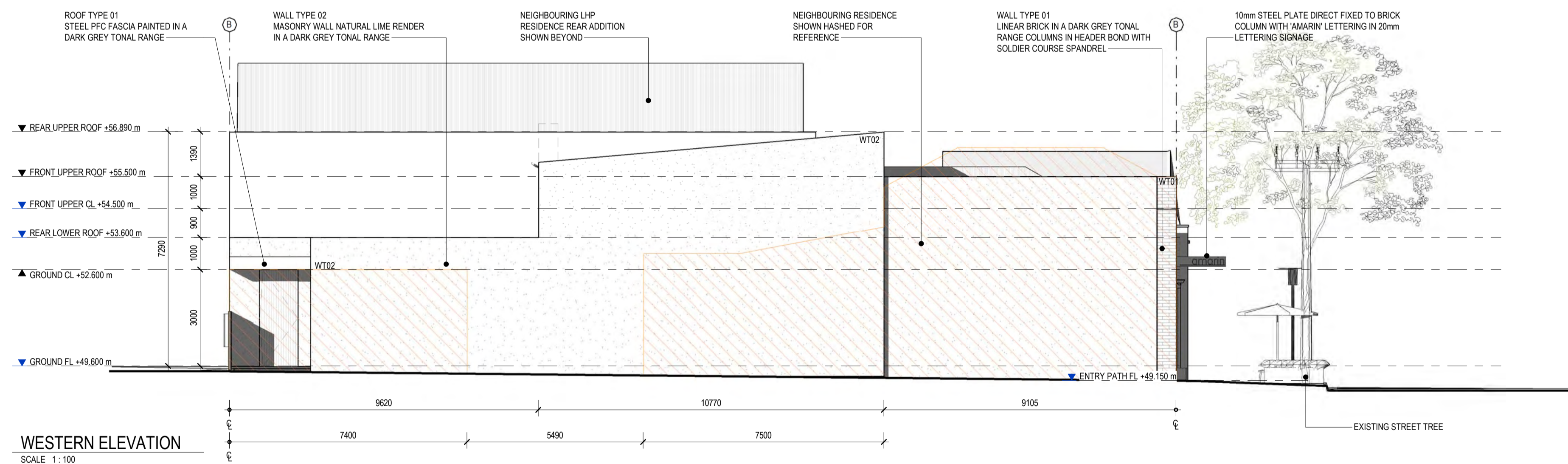
- STORMWATER PIPE 100mm DIAMETER @ 0.5% FALL (MIN)
- - - SEALED ROOF STORMWATER PIPE 100mm DIAMETER uPVC
- ← DIRECTION OF SURFACE FALL
- DP: DOWNPIPE
- SP: SPREADER PIPE
- GIP: GRATED INLET POINT



PROPOSED ROOF PLAN
SCALE 1:100



SOUTHERN ELEVATION
SCALE 1:100



WESTERN ELEVATION
SCALE 1:100

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Author
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1:100
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Checker
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Date
26.03.2020

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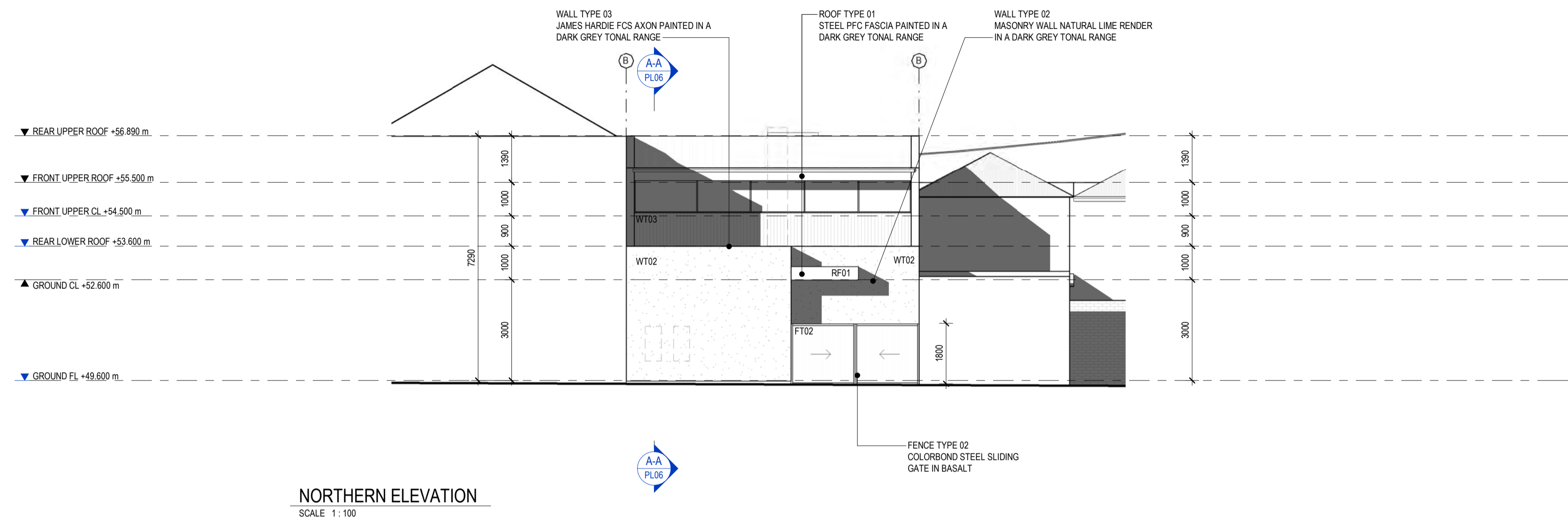
26.03.2020
26.03.2020

P
Project
Amarin Thai

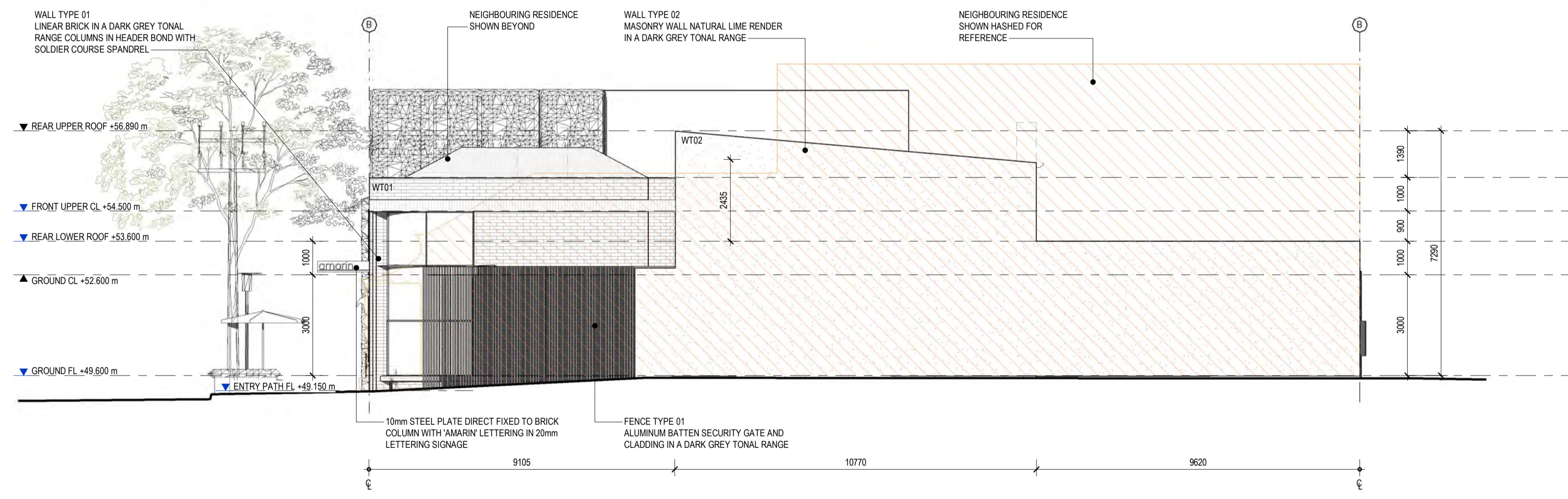
Project Address
**108 Tynite Street,
North Adelaide, SA
5006**

Drawing Title
**Proposed South & West
Elevations**

Project No.
19.050
Drawing No.
PL04.A



NORTHERN ELEVATION
SCALE 1 : 100



EASTERN ELEVATION
SCALE 1 : 100

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Author

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Checker

Date
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1 : 100

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- Issued For Preliminary Review
A Issued For Approval

26.03.2020
26.03.2020

P

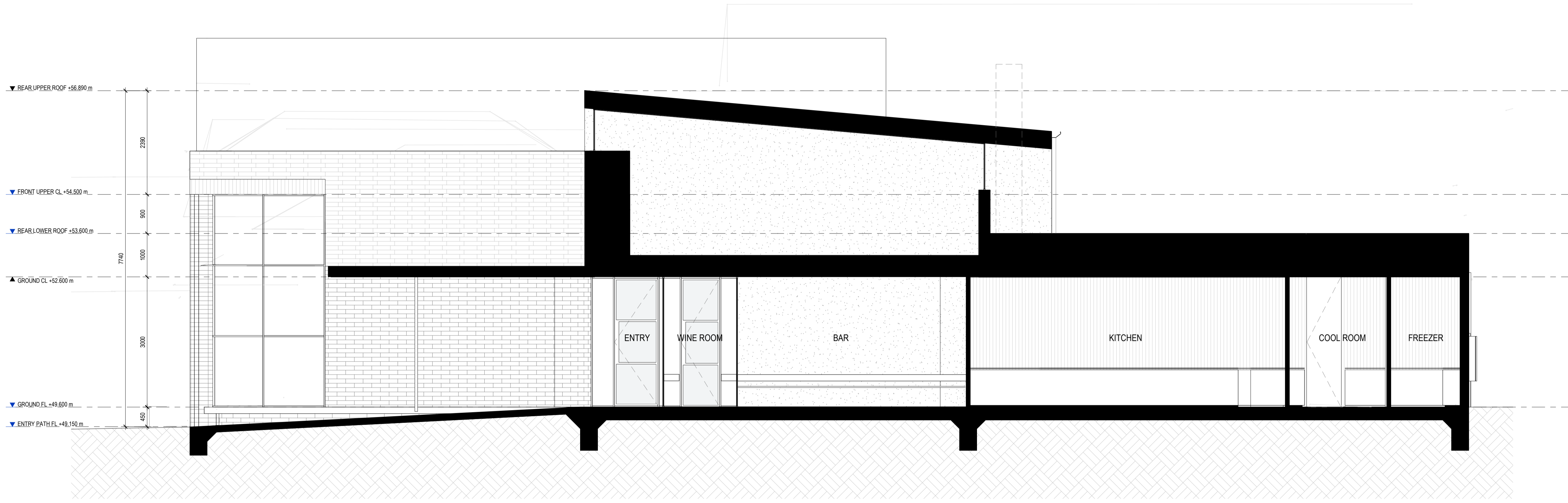
Project
Amarin Thai

Project Address
**108 Tynite Street,
North Adelaide, SA
5006**

Drawing Title
Proposed North & East Elevations

Project No.
19.050

Drawing No.
PL05.A



SECTION A-A
SCALE 1:50

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For Approval

- Issued For Preliminary Review
A Issued For Approval

26.03.2020
26.03.2020



Project
Amarin Thai
Project Address
**108 Tynite Street,
North Adelaide, SA
5006**

Drawing Title
**Proposed Design
Section**

Project No.
19.050

Drawing No.
PL06.A



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**DA/193/2020
26/05/2020**

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Client
Franklin House Pty Ltd


Drawn
WC

Scale

Checked
RP

Paper Size
A1

Date
26.03.2020



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For Approval

- Issued For Preliminary Review
A Issued For Approval

26.03.2020
26.03.2020

P

Project
Amarin Thai

Project Address
**108 Tynite Street,
North Adelaide, SA
5006**

Drawing Title
Proposed 3D Images

Project No.
19.050

Drawing No.
PL07.A

Ref: 19ADL-0267

15 April 2020

Mr Seb Grose
Senior Planner – Development Assessment
Planning, Design & Development
City of Adelaide

4th Floor 25 Pirie Street
ADELAIDE SA 5000



URPS

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FITZROY VIC 3065
(03) 8593 9650

www.urps.com.au
ABN 29 615 282 392

Dear Seb,

Proposed Re-Development at 108 Tynte Street North Adelaide

Introduction

Further to our discussions, I confirm URPS acts for the applicant, Franklin House Pty Ltd, in respect to the above proposal.

The proposal seeks to re-develop the subject land for the purpose of continuing a restaurant use but within a new and improved, high quality and modern facility designed by leading Adelaide based designers Proske Architecture and Interiors.

This planning statement is accompanied by the following information:

- Completed development application form
- Completed electricity declaration form
- The Certificate of Title
- Proposal plans prepared by Proske Architecture and Interiors
- The site's Liquor License and outdoor seating permit from Council
- A locality plan prepared by URPS

The Subject and Locality

The subject land is situated on the northern side of Tynte Street and has a street address of 108 Tynte Street North Adelaide. The land is also held within Certificate of Title Volume 5275 Folio 891

The land has the following characteristics:

- Site frontage width of 8.69 metres
- Total land area of approximately 257m²
- An existing single storey cottage style building used as a restaurant

- The existing restaurant has seating capacity of 110 spaces (note, however, the Liquor License only allows for 100 persons at any one time and this arrangement is the same as what is proposed).
- There is currently no car parking on the land.

In addition, there are land encroachments on the land resulting from existing buildings – these are delineated in orange on the Proske Architecture and Interiors plans, namely PL02.B.

While our client would have a legal right to approach this matter differently, the development has specifically sought not to affect these existing building encroachments.

Figure 1: View of the subject land and the adjoining buildings to the east and west



Figure 2: View of existing canopy over footpath, outdoor seating area, and canopy signage



The locality has a mixed character reflective of its zoning and proximity to the O'Connell Street strip shopping precinct.

On the northern side of Tynte Street there is a mix of land uses dwellings, shops, offices and tourist accommodation/motels.

On the southern side of Tynte Street there is, directly adjacent the land, the former Le Cornu's site which is vacant and to be, at some point, re-developed we suspect with a large-scale mixed-use development.

To the east of this site lies a mix of residential development both new and old.

There are various heritage places in the land, as delineated within the locality plan contained within **Appendix A**.

The Proposal

The proposal seeks to undertake the following:

- Demolition of the existing building
- Construction of a new, single level building to be used as a restaurant
- The restaurant will have an internal floor plate comprising of:
 - > 110 seats in an open floor plan arrangement (however in accordance with the Liquor License only 100 can be used at anyone time)
 - > In addition to those indoor seats, there is capacity for 12 outdoor seats in front of the building and an approval is provided for by Council as per the outdoor seating permit
 - > Main entry at the southern end with access for patrons via Tynte Street
 - > Kitchen, cool room and freezer area
 - > Toilet facilities
 - > Partially covered outdoor bin storage/service yard area
- The building will have a contemporary form with a façade comprised of a mix of brick and glazed elements
- The design is complementary of nearby development while also referencing North Adelaide's strong affinity for Art Deco buildings. i.e. The Piccadilly Cinema (O'Connell St), Deep Acres (Melbourne St), Felicitas (Wellington Square)
- The extent of glazing is an important feature and provides pedestrians on the street with views into the building, enhancing street activation and appeal
- The building presents to the street with a flat roof, behind which is a skillion roof element that is not visible to the street, which is considered a positive design feature that will:
 - > Add additional internal light into the building for amenity purposes
 - > Facilitate the future installation of solar panels as shown on the roof plan
- A sign affixed to the building is proposed with the text displaying "Amarin" directly referencing the proposed business being for "Amarin Thai"

Procedural matters

The Subject Land is located within the Margaret Street Policy Area (**'the Policy Area'**) of the North Adelaide Historic (Conservation) Zone (**'the Zone'**) of the Adelaide (City) Development Plan consolidated 25 July 2019 (**'the Development Plan'**).

Zone PDC 27 sets out the forms of development that are considered to be non-complying within the Zone.

Relevantly, PDC 27 provides that the following are types of non-complying development:

- a) **A change of use to any of the following:**
 - Licensed premises except on Tynte Street frontages in Policy Area 4
 - (...)
 - Restaurant in Policy Area 4 except on Tynte Street
 - (...)
- c) **Development which exceeds any applicable maximum plot ration (as prescribed in each Policy Area) except:**
 - (...)

PDC 4 for the Policy Area provides, relevantly, that:

The bulk and density of development should satisfy the following:

- a) **Basic and maximum plot ratio: 0.8**
- (..)

A change in use to a restaurant is only a non-complying use within Policy Area 4.

As the land is not located within that particular Policy Area, that provision does not apply.

Although a “licensed premises” is considered to be a non-complying use, the term “licensed premises” is not defined anywhere within the Act, the *Development Regulations 2008* or the Plan.

The reference to “licensed premises” should therefore be given its everyday meaning, namely any premises that has the benefit of a liquor license issued under the *Liquor Licensing Act 1997*.

As the application is for a “licensed restaurant”, it is for a licensed premise and therefore is, on the face of it, a non-complying use of the land. In this case however the existing use of the land is as a licensed restaurant. As a consequence, there is no change of use – the existing use is a licensed restaurant and the proposed use is a licensed restaurant.

The application should therefore be processed on the basis that what it is being applied for and assessed as is the building to be constructed on the land, not the use of the land itself.

This ties in with the notion of the expansion of an existing non-complying use, commonly referred to as the Mercedes College principle, which was dealt with in detail most recently in *Caltex Australia Petroleum Pty Ltd v City of Holdfast Bay*,¹ in which the principle was described in the following way:

“The existing non-complying use principle holds that in the absence of a contrary indication, a Development Plan’s designation of a use as non-complying does not apply to a development which is a reasonable development, or a continuation of, an existing non-complying use.”

The only remaining non-complying trigger which might be relevant is if the plot ratio exceeds the prescribed maximum for the Policy Area, in this case 0.8. As the plot ratio is less than this (being in the order of 0.79), this non-complying trigger is not relevant.

As a consequence, the application should be processed as a merit form of development.

As the proposed development is not non-complying, it should be processed as a Category 2 form of development (see PDC 28).

¹ [2014] SASFC 59.

Planning Assessment

As noted, the existing use of the land is a licensed restaurant. As a consequence, there is no change of use – the existing use is a licensed restaurant and the proposed use is a licensed restaurant.

The assessment therefore turns on the following planning considerations in my view:

- Desired Character / Height
- Heritage
- Interface
- Car Parking

Desired Character / Height

The Desired Character of Policy Area 6 states:

Development along Tynte Street should respond to the areas of historic townscape which give it charm and distinction, and buildings may be larger in scale and frontage than that prevailing elsewhere in the Policy Area.

Development adjacent to the intersection of Tynte and Margaret Streets should be two-storey in height, about the street frontage and be compatible with the corner shop and row dwelling form of existing historic buildings.

Development west of Margaret Street should comprise a mixture of dwelling types up to two-storeys in height, and be set close to the street frontage. East of Margaret Street development should conserve the mixture of dwelling types characterised by more generous landscaped grounds and deeper set-backs.

(my underline)

The proposal is for a single storey building (with a high internal ceiling) and sits on the section of Tynte Street that lies to the west of Margaret Street i.e. where two storey development is envisaged.

There are two storey buildings nearby the subject including on both adjoining sites and those beyond, and also diagonally opposite on the corner of Centenary Street and Tynte Street.

In this context, the scale, form and height of the development is clearly acceptable.

Further, the proposal features a 'hard edge' front setback - i.e. the building is situated on the front boundary. Its setback matches the existing building setback on the land and those in the locality and is therefore entirely appropriate and consistent with the Desired Character where buildings are to be 'set close' to street frontages.

Heritage

Council Wide PDC 162 states:

- 162 Development on land adjacent to land containing a Heritage Place should demonstrate design consideration of the relationship with the Heritage Place (without necessarily replicating its historic detailing) by establishing compatible:**
- (a) scale, bulk and setbacks;**
 - (b) proportion and composition of design elements;**
 - (c) form and visual interest (as determined by play of light and shade, treatments of openings and depths of reveals, roofline and silhouette, colour and texture of materials and details, landscaping and fencing);**

- (d) width of frontage and boundary set-back patterns; and
- (e) vehicle access and carparking arrangements.

The proposal will satisfy PDC 162 because:

- The proposal has complementary scale, height and setbacks to most buildings including residential dwellings within the locality
- While taller than the adjoining LHP, the proposal features a design treatment that complements this building through:
 - > The provision of a 'break' point provided by the entry sequence – this means the skillion roof section of the building does not directly abut the LHP thereby maximizing views of that building.
 - > The design elements forming the architectural language of the development do not detract from and rather complement the LHP
 - > While contemporary the proposal provides subtle references to the LHP through the use of tactile and traditional building materials and features, and appropriate levels of detailing and visual interest including its use of brick materials
 - > The front setback is complementary to the LHP
 - > No car parking or access areas are visible to the street
 - > The proposal North Adelaide's strong affinity for Art Deco buildings. i.e. The Piccadilly Cinema (O'Connell St), Deep Acres (Melbourne St), Felicitas (Wellington Square)

In addition, we note that Therese Willis has reviewed the matter and provided her in-principle support.

Residential Interface

Objective 3 of the Policy Area 6 states:

Objective 3: Residential amenity maintained by restricting the introduction, expansion or intensification of non-residential uses.

The proposal does not seek to expand the existing use but rather maintain its current seating capacity per its Liquor License. Therefore, the level of activity generated at the land will be identical to what currently occurs. In addition:

- Shadow impacts would be limited to morning periods
- The shadow impacts of this proposal would be significantly less than what would occur from the development recently approved at 104 Tynte Street North Adelaide which is two storey in height – see **Figure 3** below.
- The extent of boundary development is identical to the current extent of boundary development albeit there are sections that have a taller height
- However, the taller walling section is largely concealed by existing boundary development on the land to the west save for a very small section that is visible – see **Figure 4** below.
- The proposal seeks to re-position the flue which, on the current building sits against the eastern boundary, whereas the new flue location will be centralised therefore minimizing impacts – see **Figure 5** below.

Figure 3: Existing two storey boundary wall at 104 Tynte Street North Adelaide



Figure 4: Diagram prepared by Proske Architecture and Interiors showing boundary development comparison of proposal to walls on two adjoining sites including that to the immediate west at 106 Tynte Street North Adelaide

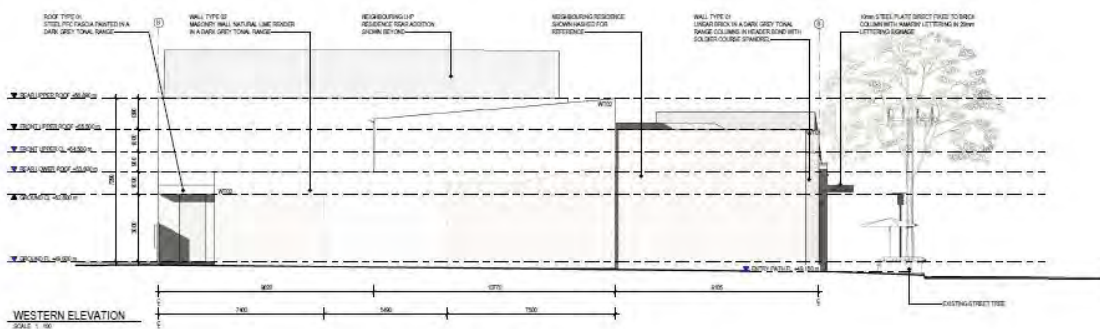


Figure 5: Existing flue location on eastern boudnary



For the above reasons, the proposal is not considered to give rise to unacceptable residential interface impacts.

Car Parking

The subject restaurant has been operating at the land since sometime soon after its approval was granted in November 1982.

As you are aware, there was a condition on the consent which related to the use of a car park owned by Le Cornu Furniture Pty Ltd, however this business has not been in operation on the adjacent land for some (approximately) 30 years. Indeed, according to records from Council, it ceased operation in 1989.

In our view, the condition relating to the Le Cornu site was only, in theory, being adhered to for about 7 years. The fact this car park has not been available for some 30 years is testament to the fact:

- It has not caused any issues for the Council or the business operator for that matter, and
- The restaurant has not had any serious impact on the community/the locality. In this respect, we are unaware of any complaints directed at the site from car parking overspill issues from Council.

The proposal will not change the current car parking situation whatsoever (i.e. for what has occurred for the past circa 30 years) given:

- There is no increase in patronage i.e. the 100 person 'cap' provided by the Liquor License is not proposed to change, and
- There is no reduction in on-site car parking supply

Despite the above, there is currently car parking available on the Le Cornu site albeit under the ownership of the Council.

Further, the 'Guiding Principles' for the 88 O'Connell Street site refer to the incorporation of underground car parking (available to the general public – to support local businesses) – therefore the future development of the land will likely be able to accommodate some parking overspill from existing

surrounding business. And again, the 88 O'Connell Street site currently also is currently 'opened up' for use for nearby businesses/community for parking.

On this basis, we consider the car parking aspect of the proposal to be acceptable.

Conclusion

The proposal, for the reasons set out above, is a high-quality development that satisfies the most pertinent Development Plan provisions and warrants your support. Should you have any questions, please do not hesitate to call me on 0417 080 596.

Yours sincerely



Matthew King RPIA
Managing Director

Ref: 19ADL-0267

26 May 2020

Mr Seb Grose
Senior Planner – Development Assessment
City of Adelaide

By email: S.Grose@cityofadelaide.sa.gov.au



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Dear Seb

**Proposed Restaurant Re-Development
at 106-108 Tynte Street North Adelaide (DA/193/2020)**

Introduction

Thank you for your letter dated 12 May 2020 and for speaking to me after providing this letter. We have reviewed your letter and provide the following response. This response is accompanied by amended plans as prepared by Proske Architecture and Interiors.

Heritage

You have indicated that the proposal is “high quality and contributes to the historic streetscape character of the locality”. You are also complementary of its materials, finishes and setbacks.

You have however requested the side gate adjacent the Local Heritage Place (LHP) to the immediate east be reduced in height by 600mm.

Per our discussion, our client would prefer to retain the gate at this current height, however is prepared to increase its front setback by 2.0 metres thereby reducing its visual impact / impact upon the setting of LHP.

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26/05/2020

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shaping great communities

Waste

The proposal will retain the current waste collection arrangements which are a hybrid of council and private waste collection. Evidence of the current arrangement is shown in image 1 below:

Image 1: Existing waste storage arrangements



As the restaurant's seating capacity is being maintained / not increased by the proposal it is appropriate that the current waste collection arrangement is also maintained.

Importantly the proposal will now include proper waste storage so to provide for orderly management and more visually pleasing storage.

With respect to the request for a washdown area, a note has been included on the updated plans.

Planning Information

In respect to your specific queries under this sub-heading:

- **Operating hours** - these are to be the same as those specified in the liquor license, as were provided within our planning submission at lodgement.
- **Music** - yes, music will be limited to background music only.
- **Signage detail** - the sign extending over Tynte Street is now shown on the floor plan (PL02.A).
- **Outdoor dining** - a note has been incorporated onto the updated plans indicating that all outdoor dining facilities are to be in accordance with the outdoor dining permit.

I trust you can now proceed to public notification for this application.

Should you have any questions, please do not hesitate to call me on 0417 080 596.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Matthew King', with a stylized flourish extending to the right.

Matthew King RPIA
Managing Director



LEGEND

- SUBJECT SITE
- STATE HERITAGE ITEM
- LOCAL HERITAGE ITEM
- ZONE BOUNDARY
- CADASTRE



LOCALITY
 108 Tynte Street,
 North Adelaide

JOB REF.	19ADL-0267
PREPARED BY.	MP
DATE.	30.03.20
REVISION.	1
DATA SOURCE.	Metromap (12.10.19) data.sa.gov.au





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



Certificate of Title - Volume 5275 Folio 891

Parent Title(s) CT 4333/892
Creating Dealing(s) CONVERTED TITLE
Title Issued 29/06/1995 Edition 8 Edition Issued 13/08/2019

Estate Type

FEE SIMPLE

Registered Proprietor

FRANKLIN HOUSE PTY. LTD. (ACN: 625 657 669)
OF UNIT 5-6 L 1 94 THE PARADE NORWOOD SA 5067

Description of Land

ALLOTMENT 1 FILED PLAN 150448
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

NIL

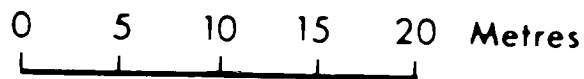
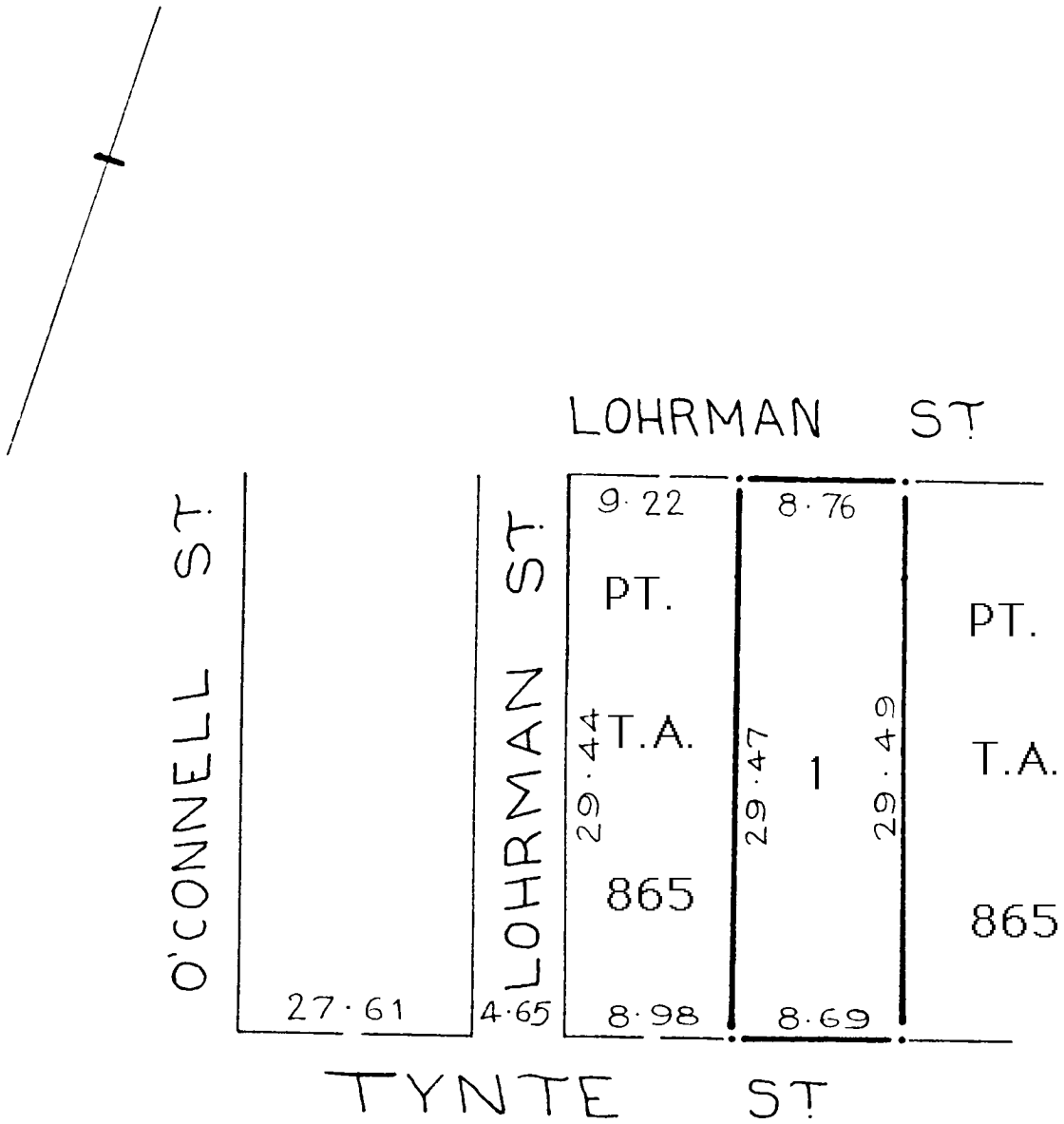
Schedule of Dealings

NIL

Notations

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

This plan is scanned for Certificate of Title 4333/892



Note : Subject to all lawfully existing plans of division

As owners of 13A George Street, our concern is the inconvenience to our tenants, the disruption the build will cause with trades people parking which will impact the access to Lohram Street.

Surname: Ballestrin

Given Names: Maria & Frank

Company Name: F & M Ballestrin Nominees

Address Line 1: 50 John Street

Suburb: Flinders Park

Postcode: 5025

Email Address: mballestrin@afc.com.au@bigpond.net.au

From: Duty Planner
Sent: Monday, 15 June 2020 9:17 AM
To: Seb Grose
Subject: Email 1 of 2 - DA/193/2020 - Demolition

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

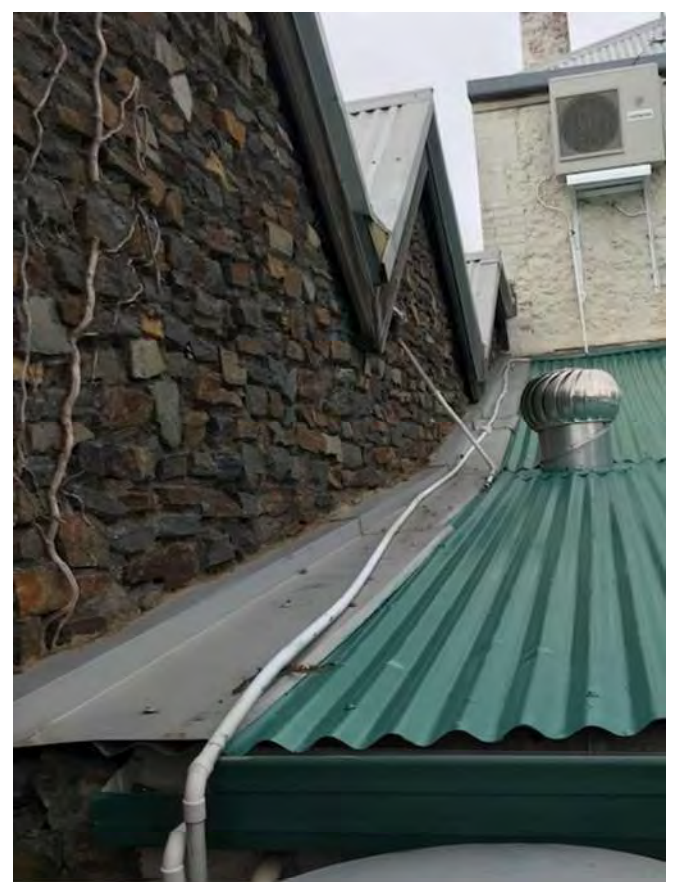
From: Bill <bihhomes@bigpond.net.au>
Sent: Sunday, 14 June 2020 9:26 PM
To: Duty Planner <D.Planner@cityofadelaide.com.au>
Subject: Demolition

Hello. From Bill iliadis B.I.H Corporation Pty Ltd. North Adelaide, I am next door of the Thai restaurant. An application has been lodged for demolition next door of 110 Tynte Street North Adelaide. My concern is that the building is over 100 years old and if a demolition goes ahead that some structure of the building and walls may be affected and movements on the work carried out, it may cause some damages. That's my concern is with my 37 years experience in building and properties. Some photos to be viewed. Thank you from Bill Iliadis 0418333531

Sent from my iPhone

From Bill Iliadis B.I.H estates Corporation. Next door to 110 Tynte street North Adelaide where demolition for the that restaurant application has been lodged Pty Ltd. some photos to be view! from Bill Iliadis 0418333531







From bill iliadis B.I.H property Corporation. I, next door 110. Tynte street north adelaide.
Sitting on the Boundry line May affect the movements structure off 110 street right next door

Surname: B.I.H Estates and property Corporation Pty Ltd

Given Names: Mr, Bill iliadis

Company Name: Bill iliadis

Address Line 1: 110. Tynte street north adelaide

Suburb: North Adelaide

Postcode: 5006

Email Address: bihhomes@bigpond.net.au

Ref: 19ADL-0267

29 June 2020

Mr Seb Grose
Senior Planner – Development Assessment
Planning, Design & Development
City of Adelaide

By email: S.Grose@cityofadelaide.com.au



URPS

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(03) 8593 9650

www.urps.com.au
ABN 29 615 282 392

Dear Seb,

Response to Representations – 106-108 Tynte Street North Adelaide

Introduction

Thank you for providing us with copies of the representations. We have been asked by the applicant, Franklin House Pty Ltd, to review the representations and prepare a response which we do below.

Representations

Two representations were received following public notification.

These were from:

- Maria and Frank Ballestrin from 13A George Street North Adelaide.
- Bill Iliadis from 110 Tynte Street North Adelaide.

Response

Maria and Frank Ballestrin from 13A George Street North Adelaide

Concerns have been expressed by the above representor regarding disruption caused during construction.

Issues regarding the construction of a development are not considerations for a planning assessment but are often raised in my experiences.

Therefore, while our client will seek to minimise disturbance to local roads during construction as much as is possible, such considerations have no bearing on the assessment of the proposal.

Bill Iliadis from 110 Tynte Street North Adelaide

The concerns from the above representor relate to the potential for the proposal to impact upon the structural stability of the representors building following demolition works.

Our client will appoint a licensed builder for the project. A dilapidation report will be prepared to consider the stability of adjoining walls.

Necessary care and measures will be undertaken to ensure the stability of the representors wall of their building will not be undermined during construction.

Conclusion

The above concerns do not relate to town planning issues but rather issues associated with construction activities. The proposal warrants planning consent for reasons we have explained in our planning report.

Should you have any questions, please do not hesitate to call me on 0417 080 596.

Yours sincerely



Matthew King RPIA
Managing Director

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 27/7/2020

Item No	3.2
Address	58 Kingston Terrace, North Adelaide SA 5006
Proposal	Internal and external alterations to existing part single/part two storey dwelling, DA/212/2020 (PC) [CAP]
Applicant	Ms J R H Clarson
Relevant Development Plan	16 January 2020
Lodgement Date	24 Apr 2020
Zone / Policy Area	North Adelaide Historic (Conservation) Zone – Kentish Arms Policy Area 11
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representations
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information

- Plans and details 1 – 9
- Certificate of Title 10
- Strata Plan 11 – 14

Comments from Public Notification 15 – 16

Applicant Response to Representations 17

- Supportive Documentation 18 – 21

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. **DESCRIPTION OF PROPOSAL**

- 1.1 Planning consent is sought to undertake internal and external alterations to an existing single, part two storey dwelling.
- 1.2 The alterations are predominantly internal, involving reconfiguring and refurbishment of the existing dwelling. External alterations include the relocation of an external wall for additional floor area and a new roof enclosure over relocated staircase.
- 1.3 The existing dining room is to be converted to an internal courtyard open to the sky. The staircase is proposed to be relocated next to the courtyard to the existing mezzanine above.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	EXISTING	PROPOSED
Site area 110m²			
Plot ratio	0.8	0.62	0.64
Building height <ul style="list-style-type: none"> • Storeys • Metres (ceiling height) 	<ul style="list-style-type: none"> • 2 Storeys • 6 Metres 	<ul style="list-style-type: none"> • 2 Storey • 5.2 Metres 	Nil change
Private Open Space (POS) <ul style="list-style-type: none"> • m² 	35m ²	0m ²	4m ²
Landscaped Open Space (LOS) <ul style="list-style-type: none"> • % of total site area 	30%	19.5% (21.5m ²)	Nil change

3. **BACKGROUND**

- 3.1 The applicant met with Council and Heritage SA to discuss preliminary in December 2019. The discussion mainly centred around impacts on the original building, which was not modified as part of this proposal and therefore acceptable from Heritage SA.

4. **SITE**

- 4.1 The subject site, known as 58 Kingston Terrace (Unit 4), North Adelaide is one of twenty-eight two storey row cottages within a strata allotment. The dwelling is located fronting townhouses within a Strata Plan.
- 4.2 The subject site, in addition to all dwellings within the strata, are listed at State Heritage Places.
- 4.3 The cottages abut one another, having party walls on east and west boundaries. The subject site abuts two dwellings within the complex: 59 Kingston Terrace (Unit 3) to the west and 57A Kingston Terrace (Unit 5) to the east.

- 4.4 The existing dwelling is modest in size, with the original building comprising of kitchen and living rooms. The later addition at the rear comprises of dining room, laundry, bedroom at ground and an additional bedroom at mezzanine/first floor.
- 4.5 The dwelling has a width of approximately 4 metres and depth of 21.5 metres not including the front lawns.

5. **LOCALITY**

- 5.1 The locality is defined by the strata complex and abutting allotments.
- 5.2 The complex contains twenty-eight two-storey townhouses, fourteen of which front Kingston Terrace and the remaining fourteen fronting Stanley Street.
- 5.3 The cottages were constructed between 1872 and 1881 and are relatively consistent in form and internal floor layouts. All the dwellings have later additions at the rear which open to a private courtyard.
- 5.4 All the cottages have a single parking space, accessible via private road to the west and Porter Street to the east. All waste bins are stored together
- 5.5 The locality is defined by low scale residential development, having a mix of one and two storey-built form.








KEY			
	Subject Site		Local Heritage Place
NAH(C)Z11	Policy Area		State Heritage Place
PLZ	Zone		Policy Area Boundary
R	Representor		Locality
R	Representor (in support)		

Photo 1 – Subject site viewed from Kingston Terrace looking south.



Photo 2 – Eastern wing of cottages fronting Kingston Terrace.



Photo 3 – Existing dining area to be converted to courtyard/new stair access.



Photo 4 – View from roof of later addition looking north.



Photo 5 – Existing living/mezzanine at rear (image source: realestate.com.au).



Photo 6 – Existing bedroom and rear courtyard (image source: realestate.com.au).



6. **PUBLIC NOTIFICATION**

- 6.1 **Please note:** Category 2 representations are only 'valid' and taken into account if the representor has been directly notified in writing, by Council, of the development. Only valid Category 2 representations are afforded the opportunity to be heard by the Council Assessment Panel. This is in accordance with legislation and a resolution of Council on 27 June 2017.

CATEGORY OF NOTIFICATION	CATEGORY 2
Representations Received – 2	<ul style="list-style-type: none"> Michael and Virginia Phillips – 59 Kingston Terrace, North Adelaide Mr David Ellis – 88 Stanley Street, North Adelaide (in support)

SUMMARY OF REPRESENTATION	APPLICANT'S RESPONSE
<p>We object (are against) the proposal for the proposed stairwell in its existing form.</p> <p>In our view the proposed the stairwell will protrude out into the present clear roof space thereby creating both visual and light impact to both the upper bedroom of our unit and as well from the kitchen and atrium in the ground floor space.</p> <p>It is noted that the City of Adelaide Development Plan: Kentish Arms Policy Area 11 Section D provides for compatibility with adjoining development and in the Objective; Objective 2 "maintenance of residential amenity" whilst Principles of Development Control point 1 allows for "Development should strengthen, achieve and be consistent with the desired character for the Policy Area.</p> <p>In our view the proposed stairwell does not achieve those objectives and will in fact lessen those amenities we have enjoyed to date and could well, if allowed to proceed lessen the value of our property by having a structure that imposes a blot on what is presently a single clear roof line and as well as an ungainly blot from the view of our kitchen/atrium area.</p>	<p>The new stairwell roof structure is deliberately raking as per the new stair to negate any visual impact from below in the adjoining property (59 Kingston Terrace).</p> <p>The metal facade & roof cladding type & colour of Colorbond Matt Basalt specified is sympathetic with galvanised heritage metal cladding & colour of the policy area. This material & colour was acceptable in preliminary discussions with Heritage SA.</p> <p>Computer modelling shows sight lines from within the adjoining property are not impacted upon by the proposed development envelope (see pages 18-20 of attachments). Sight lines taken from inside, against the western most wall of 59 Kingston Terrace looking up through the courtyard skylight and over the adjoining party wall show negligible viewpoints of the proposed development outline.</p> <p>Shadow modelling has also shown no impact at all on the adjoining 59 Kingston Terrace property on the crucial dates & times of June 21st 9am & 12pm & September 21st 9am & 12pm.</p>

7. REQUIRED EXTERNAL REFERRALS

7.1 Department for Environment and Water (Heritage SA)

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.

- The works involve the alteration and reconfiguration of the existing well-scaled later addition, with no overall change to its form. There are no works identified to the original front section of heritage significance.

Administration comment: No conditions or advices were recommended by Heritage SA.

8. SPECIALIST ADVICE

8.1 No internal referrals required.

9. DETAILED ASSESSMENT

9.1 Summary of Policy Area Objectives & Principles

North Adelaide Historic (Conservation) Zone – Kentish Arms Policy Area 11

The varied character of the Kentish Arms Policy Area should be conserved as a residential area reflecting the townscapes of large nineteenth and early twentieth century substantial Victorian and Edwardian villas, and other low density detached and semi-detached dwellings in a variety of forms and styles, row cottages, detached cottages and small attached cottages. There are a small number of two storey heritage places, although most of the buildings identified as Heritage Places are single storey.

The variety of dwelling types should be retained by the conservation of Heritage Places. The character of new residential development should be established by low and medium density detached dwellings, semi-detached or row dwellings, group dwellings or residential flat buildings, all up to a maximum of two storeys, unless a particular dwelling type(s) and/or a lower building height is prescribed for development addressing the primary street frontage, to reinforce the character of the historic built form as described below:

(d) Kingston Terrace:

The townscape from Jerningham Street to Francis Street (west) contains a mixture of single-storey row housing and detached and semi-detached houses of the late Victorian to Edwardian periods, with more recent detached houses and contemporary three storey row houses. Although the townscape contains a diversity of architectural styles and housing types, it still presents a cohesive townscape because of its relationship to the Park Lands, the predominance of traditional building stock and the absence of dominating structures. Between Fuller Street and Francis Street (west) residential buildings should continue to be single storey.

Elsewhere buildings should be one and two storey detached, semi-detached or residential flat buildings subject to their compatibility with adjoining development.

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Maintains existing townscape/streetscape. 	✓
Objectives O1-2	<ul style="list-style-type: none"> Maintains historic character of SHP. Low scale residential development. Maintains amenity of adjacent dwellings. 	✓
Plot Ratio P4(a)	<ul style="list-style-type: none"> Achieved. 	✓
Landscaped Open Space P6	<ul style="list-style-type: none"> Requirement to provide 30% LOS. The proposal will maintain existing LOS of 19.5% (21.5m²). 	✗
Built Form P7	<ul style="list-style-type: none"> Alterations are predominantly internal; however external modifications are sited behind the original built form and will not be readily seen from the street. 	✓

9.2 Summary of Zone Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Objectives O1-3	<ul style="list-style-type: none"> Maintains low scale residential development. 	✓
Form and Character P1 & 3	<ul style="list-style-type: none"> Achieved. 	✓
Design and Appearance P4 & 6	<ul style="list-style-type: none"> Refer to Section 9.4 on Built Form and Design. 	✓
Building Height P7-8	<ul style="list-style-type: none"> Achieved. 	✓
Roof Form P11	<ul style="list-style-type: none"> Maintains existing roof form. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
LOW SCALE RESIDENTIAL DEVELOPMENT		
Building Siting O14, PDC23	<ul style="list-style-type: none"> See Section 9.4 on Visual Bulk and Overshadowing. 	✓
Daylight & Sunlight O15, P25-28	<ul style="list-style-type: none"> The design introduces a central courtyard and internal glazing that will provide indirect light to the ground floor. All habitable spaces, particularly bedrooms will have sufficient access to natural light. Staircase enclosure will not detrimentally impact on adjacent cottages access to natural light. 	✓
Private Open Space O16, P29-34	<ul style="list-style-type: none"> See Section 9.4 on Private Open Space / Landscaped Open Space. 	✗
Visual & Acoustic Privacy O17, P35-38	<ul style="list-style-type: none"> Achieved. 	✓
Adaptability P39	<ul style="list-style-type: none"> Achieved. 	✓
ENVIRONMENTAL		
Waste Management O28, P101-102	<ul style="list-style-type: none"> An area is dedicated for the storage of waste bins within the community land of the strata. 	✓
Energy Efficiency O30 P106-114	<ul style="list-style-type: none"> Habitable rooms are oriented to benefit from northern aspect. Natural cross ventilation will be possible by opening north and south facing windows to capture breezes. The internal courtyard shall also assist in providing appropriate degree of ventilation. 	✓
Heritage & Conservation P149-151	<ul style="list-style-type: none"> See Section 9.4 on Heritage and Conservation. 	✓
Built Form & Townscape P167	<ul style="list-style-type: none"> While POS and LOS requirements are not met, the existing shortfalls and siting of the development are considered to negate the requirement to have a significantly higher design outcome. 	✓ / ✗
Materials, Colours & Finishes. P187	<ul style="list-style-type: none"> Refer to Section 9.4 on Built Form and Design. 	✓

9.4 Detailed Discussion

Built Form and Design

This development proposal involves the modest expansion of an existing part one, part two storey dwelling. The works are predominantly internal, involving the refurbishment of the existing interior to create a more efficient and modern living arrangement.

The proposed external alterations include a new roof enclosure over related staircase, and minor increase in floor area at ground level. The rear wall at ground is to be demolished, with new double-glazed sliding doors to be constructed 455mm south into the existing courtyard. The existing dining room, which is located centrally within the existing dwelling is to be made redundant and converted to internal courtyard and new staircase and roof enclosure above as demonstrated in Figure 1 below.

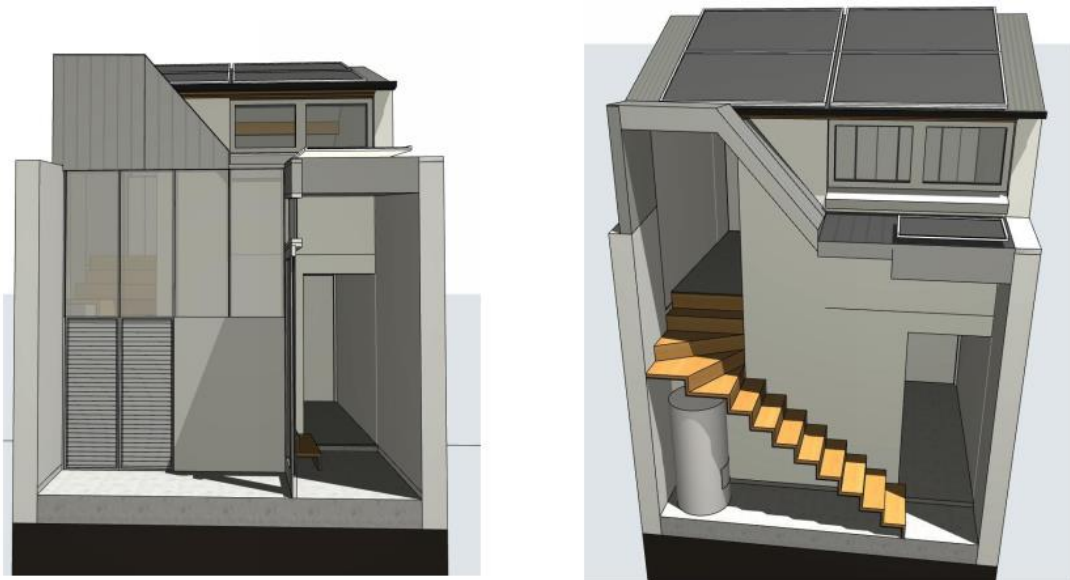


Figure 1 – Perspective plans of proposed staircase and associated roof

The enclosure has been sensitively designed with regards to preserving the heritage value of the subject site. This has been achieved by siting the enclosure as not to be visible from public vantage points and does not materially impact the historic fabric. The enclosure is approximately 1.3 metres higher than the existing roof for a distance of 1 metre before falling to match the existing roof height. It is to be clad in Revolution Roofing Europlus SnapLock 185mm wall sheeting in Colorbond Matt Basalt. The nominated external materials are appropriate, thus satisfying CW PDC187.

Heritage and Conservation

Given the site is a State Heritage Place, the application was referred to the Department of Environment and Water – Heritage SA. As per the comments outlined

in Section 7.1, the proposed development is considered to be acceptable from heritage perspective thus satisfying CW O43, PDC 136, 137(b)(c) and 142.

The works are acceptable from heritage on the following grounds:

- Internal refurbishment affects the later addition only and not elements of heritage value.
- Development is sited behind original built form
- Appropriate use of materials, compatible with the State Heritage Place.

Visual Bulk and Overshadowing

One representor raised concern that the protruding staircase will diminish their amenity in relation to visual impact and access to light and is therefore at variance with the Objective 2 of the Policy Area. Supportive documentation provided by the applicant's architect suitably demonstrates that the visual impact of the stairwell and shadowing impacts are negligible.



Figure 2 – Sightline perspective

The proposed is considered to satisfy CW O14(b), PDC23(a) and (b) and CW PDC26, as the development will not result in unreasonable visual impact and will maintain access to light and ventilation to adjoining landowners POS.

Private Open Space / Landscaped Open Space

The existing dwelling has a 6m² courtyard at the rear. This courtyard does not meet the minimum dimension of 2.5 metres to be considered POS as stipulated in CW

PDC31(a). The relocation of the external wall will further reduce this to 4.2m², however still does not meet the minimum dimensions to constitute POS.

The proposed alterations will provide a 4m² central courtyard, which meets the minimum dimension to constitute POS. The siting of the courtyard will also improve access to light and promote cross ventilation for occupants. Ultimately it is noted that the proposal is at variance with PDC31(a) as the proposal does not meet POS requirement of 35m².

The proposal also maintains an existing shortfall in landscaped open space. PA6 stipulates a requirement of 30%, however the proposal maintains the existing LOS of 19.5%. These shortfalls are not considered to be a fatal to the proposal given the historic built form of the subject site and inclusion of the central courtyard.

9.5 **Conclusion**

The development proposal involves minor external alterations to existing dwelling and reconfiguration of the dwelling's interior.

The built form of the proposed roof enclosure is a predominant component of this application, particularly given the opposition from a representor. The roof enclosure is considered to appropriately sited in a manner that will not be visible from public vantage point. Whilst the representor has raised amenity impacts with regards to visual and shadow impact, the supportive documentation provided by the applicant suitably demonstrates nil impact. It is therefore considered that the proposal meets PA11O1-2 in that new development is both consistent with the Desired Character of the Policy Area and maintains residential amenity.

It is noted that the proposed development maintains existing shortfalls in LOS and POS, which is considered to be acceptable given the existing shortfall and introduction of a new internal courtyard, which will improve residential amenity for the occupants.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because it proposes form of development that is desired in the Zone and Policy Area.

It has been determined that, on balance, the proposal warrants Development Plan Consent.

10. **RECOMMENDATION**

That the development, the subject of the application from Ms J R H Clarson for internal and external alterations to existing part single/part two storey dwelling at 58 Kingston Terrace, North Adelaide SA 5006 as shown on plans designated DA/212/2020:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following conditions and advices:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**

- **Plans and details prepared by DESIGN 3 – Project Name: 58 Kingston Terrace North Adelaide:**
 - **Sheet No. sd 05.01, sd 05.02, sd 05.03, sd 05.04, sd 08.01, sd 09.01, sd 09.02, sd 09.03 and sd 09.04**

to the reasonable satisfaction of the Council except where varied by conditions below (if any).

Reason: *To ensure that the Development is undertaken in accordance with the plans and details submitted.*

2. **External materials, surface finishes and colours of the Development shall be consistent with the description and sample hereby granted consent and shall be to the reasonable satisfaction of the Council.**

Reason: *To ensure a high standard of materials and finishes used in the finished presentation of the Development.*

Advices

1. **Building Consent for Approval**

Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.

2. **Expiration Time of Approval**

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

3. Requirements of the Heritage Places Act 1993

The applicant is advised 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 of Environment and Water (DEW) on 8124 4960.

4. Requirements of the Aboriginal Heritage Act 1988

The applicant is advised of the following requirements of the *Aboriginal Heritage Act 1998*:

- 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*.
-

Item No. 3.2 – Attachments 1 – 21 (58 Kingston Terrace, North Adelaide SA 5006)

Pages 74 to 94

ATTACHMENTS

Plans and Supporting Information

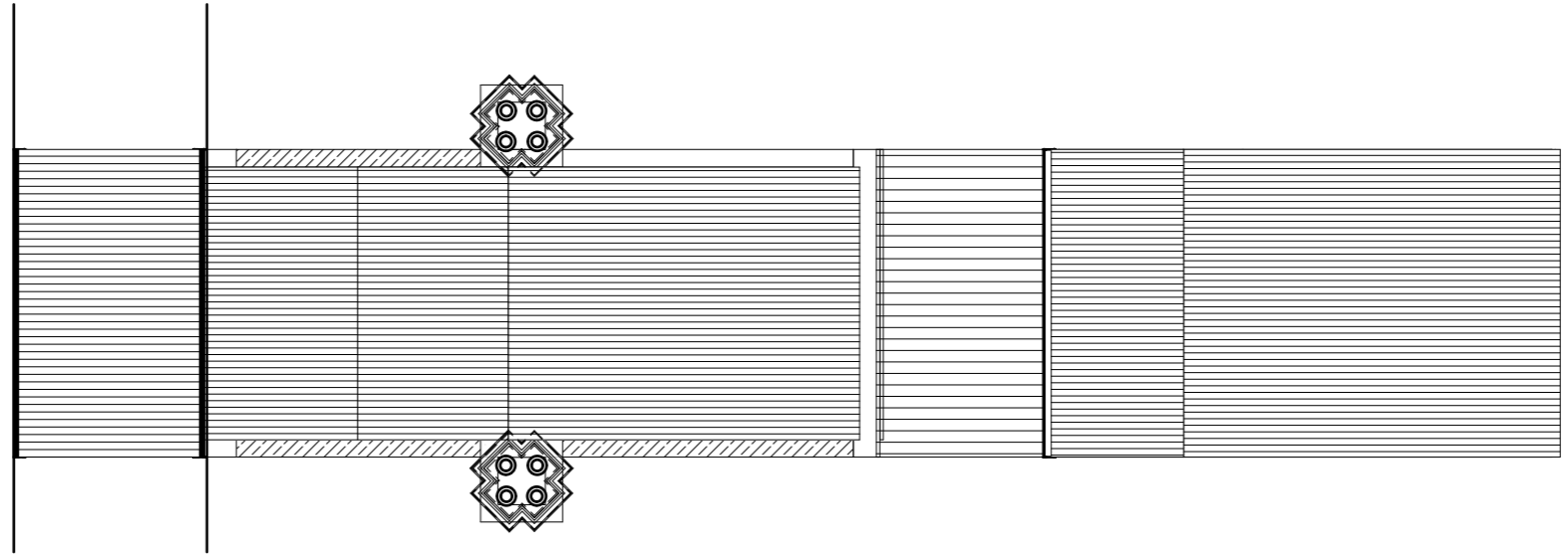
- Plans and details 1 – 9
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Comments from Public Notification 15 – 16

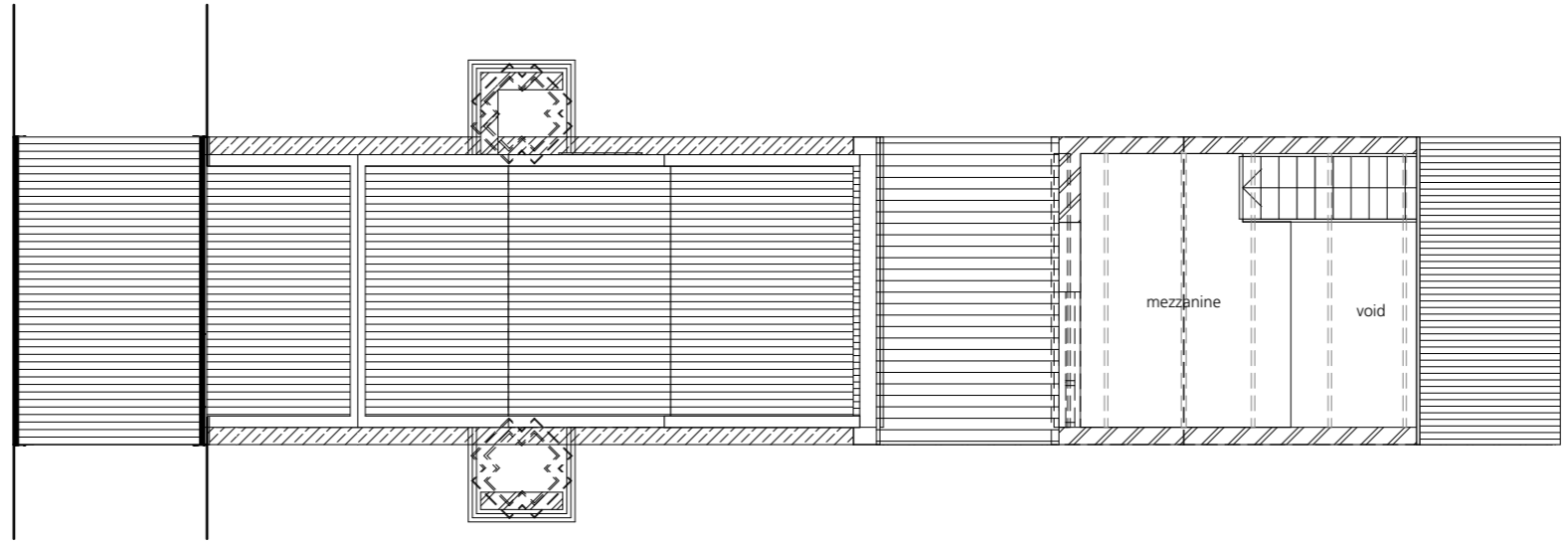
Applicant Response to Representations 17

- Supportive Documentation 18 – 21

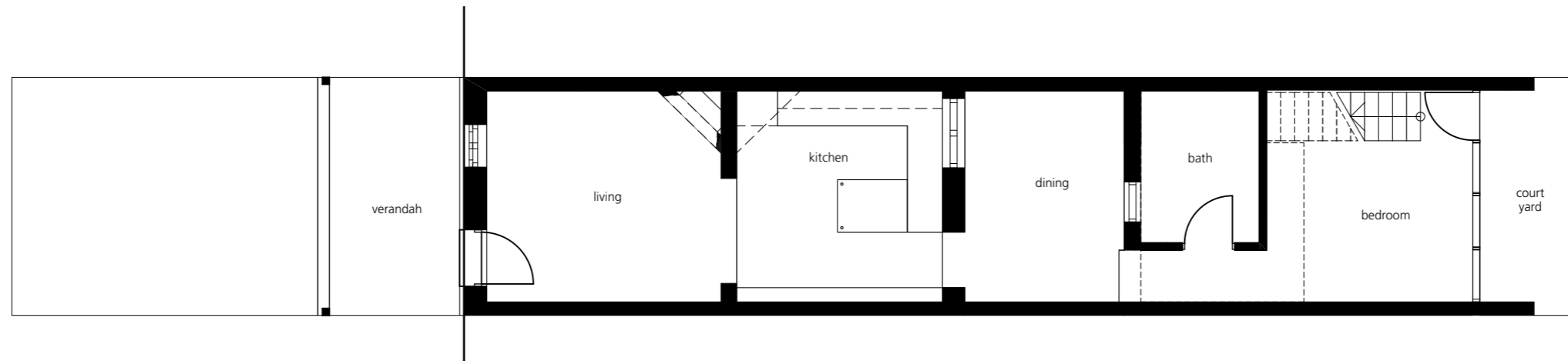
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roof plan existing
1:100



mezzanine existing
1:100



ground floor existing
1:100

existing ground	67.45 m ²
mezzanine	11.27 m ²
total	78.72 m²
private open space	6.03 m ²
verandah	8.90 m ²

design 3

p.o. box 844 tynte street
north adelaide SA 5006
martin@design3.com.au
m: 0401 191 950
BLD: 160241

58 kingstone tce
north adelaide

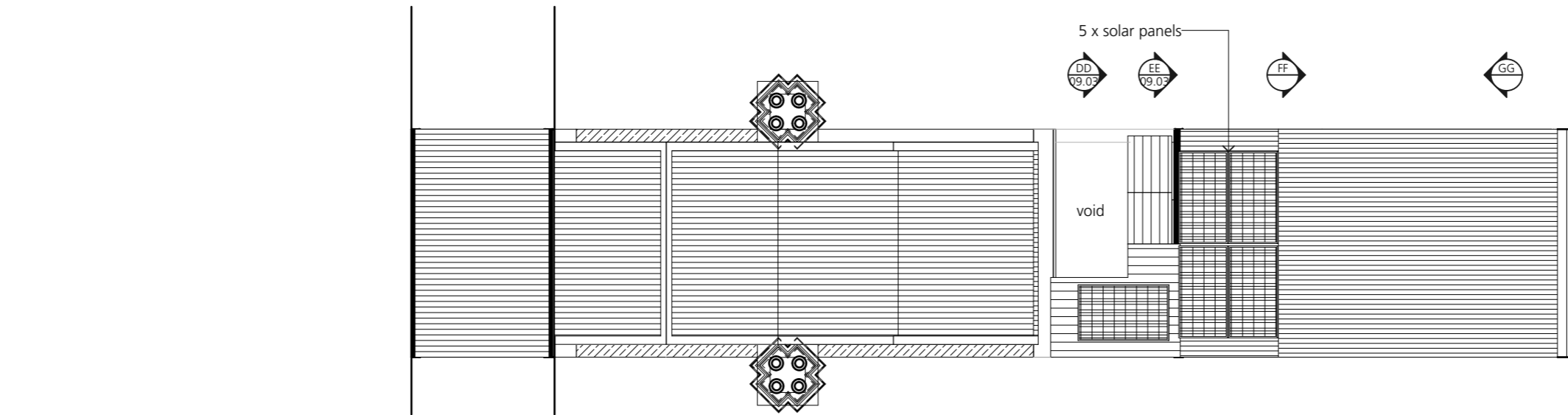
project floor plans existing

detail

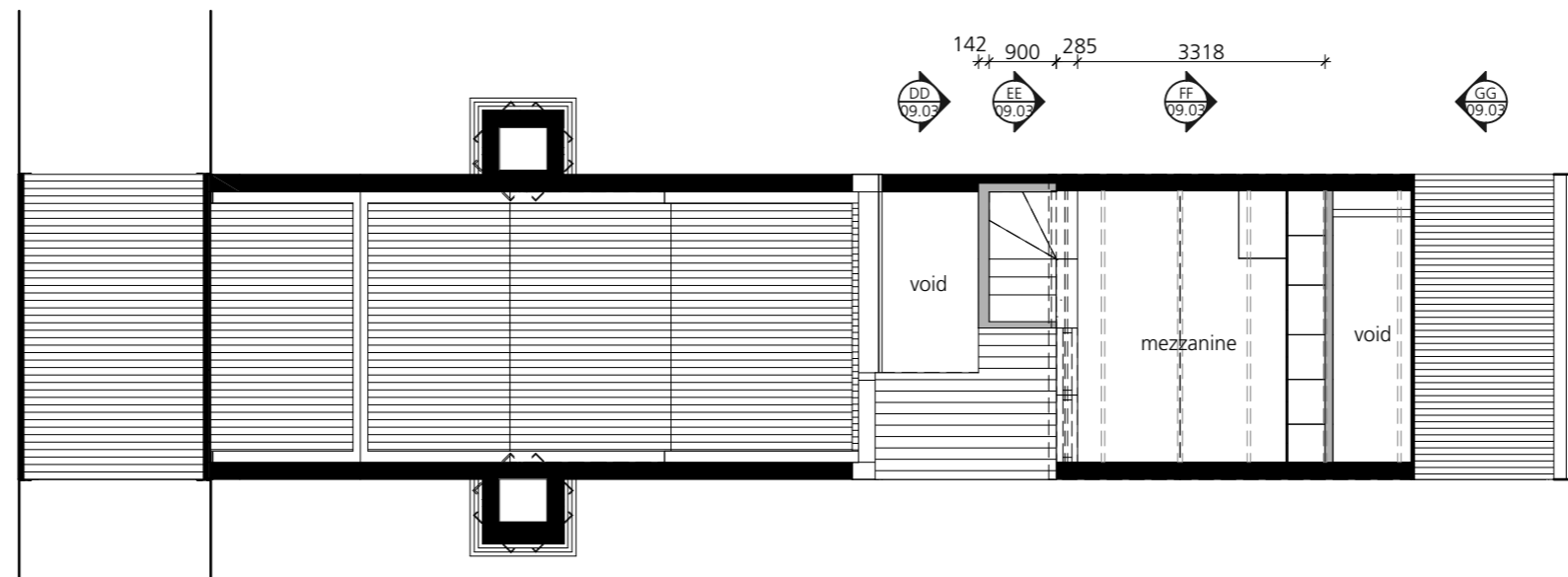
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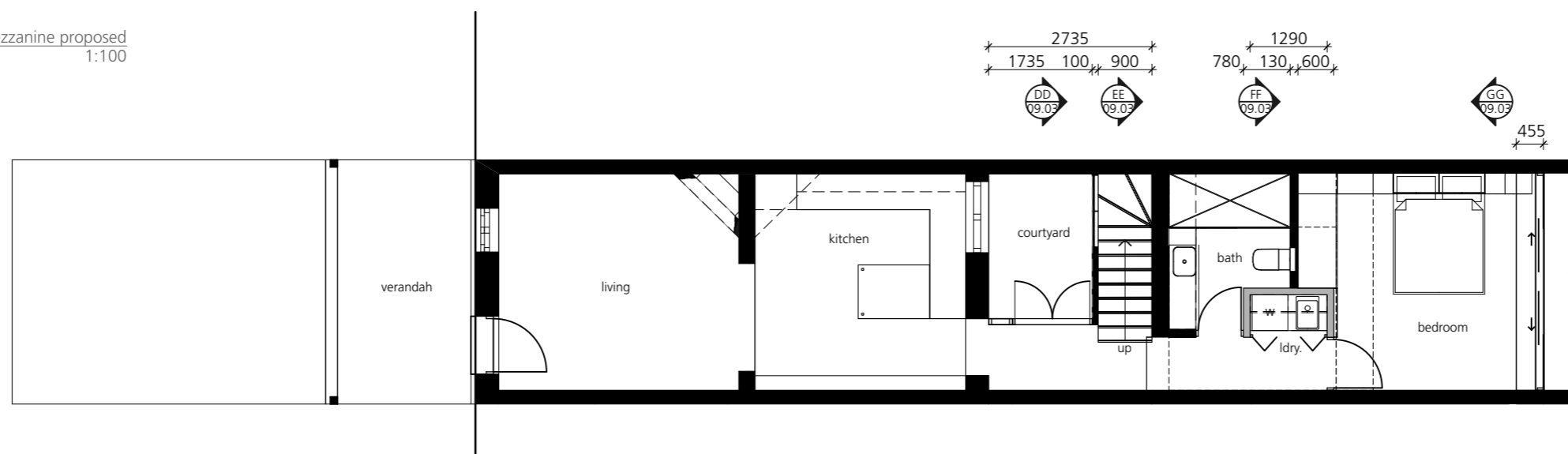
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roof plan proposed
1:100



mezzanine proposed
1:100



ground floor proposed
1:100

NOTES:

NEW EXTERNAL MATERIALS:

FLOORING:

- external: new courtyard paving.

SOUTH WALL:

- glazing in captive timber window & door frames.

COURTYARD SOUTH WALL:

- brick wall
- Danpalon Ice multicell translucent polycarbonate.
- with aluminium framed louvred doors
- Revolution Roofing Europlus SnapLock 185mm wide pan concealed fix wall sheeting in Colorbond Matt Basalt.

COURTYARD NORTH WALL:

- restored existing brick & stonework

COURTYARD EAST WALL:

- restored existing brickwork

COURTYARD WEST WALL:

- glazing in captive window & door frames

ROOFING:

- Revolution Roofing Europlus SnapLock 185mm wide pan concealed fix wall sheeting in Colorbond Matt Basalt.
- new courtyard link roofing to match existing.

existing ground	67.45 m ²
mezzanine	11.27 m ²
total	78.72 m ²
private open space	6.03 m ²
verandah	8.90 m ²
proposed ground	64.47 m ²
mezzanine	13.92 m ²
total	78.39 m ²
private open space	8.58 m ²
verandah	8.90 m ²



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58 kingstone tce
north adelaide

project

floor plans

detail

22.jan.20 as noted

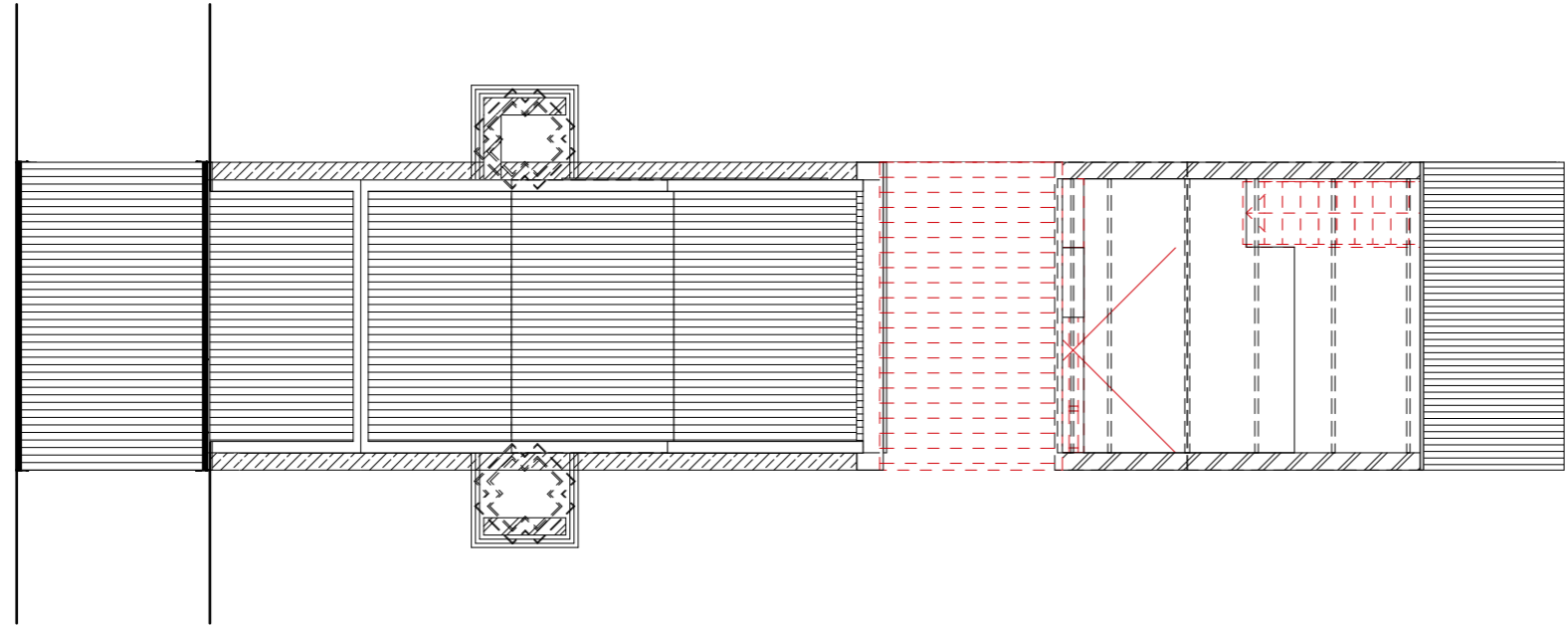
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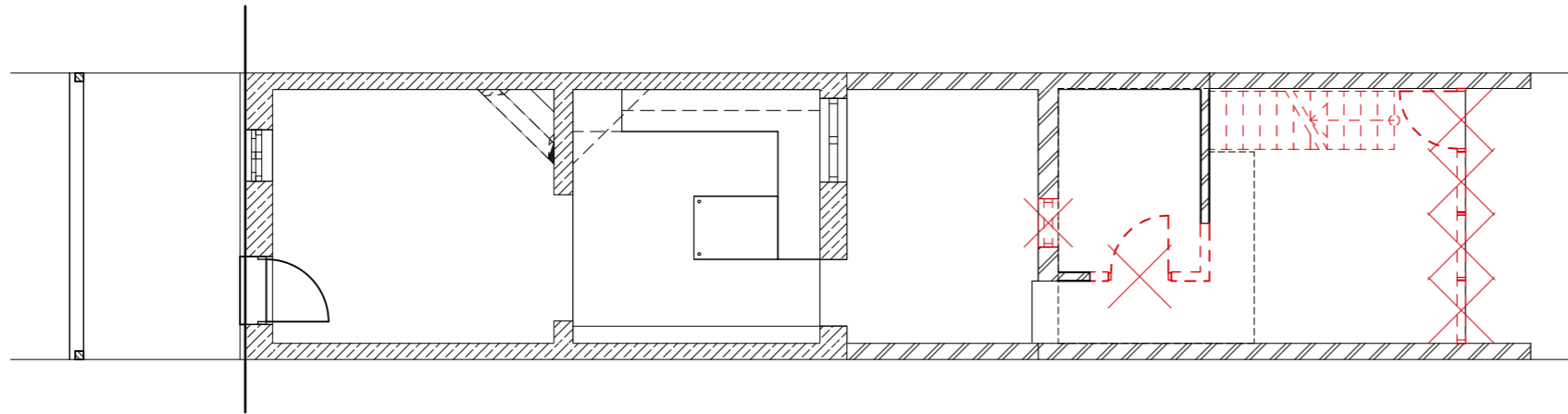
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prelim 1

rev.




 first floor demolition
 1:100




 ground floor demolition
 1:100



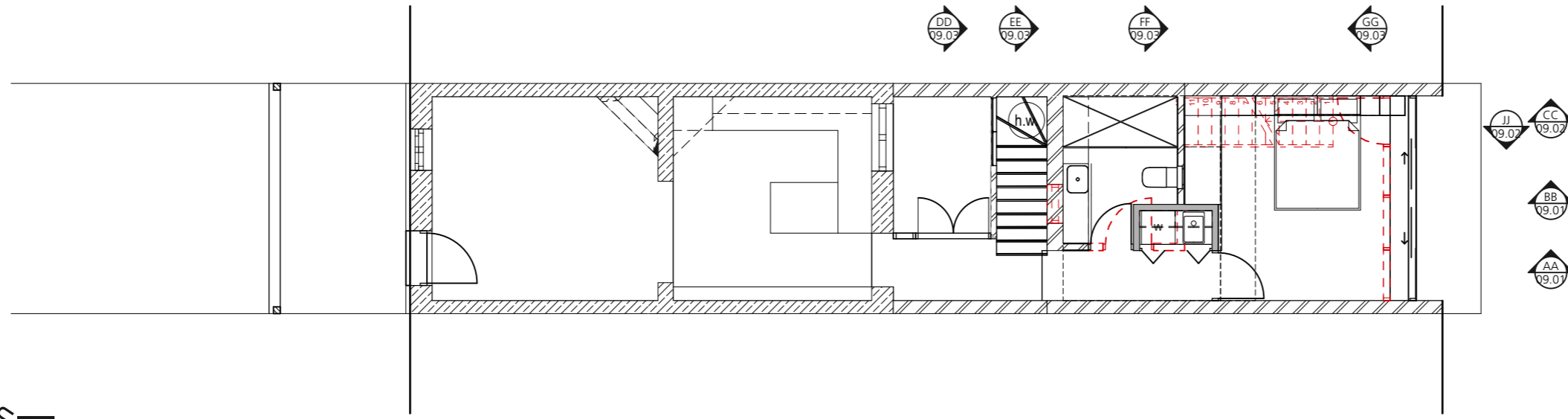
p.o. box 844 tynte street
 north adelaide SA 5006
 martin@design3.com.au
 m: 0401 191 950
 BLD: 160241


58 kingston tce
 north adelaide
 project

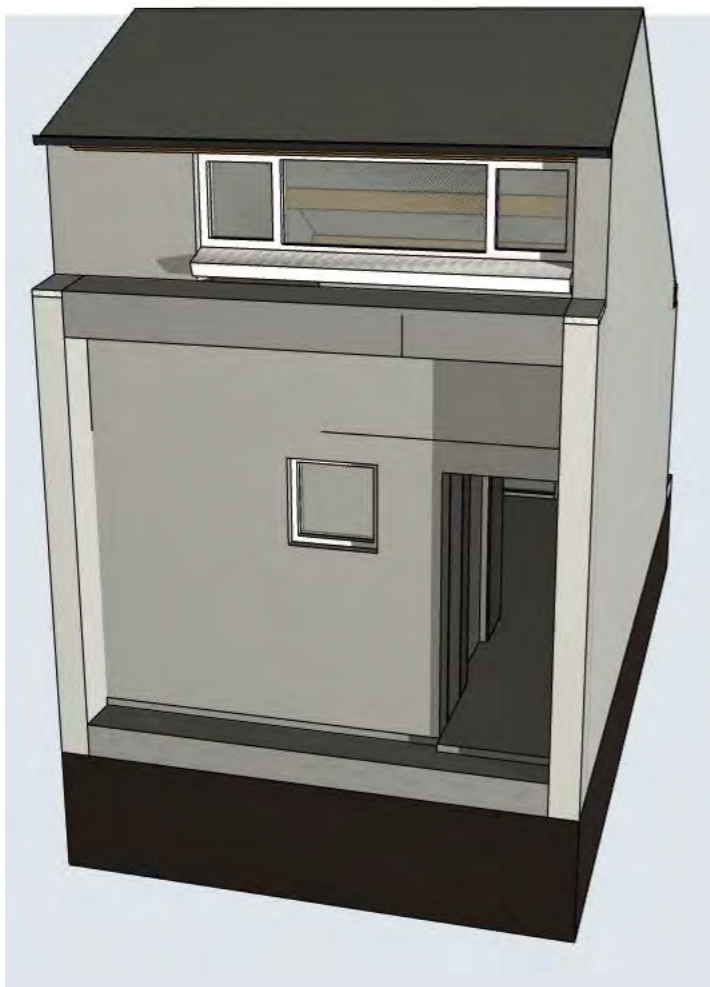
demolition plans
 detail

22.jan.20 as noted
 date scale

sd 05.03
 sheet
 rev. prelim 1




 ground floor demolition overlay
1:100



 section E-E perspective existing



 cutaway perspective with demolition

design 3

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58 kingston tce
north adelaide

project

demolition overlay

detail

22.jan.20 as noted

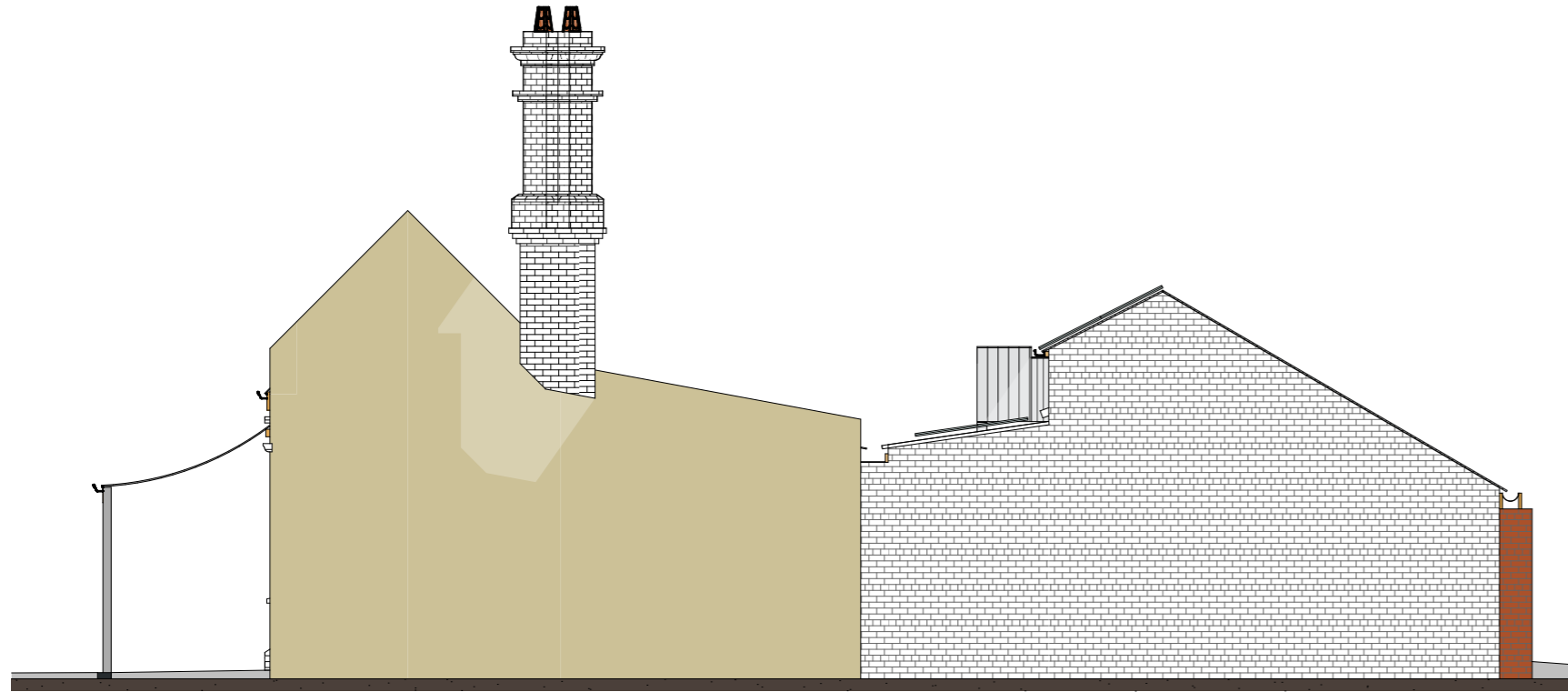
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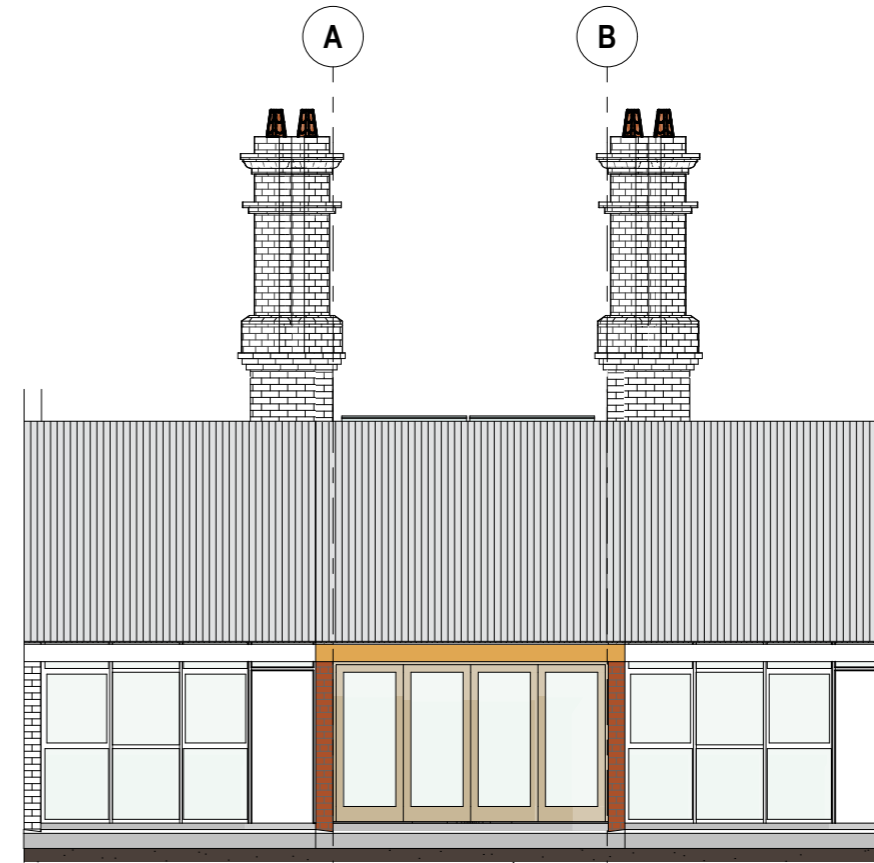
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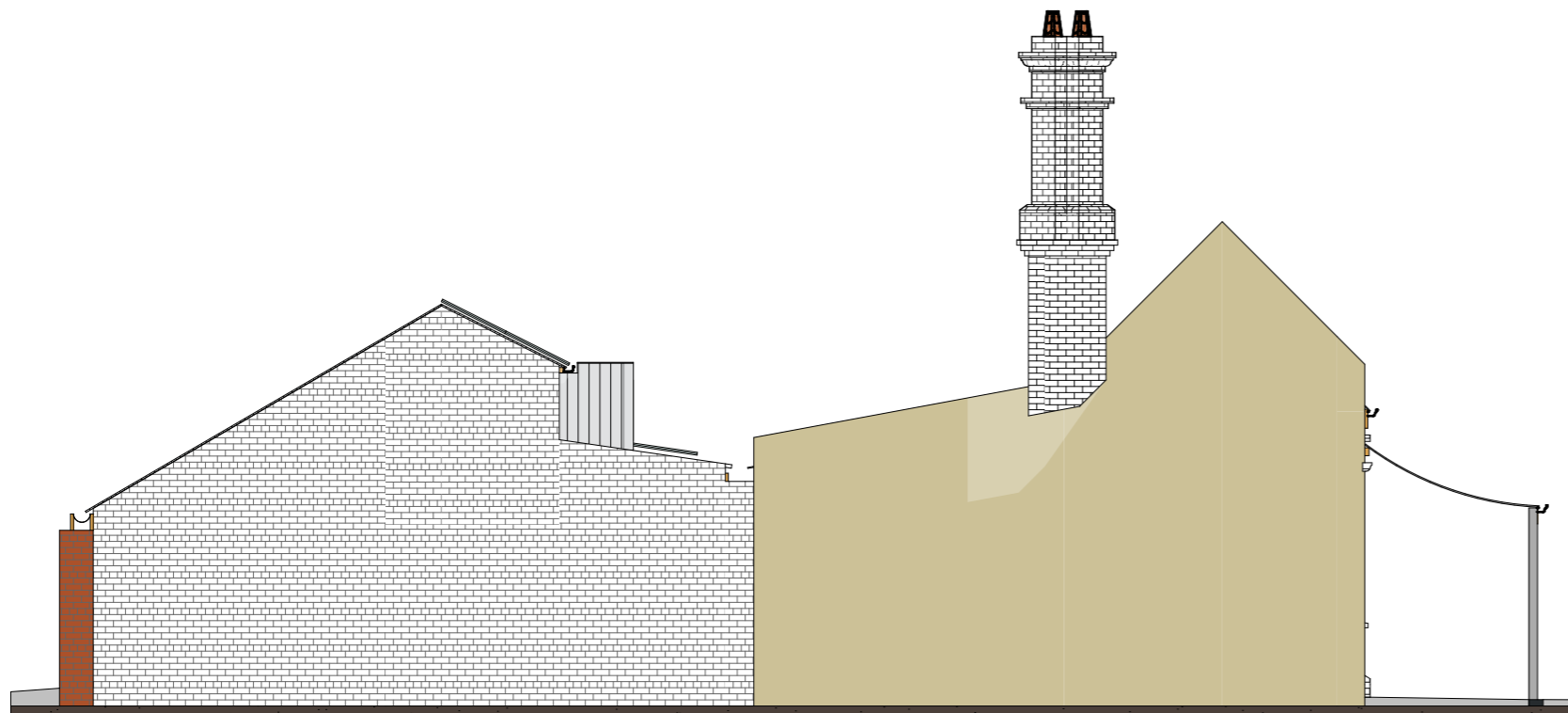
rev.



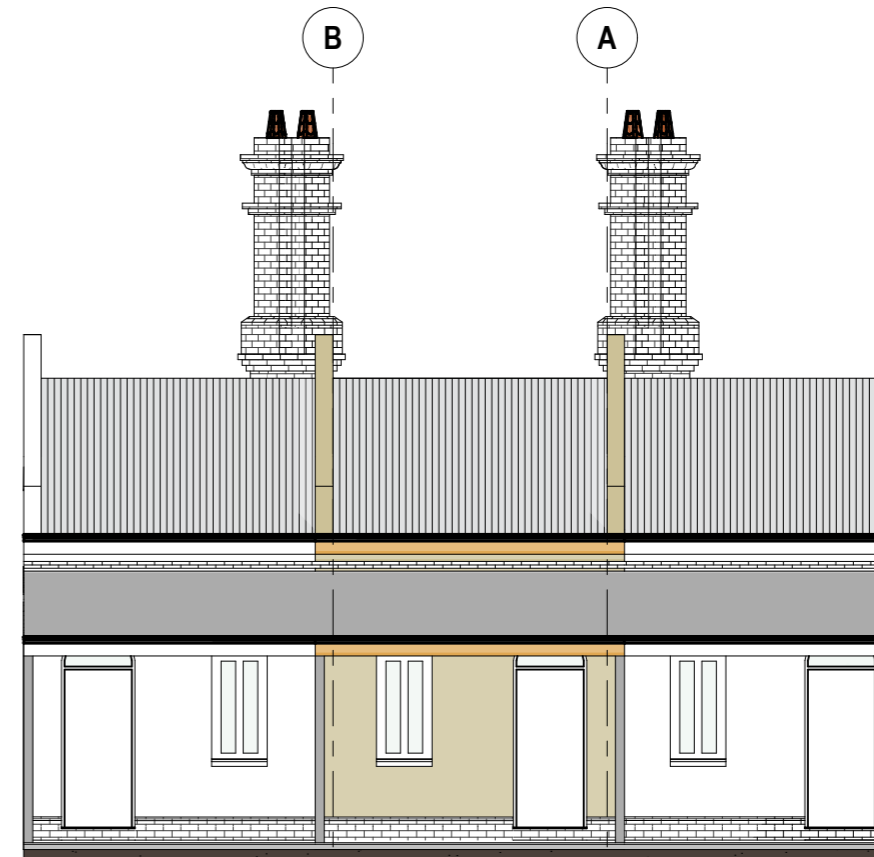
West Elevation
1:100



South Elevation
1:100



East Elevation
1:100



North Elevation
1:100

NOTES:

NEW EXTERNAL MATERIALS:

FLOORING:

- external: new courtyard paving.

SOUTH WALL:

- glazing in captive timber window & door frames.

COURTYARD SOUTH WALL:

- brick wall
- Danpalon Ice multicell translucent polycarbonate with aluminium framed louvred doors
- Revolution Roofing Europlus SnapLock 185mm wide pan concealed fix wall sheeting in Colorbond Matt Basalt.

COURTYARD NORTH WALL:

- restored existing brick & stonework

COURTYARD EAST WALL:

- restored existing brickwork

COURTYARD WEST WALL:

- glazing in captive window & door frames

ROOFING:

- Revolution Roofing Europlus SnapLock 185mm wide pan concealed fix wall sheeting in Colorbond Matt Basalt.
- new courtyard link roofing to match existing.

existing ground	67.45 m ²
mezzanine	11.27 m ²
total	78.72 m ²

private open space	6.03 m ²
verandah	8.90 m ²

proposed ground	64.47 m ²
mezzanine	13.92 m ²
total	78.39 m ²

private open space	8.58 m ²
verandah	8.90 m ²



p.o. box 844 tynte street
north adelaide SA 5006
martin@design3.com.au
m: 0401 191 950
BLD: 160241

58 kingston tce
north adelaide

project elevations

detail

22.jan.20 as noted

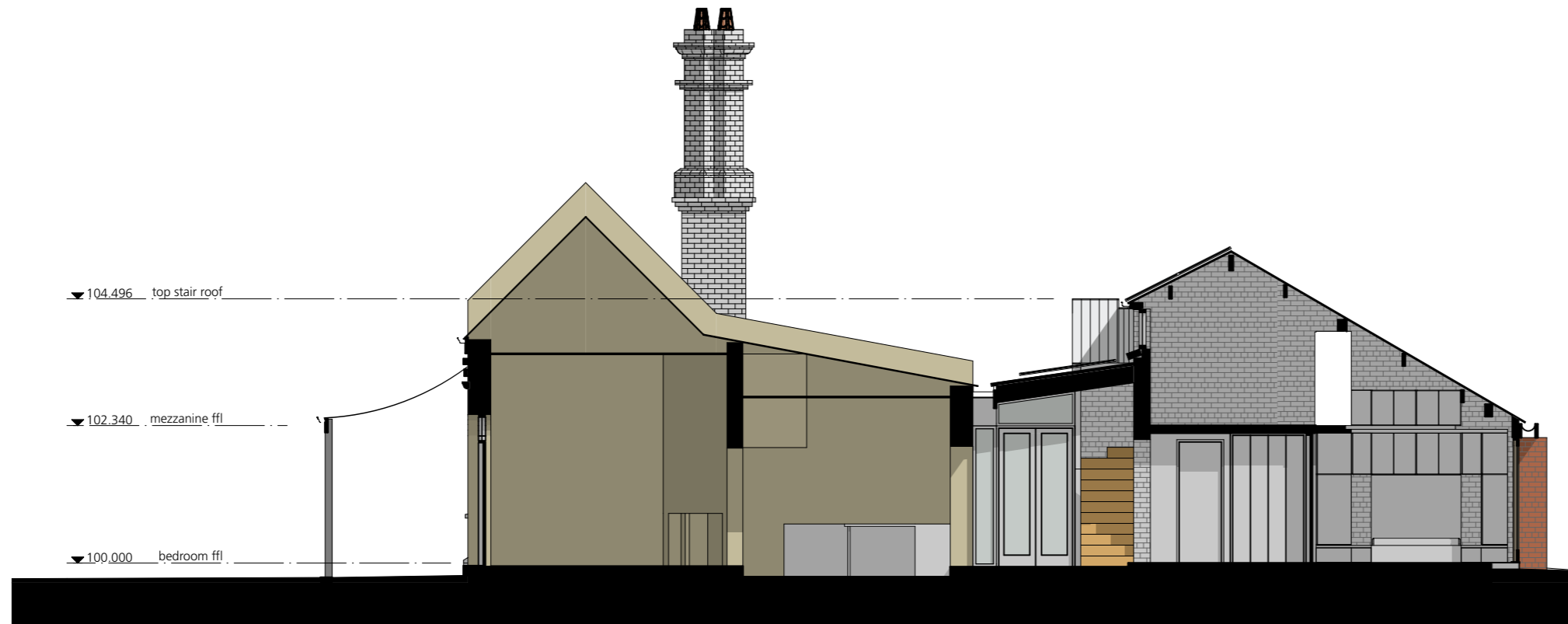
date scale

sd 08.01

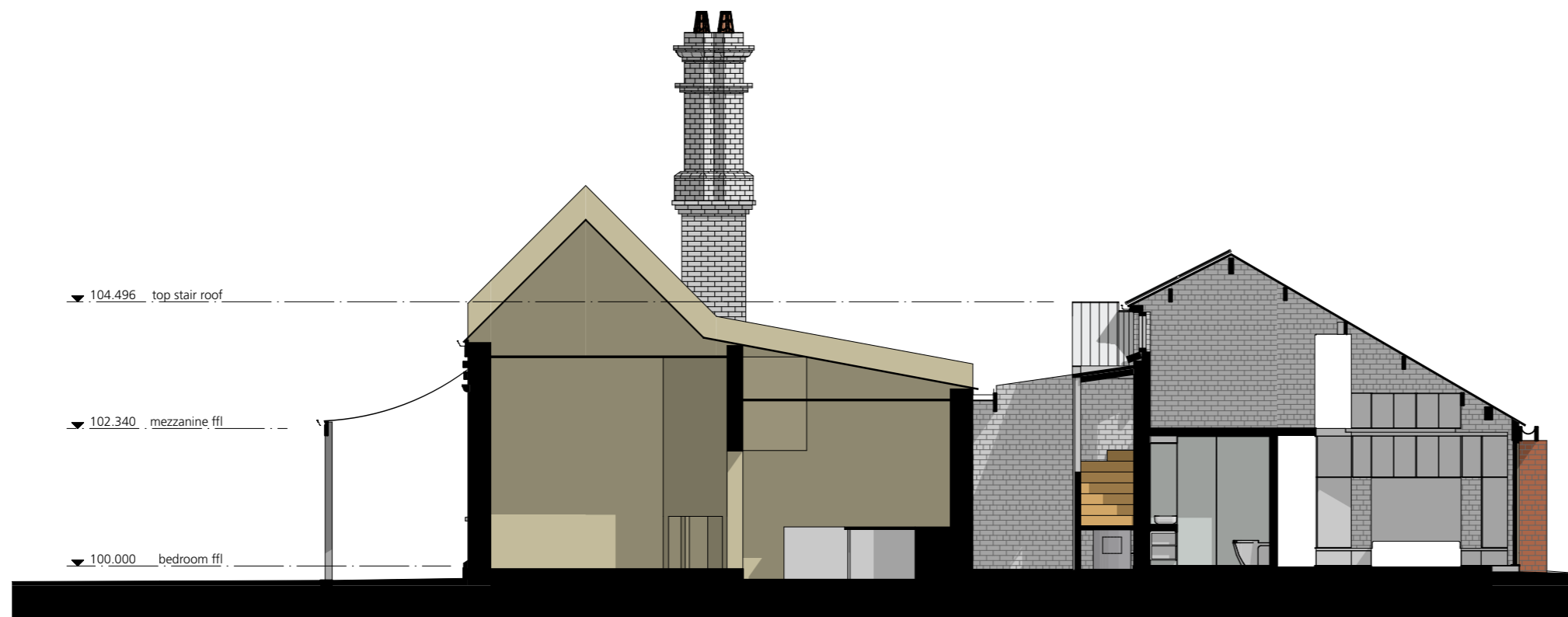
sheet

prelim 1

rev.



Section AA
1:100



Section BB
1:100

NOTES:

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FLOORING:

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project

sections 1

detail

22.jan.20 as noted

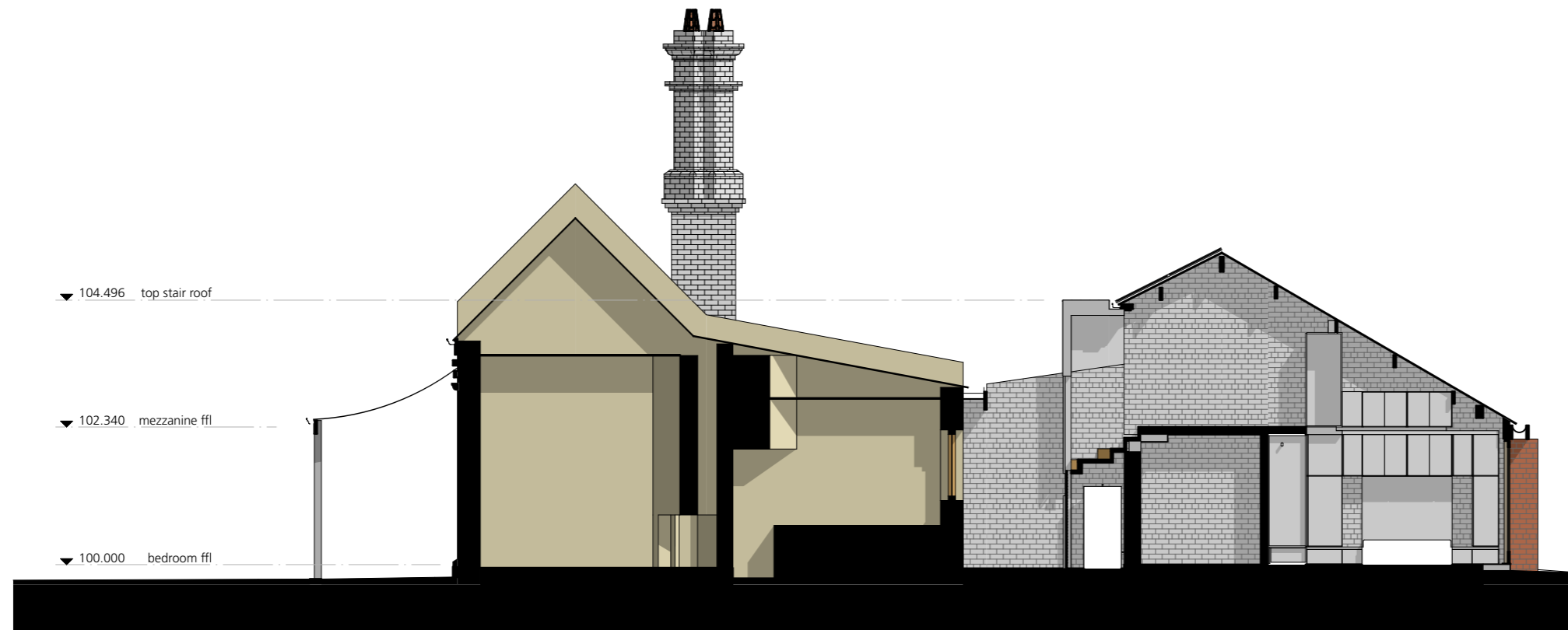
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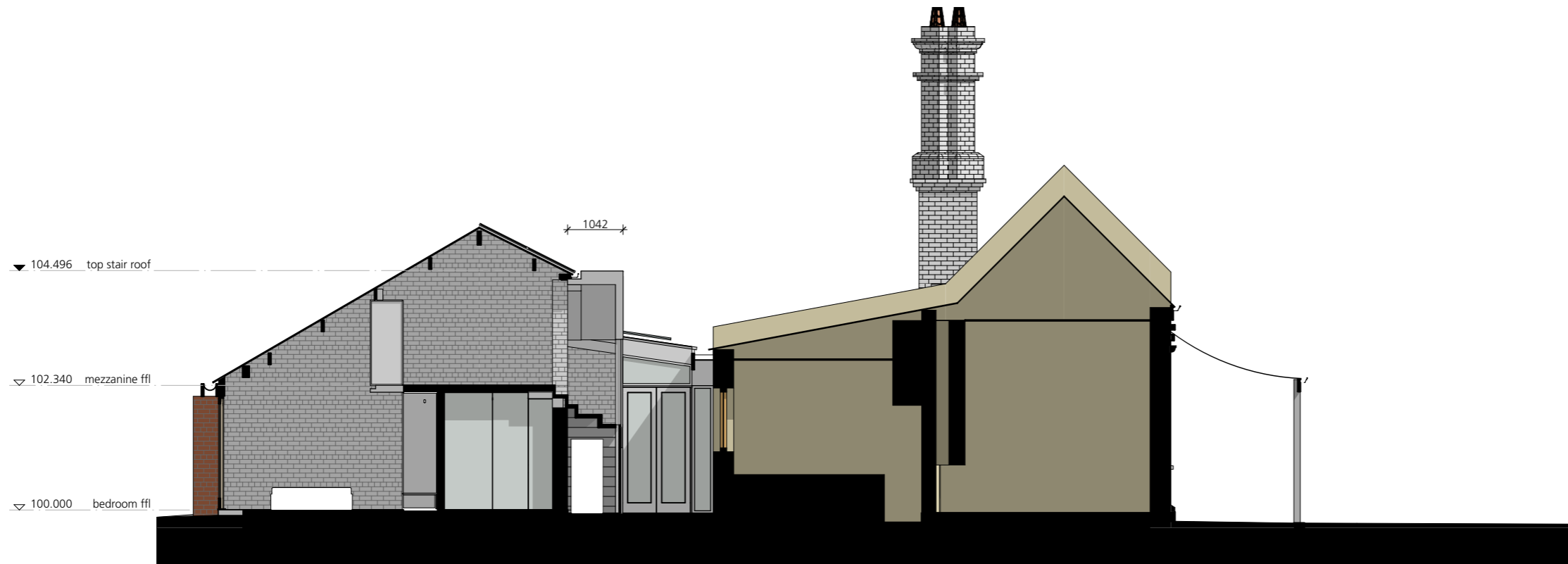
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prelim 1

rev.



Section CC
1:100



Section JJ
1:100

NOTES:

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FLOORING:

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SOUTH WALL:

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project

sections 2

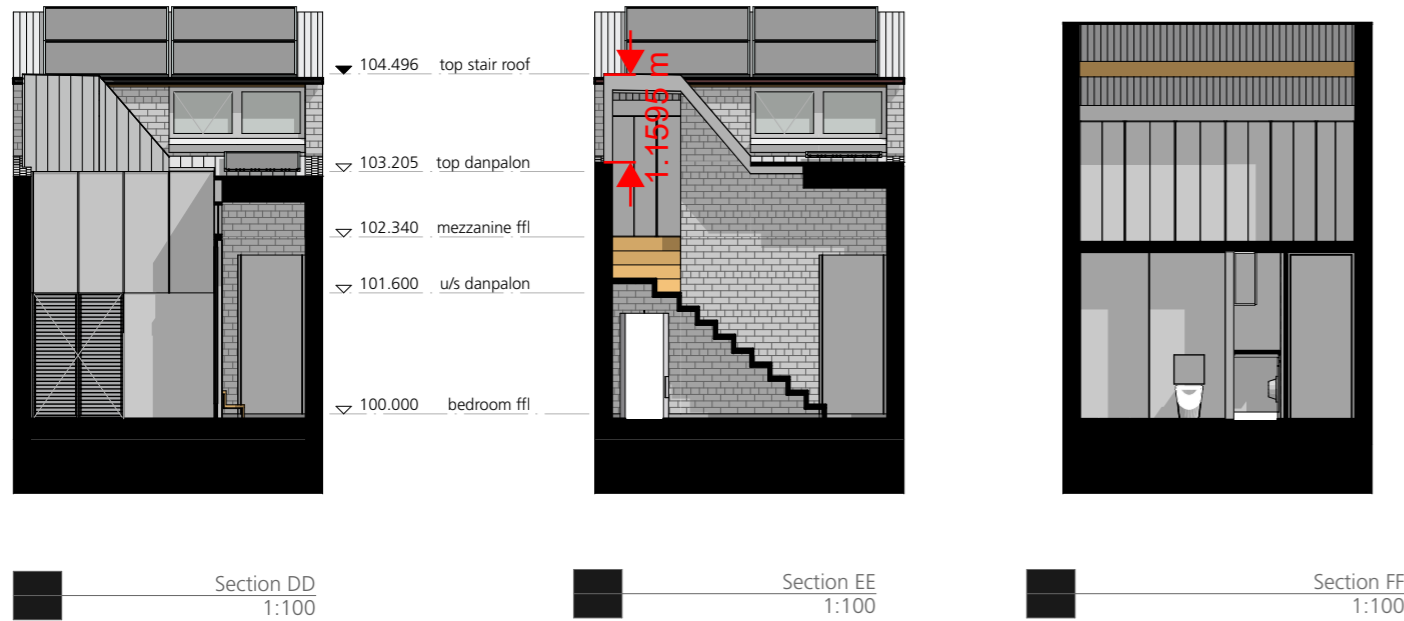
detail

22.jan.20 as noted

date scale

sd 09.02

sheet	
rev.	prelim 1



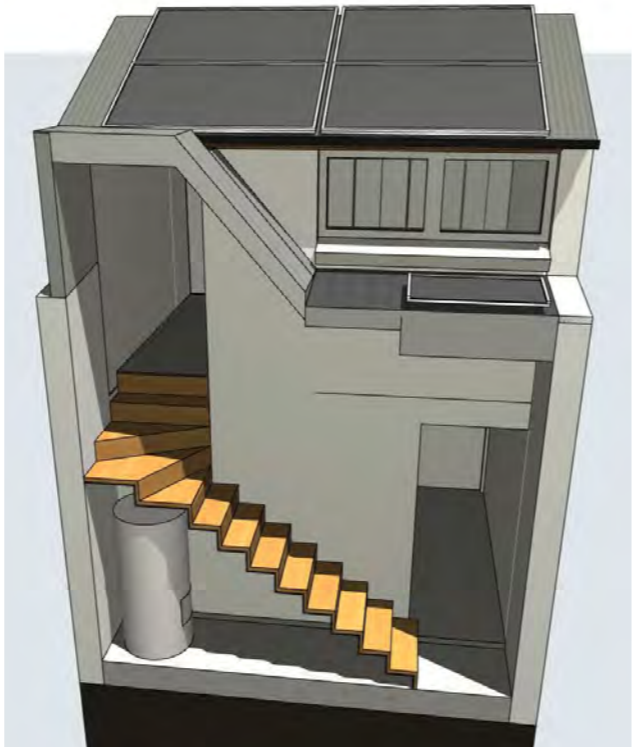
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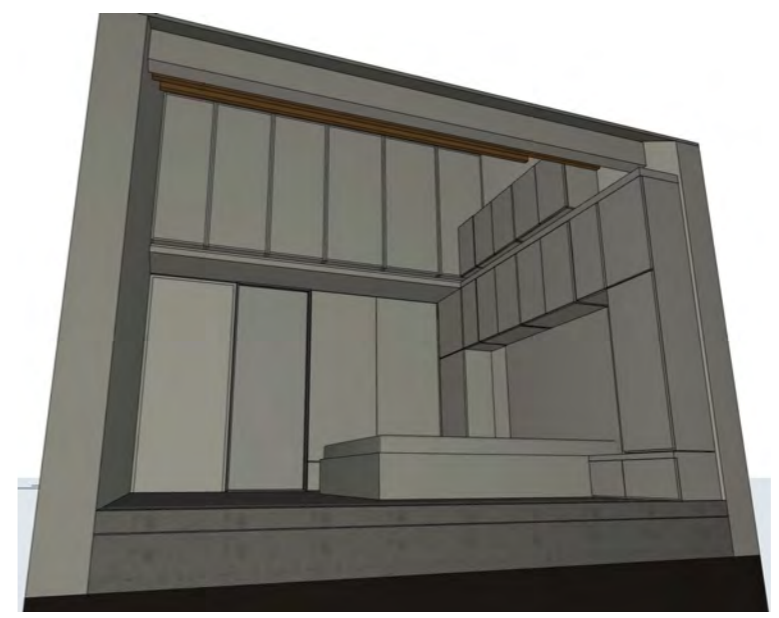
section C-C perspective



section D-D perspective



section E-E perspective



section G-G perspective



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58 kingston tce
north adelaide
project
Sections 3
detail
22.jan.20 as noted
date scale

sd 09.03
sheet
prelim 1
rev.



section A-A perspective



section B-B perspective

- NOTES:
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design 3

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58 kingston tce
north adelaide

project

Sections 4

detail

22.jan.20 as noted

date scale

sd 09.04

sheet

prelim 1

rev.



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



Certificate of Title - Volume 5052 Folio 42

Parent Title(s) CT 3947/157
Creating Dealing(s) CONVERTED TITLE
Title Issued 06/11/1991 Edition 4 Edition Issued 06/08/2019

Estate Type

FEE SIMPLE (UNIT)

Registered Proprietor

JADE RENEE HOCKEY CLARSON
OF 2A HAWKER STREET Ovingham SA 5082

Description of Land

UNIT 4 STRATA PLAN 1036
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13151248	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

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

Administrative Interests

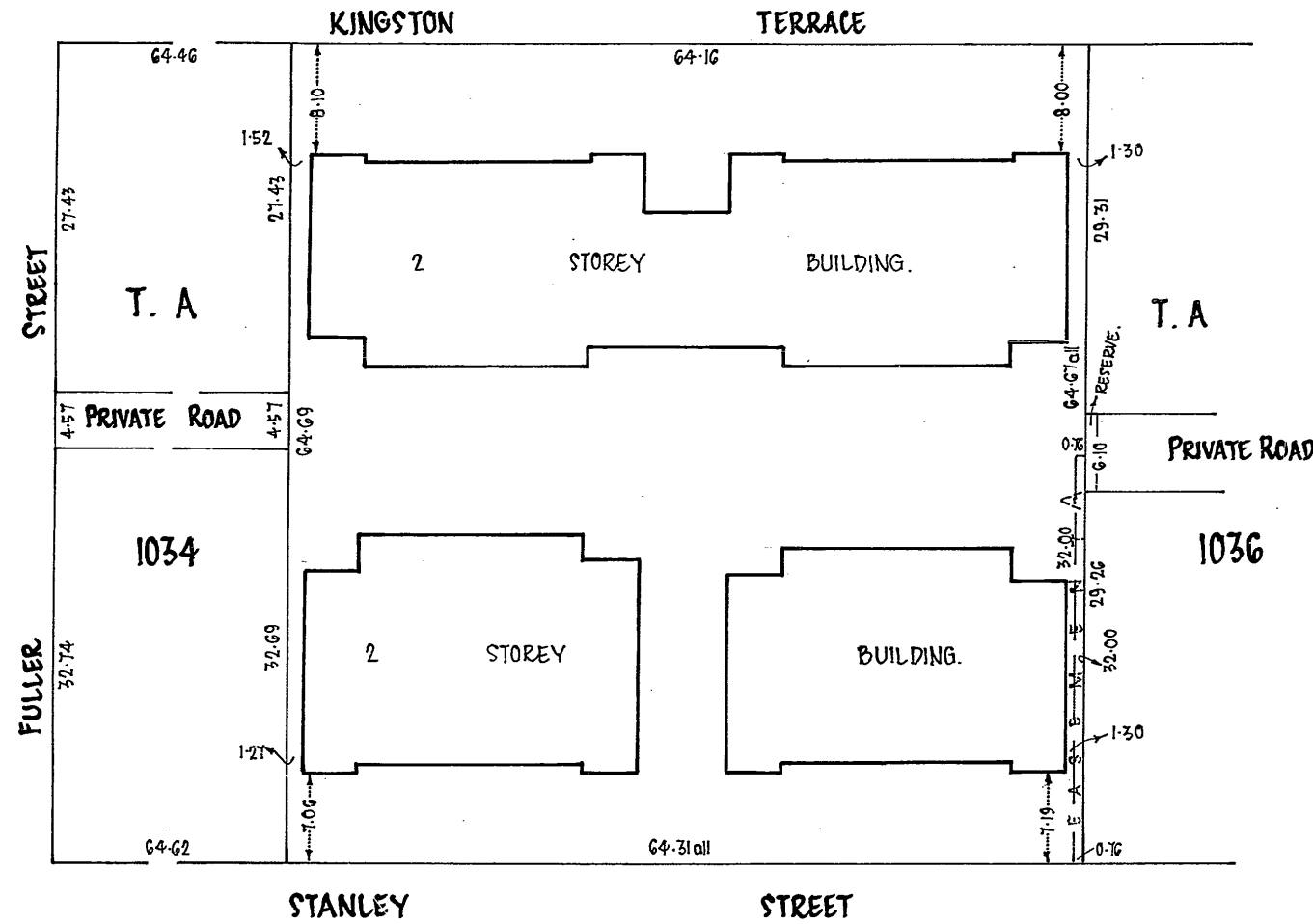
CONFIRMED IN SA HERITAGE REGISTER 11/09/1986

CITY OF ADELAIDE
Town Acre 1035
In the area named
NORTH ADELAIDE

STRATA PLAN
1036
IST. OF 4 SHEETS

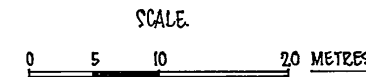
ACCEPTED AND DEPOSITED
Maxwell Ernest Holder
CHIEF DEPT. OF SURVEYS
Per Registration 18.6.73

Alpha Easement Identifier vide
Dkt. 4370/1976 pro RG 4-11-91



CERTIFICATE OF TITLE: VOL. 594 FOL. 98

SITE PLAN



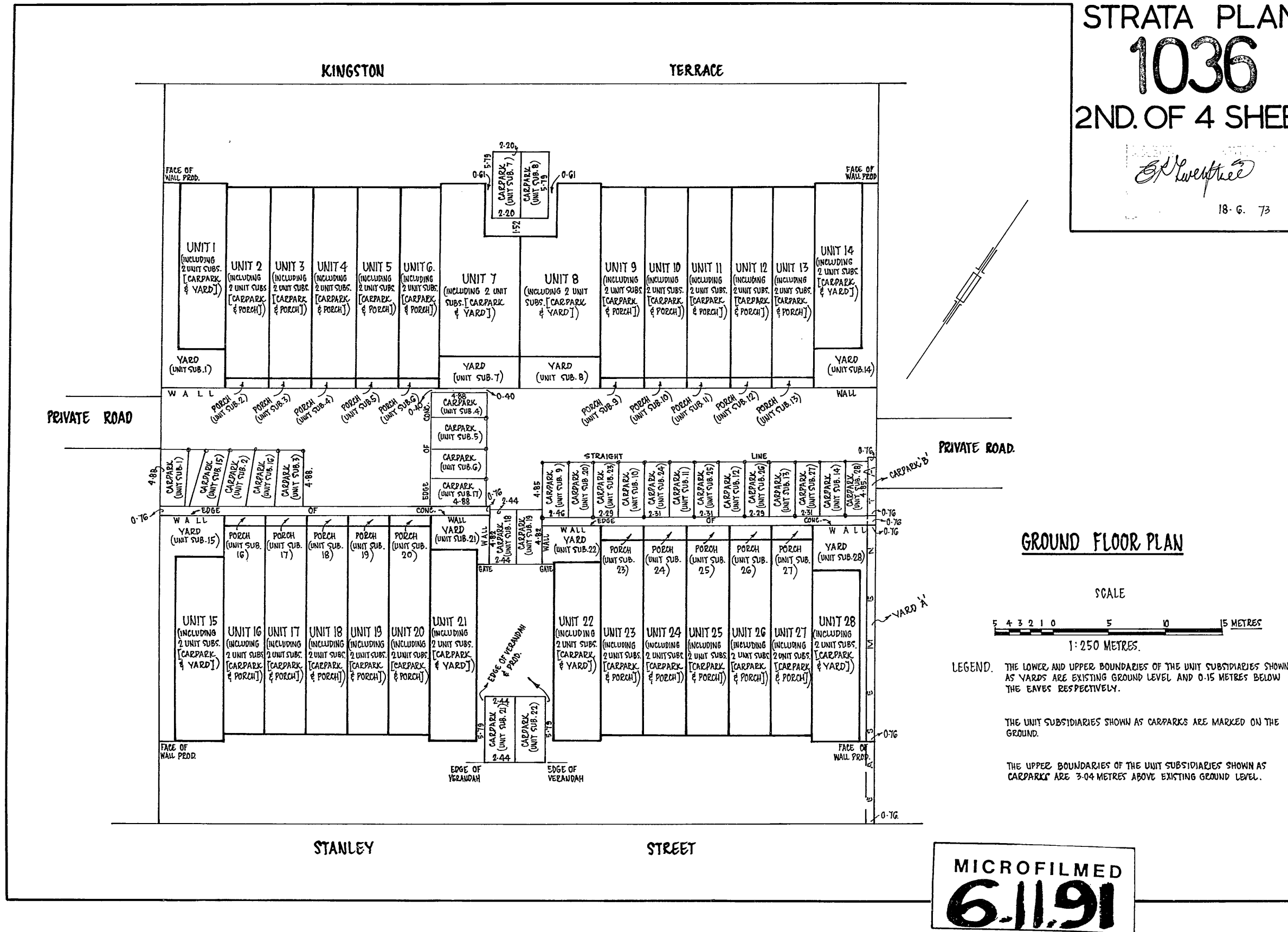
1:400 METRES.

- I, MAXWELL ERNEST HOLDER, A LICENSED SURVEYOR WITHIN THE MEANING OF THE SURVEYORS ACT 1935-1961, DO HEREBY CERTIFY:
1. THAT ALL THE UNITS AND UNIT SUBSIDIARIES AND ALL BUILDINGS AND OTHER STRUCTURES DEPICTED HEREON ARE WHOLLY COMPRISED WITHIN THE BOUNDARIES OF THE PARCEL DELINEATED ON THIS STRATA PLAN.
 2. THAT THIS STRATA PLAN REPRESENTS AN ACCURATE DELINEATION OF THE UNITS AND UNIT SUBSIDIARIES AS CONSTRUCTED OR LAID OUT ON THE PARCEL.

DATED THIS 11TH DAY OF NOVEMBER 1972.

M. E. Holder LICENSED SURVEYOR.

MICROFILMED
6.11.91



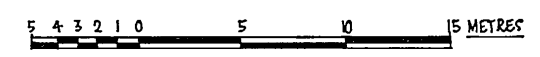
STRATA PLAN
1036
 2ND. OF 4 SHEETS

[Signature]

18.6.73

GROUND FLOOR PLAN

SCALE



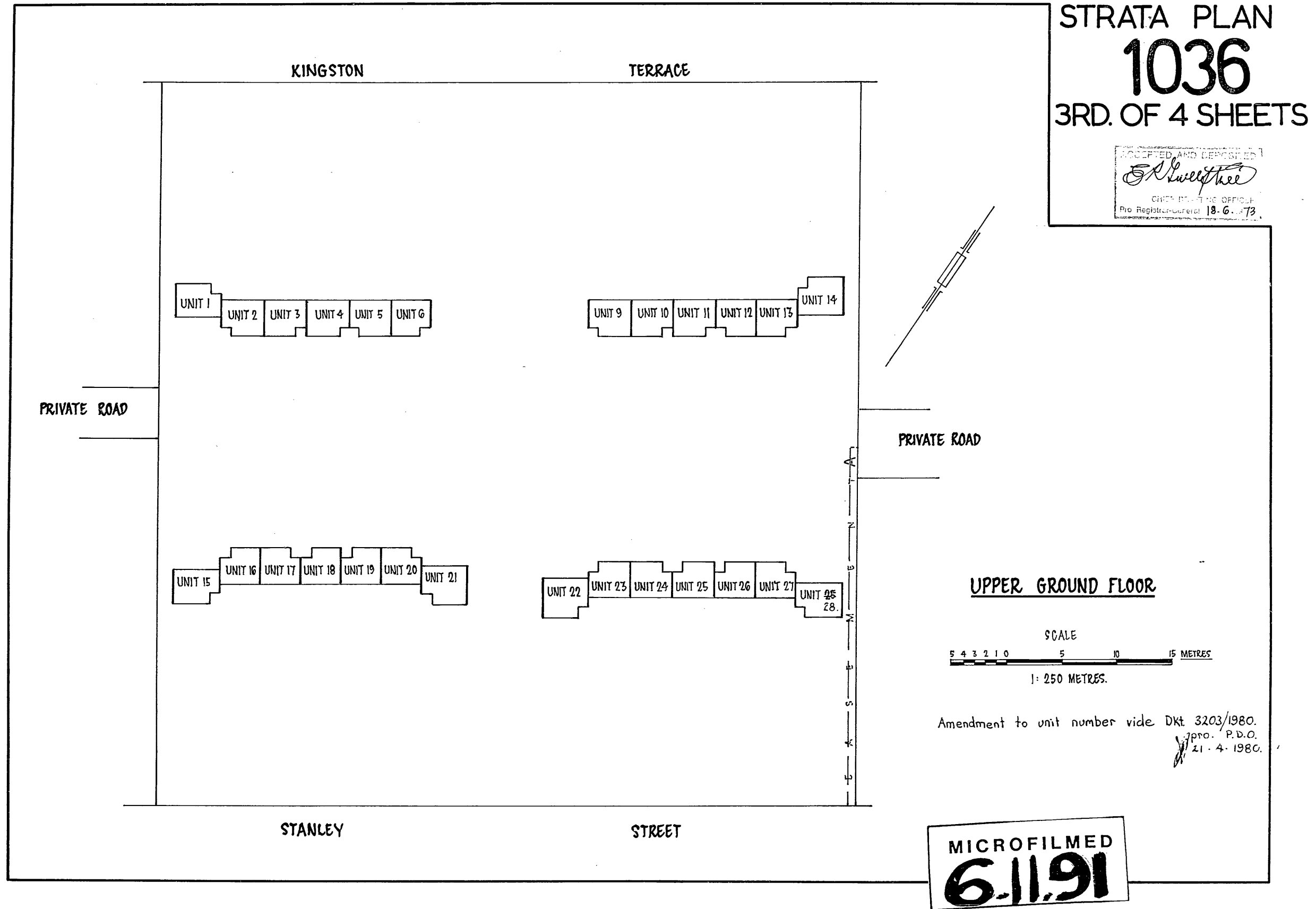
1:250 METRES.

LEGEND. THE LOWER AND UPPER BOUNDARIES OF THE UNIT SUBSIDIARIES SHOWN AS YARDS ARE EXISTING GROUND LEVEL AND 0.15 METRES BELOW THE EAVES RESPECTIVELY.

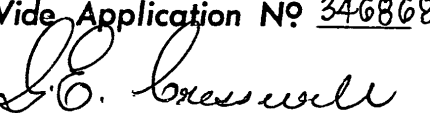
THE UNIT SUBSIDIARIES SHOWN AS CARPARKS ARE MARKED ON THE GROUND.

THE UPPER BOUNDARIES OF THE UNIT SUBSIDIARIES SHOWN AS CARPARKS ARE 3.04 METRES ABOVE EXISTING GROUND LEVEL.

MICROFILMED
6.11.91



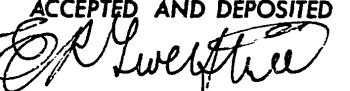
SCHEDULE OF UNIT ENTITLEMENT

UNIT NO	UNIT ENTITLEMENT	CURRENT C's. of T.		UNIT NO	UNIT ENTITLEMENT	CURRENT C's. of T.	
		VOLUME	FOLIO			VOLUME	FOLIO
1	4386			20	3022		
2	3581			21	4067		
3	3581			22	3987		
4	3581			23	2862		
5	3581			24	2862		
6	3581			25	2862		
7	5025			26	2862		
8	5025			27	2862		
9	3581			28	3827		
10	3581						
11	3581						
12	3581						
13	3581						
14	4386						
15	4067						
16	3022						
17	3022						
18	3022						
19	3022						
AGGREGATE				AGGREGATE	100,000		
				COMMON PROPERTY			
				Authenticated Vide Application No 3468681			
AGGREGATE				 Registrar General.			



STRATA PLAN 1036

4 of 4 SHEETS

ACCEPTED AND DEPOSITED

 CHIEF DRAFTSMAN
 Pro Registrar General
 18/6/1973

MICROFILMED
6.11.91

Phil Chrysostomou

From: Michael Phillips <vmphillips3@bigpond.com>
Sent: Thursday, 18 June 2020 4:19 PM
To: Duty Planner
Cc: Danni Biar
Subject: DA/212/2020

We refer to the proposed development application for 58 Kingston Terrace North Adelaide and in particular the conversion of the existing dining room (was previously an atrium style space) into a space for a stairwell providing access to the upper bedroom and part of the area reverting to atrium /open courtyard space.

As a long existing owner of 59 Kingston Terrace (own the property next door to number 58)

we object (are against) the proposal for the proposed stairwell

in its existing form given in our view the proposed upper area of the stairwell will protrude out into the present clear roof space thereby creating both visual and light impact to both the upper bedroom of our unit

and as well from

the kitchen and atrium in the ground floor space.

It is noted that the City of Adelaide Development Plan :Kentish Arms Policy Area 11 Section D provides for compatibility

with adjoining development and in the Objective ;Objective 2 "maintenance of residential amenity" whilst

Principles of Development Control point 1 allows for "Development should strengthen, achieve and be

consistent with the

desired character for the Policy Area.

In our view the proposed stairwell does not achieve those objectives and will in fact lessen those amenities we have enjoyed to

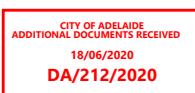
date and could well, if allowed to proceed lessen the value of our property by having a structure that imposes a blot on what is


presently a single clear roof line and as well as an ungainly blot from the view of our kitchen/atrium area.


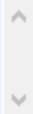




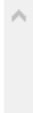
In your consideration of this application we would appreciate you taking these comments into account.

regards,

Virginia (and Michael) Phillips



 Details for this existing item have been modified.

Respondent	Mr D W Ellis 
Respondent Address	68 Lefevre Tce, NORTH ADELAIDE SA 5006 
Response Type	PNNO Representor Does Not Wish To Be He 
Response Date	3/06/2020  
Letter Details	
Use Respondent Name	<input checked="" type="checkbox"/> PUBLIC
Summary of Response	<p>As the owner of 88 Stanley St., part of the same Victorian complex, I support the proposed alterations as a sensitive and sensible solution bringing an old building into modern practicality</p> <p>Surname: Ellis Given Names: David Address Line 1: 68 Lefevre Terrace Suburb: North Adelaide Postcode: 5006 Email Address: david_ellis@me.com</p> 


POST

po box 844 Tynte St
North Adelaide 5006

PHONE

0401191950

EMAIL

martin@design3.com.au

BLD 160241

APBSA 2815

30 June 2020

Re: DA/212/2020

To: The Duty Planner

City of Adelaide Planning Assessment

Re: Representation from the owners of the adjoining property at number 59 Kingston Tce North Adelaide, Mr & Mrs Michael & Virginia Phillips.

Dear Sir/Madam

In response to concerns raised regarding the visual & light impact upon their amenity I reply with the following:

The proposed development at 58 Kingston Tce North Adelaide addresses changes made to some of the original intent of the 1971 rear additions by J.M. Loveday & Associates Architects. The re-instatement of the sun court for increased natural light & ventilation & the addition of a new isolated stairwell to the existing mezzanine upgrade the dwelling to a two bedroom terrace house whilst actually reducing the built square metre footprint & increasing the private open space.

The new stairwell roof structure is deliberately raking as per the new stair to negate any visual impact from below in the adjoining property (59 Kingston Tce).

The metal facade & roof cladding type & colour of Colorbond Matt Basalt specified is sympathetic with galvanised heritage metal cladding & colour of the policy area. This material & colour was acceptable in preliminary discussions with HeritageSA.

Computer modelling shows sight lines from within the adjoining property are not impacted upon by the proposed development envelope. Sight lines taken from inside, against the western most wall of 59 Kingston Tce looking up through the courtyard skylight and over the adjoining party wall show negligible viewpoints of the proposed development outline. See attached drawings numbered sd.05.05 for section cut locations + sd.09.05 & sd.06.06 revision da2 dated 02 July 2020.

Shadow modelling has also shown no impact at all on the adjoining 59 Kingston Tce property on the crucial dates & times of June 21st 9am & 12pm & September 21st 9am & 12pm. See attached drawing number sd.15.01 revision da2 dated 02 July 2020.

Should you require any further information or wish to discuss this with me any further please don't hesitate to contact me.

Yours Sincerely



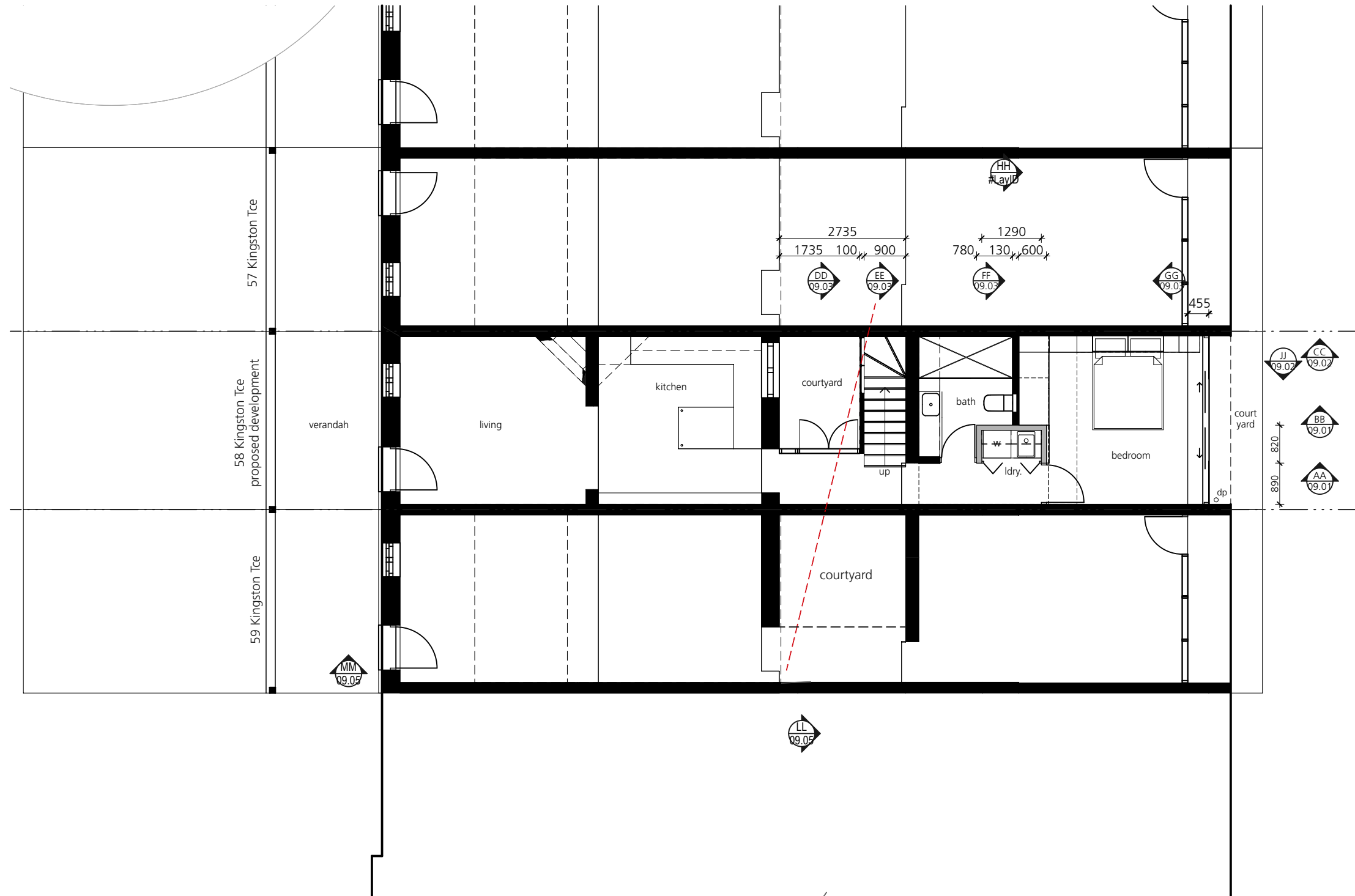
Martin Ridge

Registered Architect 2815

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED

2/07/2020

DA/212/2020



CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 2/07/2020
DA/212/2020

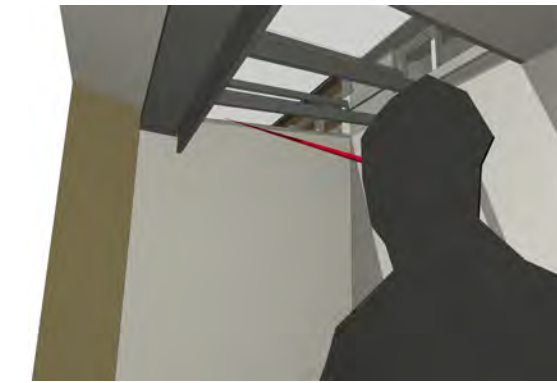
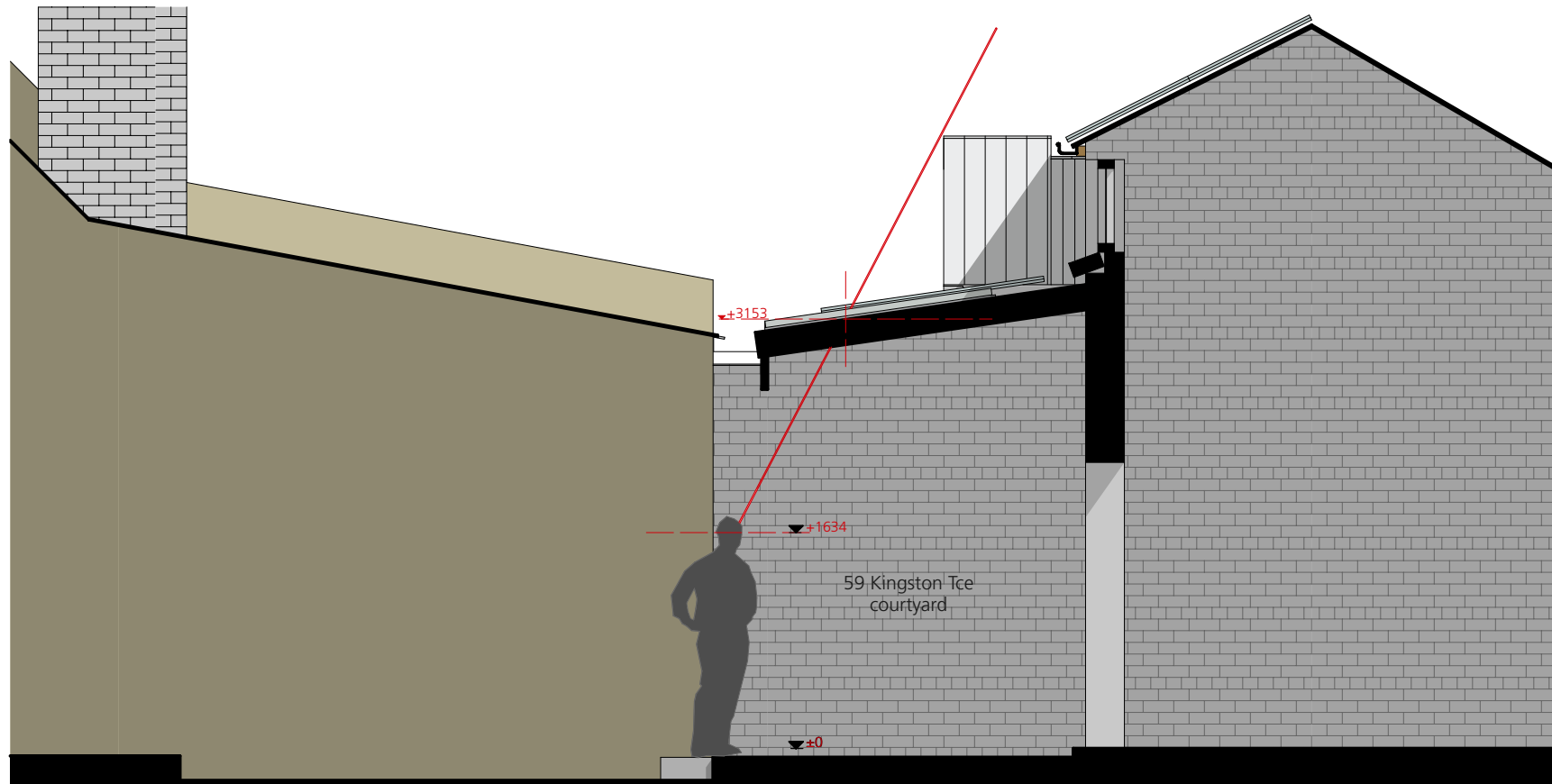


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 martin@design3.com.au
 m: 0401 191 950
 BLD: 160241

project	58 kingston tce north adelaide
detail	floor plan + adjoining
date	02.jul.20 as noted
scale	

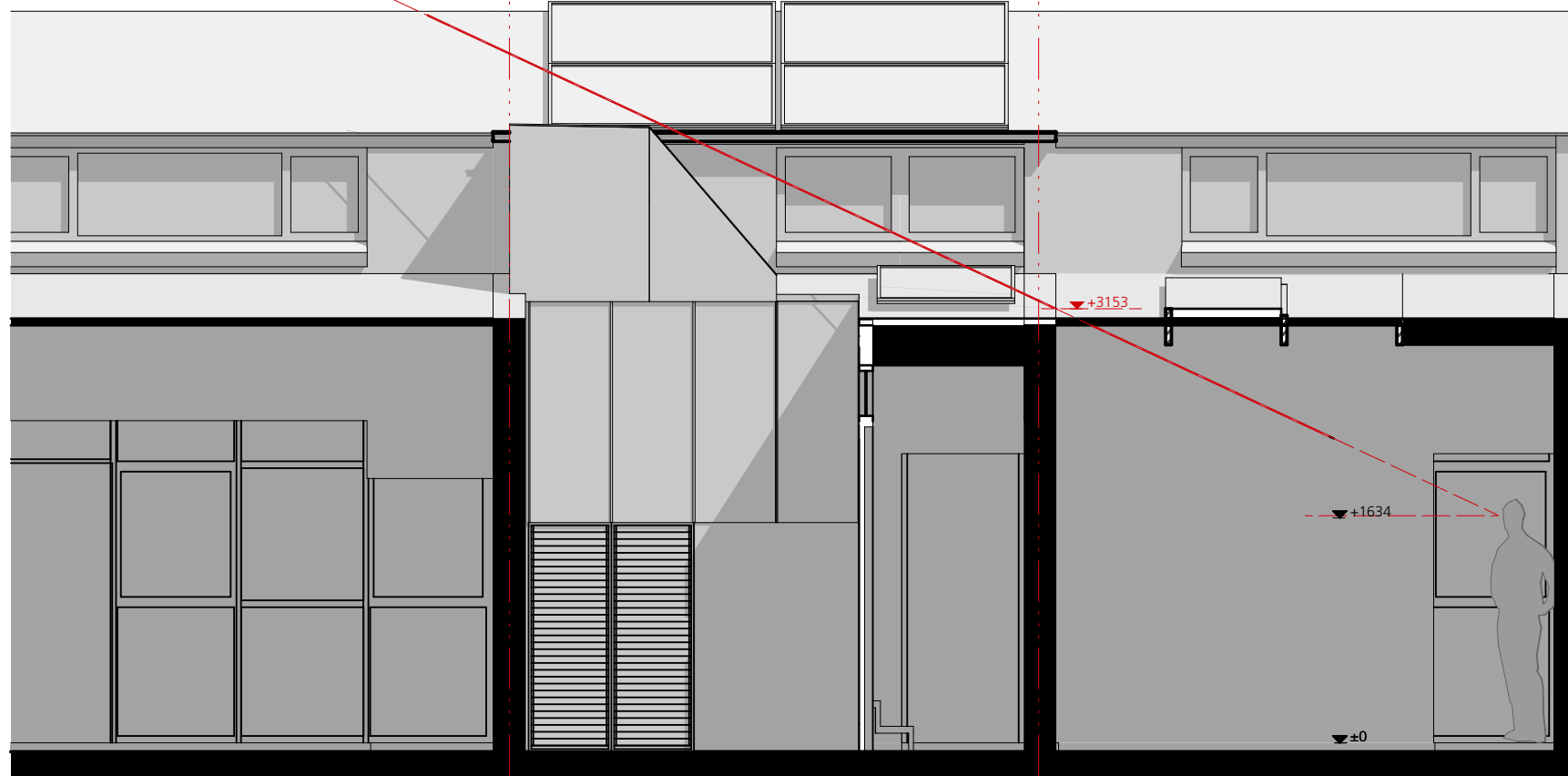
floor plan + adjoining
 1:100

sd 05.05
 sheet
 rev. da 2



59 Kingston Tce courtyard sight lines over party wall

MM
05.05 section M-M
1:50



LL
05.05 section L-L
1:50

57 Kingston Tce

58 Kingston Tce
proposed development

59 Kingston Tce

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
2/07/2020
DA/212/2020



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BLD: 160241

58 kingston tce
north adelaide
project

sections 5

detail

02.jul.20 as noted

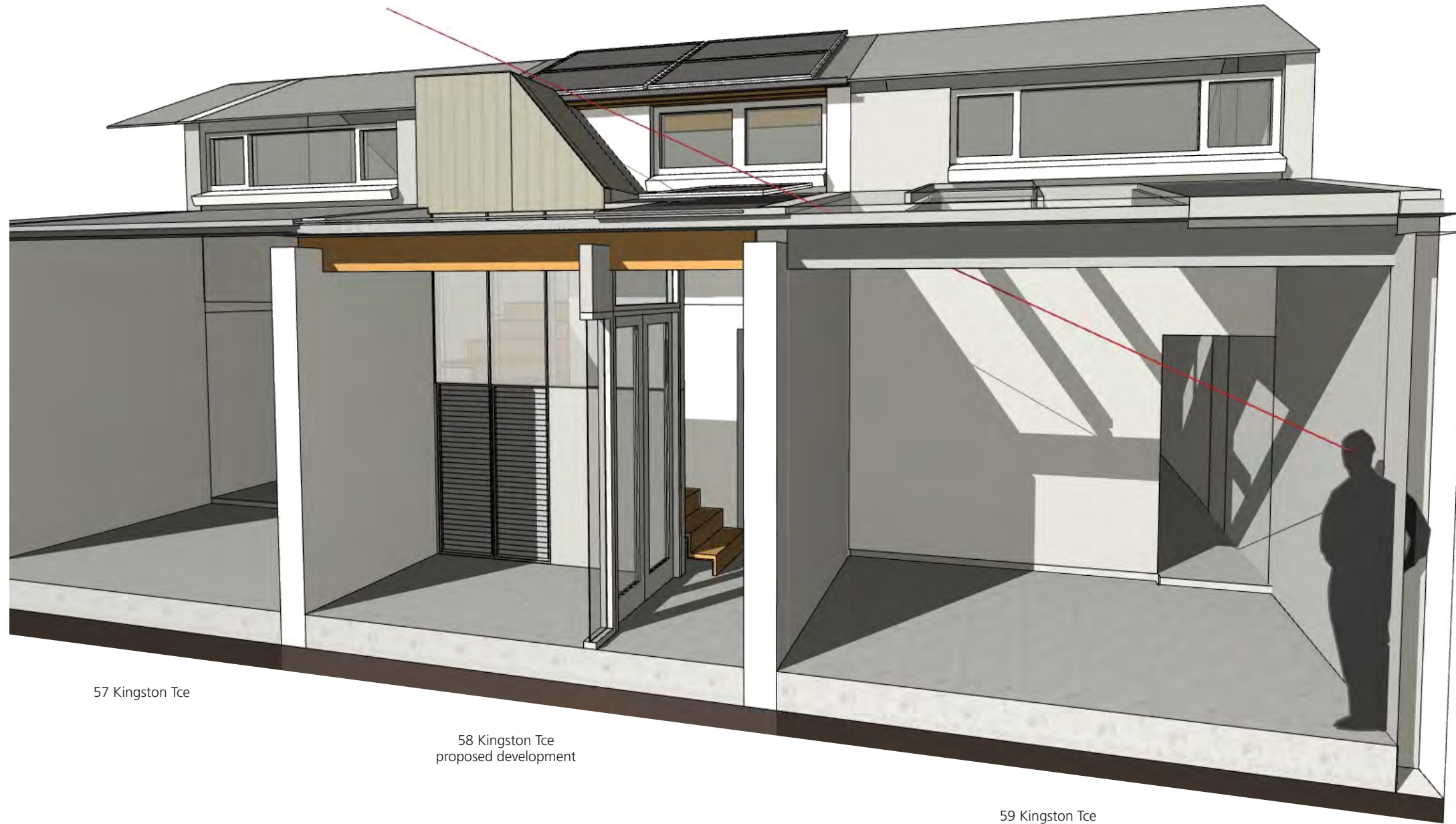
date scale

sd 09.05

sheet

da 2

rev.



57 Kingston Tce

58 Kingston Tce
proposed development

59 Kingston Tce

sightline perspective
not to scale

CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 2/07/2020
 DA/212/2020



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 north adelaide
 project

sections 6

detail

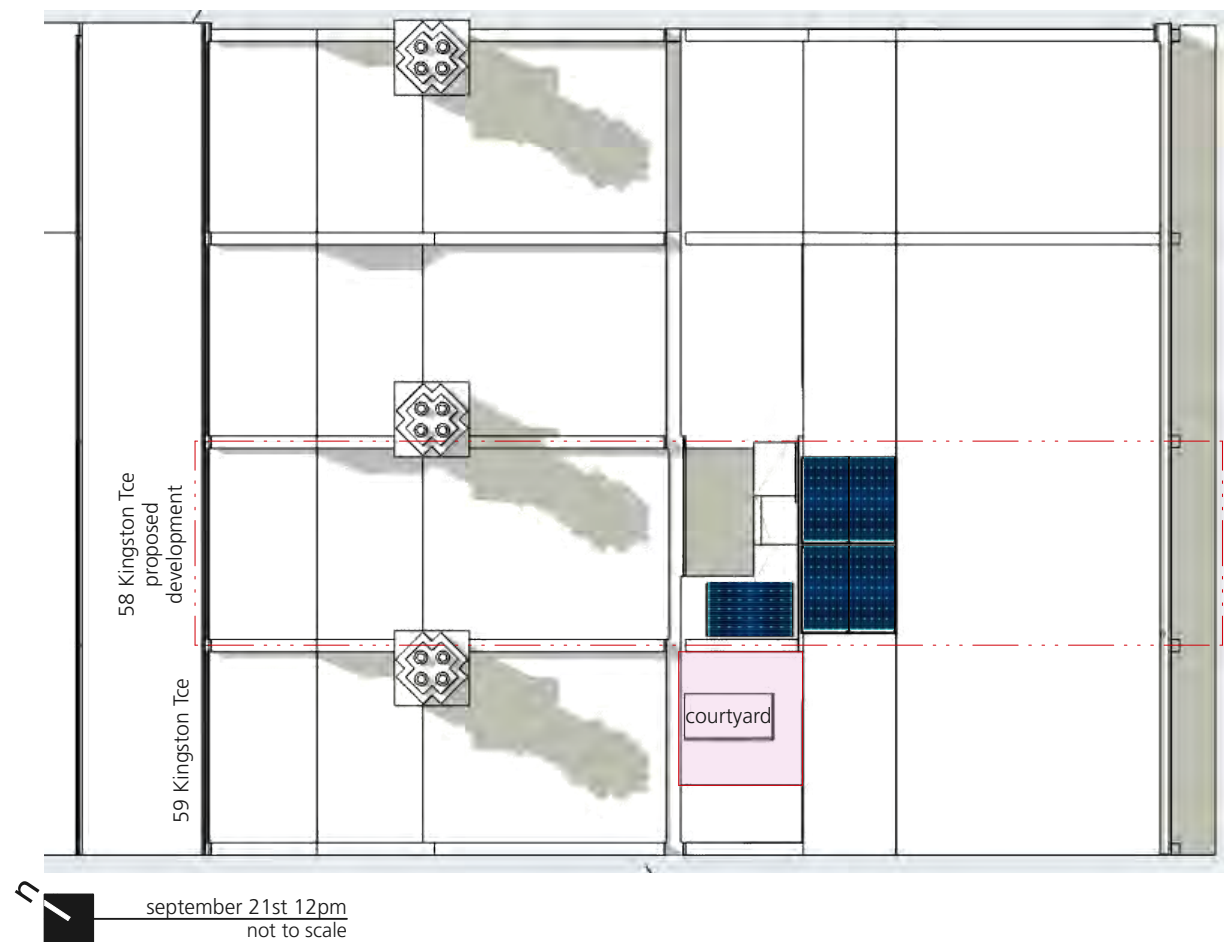
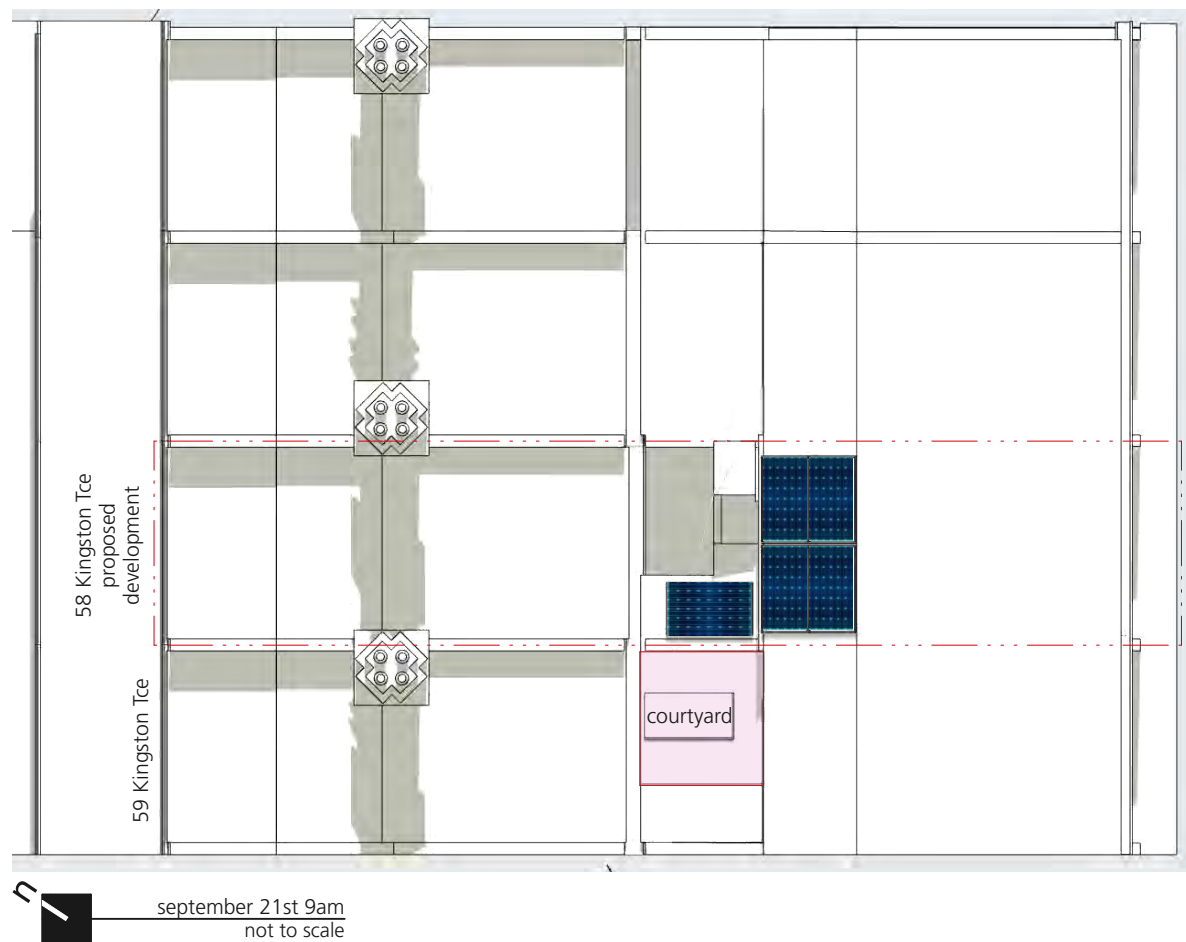
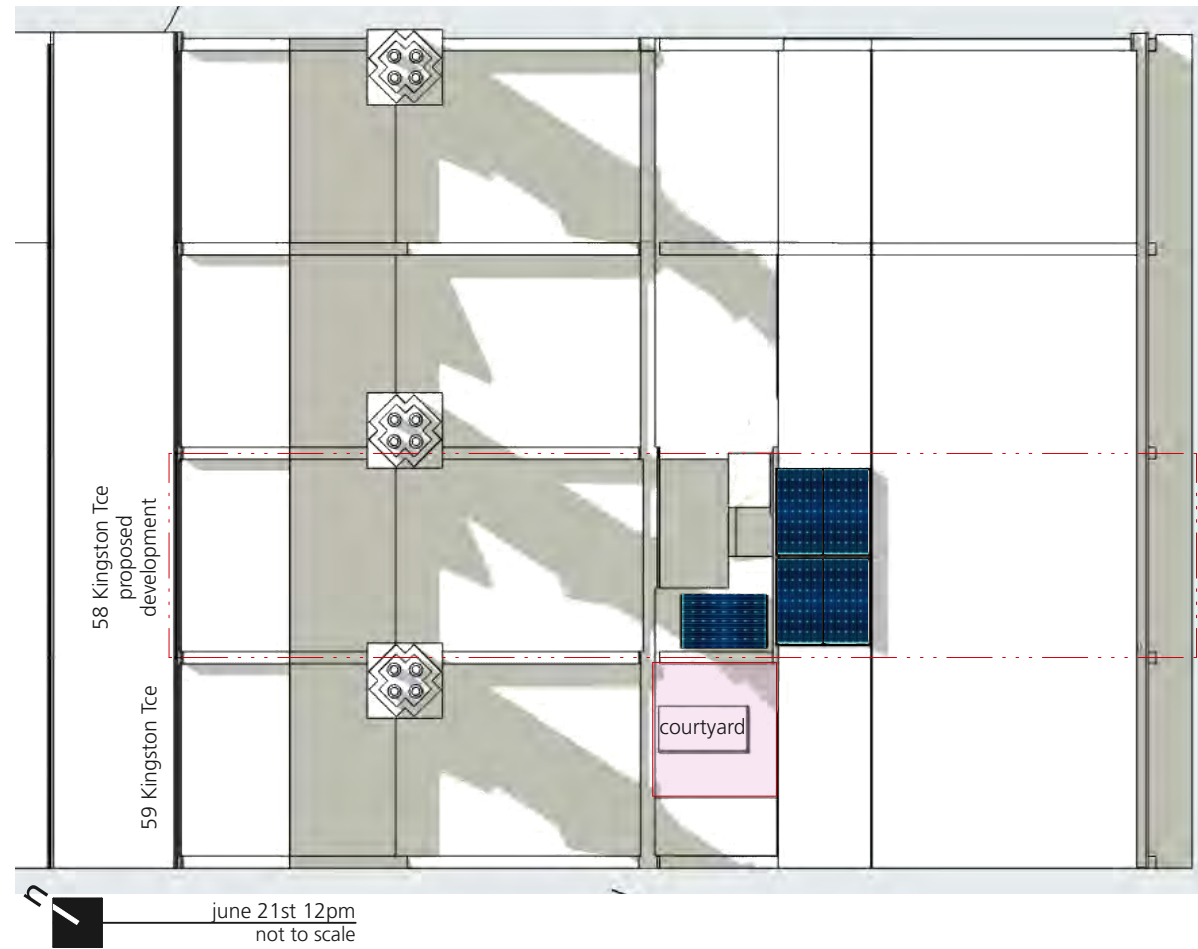
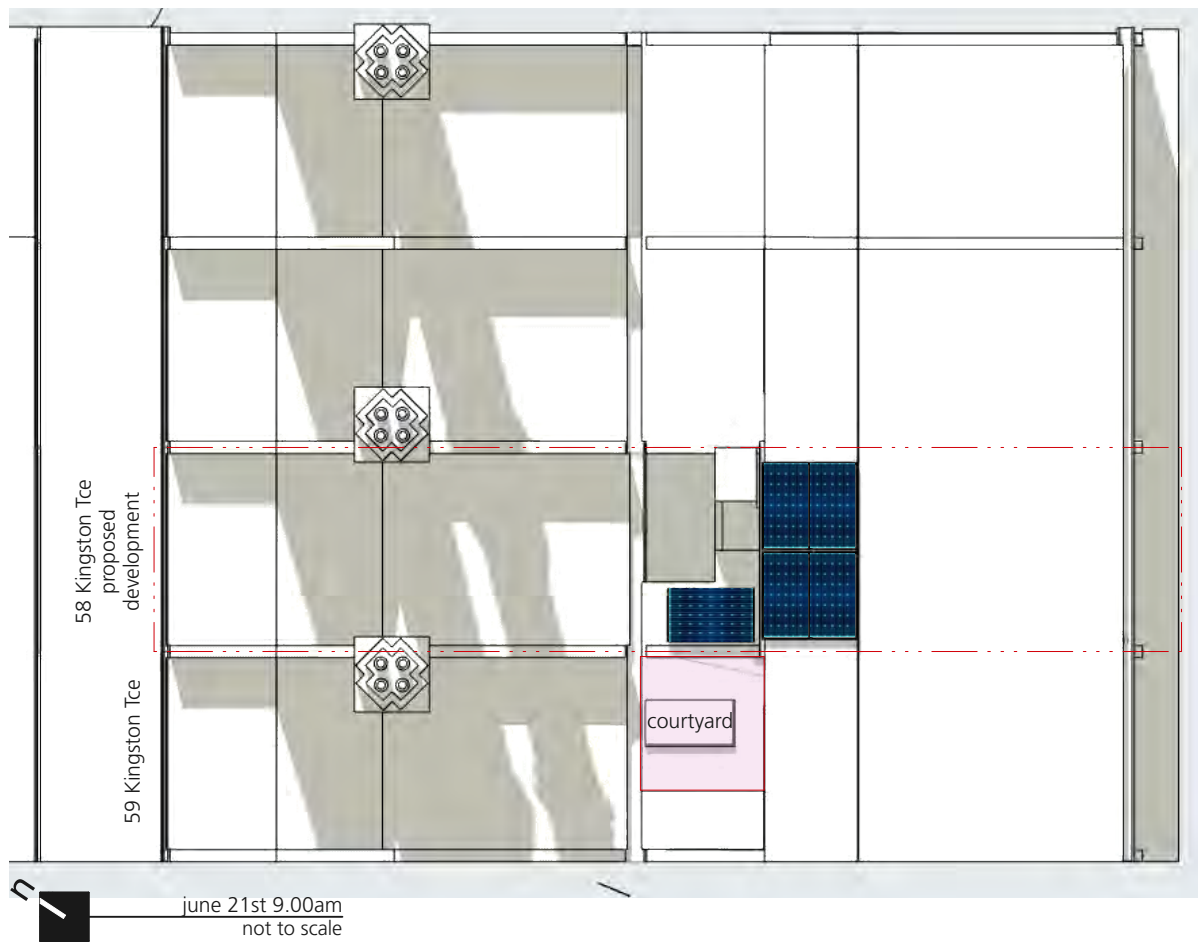
02.jul.20 as noted

date scale

sd 09.06

sheet

rev. da 2



CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
2/07/2020
DA/212/2020

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58 kingston tce
north adelaide
project

shadow diagrams

detail

02.jul.20 as noted

date scale

sd 15.01

sheet

da 2

rev.

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 27/7/2020

Item No	3.3
Address	10-20 Witcombe Street, Adelaide SA 5000
Proposal	Demolish existing building and construct single storey building containing five new retail tenancies with associated car parking and signage, DA/204/2020 (PC) [CAP]
Applicant	HST Australia P/L
Relevant Development Plan	16 January 2020
Lodgement Date	21 April 2020
Zone / Policy Area	Capital City Zone - Main Street Policy Area 14
Public Notification	Category 1
Application Type	Application Assessed on Merit
Delegations Policy	New building in Capital City Zone
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information

- Plans and details 1 – 5
 - Civil/Stormwater Engineering documents 6 – 9
 - Waste Management Plan 10 – 23
 - Certificate of Title 24 – 41
-

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. DESCRIPTION OF PROPOSAL

- 1.1 Planning consent is sought for the demolition of an existing single storey former warehouse, which has been utilised as a public car park. It is proposed to be replaced by a single storey building comprised of five retail tenancies.
- 1.2 The rear of the site will be utilised for ancillary carparking to the development, providing twenty-one parking spaces.
- 1.3 Various structures and fencing will be demolished, with the site to be cleared and levelled.
- 1.4 Landscaping is included along the accessway to Witcombe Street to screen adjacent allotments services.
- 1.5 The proposal also includes five lightbox signs fixed to the underside of a proposed canopy.

2. DEVELOPMENT DATA

Not relevant to this application.

3. BACKGROUND

- 3.1 Preliminary advice was provided on earlier iterations of the proposal, encouraging the setback to Witcombe Street as now evident in the documentation.
- 3.2 It also flagged a number of storm water, waste and traffic related issues, which were suitably addressed.
- 3.3 The applicant accommodated a number of other amendments including lowering of the building floor level to be at footpath grade, deletion of ramping and balustrading to the tenancies and inclusion of glazing along the southern facade. The ramping was designed in response to preliminary advice regarding potential storm water/flooding issues.
- 3.4 The existing parking arrangement is approved and is divided into ancillary and non-ancillary parking.

4. SITE

- 4.1 The subject site spans over three allotments, however affecting six with regards to existing right of way via Gouger Street.
- 4.2 The predominant site at 10-20 Witcombe Street currently contains a single storey red brick warehouse building utilised as a public car park. The portion to the rear is useable as ancillary parking to sites to the south fronting Gouger Street.
- 4.3 It has a 34 metre frontage and is 40 metres deep, with an existing crossover to Witcombe Street.
- 4.4 Despite the unique character of the existing built form, it is in poor condition, with the associated allotments having poor to average amenity.
- 4.5 There is a vacant allotment adjacent 118 Gouger Street which is for ROW purposes.

5. LOCALITY

- 5.1 The locality is mixed with regards to land use and built form, with many adjoining allotments development in similar state as the subject site.
- 5.2 The western side of Witcombe Street is typically not built to the street edge, being service areas and car parking for tenancies fronting Morphett Street.
- 5.3 North of the subject site is a residential development on a community title. It comprises of forty-eight two storey townhouses, all of which are uniform in design.
- 5.4 Witcombe Street connects to both Gouger and Morphett Street and offers poor pedestrian amenity.



KEY






	Subject Site		Local Heritage Place
PA14	Policy Area		State Heritage Place
CCZ	Zone		Policy Area Boundary
			Locality

Photo 1 – Existing warehouse building on subject site, looking east



Photo 2 – Parking area within site, looking south west



Photo 3 – Existing open air private parking area, looking east



Photo 4 – Additional parking area within site, looking east



Photo 5 – Rear parking and services area to sites fronting Gouger and Morphett Street, looking south west



Photo 6 – View from within site looking south



Photo 7 – Image of Witcombe Street viewed at night, looking south.



Photo 8 – Image of subject site viewed at night, looking north east.



6. **PUBLIC NOTIFICATION**

- 6.1 The proposal is a Category 1 form of development therefore no public notification is required.

7. **REQUIRED EXTERNAL REFERRALS**

- 7.1 No external referrals required.

8. **SPECIALIST ADVICE**

8.1 **Waste**

- The ground floor plans do not show any bin storage area of a suitable size, which should be a requirement.
- A waste management plan is required; with the estimated volumes of waste, bin numbers, types, sizes and collection frequencies should be presented. In addition, an indication of the site where bins will be presented for collection.
- They are proposing to store bins outside – in an open access area, which should be avoided. The most appropriate solution would be a communal (bulk bin) type to be stored inside the building and serviced regularly by a contractor.

Administration comment: The matters above were satisfactorily addressed by the applicant; providing a waste management plan and amending the proposal to include individual bins at the rear of each tenancy. Whilst it is acknowledged the 'proposed' bin store remains adjacent the driveway, it is noted that this is to maintain the existing waste store location for the allotment to the south. It is considered the new fenced area and landscaping will provide sufficient uplift to the existing situation.

Final Waste comments:

- The waste management plan includes the provision for 4 x weekly collections of waste and recyclables for 10-20 Witcombe Street.
- According to the waste management plan provided, this development will require multiple collections of waste and recycling and is, therefore, not eligible for City of Adelaide waste and recycling services (which operate only once weekly).
- Site management are to engage and fund operation of their own private contractor to service the site.

Administration comment: Final comments from Council Cleansing team are satisfied with the amended proposal, noting the above commentary relating to a requirement for private waste collection arrangements.

8.2 **Traffic and Transport**

- All plantings to the south are to be kept low to ensure line of sight to road users on Witcombe Street.
- All line marking and traffic signs within the car park should conform to Australian Standard AS 1742.2 - "Traffic control devices for general use" and as such be consistent with those used for the street network.

Administration comment: Amended to conform with Australian Standard AS 1742.2. A condition is recommended regarding confirmation of plant species and ongoing maintenance.

8.3 On-Street Parking

- The applicant is advised that the on-street parking will not be removed or altered to suit this development.

8.4 Stormwater

- Stormwater runoff from the proposed development must be contained within the property boundaries, collected and discharged to City of Adelaide's underground stormwater system in equal proportions to the existing drainage for the site. To maintain the stormwater drainage contributions, the car park must be drained south to the existing grated inlet pit in the laneway, whilst the building and driveway connecting with Witcombe Street are to connect to the existing catch pit in Witcombe Street. The current proposal shows overland flow from the driveway flowing over the footpath and onto the road. This needs to be captured and collected into the stormwater pipe system. From the current layout, this can be easily achieved by installing a new grated inlet pit.
- CoA requires a surcharge pit at the boundary between the development and the public realm to enable stormwater to overflow into the public realm, if the underground stormwater system becomes blocked. This will be achieved by installing the grated inlet pit mentioned above, within private property, but against the boundary.

Administration comment: Amended to conform with feedback above.

Final Stormwater comments:

- The plan provided does not appear to have been updated, however the request to raise the back of property levels was a recommendation, not a requirement.
- As such, there are no other outstanding engineering requirements.

8.5 Civil

- CoA requires that the development must maintain existing back of footpath levels. The proposed development shows a vertical retaining wall against the boundary with balustrading. Whilst this does not necessarily breach this requirement, we would require the developer to demonstrate that they have maintained back of footpath levels, as developers typically intentionally or unintentionally modify these levels during construction.
- Notwithstanding the comments above, it is in council's best interest and most likely the developers, to modify the building levels against the boundary to match into the existing back of footpath levels. This can be achieved by lower the building so that the finished floor levels achieve a maximum 2.5% crossfall between the existing back of kerb levels and the edge of the building. This will facilitate a DDA compliant pedestrian access between the edge of building and back of footpath, which would enable either:
 - Reduction in width of pedestrian footpath on private property (by utilising public realm footpath) and increasing the building footprint.

- Increased width of pedestrian footpath for more comfy access
- Unrestricted pedestrian access from Whitcombe Street, in lieu of the single access ramp at the southern end of walkway and the remaining walkway blocked from the public realm by a balustrade.
- Potential modifications (now or in future) of the public realm to facilitate activation of public realm (eg: for outdoor dining).

Final comments from Civil:

- The proposal to set the levels of the building to align with the top of existing kerb is a good outcome. The developer will need to demonstrate that they are maintaining existing property boundary levels during construction. The current kerb height within the public will need to be reinstated to facilitate this outcome. CoA acknowledge that the current kerb height is not consistent with CoA standard details.

9. DETAILED ASSESSMENT

9.1 Summary of Policy Area Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Retail use proposed, which is adaptable for other land uses. 	✓
Objectives O5-6	<ul style="list-style-type: none"> Built form and material selections which will enhance the public realm. Retail land use proposed. 	✓
Land Use P1-2	<ul style="list-style-type: none"> Shop/retail land use proposed for five tenancies, envisioned within the Zone and Policy Area. 	✓
Design and Appearance P5(b)	<ul style="list-style-type: none"> Exceeds minimum requirement to provide at least 50% permeable frontage. 	✓
Form and Character P6-7	<ul style="list-style-type: none"> Development provides low scale and pedestrian oriented frontage. 	✓

9.2 Summary of Zone Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Generally, achieves the DC of the Zone, however there is little reference to minor streets such as Witcombe. Generally fulfils DC. 	✓ / ✗
Objectives O1-8	<ul style="list-style-type: none"> Retail land use proposed. Improves pedestrian environment. Single storey development does not maximise full potential but does provide sufficient transition to adjacent residential development. 	✓ / ✗
Land Use P1	<ul style="list-style-type: none"> Retail land use proposed. 	✓
Form and Character P5	<ul style="list-style-type: none"> See Section 9.4 on Built Form and Design. 	✓
Design and Appearance P6-8	<ul style="list-style-type: none"> Pedestrian oriented frontage. Sufficient level of design quality. Frontage at grade with footpath. 	✓ / ✗
Setbacks P9-11	<ul style="list-style-type: none"> Building edge has been set back 1.5 metres to accommodate existing narrow footpath along Witcombe Street, improving pedestrian movement. Canopy has been proposed which sits within the property boundary. 	✓
Building Heights P22	<ul style="list-style-type: none"> Single storey development proposed, well below desired minimum building height of 21.5 metres. 	✗
Advertising P33-35	<ul style="list-style-type: none"> Proposed advertisements include five lightbox signs fixed to underside of canopy. No other advertisements on Witcombe Street. Restrained in size, design and colour. As base approval, no graphics are proposed for sign. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Crime prevention through urban design O24 P82 & 85	<ul style="list-style-type: none"> • Pedestrian oriented frontage with high level of activation to street. • Improves active frontage from existing situation and land use will increase activity through active use capable of day/night trade. • Additional glazing to southern façade incorporated upon request to provide active frontage to walkway to rear car park. • Development incorporates under canopy lighting in an otherwise poorly lit area. 	✓
Waste management O28 101-102	<ul style="list-style-type: none"> • See Section 8.1 on Waste. • Provides sufficient and dedicated on-site waste storage facilities. 	✓ / ✗
Energy Efficiency O30 P107-10	<ul style="list-style-type: none"> • Western orientation with large expanses of glass is not desirable but considered acceptable on balance with improved activation. • Thermal loads partially mitigated through setback to incorporate canopy. • Building is easily adaptable for future uses. 	✓ / ✗
Microclimate and sunlight O34-35 P117-124	<ul style="list-style-type: none"> • Development will not impact on adjacent allotments/buildings with regards to shadowing or access to light. 	✓
Stormwater management O35-39 P126-131	<ul style="list-style-type: none"> • See Section 8.4 on Stormwater Management. 	✓
Built Form & Townscape O46-48	<ul style="list-style-type: none"> • Does not achieve desired minimum building height. • Improves pedestrian safety and comfort. • Satisfactory design and architectural treatment. 	✓ / ✗
Height, Bulk and Scale P169-171	<ul style="list-style-type: none"> • The height and scale of the development is considered to appropriate with regards to Map Adel/1 (Overlay), given the development proposal is low scale, but appropriate for the role of the street. 	✓ / ✗

Active street frontages O50-51 P196-197	<ul style="list-style-type: none"> Provides sufficient active frontage through external glazing to Witcombe Street. Under canopy lighting will improve visibility into frontages given lack of street lighting. 	✓
Demolition O53 P203	<ul style="list-style-type: none"> Replacement building proposed. Acknowledged replacement building does not explicitly comply with Desired Character of the Zone with regards to building height. 	✓ / ✗
Landscaping O59 P209-212	<ul style="list-style-type: none"> Landscaping is proposed along driveway. 	✓
Advertising O56 P211 & 217	<ul style="list-style-type: none"> Advertisements are concise and restrained to provide appropriate efficient advertisement for individual tenancies. Coordinated approach. Does not maintain required clearances of 600mm from kerb edge, however, do not encroach over public realm. <ul style="list-style-type: none"> An advice has been included noting CoA does not accept any responsibility for damage to canopy or advertisements. 	✓ / ✗
Pedestrian access O61-63 P228&232	<ul style="list-style-type: none"> Improves pedestrian comfort, enjoyment, and security by including setback and canopy. Frontage setback creates DDA accessibility along frontage. 	✓
Bicycle Access O64-65 P234	<ul style="list-style-type: none"> No impact on cyclist movement. No on-site bicycle parking facilities. Ability to provide informal parking at rear, but unsheltered. 	✗
Traffic and vehicle access O68-70 P241-243	<ul style="list-style-type: none"> See Section 8.2 on Traffic and Transport. Existing loading zone to provide convenient servicing of tenancies. 	✓
Car parking O71-72 P251-265	<ul style="list-style-type: none"> Achieved. Provides twenty-one parking spaces including one DDA compliant parking space. No minimum or maximum parking spaces. 	✓
Economic growth & land use O73-76 P266-271	<ul style="list-style-type: none"> Achieved. 	✓

9.4 **Detailed Discussion**

Land Use

The subject site is located within the Capital City Zone, whereby shops are an envisioned land use in accordance with Zone PDC1. The DC of the Zone and PA seek a variety of commercial uses, often which pay regard to their context. As it has been stated, the locality is predominantly commercial, with the main residential uses being the allotment to the north.

It is anticipated that the site and tenancy arrangement can easily accommodate future adaptation, including other land uses, amalgamation and expansion. The proposal does not present great opportunities for outdoor dining, given the narrow footpath, however the car parking area could be developed in the future for such purposes.

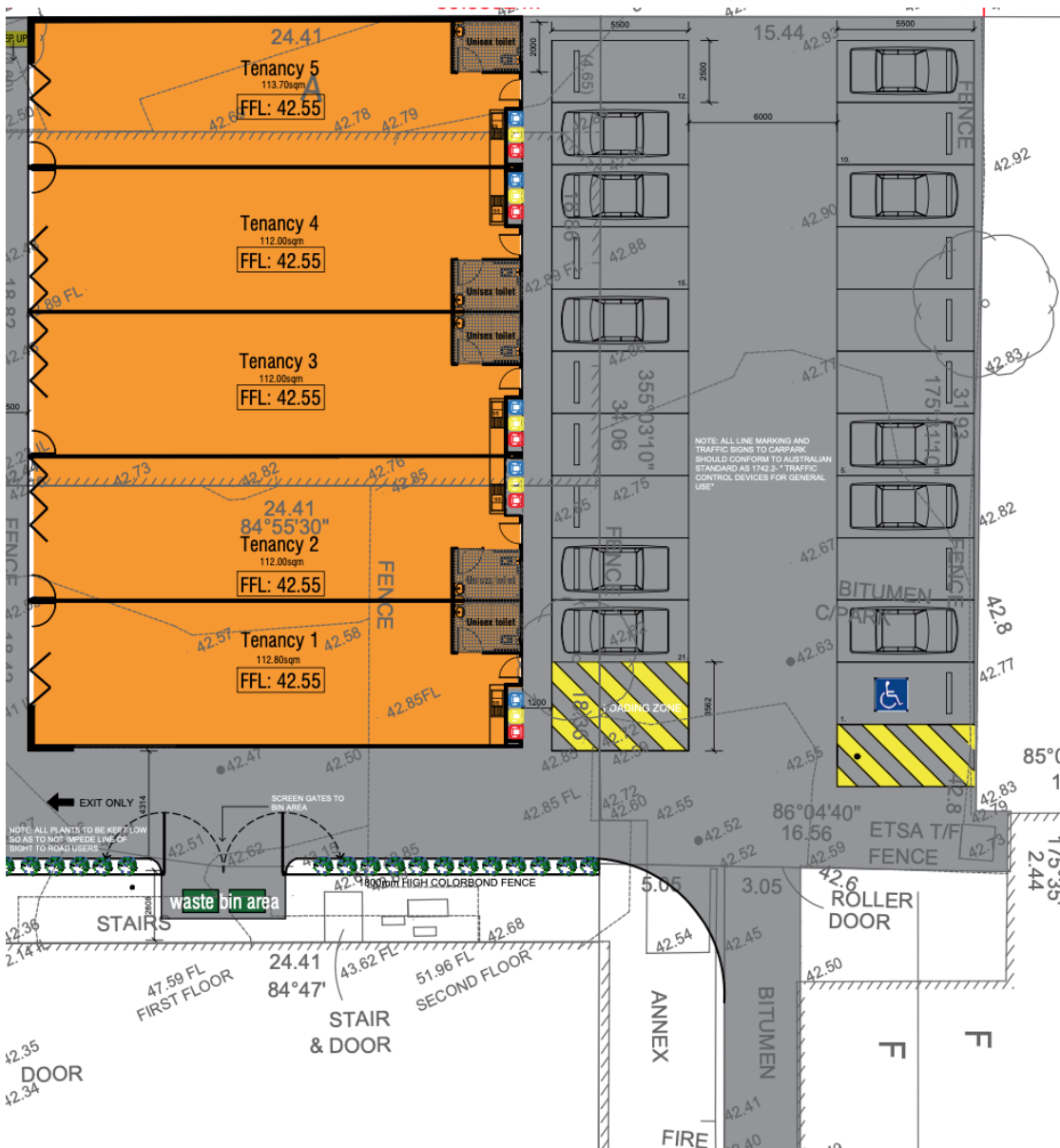


Figure 1 – Site plan, showing parking and tenancy arrangement.

Car parking is a continued use within the site; however, this is considered to be an improved arrangement of the existing situation. The existing site is not an active use, is poorly maintained and presents informal parking arrangements.

The proposal seeks to introduce an active use and built form to the street, which will provide uplift to the site and streetscape. Whilst parking is maintained, it is significantly reduced and designed to comply with present day Australian Standards.

Building Height

The main non-conformity of this development proposal requiring interrogation is the built form and perceivable underdevelopment of the site. Witcombe Street offers little amenity or public utility with the exception of car parking available to the general public.

Capital City Zone (CCZ) Principle of Development Control (PDC)22 anticipates a minimum building height of 21.5 metres (half the anticipated maximum height of 43 metres). Given the proposed development is for a single storey 4.5-metre-tall building, this proposal is notably at variance with this policy. It is worth paying regard to other relevant provisions seeking contextual consideration for appropriate building heights.

PDC169 – 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).

- As per the figure below, Witcombe is neither a Primary/Secondary Access road nor a Local Connector. With this in mind, the lower scale nature of the development is appropriate.

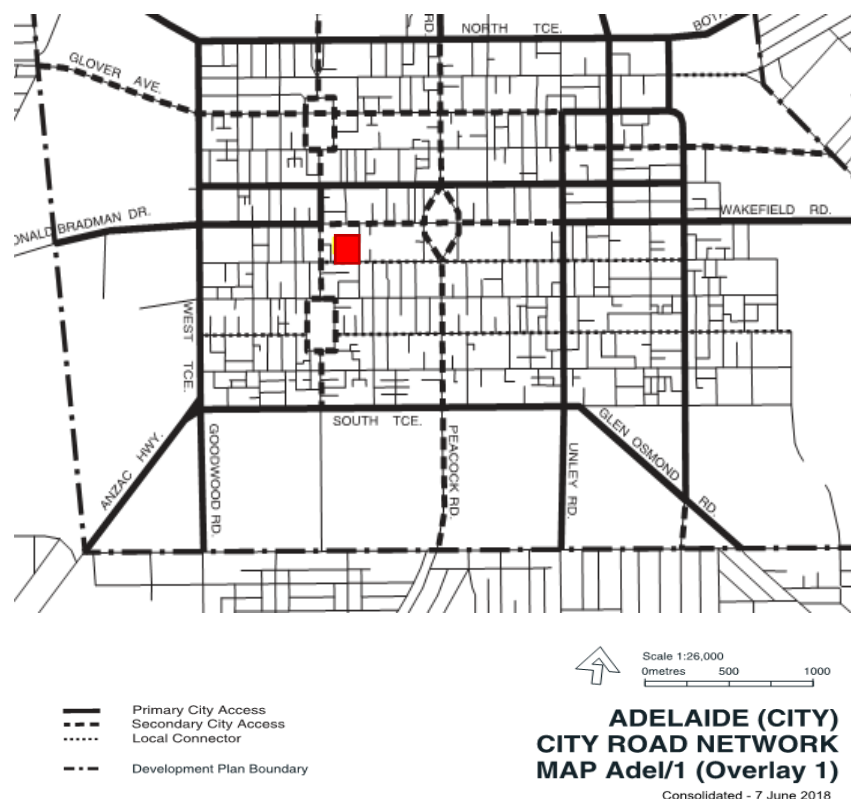


Figure 2 – City Road Network MAP Adel/1 (Overlay 1)

Zone DC(a) – New development will achieve high design by being: Contextual – so that it response to its surroundings, recognises and carefully considers the adjacent built form, and positively contributes to the character of the immediate area.

- The prevailing built form within the locality is low scale, comprising of one and two storey buildings. A high proportion of buildings to the south and west of the subject site are listed as Local Heritage Places. In addition, the residential development to the north is expansive (Citi terrace), comprising of forty-eight townhouses on a community title.

Noting the above, it is considered that the locality does not present significant opportunities for higher scale development. Whilst it is acknowledged that the proposal is ‘underdevelopment,’ it does demonstrate a compatible relationship with the existing and foreseeable scale and context of the locality. The extent of development also offers the opportunity for redevelopment in the medium term.

Built Form and Design

As discussed, the development proposal involves the construction of a single storey building comprised of five retail tenancies. The built form is simple in form and design, having a maximum height of 4.5 metres, with a raked roof from falling inwards into the subject site.

External finishes are varied, comprising of red brick, glazed bi-fold doors and Scyon Matrix cladding in red paint finish to Witcombe façade, the southern façade will be clad Revolution Roofing ‘Maxline’ cladding ‘monument’ and glazing to southern façade.

The front façade has been setback 1.5m from the street edge to improve pedestrian access, with the existing footpath being poorly maintained and narrow. The façade is broken up by the varied materials stated above, in addition to the inclusion of a cantilevered roof and a canopy over the proposed walkway.



Figure 3 – Concept render of proposed development viewed from Witcombe Street

The proposal will introduce a low scale development that is introduce an active frontage and land use to the locality. The design and materials are considered to be appropriate, achieving a fine grain and pedestrian oriented development. It has regard for adjacent development with regards to scale and materiality. It is noted that

the cantilevering elements from the building fit within the property boundary as detailed in the figure below.

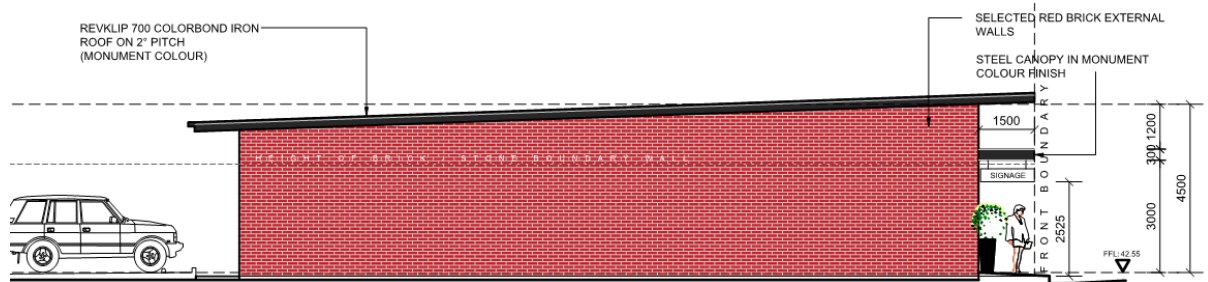


Figure 4 – North elevation

The canopy and signage do not meet the required clearance of 600mm from the kerb line. As these elements are contained within the subject site, an advisory note has been recommended regarding potential collision.

Overall, it is considered to be an improved example of the existing, providing improved amenity to both incidental and intended users of the development site.

9.5 **Conclusion**

The development proposes a relatively modest development proposal of single storey building within the Capital City Zone, which ultimately seeks large scale redevelopment. The subject site in its current form offers little to no aesthetic or activity.

The development proposal largely meets the relevant provisions of the Development Plan, providing both improved built form, amenity and complying with various technical components discussed in Section 8. The land use and built form are considered to be appropriate for the locality. It provides an intimately scaled uplift to what might be a catalyst for similarly scaled development along Witcombe Street.

The proposal is considered to be acceptable as the:

- Land use is envisioned within the Zone.
- Built form is of appropriate scale and design quality.
- Development improve pedestrian comfort, enjoyment, and security.
- Addresses both storm water and interface with the public realm with the development offering land to provide convenient access into the tenancies, but also improve pedestrian access along Witcombe Street.
- Parking arrangement will be improved.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because it proposes a land use and form of development that is desired in the Zone and Policy Area.

It has been determined that, on balance, the proposal warrants Development Plan Consent.

10. **RECOMMENDATION**

That the development, the subject of the application from HST Australia P/L to demolish existing building and construct single storey building containing five new retail tenancies with associated car parking and signage at 10-20 Witcombe Street, Adelaide SA 5000 as shown on plans designated DA/204/2020:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following, conditions and advices:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**

- **Plans and details prepared by SPECTRA – Project No. 18.2020A – Sheets 01/05 to 05/05 (5 pages) – Received 20 July 2020**
- **Plans and details prepared by SCA Engineers – Dwg No. 200404-C1/A, C2, C3/D and C4 – Received 20 July 2020**

to the reasonable satisfaction of the Council except where varied by conditions below (if any).

Reason: To ensure that the Development is undertaken in accordance with the plans and details submitted.

2. **External materials, surface finishes and colours of the Development shall be consistent with the description and sample hereby granted consent and shall be to the reasonable satisfaction of the Council.**

Reason: To ensure a high standard of materials and finishes used in the finished presentation of the Development.

3. **The applicant or the person having the benefit of this consent shall ensure that all storm water run off from the development herein approved is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the storm water run off shall be installed within the property boundaries of the Land to the reasonable satisfaction of the Council.**

Reason: To ensure that stormwater runoff does not have an adverse impact upon the public realm.

4. **The landscaping depicted on the plans shall be maintained in good health and condition at all times to the reasonable satisfaction of the Council. Plant species shall be of low height or maintained to be of low height. Any dead or diseased plants or trees shall be replaced forthwith to the reasonable satisfaction of the Council.**

Reason: To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the Development.

5. **The applicant or the person(s) having the benefit of this consent, shall ensure that such waste management practices are adopted on the Land at all times to the reasonable satisfaction of Council.**

Reason: *To ensure that adequate waste management practices are adopted during construction of the Development and during use.*

Advices

1. Building Consent for Approval

Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.

2. Expiration Time of Approval

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

3. Damage to Council's Footpath / Kerbing / Road Pavement / Verge

Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.

4. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity.

The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at www.cityofadelaide.com.au

When applying for a City Works Permit you will be required to supply the following information with the completed application form:

- A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
- Description of equipment to be used;
- A copy of your Public Liability Insurance Certificate (minimum cover of \$20 Million required);
- Copies of consultation with any affected stakeholders including businesses or residents.

Please note: Upfront payment is required for all city works applications.

Applications can be lodged via the following:

Email: cityworks@cityofadelaide.com.au

Fax: 8203 7674
In Person: 25 Pirie Street, Adelaide

5. Right of Way

The applicant shall ensure that the right of way to the rear of the property is not blocked or access restricted during the construction of the development herein approved.

6. Openable Gates

It is advised that the gates to bin store shall remain shut when unused to maintain vehicle flow.

7. Footpath Levels

The existing footpath level shall not be modified to suit the floor level of the entry point to the development, unless otherwise agreed to by the Council in writing.

8. On Street Parking

The existing on-street parking will not be removed or altered to suit this development.

9. Damage to Building

The City of Adelaide does not accept responsibility for any damage sustained to protruding elements of the building.

10. Crossing made obsolete

The vehicle crossing place(s) made redundant as a result of this development will be closed by Council and the applicant will be charged directly for the work. A quotation for the work will be provided by Council to the applicant prior to the work being undertaken.

Item No. 3.3 – Attachments 1 – 41 (10-20 Witcombe Street, Adelaide SA 5000)

Pages 118 to 158

ATTACHMENTS

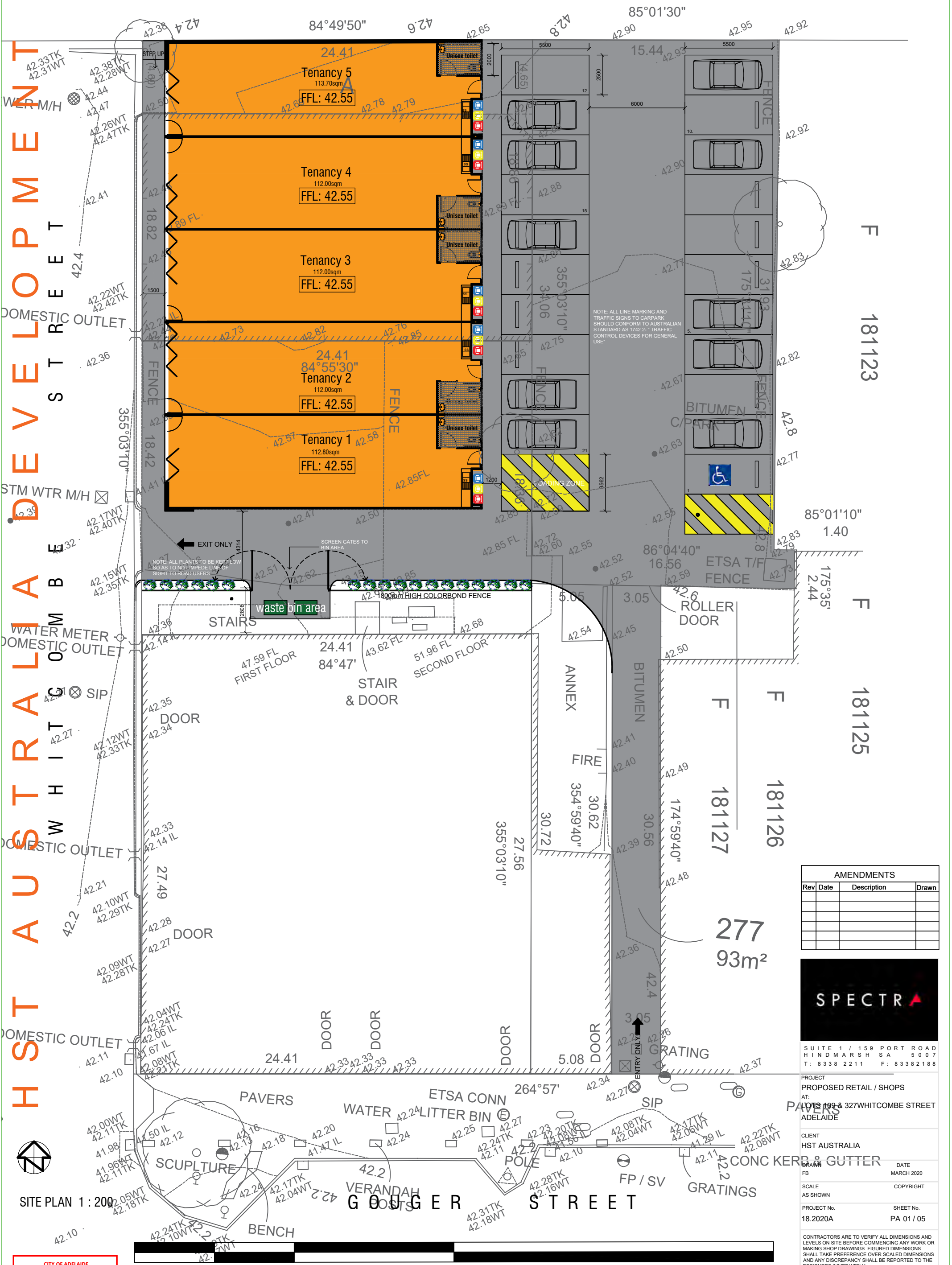
Plans and Supporting Information

- Plans and details 1 – 5
- Civil/Stormwater Engineering documents 6 – 9
- Waste Management Plan 10 – 23
- Certificate of Title 24 – 41

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C 21476

FOR PLANNING APPROVAL ONLY



AMENDMENTS		
Rev	Date	Description



SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 83382188

PROJECT
PROPOSED RETAIL / SHOPS
AT:
PAVERS 199 & 327 WHITCOMBE STREET
ADELAIDE

CLIENT
HST AUSTRALIA

BRAIN FB DATE MARCH 2020

SCALE AS SHOWN COPYRIGHT

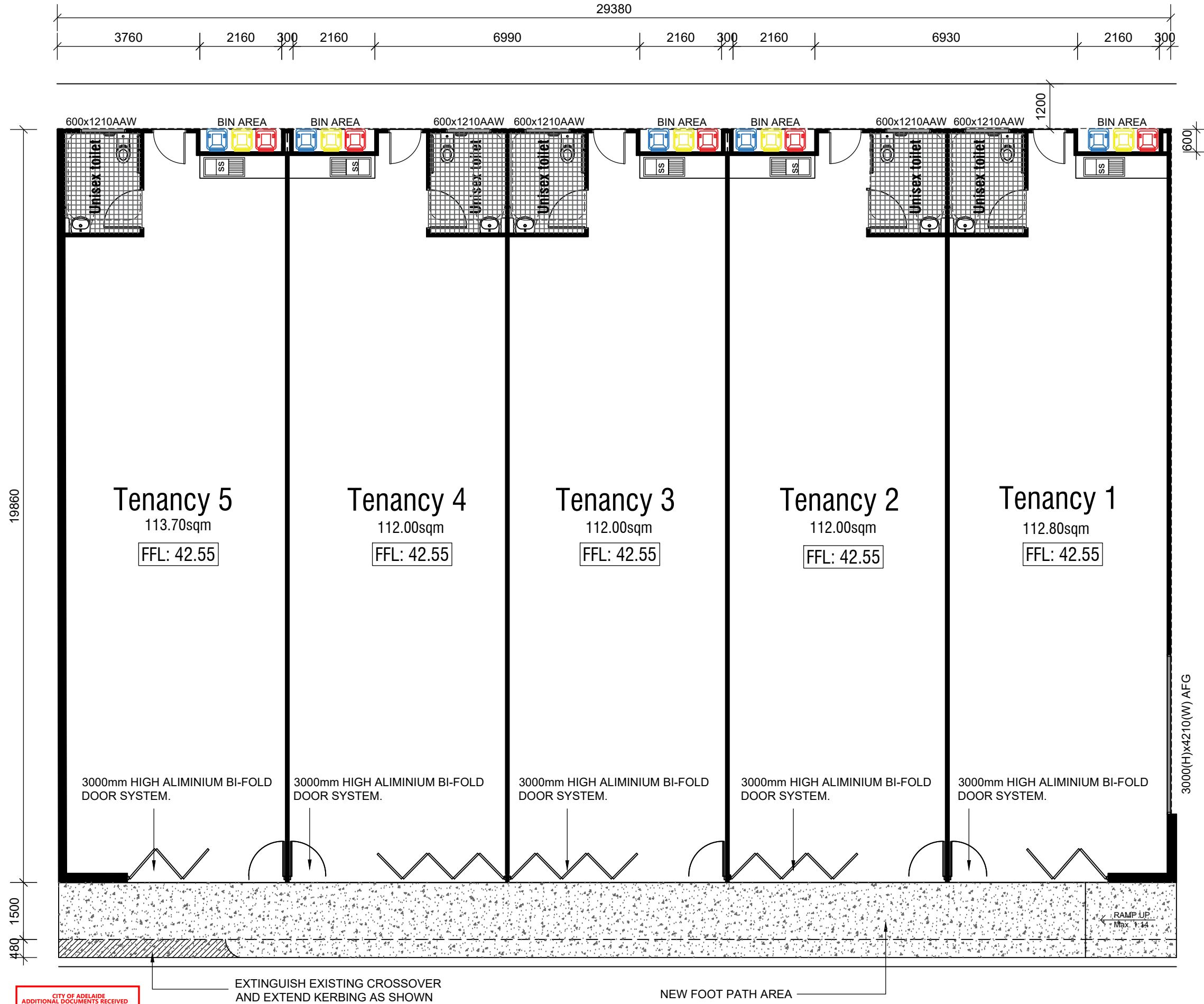
PROJECT No. 18.2020A SHEET No. PA 01 / 05

CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY

SITE PLAN 1 : 200



CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
20/07/2020
DA/2020/014



TOTAL BUILD AREA : 583.50m2

AMENDMENTS			
Rev	Date	Description	Drawn



SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RETAIL / SHOPS
AT:
LOTS 109 & 327 WHITCOMBE STREET
ADELAIDE

CLIENT
HST AUSTRALIA

DRAWN FB DATE MARCH 2020

SCALE AS SHOWN COPYRIGHT

PROJECT No. 18.2020A SHEET No. PA 02 / 05

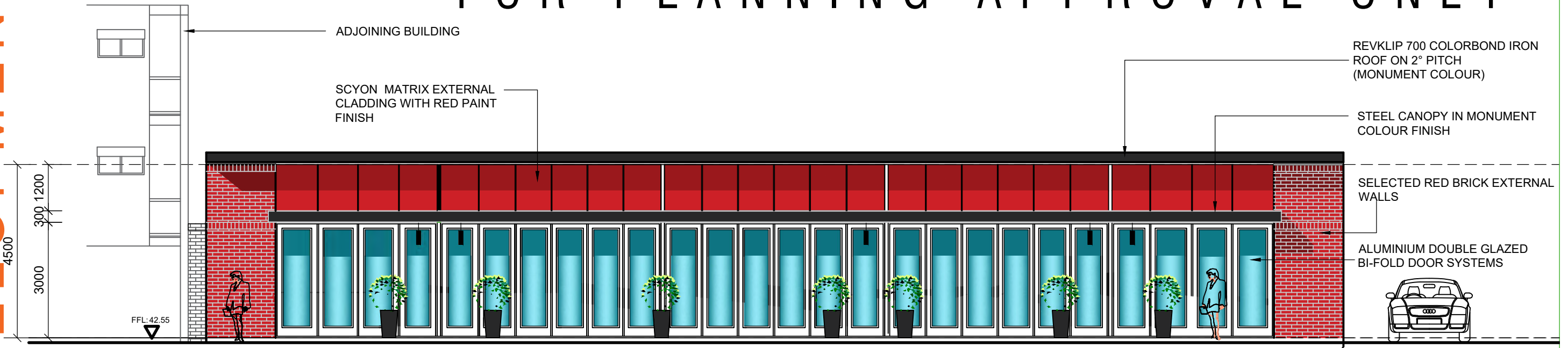
CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY.

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
20/07/2020
DA/204/2020

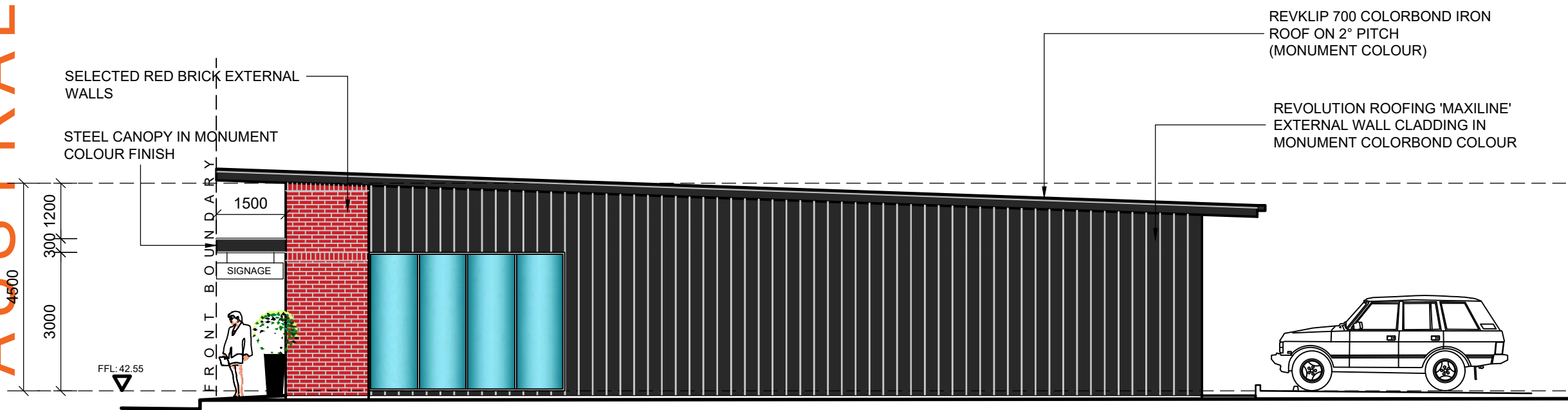
FLOOR PLAN 1:100

FOR PLANNING APPROVAL ONLY

HST AUSTRALIA DEVELOPMENT



WESTERN ELEVATION 1:100



SOUTHERN ELEVATION 1:100 OPTION 2

AMENDMENTS			
Rev	Date	Description	Drawn



SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RETAIL / SHOPS
AT:
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ADELAIDE

CLIENT
HST AUSTRALIA

DRAWN
FB

DATE
MARCH 2020

SCALE
AS SHOWN

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PROJECT No.
18.2020A

SHEET No.
PA 03 / 05

CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY.

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
20/07/2020
DA/204/2020

FOR PLANNING APPROVAL ONLY

HST AUSTRALIA DEVELOPMENT

REVKLIP 700 COLORBOND IRON ROOF ON 2° PITCH (MONUMENT COLOUR)

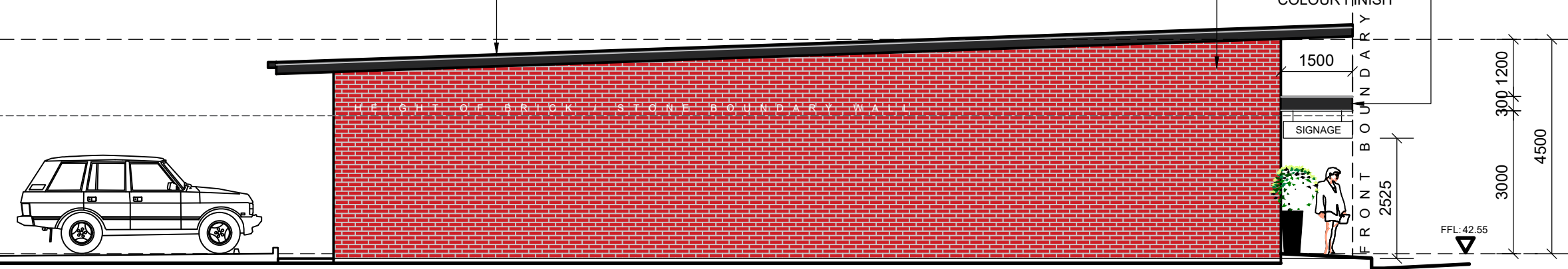
ADJOINING BUILDING



WESTERN ELEVATION 1:100

REVKLIP 700 COLORBOND IRON ROOF ON 2° PITCH (MONUMENT COLOUR)

SELECTED RED BRICK EXTERNAL WALLS
STEEL CANOPY IN MONUMENT COLOUR FINISH



NORTHERN ELEVATION 1:100

AMENDMENTS			
Rev	Date	Description	Drawn



SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RETAIL / SHOPS
AT:
LOTS 109 & 327 WHITCOMBE STREET
ADELAIDE

CLIENT
HST AUSTRALIA

DRAWN DATE
FB MARCH 2020

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CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
20/07/2020
DA/204/2020

FOR PLANNING APPROVAL ONLY



NOTE: IMAGES ARE FOR ILLUSTRATION PURPOSE ONLY



NOTE: IMAGES ARE FOR ILLUSTRATION PURPOSE ONLY

AMENDMENTS			
Rev	Date	Description	Drawn



SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RETAIL / SHOPS
AT:
LOTS 109 & 327 WHITCOMBE STREET
ADELAIDE

CLIENT
HST AUSTRALIA

DRAWN DATE
FB MARCH 2020


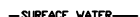


























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LEGEND

- uPVC SEWER PIPE
-  CLASS SN10 PVC STORM WATER PIPE WITH SOLVENT WELDED JOINTS (DIAMETER AS NOTED ON PLAN) FOR ROOF WATER
-  CLASS SN10 PVC STORM WATER PIPE WITH SOLVENT WELDED JOINTS (DIAMETER AS NOTED ON PLAN) FOR SURFACE WATER
-  100 HIGH KERB & GUTTER
-  100 HIGH KERB
-  BITUMEN PAVING
-  PAVING BY OWNER
-  "ACO" DRAIN K100s WITH GALVANISED GRATE (150kN)
-  CONCRETE SPOON DRAIN
-  RETAINING WALL
-  EXISTING SURFACE SPOT LEVEL
-  EXISTING WATER TABLE LEVEL
-  EXISTING TOP OF KERB LEVEL
-  TOP OF RETAINING WALL LEVEL
-  NEW PAVEMENT LEVEL
-  EXISTING TREE
-  STOBIE POLE
-  ETSa PIT
-  TELSTRA SERVICES
-  SEWER MANHOLE
-  SEWER INSPECTION OPENING
-  FIRE PLUG
-  WATER METER
-  STORMWATER INSPECTION POINT
-  STORMWATER 90 PVC GRATE
-  900 x900 GRATED SUMP WITH GATIC HEAVY DUTY GRATE (TYPICAL)
-  •ø90dp ø90 DOWNPIPE
-  •E SPREADER DRAIN
-  •dp ø150 DOWNPIPE

NOTES:

1. All downpipe connections are to be provided with cleaning eyes.
2. Stormwater pipes shall be as noted on plan.
3. All Stormwater pipes shall be laid as per AS 3500 to achieve minimum cover and grade U.N.O. If cover can not be achieved encase pipe in 100mm thick concrete.
4. Sumps, gratings & MH's shall be 300 sq (UNO) with walls & floors of 100mm thick concrete, reinforced with SL72 fabric central and an approved cover/grate & frame.
5. Where sumps/grates or the like are cast into a concrete slab, provide 2-N12 crack control bars at the corners of such cast-in items. Bars are to be 1000 long and tied to the top layer of slab reinforcement.
6. Bedding and back-filling around stormwater pipes shall conform to AS 3725-1989.
7. Bedding sand for stormwater pipes shall be coarse, free flowing pit sand, with a plasticity index less than 5. The material shall be clean with 100% passing the 6.7mm sieve and not greater than 10% passing a 0.075mm sieve. It shall have a minimum compacted depth of 75mm.
8. Boundary Locations are based on fences only. It is recommended that an identification survey be done to establish true boundaries.

Amend	Date	Description
A	22.06.20	Overall changes requested by council.

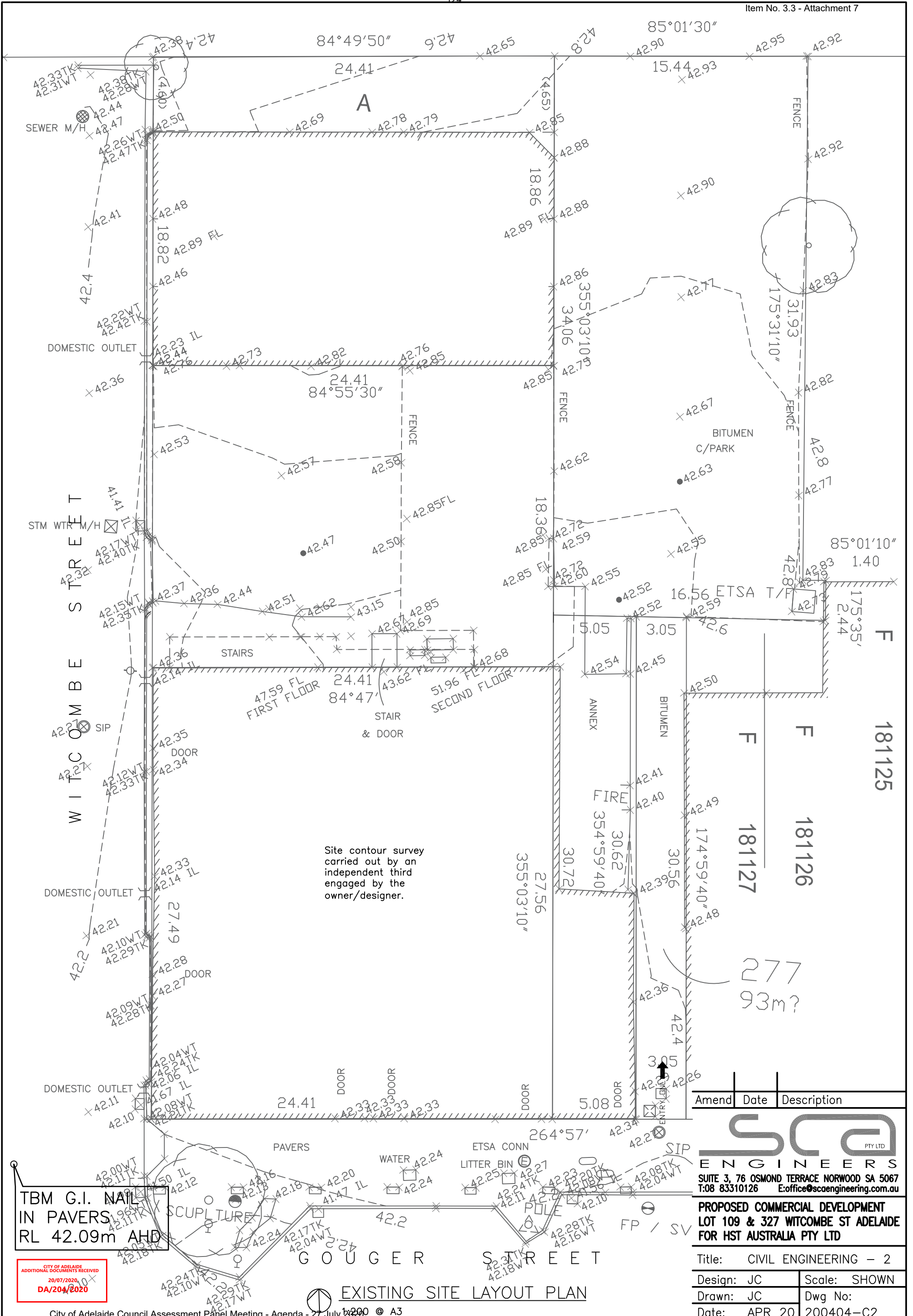
SCA PTY LTD
ENGINEERS

SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
T:08 83310126 E:office@scaengineering.com.au

**PROPOSED COMMERCIAL DEVELOPMENT
LOT 109 & 327 WITCOMBE ST ADELAIDE
FOR HST AUSTRALIA PTY LTD**

Title: CIVIL ENGINEERING - 1	
Design: JC	Scale: SHOWN
Drawn: JC	Dwg No:
Date: APR 20	200404-C1/A

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Site contour survey carried out by an independent third engaged by the owner/designer.

Amend	Date	Description

SCA PTY LTD
ENGINEERS
 SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
 T:08 83310126 E:office@scaengineering.com.au

PROPOSED COMMERCIAL DEVELOPMENT
LOT 109 & 327 WITCOMBE ST ADELAIDE
FOR HST AUSTRALIA PTY LTD

Title: CIVIL ENGINEERING - 2	
Design: JC	Scale: SHOWN
Drawn: JC	Dwg No:
Date: APR 20	200404-C2

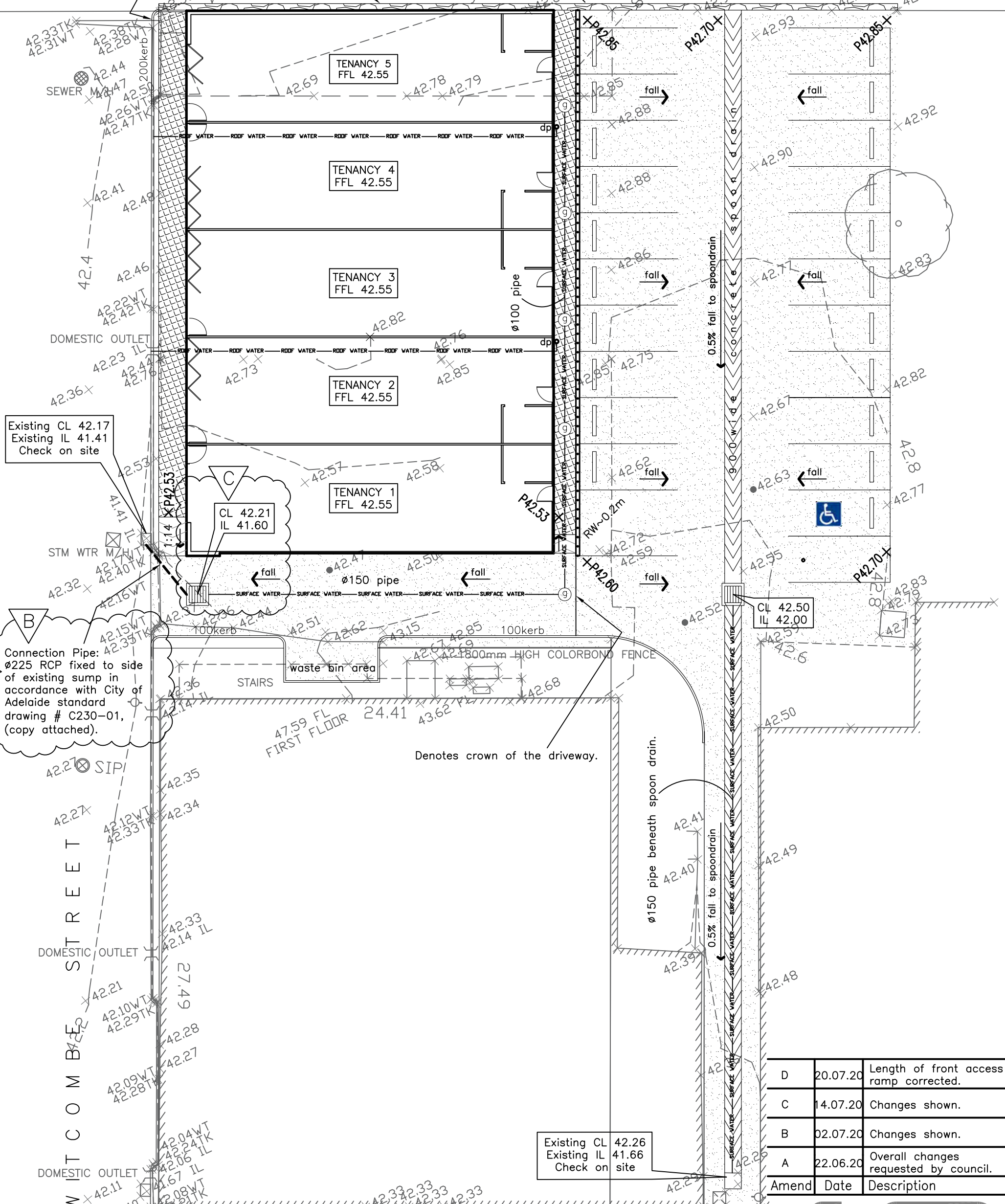
TBM G.I. NAIL
 IN PAVERS
 RL 42.09m AHD

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EXISTING SITE LAYOUT PLAN

Proposed new kerb to match existing in accordance with council standard and specifications.

Existing 2500mm high masonry wall along boundary to remain.



Existing CL 42.17
Existing IL 41.41
Check on site

Connection Pipe: Ø225 RCP fixed to side of existing sump in accordance with City of Adelaide standard drawing # C230-01, (copy attached).

Existing CL 42.26
Existing IL 41.66
Check on site

Amend	Date	Description
D	20.07.20	Length of front access ramp corrected.
C	14.07.20	Changes shown.
B	02.07.20	Changes shown.
A	22.06.20	Overall changes requested by council.

SCA ENGINEERS PTY LTD
 SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
 T:08 83310126 E:office@scaengineering.com.au

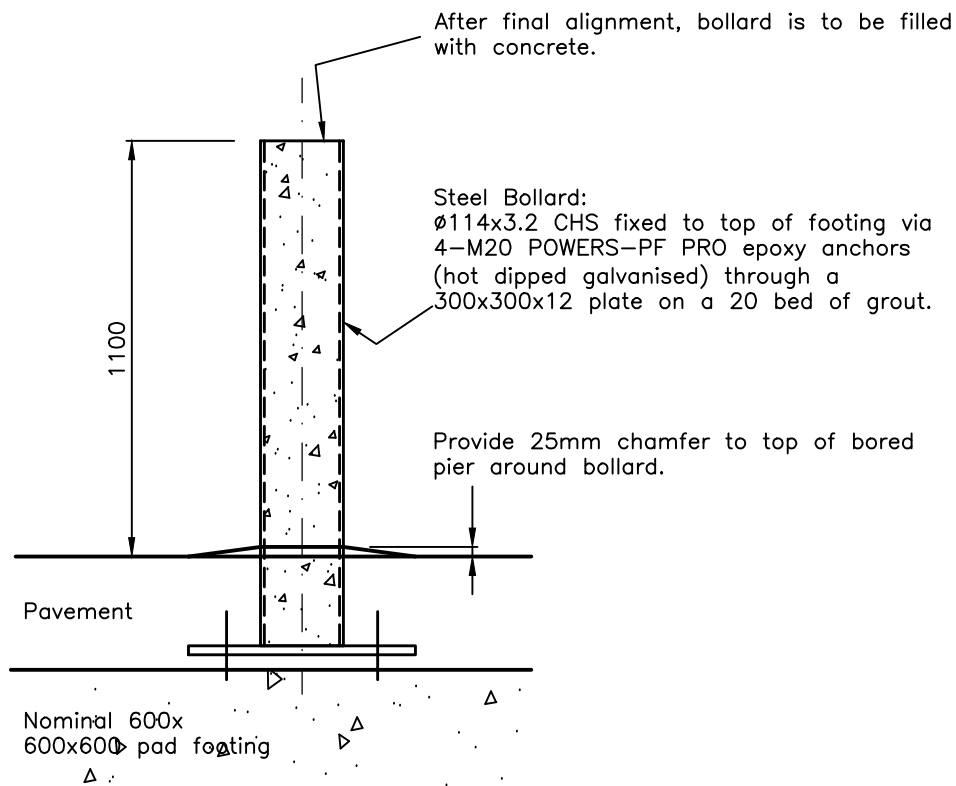
PROPOSED COMMERCIAL DEVELOPMENT
 LOT 109 & 327 WITCOMBE ST ADELAIDE
 FOR HST AUSTRALIA PTY LTD

Title: CIVIL ENGINEERING - 3	
Design: JC	Scale: SHOWN
Drawn: JC	Dwg No:
Date: APR 20	200404-C3/D

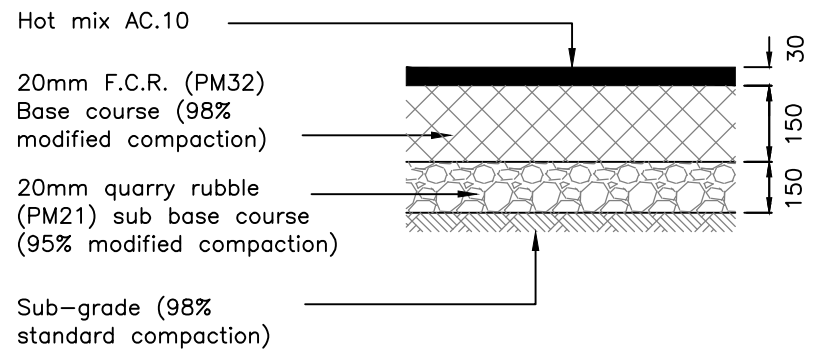
TBM G.I. NAIL IN PAVERS RL 42.09m AHD

CITY OF ADELAIDE
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20/07/2020
DA/204/2020

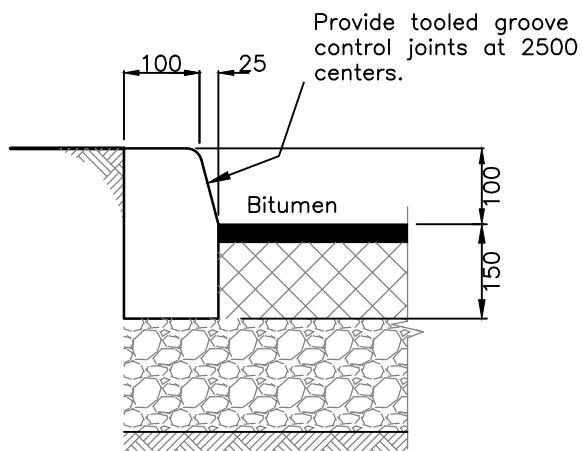
PROPOSED SITE LAYOUT PLAN



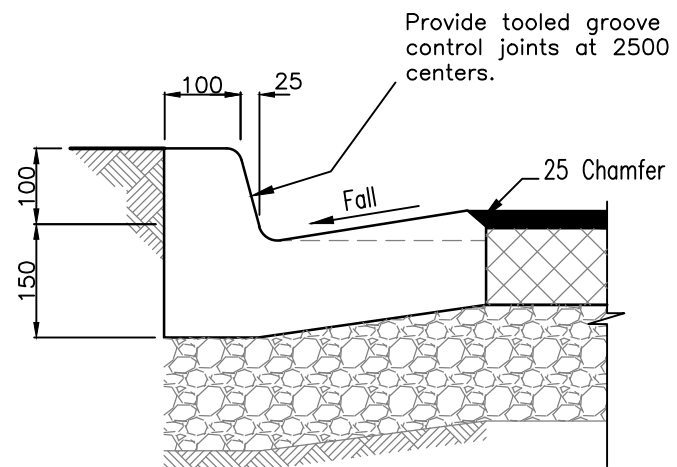
CARPARK BOLLARD DETAIL
 N.T.S.



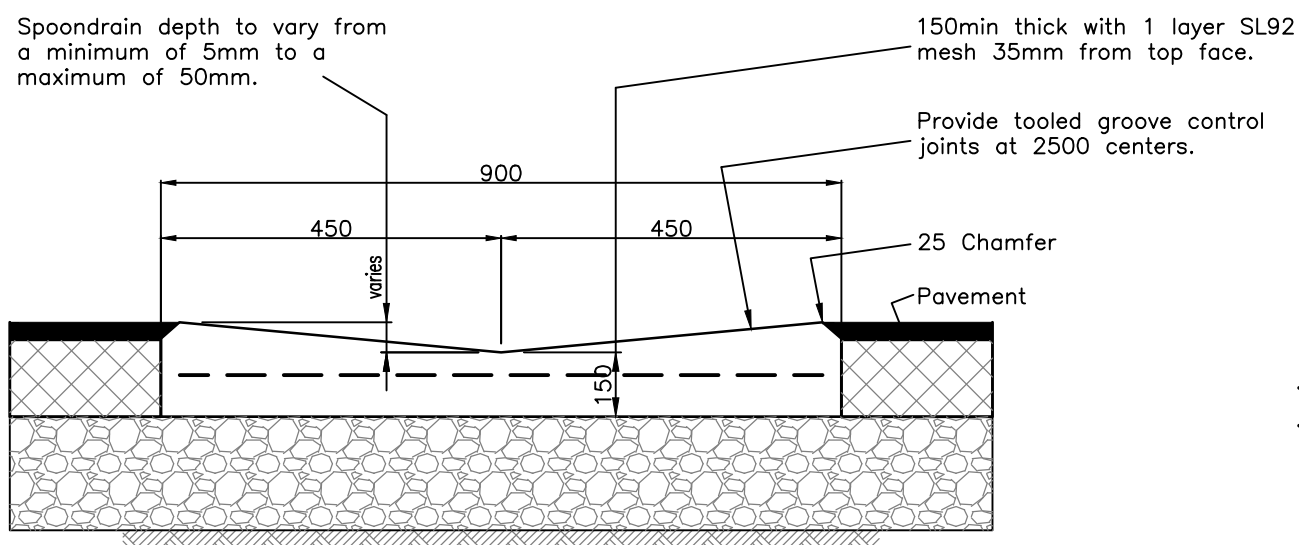
HOT MIX BITUMEN PAVEMENT DETAIL
 N.T.S.



100 HIGH KERB
 1:10



100 KERB & GUTTER
 1:10



SPOON DRAIN DETAIL
 1:10

Amend	Date	Description
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SCA PTY LTD
ENGINEERS
 SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
 T:08 83310126 E:office@scaengineering.com.au

**PROPOSED COMMERCIAL DEVELOPMENT
 LOT 109 & 327 WITCOMBE ST ADELAIDE
 FOR HST AUSTRALIA PTY LTD**

Title: CIVIL ENGINEERING - 4	
Design: JC	Scale: SHOWN
Drawn: JC	Dwg No:
Date: APR 20	200404-C4

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Leader in sustainable waste management and recycling solutions

Lots 109 & 327 Whitcombe St

Submission for Waste Collection Services

Prepared by Veolia Environmental Services (Australia) Pty Ltd

June 2020

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
22/06/2020
DA/204/2020





CONFIDENTIALITY CONDITIONS

- (a) All information whether oral, electronic, printed or graphic contained in this document or obtained by you from Veolia (**Information**) is confidential to Veolia and shall not be used by you other than for the purpose of reviewing this document and the proposal contained herein.
- (b) You shall not copy or reproduce any Information except when, and then only to the extent, reasonably necessary for the purpose of reviewing this document and the proposal contained herein.
- (c) Upon receiving notice that our proposal has not been accepted, and if notified by Veolia, you shall destroy, in a secure manner, this document and any Information.
- (d) You shall ensure that any employee or any other person to whom you supply the Information is bound by the terms of these conditions.



Dear Frank,

Veolia is pleased to submit the following Waste Management Plan for the proposed development Lots 109 & 327 Whitcombe St.

Veolia will have a strong focus on diverting your waste streams to recycling centres to work towards achieving cost minimisation and increasing diversion from landfill by implementing the following systems:

Apartment Area:

We suggest using the following sized Mobile Garbage Bin (MGB) the quantities of each are details in the report.

- General Waste – for all contaminated wet waste streams
 - 6600ltr MGB
- Dry recycling – recycled through
 - 660ltr MGB

Please see a copy of the waste management plan below for your consideration. I am confident Veolia can implement the above services and systems to work towards achieving cost minimisation and supply the waste management services in a safe & environmentally friendly manner.

We look forward to working with you throughout this process and into the future. Should you require additional information or clarification relating to this document, please do not hesitate to contact myself on 0419 037 343

Regards

Anthony Brazzale
Sales Manager SA NT



Executive Summary

Veolia's aim is to deliver viable collection, handling and transport of all waste streams for all sites whilst diverting 100% of its waste streams through a recycling process.

Lots 109 & 327 Whitcombe St are also mindful of promoting the correct management of its waste by decreasing the amount of waste going to landfill and increasing the quantity of waste that is recyclable through a "value for money" service.

Veolia Environmental Services (Veolia) is Australia's leading provider of environmental waste management services to industry, commerce and the public. We have worked closely with government, industry and commerce for over 42 years to satisfy people's essential daily needs while respecting natural resources. Our strong and stable management team have taken the organisation from a small operation in 1969 to the current Australia-wide and international network generating Australian revenues in excess of \$700 million per annum from in excess of 100 operating sites.

Veolia is the Australian waste management, industrial cleaning and resource recovery division of the global company Veolia Environnement (VE), generating revenue in excess of AUD \$55 billion annually.

The worldwide strength of Veolia is underpinned by a strategy of long-term investment, continuous innovation and mutual partnering with our customers. Veolia works in partnership with nationally aligned accounts such as Coles, Spotless and Health Scope. Locally, Veolia has forged strong working partnerships with ISS, Burnside Village, Makris Corporation and performs municipal services for Councils such as Mt Barker, Pt Augusta, Whyalla and Pt Lincoln. Veolia has significant experience within the Local Government sector throughout Australia in areas of environmentally recognised and sustainable waste management and recycling services.

This experience enables Veolia to provide the suite of services required by Lots 109 & 327 Whitcombe St development, whilst maintaining the necessary standards of environmental health and safety compliance. Veolia is proud of its commitment and compliance to all aspects of Quality, Occupational Health Safety & Welfare and Environmental Management Systems to support our commitment to sustainable development.

Our proposal recognises the need to address the disposal of all waste streams generated from each area of Lots 109 & 327 Whitcombe St development. Our model will focus on effective waste minimisation strategies, including the recycling or beneficial re-use of product wherever appropriate at extremely competitive rates. Veolia has adopted the principle of 'World's Best Practice' and is dedicated to achieving the highest standards in our field.



Reductions in landfill will reduce Carbon Gas Emissions and result in lower costs.

In the waste management sector, disposal of biodegradable waste will ultimately attract a higher landfill cost at poorly run landfill operations. Government and commerce are becoming increasingly aware of the environmental and economic benefits of sorting all waste streams to recover high yields of recyclable waste. The increased recycling of plastics, paper, cardboard, waste oily waters, sludges, greases and other recyclable materials will improve Lots 109 & 327 Whitcombe St, life-cycle Greenhouse Gas (GHG) Emissions and ecological footprint. Veolia can provide monthly reports on GHG emission savings, in addition to data on volumes and weights diverted from landfill.

A major component of our proposal provides for not only the minimisation of waste, but more importantly for the diversion from landfill to our recycling facility to ensure where possible 100% of your waste streams are diverted through the recycling process. This is the key to supporting Lots 109 & 327 Whitcombe St commitment to sustainable development and will also assist in the better management of costs. Veolia believes in conducting regular audits of its waste segregation management system to ensure that it complies with Lots 109 & 327 Whitcombe St environmental directives. The evaluation of the effectiveness of this system may be monitored through regular agreed KPI reporting.

It is important that Lots 109 & 327 Whitcombe St develops a waste and recycling management program and aligns with an environmental service provider who is strategically positioned to help Lots 109 & 327 Whitcombe St mitigate its environmental footprint.



Cost savings.

Minimise waste to landfill.

A dedicated contract manager focused on exceeding your expectations

The key characteristics of our proposal are:

Deliver Long Term Cost Savings: Through a structured program focusing on waste diversion from conventional landfill, Veolia can deliver cost savings through lower disposal costs across Lots 109 & 327 Whitcombe St development.

Towards Zero Waste to Landfill: Veolia provides access to various technologies developed both locally and overseas, which are already proven within the Veolia Group. Our proposal offers solutions that address a range of environmental concerns, with the primary focus being the diversion of waste from landfill to a recycling centre. Some sample environmental credentials afforded to Lots 109 & 327 Whitcombe St development include:

- Implement Organics Recycling
- Zero Waste Approved Facility
- Implement Dry Recycling (front lift bins)
- Periodical audits performed to promote best practice

One Contact: Veolia is able to provide a dedicated Waste Services Team and we will assign a major account executive to Lots 109 & 327 Whitcombe St development. This provides one point of contact for Lots 109 & 327 Whitcombe St development to monitor waste expenditure costs and recycling performance, enabling real improvements in both over the life of the contract. Veolia will provide one phone number to Lots 109 & 327 Whitcombe St development for all enquiries and this will be operational 24 hours a day, 7 days a week.

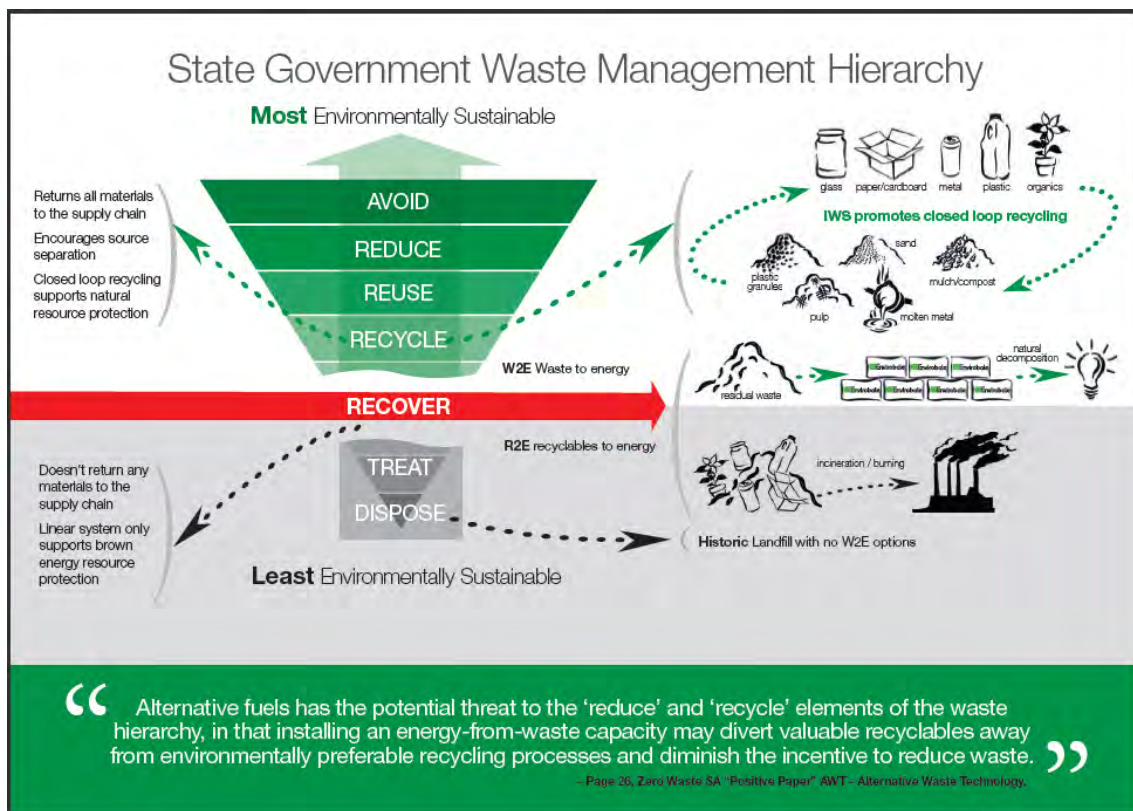
Leading Edge Reports: A monthly national report, which not only captures recycling and waste data, but calculates waste related Greenhouse Gas Emissions and savings from transport and waste disposal is available on a monthly basis for Lots 109 & 327 Whitcombe St.

We are also able to provide reporting based on:

- Cost Centre volumes and costs, waste volumes & weights, waste types, recycling volumes, recycling types, disposal costs etc.
- A feature of our reporting will be a Green House Gas (GHG) calculation, which will detail what impact Lots 109 & 327 Whitcombe St development has had on the environment and the benefits they have delivered through increased recycling.



Educational Material: Veolia can supply a full range of educational material to help understand and increase the recycling outcomes.



1. Waste Management Hierarchy

VEOLIA Recyclepak

Maximum diversion of resources from burning alternative fuels and historic landfill disposal.

ASK FOR A SITE TOUR OF IWS TODAY!

IWS Recycling Centre Capability Statement and Reporting					
<p>Dry Recyclables</p> <p>Process Mechanically pre-sorted and then processed through the IWS Recycling Centre.</p> <p>Recycling Performance 90% of the recyclable content* is extracted by weight. Residual content is largely in garbage bags and is putrescible which cannot be opened due to OHS risks.</p> <p>Presentation to IWS Can contain between 0-30% residual waste by weight due to limited source separation.</p> <p><input checked="" type="checkbox"/> Recyclable Content <input checked="" type="checkbox"/> Zero Waste SA Recycle at work*</p>	<p>Comingled Recyclables</p> <p>Process Directly processed through the IWS Recycling Centre.</p> <p>Recycling Performance 99% of the recyclable content* is extracted by weight. Residual content is dropped out by screen and largely contains broken glass and food fines which are removed before passing through manual sorting room due to OHS risk management.</p> <p>Presentation to IWS Can contain between 0-15% residual waste by weight, limited contamination due to high level of source separation.</p> <p><input checked="" type="checkbox"/> Recyclable Content <input checked="" type="checkbox"/> Zero Waste SA Recycle at work*</p>	<p>Mixed Paper & Cardboard</p> <p>Process Directly processed through the IWS Recycling Centre.</p> <p>Recycling Performance 100% of the recyclable content* is processed directly into mixed paper and cardboard baling.</p> <p>Presentation to IWS Required to be 100% paper and cardboard.</p> <p><input checked="" type="checkbox"/> Recyclable Content <input checked="" type="checkbox"/> Zero Waste SA Recycle at work*</p>	<p>Food & Garden Organics</p> <p>Process Processed through the IWS Composting Process.</p> <p>Recycling Performance 98% of the recyclable content* is extracted by weight. Residual content is dropped out by screen and largely contains broken glass and plastic fines.</p> <p>Presentation to IWS Required to be 100% food organics.</p> <p><input checked="" type="checkbox"/> Recyclable Content <input checked="" type="checkbox"/> Zero Waste SA Recycle at work*</p>	<p>General Waste</p> <p>Process Putrescible waste processed through carbon efficient Envirobale® System.</p> <p>Recovery Performance Compacted into waste bales and placed in a modular balefill where methane is extracted and converted to energy.</p> <p>Presentation to IWS Contains mixed general waste, no source separation occurs.</p> <p><input checked="" type="checkbox"/> Envirobale®</p>	<p>Mixed Waste</p> <p>Process Mechanically pre-sorted and then processed through the IWS Recycling Centre.</p> <p>Recycling Performance 99% of the recyclable content* is extracted by weight. Residual content is dropped out by screening and is minimal by weight due to the high density of recyclables e.g. brick/dirt.</p> <p>Presentation to IWS Can contain between 0-10% residual waste by weight, limited contamination due to source separation and high density of recyclables.</p> <p><input checked="" type="checkbox"/> Recyclable Content</p>

500 Churchill Road
Kilburn, SA, 5084
Telephone: 08 8260 2122
Email: sa@veolia.com.au

***Recyclable Content**
(no hidden recycling content in fuels)

C&I: Mixed paper, mixed cardboard, mixed plastic, small timber and green organics, food organics, small metals.

C&D: All C&I recyclable content materials listed, large timber and organics, large metals, soil, brick and concrete.

***Zero Waste SA Recycle at Work**
IWS Recycling Centre is a ZWSA Recycle at Work Program Accredited Facility.

INTEGRATED WASTE SERVICES

Let 254 Cyr Hines and Wingfield Roads
Wingfield SA 5013
Telephone: 8243 2644
Facsimile: 8243 1299
Email: iws@iwsgroup.com.au
www.iwsgroup.com.au

creating a greener

Printed on 100% recycled paper

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2. Recycle Pak – Maximise diversion from landfill with the correct receptacles.

Triple National Certification: Lots 109 & 327 Whitcombe St development will have peace-of-mind that their waste is being collected, recycled and disposed of in a safe and environmentally compliant manner. This is backed up by our highly enviable triple certification of ISO 14001 (Environment), ISO 9001 (Quality) and AS 4801 (Safety) management systems.



Award Winning Business: Veolia is the recipient of the 2011 Australian Business Award for Environmental Sustainability. This was the second consecutive year that Veolia won this award, selected from numerous national businesses by an independent committee.



Veolia is also an Australian Quarantine and Inspection Service accredited service provider. The strategic direction of Veolia is one of continuous improvement in environmental technologies for the handling, processing and treatment of waste as well as improvements in education and environmental awareness programs for our customers.

As the organisation has grown, it has earned a reputation for quality, reliability, customer service and commitment to sustainable development based on 'World's Best Practice'. We look forward to working with Lots 109 & 327 Whitcombe St development throughout this period and into the future. Should you require additional information or clarification relating to this document, please do not hesitate to contact myself on

0419 037 343

Anthony Brazzale

Business Development Manager SA

Waste Management Plan

Lots 109 & 327 Whitcombe St

Subject	Details																																																																																		
Development Details	Lots 109 & 327 Whitcombe ST (Retail greater than 100m2)																																																																																		
Type of waste Streams & Bin Sizes	<p>Site Bin Area</p> <ul style="list-style-type: none"> General waste – For all contaminated wet waste 1 x 660ltr MGB serviced 4 x weekly Dry recycling – Recycled through SUEZ-ResourceCo 1 x 660ltr MGB serviced 4 x weekly <p>Total bin capacity 4746 Litres.</p> <p style="text-align: center;">Bin Dimensions:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #cccccc;"> <th colspan="7">Rear Lift Bins (Size Matrix)</th> </tr> <tr> <th>Bin Size (Ltrs)</th> <th>Wheel Diameter</th> <th>Max weight in Bin</th> <th>Bin Weight</th> <th>Height (mm)</th> <th>Width (mm)</th> <th>Depth (mm)</th> </tr> </thead> <tbody> <tr> <td>140</td> <td>200</td> <td>48kg</td> <td>11.4kg</td> <td>920</td> <td>535</td> <td>640</td> </tr> <tr> <td>240</td> <td>200</td> <td>96kg</td> <td>15.5kg</td> <td>1060</td> <td>580</td> <td>730</td> </tr> <tr> <td>660</td> <td>200</td> <td>265kg</td> <td>45kg</td> <td>1200</td> <td>1360</td> <td>770</td> </tr> <tr> <td>1100</td> <td>200</td> <td>440kg</td> <td>58kg</td> <td>1390</td> <td>1360</td> <td>1090</td> </tr> </tbody> </table> <p style="text-align: center;">Rear lift Truck Dimensions:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="8">Rear Lift Truck Specifications</th> </tr> <tr> <th>Size</th> <th>length (mtrs)</th> <th>width (mtrs)</th> <th>height (Mtrs)</th> <th>Operating Clearance</th> <th>Turning Circle (Mtrs)</th> <th>Gross Vehicle Mass (GVM)</th> <th>Tare weight</th> </tr> </thead> <tbody> <tr> <td>4x2</td> <td>8.65</td> <td>2.20</td> <td>3.10</td> <td>NA</td> <td>15.00</td> <td>14t</td> <td>9.67t</td> </tr> <tr> <td>6x4</td> <td>10.10</td> <td>2.50</td> <td>3.30</td> <td>NA</td> <td>15.30</td> <td>22.5t</td> <td>12t</td> </tr> <tr> <td colspan="2">Notes</td> <td colspan="6"></td> </tr> </tbody> </table>	Rear Lift Bins (Size Matrix)							Bin Size (Ltrs)	Wheel Diameter	Max weight in Bin	Bin Weight	Height (mm)	Width (mm)	Depth (mm)	140	200	48kg	11.4kg	920	535	640	240	200	96kg	15.5kg	1060	580	730	660	200	265kg	45kg	1200	1360	770	1100	200	440kg	58kg	1390	1360	1090	Rear Lift Truck Specifications								Size	length (mtrs)	width (mtrs)	height (Mtrs)	Operating Clearance	Turning Circle (Mtrs)	Gross Vehicle Mass (GVM)	Tare weight	4x2	8.65	2.20	3.10	NA	15.00	14t	9.67t	6x4	10.10	2.50	3.30	NA	15.30	22.5t	12t	Notes							
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Notes																																																																																			

<p>Service Frequency & Waste Volumes</p>	<p>Based on the Property Council of Australia's South Australia "Better Practice Guide Waste Management" if the waste streams are split to general waste and recycling the retail stores will generate the following volumes weekly;</p> <ul style="list-style-type: none"> • General Waste 6 litres per 10m² per day x 565m² @ 7 days = 2373 ltr of GW per week • Recycling 6 litres per 10m² per day x 565m² @ 7 days = 2373 ltr per week. ○ At this stage after looking into the plans I would propose the number and size of MGB's listed in the development details above, and weekly collection schedule to service the development. This can be reviewed once at full capacity and other waste services can be considered based on final tenant profile.
<p>Bin Storage Locations & movement of bins</p>	<ul style="list-style-type: none"> ○ Bins will be stored in the dedicated waste bin area. The bins will be clearly labelled with empty bins being placed beneath the appropriate waste chute when bins are full.
<p>Collection Points</p>	<ul style="list-style-type: none"> • A Veolia truck will service the Apartments via an agreed collection point, the collection point will be accessed to comply with Veolia's OH&S regulations. • All collections will meet with EPA time frames
<p>Specialised Facilities & Equipment</p>	<p>N/A</p>
<p>Account Management & Customer Education</p>	<ul style="list-style-type: none"> ○ Veolia will have a dedicated Account Manager to oversee the waste management services for Lots 109 & 327 Whitcombe St. Veolia will provide educational information and signage to help achieve improved source separation. All Waste streams will be managed by Veolia, and monitored accordingly.



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CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
22/06/2020
DA/204/2020

Terms & Conditions

1. Definitions

'**Agreement**' means the agreement and the terms set out in this document.

'**Contract Price**' means the Contract Price as specified in this document or, if no Contract Price is specified, means the total of the Service Fees multiplied by the corresponding quantities of the Services supplied for the term of the Agreement plus all adjustments and costs in accordance with this Agreement.

'**Equipment**' means all containers and other plant and equipment supplied by Veolia for or under this Agreement, all of which remain the property of Veolia.

'**Site**' means those of the Client's premises at which the Services are carried out, and includes any new premises that the Client may relocate to for any reason.

'**Service Fee**' means the specified rate, price or lump sum amount for the performance of each item of the Services, as adjusted in accordance with this Agreement.

'**Services**' means all services of the type and nature as described in this Agreement.

2. Client Responsibilities

The Client agrees:

2.1 Service

- (a) that Veolia has the exclusive right to supply all Services to the Site;
- (b) to provide Veolia with reasonable opportunity to offer to provide Services to the Client at premises other than the Site;
- (c) to promptly inform Veolia of any change in the Client's Services' requirements;
- (d) to disclose to Veolia all information in the Client's possession relevant to the provision of the Services;
- (e) to comply with all legal requirements and the requirements of all relevant regulatory authorities relating to the Services;
- (f) that Veolia has the right to suspend the provision of the Services in the event of non-payment for the same by the Client;

2.2 Equipment

- (a) to use the Equipment only for its proper and intended purpose;
- (b) to provide Veolia such access to the Equipment and the Site as is reasonably required to enable Veolia to provide the Services safely and in accordance with this Agreement;
- (c) to maintain the cleanliness of the Equipment;
- (d) not to damage, deface or remove identifying marks from the Equipment;
- (e) to report to Veolia immediately any damage to, misuse of, or unsafe, Equipment;
- (f) to reimburse Veolia for the cost of any stolen Equipment, whether from the Site or the vicinity of the Site;

2.3 Service

- (a) to ensure that all waste supplied for collection is of the type or nature specified in this Agreement and, unless otherwise agreed by Veolia, uncompacted;
- (b) not to overload the Equipment (either by weight or volume)

2.4 Payment

- (a) to pay Veolia:
 - (i) the Contract Price as a debt due and payable to Veolia upon signing of the Agreement, such debt to be paid by monthly instalments payable over the term of this Agreement; and
 - (ii) any adjustments made by Veolia in accordance with this Agreement; and
- (b) any and all amounts invoiced in accordance with this Agreement must be paid within 14 days from the date of the invoice; and
- (c) if this Agreement is renewed, that the provisions of clause 2.4(a) will apply upon renewal to the Contract Price payable in respect of such renewed period.

2.5 Assignment

not to assign its interest under this Agreement without the prior written consent of Veolia.

3. Veolia Responsibilities

Veolia shall perform the Services in accordance with this Agreement.

4. Liabilities

4.1 Additional Charges and Fee Increases

The Client acknowledges that amounts payable by it to Veolia under this agreement may be adjusted from time to time by Veolia, acting reasonably, as a result of:

- (a) Veolia having incurred extra costs or suffered loss and damage as a result of a breach by the Client of its responsibilities under this Agreement;
- (b) the actual weight of the waste the subject of the Services exceeding the estimated weight thereof;
- (c) a change in the nature, density, quantity or timing of the Services (including any change in the type, density, weight or quantity of the waste the subject of the Services);
- (d) any increase in the Service Fees as a result of:
 - (i) any increase in the Adelaide All Groups CPI;
 - (ii) any increase in the cost of the performance of Veolia's obligations under this Agreement (including labour costs, fuel, government taxes or charges, disposal fees); or
 - (iii) any other relevant circumstance.

Veolia undertakes to provide notice to the Client of any such increases.

4.2 Client Indemnity

The Client indemnifies Veolia against loss or damage to Veolia's property and against any claim or action which may be brought or made by any person against Veolia, its employees or agents in respect of personal injury or death of any person or loss of or damage to property caused by a negligent or wrongful act or omission of the Client, its employees, other contractors or agents.

The Client's liability to indemnify Veolia is reduced proportionally to the extent that Veolia, its employees, subcontractors or agents have contributed to the injury, death, loss or damage.

4.3 Veolia Liability

Veolia's liability at law is limited to:

- (a) the resupply of the Services; or
- (b) at Veolia's option, the payment of the cost of resupply of those Services.

Except for this and to the extent permitted by law, Veolia accepts no liability whatsoever for any claim for loss or damage of any kind without limitation. Veolia will not be liable for the non-performance of the Services caused by an act, omission or event beyond its control.

5. Term

5.1 The offer in this document is valid for fourteen (14) days from the date it is made.

5.2 The operation of the Agreement is subject to Veolia having first obtained a satisfactory credit check of the Client.

5.3 The term of this Agreement:

- (a) Is an initial fixed period of three (3) years from the Contract Commencement Date ("Initial Period") specified in this Agreement, and thereafter, shall continue for successive fixed periods of three (3) years each, subject to termination in accordance with clause 6.1; or
- (b) where the Services comprise a one-off project, expires upon their completion.

5.4 The term of this Agreement continues regardless of whether the Client moves from one Site to another Site (New Site). In the event of such relocation, Veolia will provide the Services at the New Site, on the terms of this Agreement.

6. Termination

6.1 Either party may terminate the Agreement:

- (a) Immediately by written notice to the other where that other:
 - (i) becomes bankrupt, or insolvent, or becomes subject to external administration; or

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Terms & Conditions

(ii) commits a substantial breach or default under the Agreement; or

(iii) repudiates the Agreement; or

(b) by giving to the other party no less than 60 days' written notice of intention to terminate, such notice to take effect at the end of the Initial Period or at the end of any further fixed period pursuant to clause 5.3.

6.2 If the Agreement is terminated by Veolia under clause 6.1(a) or by the Client under clause 6.1(b), the Client must pay Veolia the sum of:

(a) all monies due and payable under any invoices rendered but unpaid; and

(b) as liquidated damages, fifty per cent (50%) of the average monthly revenue for the number of months from termination until expiry of the then current term of the Agreement and which the Client agrees are a genuine pre-estimate of Veolia's loss. 'Average monthly revenue' is the average monthly gross amount paid or payable by the Client to Veolia under the Agreement.

7. Disputes

(a) If any dispute or difference arises between Veolia and the Client, other than pursuant to clause 6, it shall be referred to their respective representatives for resolution. In the event that the representatives are themselves unable to resolve the dispute, the representatives' superiors will attempt to resolve it speedily by negotiation and in good faith.

(b) In the event that Services are terminated or suspended pending resolution of a dispute under this Agreement, at Veolia's sole discretion Veolia's bin/s may remain on the Site and Veolia reserves the right to lock the bin/s until the dispute in question has been resolved or the Agreement terminated. In the event of termination, at Veolia's sole discretion, the bin/s may remain on the Site until payment of all liquidated damages, if applicable, in accordance with clause 6.2(b).





Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

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 5173 Folio 712

Parent Title(s) CT 4340/584
Dealing(s) CONVERTED TITLE
Creating Title
Title Issued 08/03/1994
Edition 4
Edition Issued 01/03/2013

REAL PROPERTY ACT, 1886



South Australia

Estate Type

FEE SIMPLE

Registered Proprietor

HST AUSTRALIA PTY. LTD. (ACN: 087 416 126)
OF G10/120-128 GOUGER STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 1 FILED PLAN 106572
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
11894670	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

Notations on Plan

NIL

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G603/1978

Administrative Interests

NIL

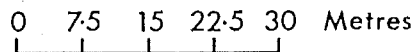
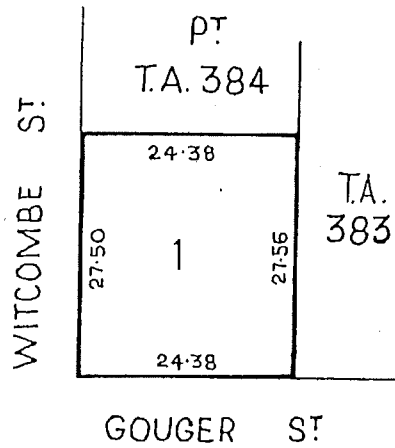
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Government of South Australia
Department of Planning,
Transport and Infrastructure

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Note : Subject to all lawfully existing plans of division



Government of South Australia
Department of Planning,
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Order ID	20160902005532
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Registrar-General

Certificate of Title - Volume 5173 Folio 713

Parent Title(s) CT 4384/791
Dealing(s) CONVERTED TITLE
Creating Title
Title Issued 08/03/1994
Edition 4
Edition Issued 01/03/2013

REAL PROPERTY ACT, 1885



South Australia

Estate Type

FEE SIMPLE

Registered Proprietor

HST AUSTRALIA PTY. LTD. (ACN: 087 416 126)
OF G10/120-128 GOUGER STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 6 FILED PLAN 106585
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
11894670	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

Notations on Plan

NIL

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G603/1978

Administrative Interests

NIL

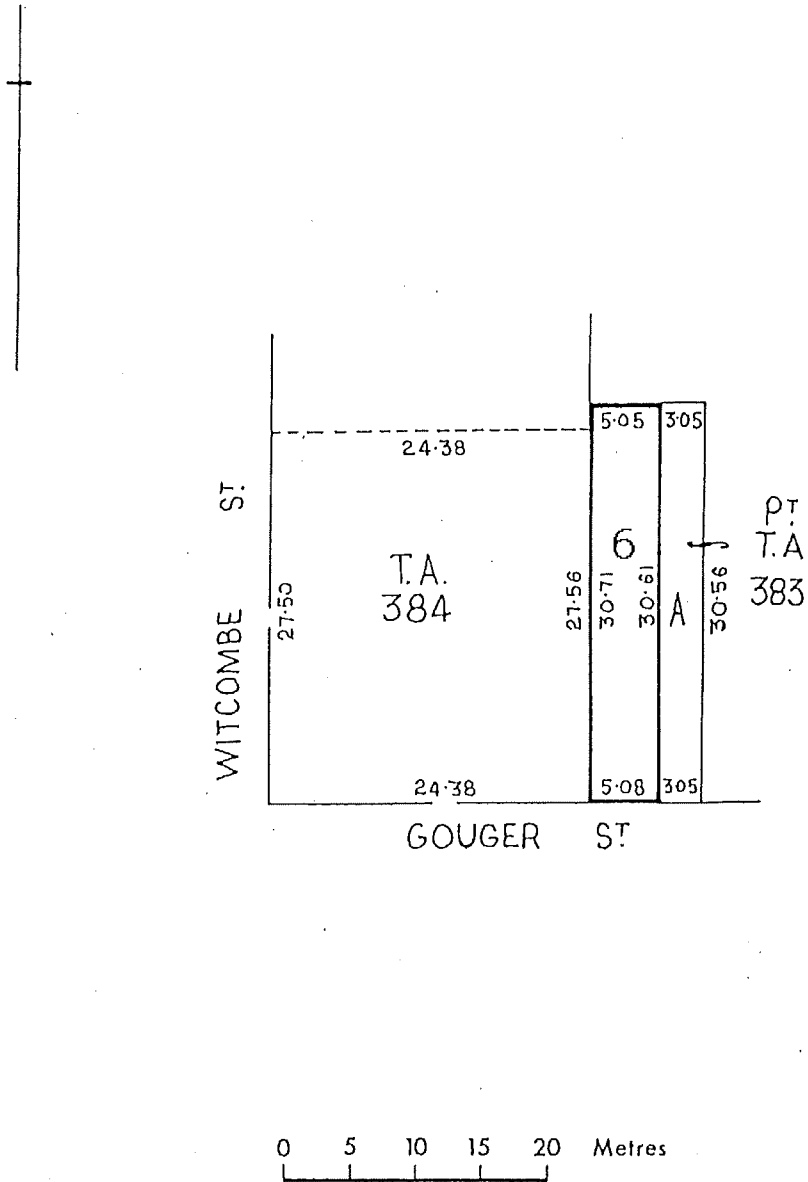
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Government of South Australia
 Department of Planning,
 Transport and Infrastructure

Product Register Search
 Date/Time 02/09/2016 12:11PM
 Customer Reference DR - ADELAIDE
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 See title text for easement details.



Note : Subject to all lawfully existing plans of division



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
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Order ID	20160902005532
Cost	\$166.50

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Registrar-General

Certificate of Title - Volume 5470 Folio 905

Parent Title(s) CT 4340/582
Dealing(s) CONVERTED TITLE
Creating Title
Title Issued 14/11/1997
Edition 3
Edition Issued 01/03/2013

REAL PROPERTY ACT, 1886



South Australia

Estate Type

FEE SIMPLE

Registered Proprietor

HST AUSTRALIA PTY. LTD. (ACN: 087 416 126)
OF G10/120-128 GOUGER STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 109 FILED PLAN 199678
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED A (GRO NO.448 BOOK 11)

Schedule of Dealings

Dealing Number	Description
11894670	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL



Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

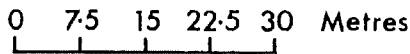
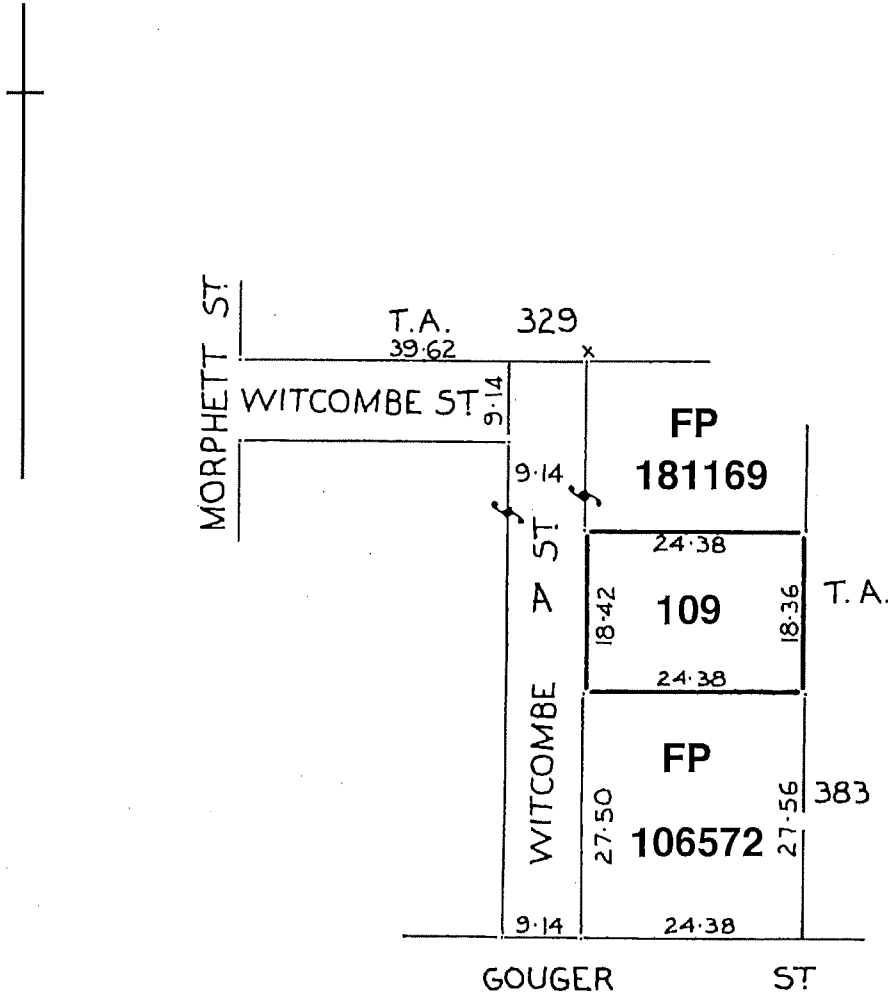
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* Denotes the dealing has been re-lodged.



Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

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SEE TITLE TEXT FOR EASEMENT DETAILS**



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

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Registrar-General

Certificate of Title - Volume 5517 Folio 28

Parent Title(s) CT 4309/280
Dealing(s)
Creating Title CONVERTED TITLE
Title Issued 23/03/1998
Edition 3
Edition Issued 01/03/2013

REAL PROPERTY ACT, 1886



South Australia

Estate Type

FEE SIMPLE

Registered Proprietor

HST AUSTRALIA PTY. LTD. (ACN: 087 416 126)
OF G10/120-128 GOUGER STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 108 FILED PLAN 199677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
11894670	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

Notations on Plan

NIL

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G603/1978

Administrative Interests

NIL

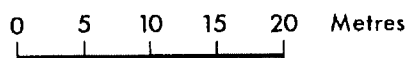
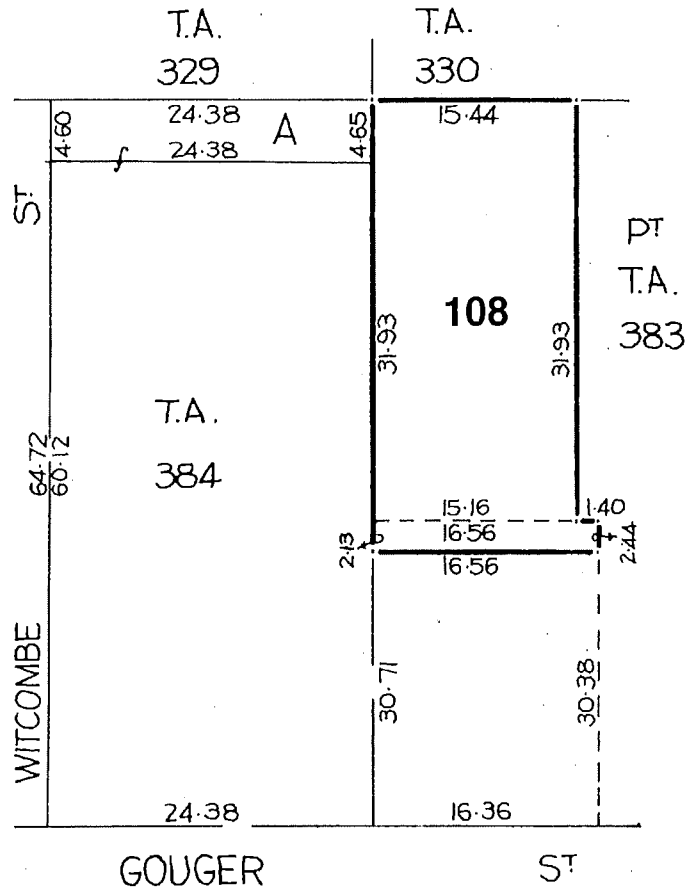
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 Department of Planning,
 Transport and Infrastructure

Product Register Search
 Date/Time 02/09/2016 12:11PM
 Customer Reference DR - ADELAIDE
 Order ID 20160902005532
 Cost \$166.50

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4309/280
 SEE TITLE TEXT FOR EASEMENT DETAILS



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

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Certificate of Title - Volume 5633 Folio 951

Parent Title(s)	CT 4296/610
Dealing(s) Creating Title	CONVERTED TITLE
Title Issued	12/03/1999
Edition	3
Edition Issued	01/03/2013

REAL PROPERTY ACT, 1886



South Australia

Estate Type

FEE SIMPLE

Registered Proprietor

HST AUSTRALIA PTY. LTD. (ACN: 087 416 126)
OF G10/120-128 GOUGER STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 327 FILED PLAN 181169
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A
TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED B (GRO NO.447 BOOK 11)

Schedule of Dealings

Dealing Number	Description
11894670	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title

NIL

Priority Notices



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

NIL

Notations on Plan

NIL

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G603/1978

Administrative Interests

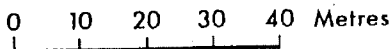
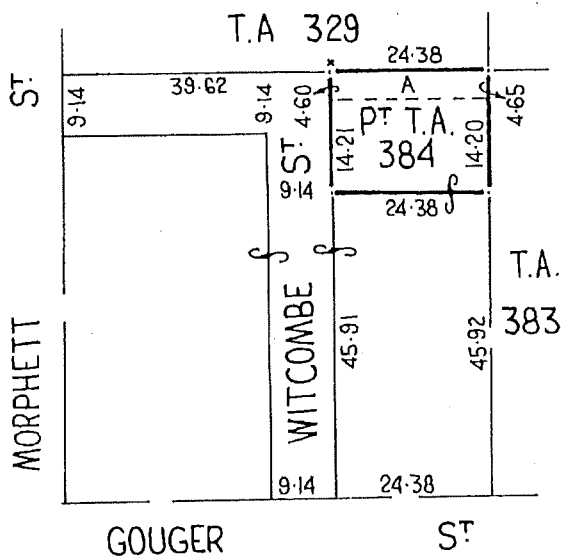
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* Denotes the dealing has been re-lodged.



Government of South Australia
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 Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50





Government of South Australia
Department of Planning,
Transport and Infrastructure

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Registrar-General

Certificate of Title - Volume 5656 Folio 454

Parent Title(s) CT 4326/926
Dealing(s) Creating Title CONVERTED TITLE
Title Issued 25/05/1999
Edition 3
Edition Issued 01/03/2013

REAL PROPERTY ACT, 1986



South Australia

Estate Type

FEE SIMPLE

Registered Proprietor

HST AUSTRALIA PTY. LTD. (ACN: 087 416 126)
OF G10/120-128 GOUGER STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 277 FILED PLAN 181119
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE WITHIN LAND

Schedule of Dealings

Dealing Number	Description
11894670	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

Notations on Plan

NIL

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G603/1978

Administrative Interests

NIL

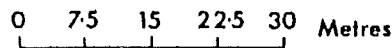
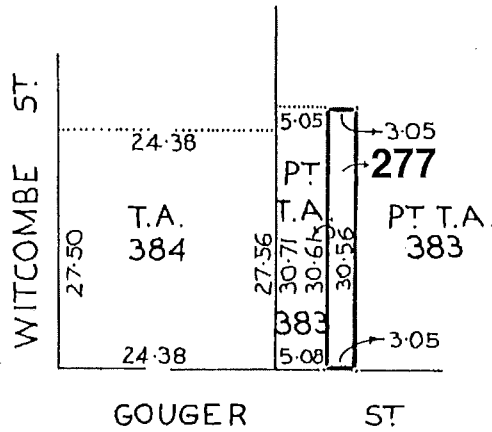
* Denotes the dealing has been re-lodged.



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	02/09/2016 12:11PM
Customer Reference	DR - ADELAIDE
Order ID	20160902005532
Cost	\$166.50

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4326/926
SEE TITLE TEXT FOR EASEMENT DETAILS



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

1. DESCRIPTION OF PROPOSAL

- 1.1 Retrospective planning consent is sought for the change of use of an existing car park for ancillary use by existing businesses in the locality, being the Red Cross Society, Mission Australia, the Tivoli Hotel and Wellstone Property, with proposed works including:
- amended car parking layout to meet Australian Standard AS/NZS 2890.1:2004 Off-street Car Parking.
 - erection of a parking identification aluminium panel sign (already erected), attached to the fence adjacent to the existing driveway on Pirie Street.
 - erection of an additional panel below the existing sign identifying that the car park is for private (ancillary) parking only.
 - creation of a pedestrian entry point on Pirie Street to provide convenient access particularly for users of the disabled car parking space immediately adjacent.
 - a ticket machine within the site adjacent to the entrance on Pirie Street
- 1.2 The operating hours will be 24 hours operation, Monday to Sunday, with a mobile car park attendant available at all times and patrol being undertaken by a 3rd party security company
- 1.3 The site has no illumination and relies on street lighting on Pirie and Worsnop Street
- 1.4 The car park will be operated by the Wilson Group who are operators of numerous car parks across the city.
- 1.5 The car park will provide parking spaces for 66 vehicles. Access and egress is proposed via the existing crossover to Pirie Street and a separate exit crossover to Worsnop Street.
- 1.6 It is not proposed to install boom gates, with Wilson Parking employing regular inspections by staff to ensure compliance with the terms of entry (i.e. to ensure that users have paid and display proof of payment within their vehicles).

2. DEVELOPMENT DATA

Not relevant to this application.

3. BACKGROUND

- 3.1 The subject site was previously used by City Holden for storage of cars associated with its vehicle service centre and a portion of the land consisting of those parking spaces along the eastern boundary of the site was used by the Tivoli Hotel as ancillary car parking for their customers. Holden ceased use of the land in 2018 and subsequently sold the land.
- 3.2 The current owner permitted the Tivoli Hotel to continue using the land for ancillary car parking and also permitted car parking for the general public. Inspection of the site subsequently identified the unapproved land use and hence the current application was lodged, seeking to change the nature of car parking from non-ancillary to ancillary by offering use of the land to specific local businesses and organisations.
- 3.3 This proposal is retrospective and hence the use of the land for ancillary car parking is currently occurring on the existing site.

4. SITE

- 4.1 The subject site, comprising three allotments, is flat and is located on the south side of Pirie Street, between Frome Street to the west and Hutt Street to the east.
- 4.2 The site has a frontage of 50 metres to Pirie Street and a depth of 36.5 metres resulting in a total site area of approximately 1,750 m².

5. LOCALITY

- 5.1 The Pirie Street locality contains a mix of lower-scale buildings, primarily up to two storeys. Higher-scale development exists in the locality however and includes the residential tower behind the Tivoli Hotel to the east and an eight (8) storey apartment building, east of Frome Street.
- 5.2 Increasingly low scale commercial uses are being replaced by medium to high scale residential and mixed use developments with small scale single storey dwellings remaining in minor streets such as Moger Lane.
- 5.3 East-west bike lanes are provided to both sides of Pirie Street.
- 5.4 The locality contains relatively few State and Local heritage places, the nearest being the adjacent building to the east at 246-248 Pirie Street and the Tivoli Hotel on the south side of Pirie Street.







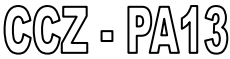


KEY			
	Subject Site		Local Heritage Place
	Capital City Zone		State Heritage Place
	Capital City Zone Central Business Policy Area 13		Policy Area Boundary
	Locality		

Photo 1 – Site viewed from Pirie Street



Photo 2 – Site viewed from Worsnop Street



Photo 3 – Reserved Parking spaces on east side of the site



Photo 4 – Car park entrance on Pirie Street



6. **PUBLIC NOTIFICATION**

- 6.1 The proposal is a Category 1 form of development therefore no public notification is required.

7. **REQUIRED EXTERNAL REFERRALS**

- 7.1 No external referrals required

8. **SPECIALIST ADVICE**

8.1 **Traffic**

There are no traffic/transport related objections to this development, subject to the following matter/s being addressed:

- The car parking spaces could be indicated as permit spaces, since there is an indication of permit release to the ancillary users.
- The traffic layout by Cirqa indicates a need to provide a gap in the fencing adjacent the accessible parking bay.
- The car park signage should not give the impression that parking is available to the public. The signs should be modified to indicate "Reserved Parking Only".

Administration Comment

- The applicant has agreed to provide a gap in the fencing adjacent to the accessible parking bay
- The applicant has agreed to erect a sign underneath the existing entry sign on Pirie Street saying that the parking will be for ancillary use only.

9. DETAILED ASSESSMENT

9.1 Summary of Zone Objectives & Principles

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.

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.

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Does not contribute towards achievement of the Desired Character. 	✗
Objectives O1-8	<ul style="list-style-type: none"> Not applicable. 	-
Land Use P1-4	<ul style="list-style-type: none"> Achieved. Ancillary car parks are permitted in the Capital City Zone. 	✓
Form and Character P5	<ul style="list-style-type: none"> Not Applicable. Using an existing open lot car park. 	-

Design and Appearance P6-20	<ul style="list-style-type: none"> • Achieved. • The site features solid fencing and established landscaping along Pirie Street to maintain a reasonable level of pedestrian amenity. 	✓
Movement P26-32	<ul style="list-style-type: none"> • Achieved. • Existing vehicle crossovers are used and all movements into and out of the premises will be in a forward direction. 	✓
Advertising P33-37	<ul style="list-style-type: none"> • Achieved. • Signs are restrained in size, number and design. • Signage will say “Ancillary Parking Only”, indicating that it is not a public car park. 	✓

9.2 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
ENVIRONMENTAL		
Crime prevention through urban design O25 P80-84	<ul style="list-style-type: none"> Not satisfied. The car park is not internally lit in the hours of darkness. 	✗
Noise O27-28 Noise Sources P87-92	<ul style="list-style-type: none"> The associated businesses which will use the car park typically operate business hours from Monday to Friday. It is expected that there will be low usage out of these hours and on weekends, therefore it will have a reasonably low risk of conflict with nearby noise sensitive uses. 	✓
Stormwater management O36-40 P125-130	<ul style="list-style-type: none"> Achieved. No additional runoff is caused by the proposed use. 	✓
Heritage & Conservation O42-45 P136-143	<ul style="list-style-type: none"> Achieved. The adjacent Local Heritage place to the east; the Tivoli Hotel, is not affected by the change in the nature of car parking. 	✓
Landscaping O55 P207-210	<ul style="list-style-type: none"> Achieved. Existing landscaping established since 2018 is now growing and will provide visual amenity to Pirie Street as they grow. 	✓
Advertising O56 P211-218	<ul style="list-style-type: none"> Achieved. Proposed advertising signs are limited in number and size and are restrained in their colour and design. 	✓
Traffic and vehicle access O68-70 P241-250	<ul style="list-style-type: none"> Achieved. Existing crossovers are used and all vehicle movements will be in a forward direction. Do not cause unreasonable impact upon pedestrian movements and traffic movements in Pirie Street. 	✓

<p>Car parking O71-72 P251-265</p>	<ul style="list-style-type: none"> • Achieved. • Vehicles enter and leave the site in a forward direction • Existing fencing screens the majority of the site from public view. • Car parking is provided for the mobility impaired as desired by the Building Code of Australia. • Supports the car parking needs of nearby associated businesses. 	<p style="text-align: center;">✓</p>
<p>Economic Growth and Land Use O73-76 P266-271</p>	<ul style="list-style-type: none"> • While it is recognised that the current (and proposed) land use business operations contribute to the City's economy, the relevant Objectives and Principles of Development Control are aspirational in their desire to seek land uses and enterprises such as cultural, education, research, commercial and information technology to meet the 'future' needs of the Capital City. • An open lot car park, whether it is ancillary or not, is not a land use that is desired over the long term within the Capital City Zone, with the preferred mode of parking being within multi-level car parking stations or integrated within new multi-storey developments. • The proposed development does not preclude future re-development of the site more aligned to the desired character of the zone. 	<p style="text-align: center;">-</p>

9.3 **Detailed Discussion**

9.3.1 **Design**

The amendments to the car parking design as part of the application (line marking and directional signage) and its ability to comply with AS2890.1:2004 will improve the safety and functionality of vehicles parking at the site as compared to existing conditions. As such it is considered appropriate given no additional detrimental amenity impacts are anticipated to result.

9.3.2 **Visual Impact**

The use of the land and buildings for an ancillary car park is a low impact change of use in comparison to its previous use by City Holden as car park for Holden customers and ancillary car parking for the Tivoli Hotel as approved in application DA/473/2017 on 15 November 2017. There is no change to the external appearance of the site besides a change in signage at the entrance and removal of a small section of fencing to Pirie Street to facilitate movement for users of the accessible car parking spaces. In this respect, it cannot be said that the proposed use will result in an erosion in the character and appearance of the locality from its current state.

9.3.3 **Desired Character**

The provision of car parking on the land does not preclude the ability of the site to be developed to its full potential as sought in the Capital City Zone, however open-lot car parking will not 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 and tourist activities.

While ancillary use for car parking is anticipated in the Zone, Zone PDC 32 seeks that parking not be visible from the street and should be preferably located within buildings. Notwithstanding that the open lot car park has existing use rights, its ongoing presence does not contribute towards attainment of the desired character sought for the zone as outline above.

9.3.4 **Control of Parking in the Land**

The applicant advises that Wilson Car Parking will manage the running of the site. It is proposed to limit use of the land to the four approved ancillary business of Wellstone Property, Australian red Cross, Tivoli Hotel and Mission Australia. Parking Enforcement Services will patrol the car park to ensure compliance with the Terms and Conditions stipulated on signs within the car park.

Wilson Parking has developed a cloud-based permit and payment system which utilises licence plate details as a permit. These permits are monitored using an automated number plate recognition system to ensure only approved persons are using the car park. Vehicles that are not authorised to park on the land will be served with notices from Wilson Parking for unauthorised parking.

The lack of boom gates or other such physical structures that control ingress/egress onto the land was discussed with the applicant, however in this instance no such structures are proposed. Legal advice previously obtained by Council advises that it is not necessary for such a system or structures to be installed in order to amount to an ancillary car park. The use of clear signs to designate the particular use of the

land and the applicant's proposed enforcement measures to control unauthorised car parking are therefore accepted as being sufficient.

This raises concerns as to whether Council can assume that an applicant for consent and persons making use of the proposed development will comply with the law, including the particulars contained within their submission and conditions of consent. Case law indicates that a planning authority must assume compliance with the proposal as put forward by the applicant [SA Supreme Court (Wong v Metcash Trading Australasia Ltd [2003] SASC 314)].

9.3.5 Signage

With regards to the use of the term 'Ancillary' to designate that the land is not a public car park, the term is not readily understood by the general public and it is recommended that the term 'Ancillary Parking Only' be replaced with the wording 'Private Parking Only'. A condition of approval requiring this change of wording is proposed in the recommendation.

This raises the question as to whether the condition that the land be used only for ancillary parking by the identified users is valid. Previous case law in the Supreme Court has decided that conditions, which may be difficult to enforce, are in fact still valid and reasonable [D C Mallala v Seccafien 144 LSJS 289].

9.4 Conclusion

The proposal is not considered to be seriously at variance with the provisions of the Development Plan nor considered to prejudice the future use of the site for a desired land use as outlined in the body of the report. The land has historically been used for car parking in association with City Holden. This proposed land use therefore is of a similar nature. Users of the car park will be primarily employees associated with three local businesses rather than the general public, resulting in lower traffic movements in the local streets. The land use will not be long-term, with the applicant in the process of designing a medium to high-scale mixed use development.

The signage indicating that the land is for private parking only together with the permit measures and enforcement policing proposed by the applicant are determined as being sufficient to limit the use of the land by those identified organisations only.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because it proposes a land use that is permitted in the Capital City Zone and Policy Area, and it is not considered to prejudice the future use of the site for a desired land use as outlined in the body of the report.

It has been determined that, on balance, the proposal warrants Development Plan Consent.

10. **RECOMMENDATION**

That the development, the subject of the application from Wilson Parking to retrospectively change the use of the existing car park for ancillary use for premises in the locality at 247-249 Pirie Street, Adelaide SA 5000 as shown on plans designated DA/481/2019:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following conditions and advice:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**

- Letter from Wilson Parking dated 8 July 2019
- Cirqa Car Pirie Street Parking Area Parking Layout – Sheet # 01_SH01 dated 24 June 2020.
- URPS letter dated 2 December 2019
- URPS letter dated 29 June 2020
- E-mail from URPS dated 7 July 2020

to the reasonable satisfaction of the Council except where varied by conditions below (if any).

Reason: To ensure that the Development is undertaken in accordance with the plans and details submitted.

2. **All line marking for car park spaces and traffic signs on the Land shall conform to AS/NZS 2890.1:2004 Off-street Car Parking.**

Reason: To ensure that the Development meets the requirements of the relevant Australian Standards.

3. **The wording on the sign to be placed on Pirie Street shall replace 'Strictly Ancillary Parking' with 'Private Car Park'.**

Reason: To ensure that the land is not used by the general public.

Advices

1. **Expiration Time of Approval**

Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent will not lapse.

Item No. 3.4 – Attachments 1 – 18 (247-249 Pirie Street, Adelaide SA 5000)

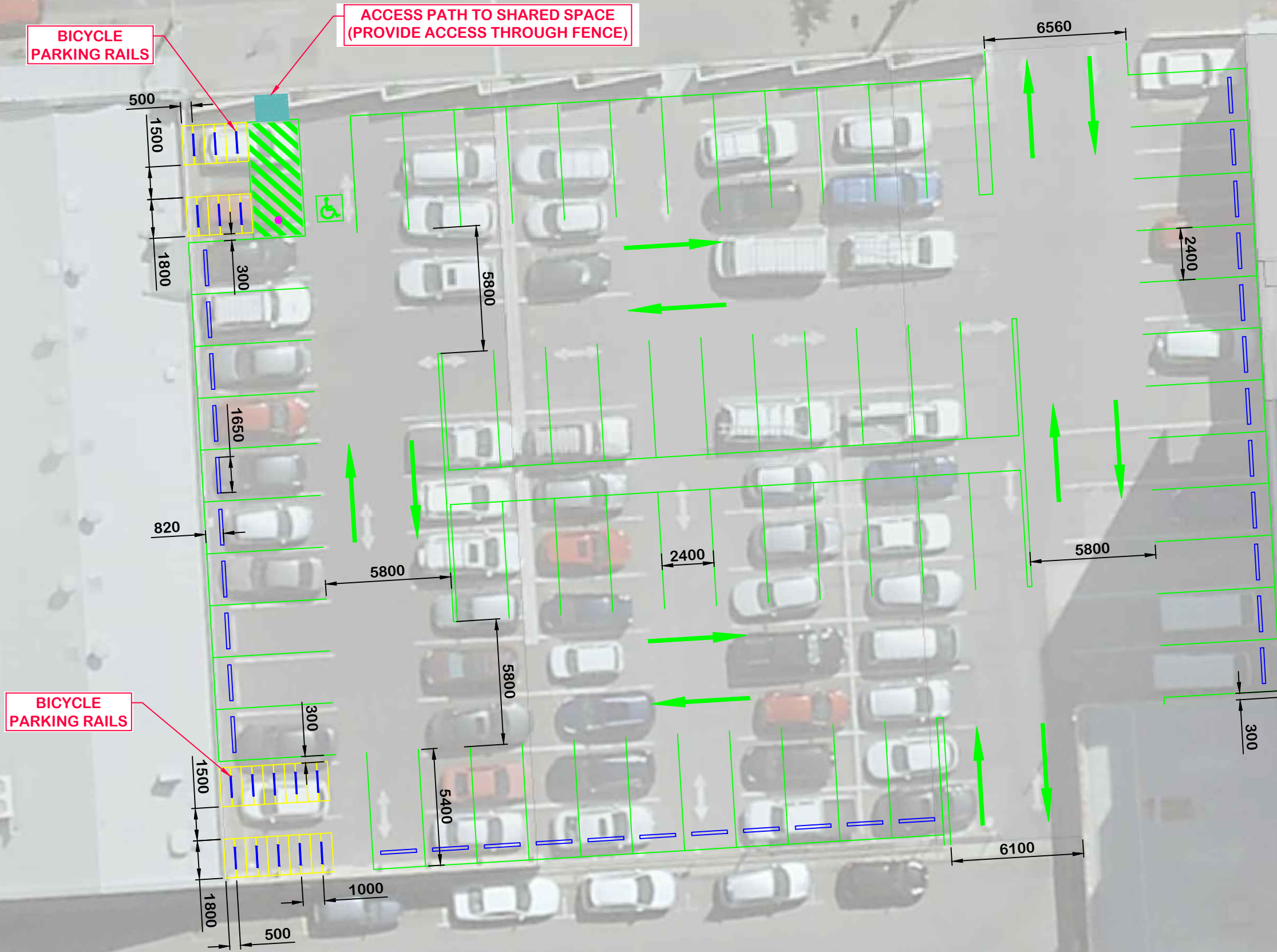
Pages 174 to 191

ATTACHMENTS

Plans and Supporting Information

- Plans and Signage 1 - 2
- Applicant Reports 3 – 7
- Supporting Letters 8 – 10
- Follow up report and e-mail 11 - 15
- Certificate of Title 16 - 18

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City of Adelaide Council Assessment Panel Meeting - Agenda - 27 July 2020

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DRAWING AMENDMENTS

VER	DATE	DESCRIPTION	DWN	CHK
B	24/06/2020		JJB	BNW

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PIRIE STREET PARKING AREA

247-259 PIRIE STREET, ADELAIDE
PARKING LAYOUT - 68 SPACES

PROJECT # 20150 SHEET # 01_SH01

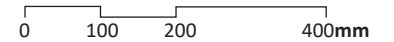


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**PIRIE STREET
ANCILLARY
PARKING SIGN**
253 Pirie Street,
Adelaide

JOB REF.	19ADL-0524
PREPARED BY.	MP
DATE.	07.07.20
REVISION.	1





Level 8
 33 King William Street
 Adelaide SA 5000 Australia
 Telephone +61 8 8419 4500
 Facsimile + 61 8 8231 3313
 Wilsonparking.com.au

8 July 2019

Mr. Edouard Pool,
 Senior Planner – Planning Assessment,
 Planning & Development.
 4th Floor, 25 Pirie Street,
 Adelaide, SA 5000.

Via email: e.pool@cityofadelaide.com.au

Private and Confidential

Dear Mr. Pool,

Annexure to Development Application 247-259 Pirie Street

Subject Site and Locality

The property is known as 247-259 Pirie Street and is formally identified as per the Certificate of Title CT5699/872, 5778/179 and 5443/976

The allotment has dual street frontages to Worsnop Avenue and Pirie Street 49m with an overall depth of 36 meters, comprising of an approximant total area of 1764 square meters.

The site contains 70 clearly marked parking spaces under the existing structure of the building. All bays are to Australian Standards (a map highlighting the car park layout has been provided as part of our previous proposal).

Access to the car park is directly from Pirie Street and is unaltered from the previous parking operation.

Proposed Development

We seek to amend the parties named on the present currently approved DA for ancillary parking. Presently City Holden and the Tivoli Hotel are approved ancillary users of the site. As part of this application we would like to add Wellstone Property, Mission Australia and the Australian Red Cross to the approved ancillary user list.

Wellstone Property are building the nearby East End apartment developments. They require a substantial amount of nearby parking to accommodate their staff and contractors. Wellstone personnel and have been using the Subject site since it opened in February and this application seeks to formalize the existing arrangement at the site. A signed statement of support for this application from the Project Manager of East End Apartment developments has been included as an Annexure to this application. We are also in the process of formalizing our agreement with the One apartment development also located nearby on Flinders Street.

The nature of the use of the site as ancillary parking is temporary in nature and will only be required for the duration of the construction activity.



Wilson Parking Australia 1992 Pty Ltd ABN 67 052 475 911

Operations throughout Australia, New Zealand, Singapore, Malaysia, Korea, Hong Kong and China.
 City of Adelaide Council Assessment Panel Meeting - Agenda - 27 July 2020

Established 1962



Further, we have received statements of support from Mission Australia and the Australian Red Cross who have benefited from our operation. Historically these businesses have complained of a shortfall in parking in the area for their staff. As such we will be entering into an agreement with these businesses to provide parking for staff to all conduct of their normal business.

As part of the operating conditions the site will not permitted public use with access to be regulated through the issuing of electronic permits via our smartphone application and ePermit system. Our enforcement and security division will monitor compliance and safety in the site, in accordance with our operating standards. No alternations will be made to the previously approved/existing night and weekend ancillary parking conditions in place with the Tivoli Hotel as this operation remains unchanged.

No structural modifications will be made to the property as part of this application. Wilson Parking branded signage will be installed over the existing signage at the site. This replaces the previously approved signage of the incumbent operator.

Traffic Access

There is no change to the existing access to the site. The proposed vehicular access is via from Pirie Street, with vehicles to exit via Pirie Street or Worsnop Avenue. This minimizes the impact on the pedestrian and traffic movement, and allows for safe, convenient and comfortable access in accordance with Council-wide Principle 226.

Should you wish to discuss the above further please contact me at any time on 0466 313 830 or email me at jeremy.dyson@wilsonparking.com.au

Yours sincerely,

WILSON PARKING AUSTRALIA 1992 PTY LTD

A handwritten signature in black ink, appearing to read "J. Dyson", written over a light blue horizontal line.

Jeremy Dyson
Development Manager SA/NT

Annexure A



Above is the proposed entry/exit signage at the site. This will be placed over the existing signage at the site. The size of the sign (1800mmx1350mm) matches the size of the sign previously approved at the site. The signage will be placed at a height of 0.65m from ground level).

Ref: 2019-0524

2 December 2019

Mr Edouard Pool
Senior Planner
City of Adelaide
by email: e.pool@cityofadelaide.com.au

Dear Edouard

DA 481/2019 – Response to Request for Additional Information

Introduction

Thank you for your letter which seeks additional information with regards to the above application located at 247-259 Pirie Street, Adelaide.

Please see the below response to each of the matters raised in your advice.

Request for Additional Information

Is sufficient lighting provided after daylight hours to provide sufficient illumination for users;

There is no lighting on the site, however the site is almost exclusively lit via the street lighting at either end of the property. This is a factor that that has not changed since the 2012 application to convert the site for use as an ancillary car park to the Tivoli Hotel during the evenings (6pm-6am) (DA/432/2012).

Provide details of security arrangements;

Wilson Parking have a minimum of one mobile car park attendant on the roster 24/7. Wilson Parking car park attendant's primary functions are to patrol and secure the car parks within Wilson Parking's portfolio whilst also attending to equipment faults and site issues as they arise.

In conjunction with the Wilson Parking field team, a specialised 3rd party security company also maintains a presence within all Wilson Group managed, leased and owned assets.

Provide the hours of operation;

The car park currently operates on a 24/7 basis. No change is proposed to the existing hours.

How is it proposed to prevent unauthorised use of the car park outside of normal hours of use if a gate or chain is not used across the entry/exit;

Wilson Parking ensure compliance with the Terms and Conditions as stipulated at the entry of the car park in question, by utilising the services of Parking Enforcement Services. Parking Enforcement Services acts

under the parking standard of the Accredited Operator Scheme, Australia. Parking Enforcement Services regularly patrol the car park ensuring compliance and safety within our car parks at all times.

Identify the businesses whom Wilson Car Parking have arranged to use the site for ancillary car parking;

- Wellstone Property (East End Residential development),
- The Tivoli Hotel,
- Mission Australia and
- Australian Red Cross.

Supporting documentation has been provided as part of this submission and is attached to this letter.

How many employees have signed up to use the car park / or the total employees of all the businesses who may use the car park if they choose;

- Wellstone – 160 construction workers throughout construction and 596 residents upon completion
- Mission Australia- 10 full time staff members throughout business hours with a number of visitors per week
- Australian Red Cross- 30 full time staff members throughout business hours with a number of visitors per week.

How will users of the car park identify themselves as ancillary parkers? Will they be issued with IDs or similar?

Wilson Parking has developed a cloud based permit and payment system which utilises licence plate details as a permit. These permits are monitored using an automated number plate recognition system to ensure only approved persons are using the car park.

Conclusion

I trust the above addresses your concerns.

Please call me on 8333 7999 if you have any questions.

Yours sincerely



Rebecca Gosling
Associate

Enc



Private and Confidential

3 July 2019

City of Adelaide

Planning Assessment

4th floor 25 Pirie Street

Adelaide, SA, 5000

Via letter

To whom it may concern,

RE: Ancillary use of car park at 247-259 Pirie Street, Adelaide, SA

Australian Red Cross head office is located at 212 Pirie Street, Adelaide. We have a varying number of personnel on site each day to attend all the commercials of Australian Red Cross, South Australia. Before the operation of 247-259 Pirie Street, Adelaide as a public car park we found that the area did not have sufficient parking to cater to our staff and visitors.

Our staff and visitors are currently benefiting for the Wilson Parking, situated at 247-259 Pirie Street, as such we are supportive of the Ancillary use application.

Yours sincerely,

Melissa Young

Office and Property Coordinator SA/NT
Australian Red Cross Society

212 Pirie St, Adelaide SA 5000

M: 0448953975

155 Pelham Street, Carlton VIC 3053 PO Box 196, Carlton South VIC 3053

Tel: 08 9245 1800 Fax: 08 9245 2513 www.redcross.org.au



State Office South Australia
Ground Floor, 212 Pirie St, Adelaide 5000
PO Box 3644 Rundle Mall
Adelaide SA 5000

t 08 8218 2800
f 08 8410 2850
e receptionsaso@missionaustralia.com.au
w missionaustralia.com.au

3 July 2019

City of Adelaide
Planning Assessment
4th floor 25 Pirie Street
Adelaide, SA, 5000

To whom it may concern

RE: Ancillary use of car park at 247-259 Pirie Street, Adelaide, SA

Mission Australia's South Australian State Office is located at Ground Floor, 212 Pirie Street, Adelaide.

We have a number of staff and visitors on site most days of the week and prior to the opening of the public car park at 247-259 Pirie Street, Adelaide we found that the area did not have sufficient parking to cater to our staff and visitors.

Our staff and visitors are currently benefiting for the Wilson Parking, situated at 247-259 Pirie Street, as such we are supportive of the Ancillary use application.

Yours sincerely

Marion Yelland
State Administration Coordinator – SA
Mission Australia



5 July 2019

Wilson Parking P/L
L8, 33 King William Street
Adelaide SA 5000

Attention : Mr Jeremy Dyson

**WELLSTONE P/L – 293 PIRIE STREET RESIDENTIAL DEVELOPMENT
RE : 249-259 PIRIE STREET – OPEN CARPARK**

We confirm that the 293 Pirie Street Residential Development is well into construction and, as such, we have now experienced the need for local carparking to serve our development.

To complete this project, our builder currently employs some 110 persons on the site, of which, many have a need to have their work vehicle located nearby to the site. Unfortunately, carparking is not available on the site and the nearby street parking is a maximum of 2 hours. This creates a local need for multi-hour short term (daily) parking to serve our construction activity at the. Moving forward, our construction will be at its peak in the coming months, where it is estimated some 160 personnel will be on site. The financial contribution of these people to local businesses near the site and to available paid carparking is significant.

In order to manage our construction impacts on adjacent businesses, we have made significant commitments to off site covered carparking using both the Flinders Street Carpark and the Salvation Army Carpark. These commitments have been in the order of 15-20 vehicles for 12 months. Covered parking has been used due to the limited availability of any longer term open carparking located near to our site.

As of the end of this year 2019, our development will be completed and will deliver to the locality 140 residential apartments comprising 298 bedrooms able to accommodate a double bed to each room. Against this, there will be a total of 121 carspaces serving a maximum population of the building of some 596 persons. Given this, we would anticipate that, whilst the building population is unlikely to meet the maximum stated, it remains a high likelihood that there will be an ongoing demand for long term off-street parking in the vicinity.

Given all of the above, we support any proposal by Wilson Parking to create an off-street long-term parking area in Pirie Street to support the local residents and businesses.

Note also, that the One Flinders residential building is near complete and is larger than our development at Pirie Street.

We trust that the above is satisfactory..

Yours Sincerely,

WELLSTONE PROPERTY PTY LTD


John Craven
Project Director
0412 919 040



URPS

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12/154 Fullarton Road
ROSE PARK SA 5067
(08) 8333 7999

MELBOURNE
4 Brunswick Place
FITZROY VIC 3065
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www.urps.com.au
ABN 29 615 282 392

Ref: 2019-0524

29 June 2020

Edouard Pool
Senior Planner – Planning Assessment
City of Adelaide
Email: e.pool@cityofadelaide.com.au

Dear Edouard,

DA 481/2019: 247 to 257 Pirie Street, Adelaide

URPS acts for the Leonina Dudley Pty Ltd, the owner of the land.

The information contained within this letter addresses the queries in your correspondence dated 18 June 2020 and is in addition to our previous advice dated 2 December 2019 as enclosed.

Background

This site adjoins a southern allotment (22-28 Dawkins Place and 31-35 Worsnop Avenue) also owned by our client. On 25 May 2020 the Council Assessment Panel approved the construct of an eight storey mixed use building including retail tenancy, parking at ground level and a total of 45 dwellings at levels 1-7. This development is progressing to building rules consent stage.

Once construction begins of the approved multi-level development and subject to market demand, the landowner anticipates progressing with their Stage 2 multi-level mixed use development application for 247 – 257 Pirie Street (the subject site).

This current car park development application is a provisional land use until Stage 2 can be realised. The landowner had the understanding that site enjoyed existing use rights for a car parking area. The land has historically been used for parking of vehicles in association with City Holden.

As illustrated by the below image, the site incorporates a perforated steel panel fence and approximately eight trees (planted by the current land owner) within the property boundary, fronting Pirie Street. The fencing and landscaping will remain and be maintained.



Image 1: Pirie Street frontage. Photo taken on 29.6.2020

Council Information Requests

Amended Car Park Design

Council has requested that the car parking layout, including aisle widths be amended to ensure compliance with relevant Australian Standards.

CIRQA Transport Consultants have been engaged to prepare an updated car parking layout that complies with the relevant Australian Standards. The proposed car parking layout is attached and includes a space for people with disabilities and bicycle parking rails.

Car Park Signage

Council also requested that the signage on the fence at the entry should be altered to identify that the car parking is ancillary and not a general public car park.

From a development application procedural matter, Council's Capital City Zone lists vehicle parking as a non-complying form of development, except:

- Where it is ancillary to an approved or existing use;
- It is a multi-level car park located outside the Core Pedestrian Area; or
- It is within an existing building located outside the Core Pedestrian Area.

We content that the vehicle parking area is ancillary to an approved or existing use and is therefore, a merit development.

As per our documentation of the 2 December 2020 (refer to attachment), the following existing businesses have confirmed their use the site for ancillary car parking:

- Wellstone Property (East End Residential development);
- The Tivoli Hotel;
- Mission Australia; and
- Australian Red Cross.

Car parking spaces will be available for other nearby approved or existing uses. Nevertheless, the applicant agrees to amend their signage to refer to "Ancillary Parking".

Conclusion

The proposed development is an ancillary car park and therefore should be processed as an on merit development application.

The subject site has historically been used for parking of vehicles in association with City Holden. The proposed land use is of a similar nature.

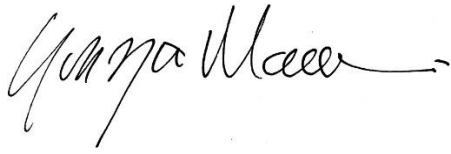
The attached CIRQA car parking layout ensures compliance with relevant Australian Standards.

The existing perforated steel panel fence and trees within the property boundary, fronting Pirie Street will be retained and maintained. Landscaping will be nurtured.

The development will not prejudice the future use of the site for land uses envisaged by the Capital City Zone.

We recommend that the development application be granted Development Plan Consent.

Yours sincerely



Grazio Maiorano
Director

Edouard Pool

From: Edouard Pool
Sent: Wednesday, 22 July 2020 3:15 PM
To: Edouard Pool
Subject: FW: Pirie Street Car Park DA - Di Fava

From: Grazio Maiorano <grazio@urps.com.au>
Sent: Tuesday, 7 July 2020 12:23 PM
To: Edouard Pool <E.Pool@cityofadelaide.com.au>
Cc: Sam Di Fava <sam@difava.com.au>; Dustin Hu <dustin@difavagroup.com.au>
Subject: RE: Pirie Street Car Park DA - Di Fava

Hi Edouard,

I confirm that the “*Strictly Ancillary Parking*” will be placed below the existing sign (refer to image 1). The sign will have the same width as the existing sign. The background colour will be red. The text “*Strictly Ancillary Parking*” will be in white.

We should have the plan to you by tomorrow morning.



Image 1.

In addition, I draw your attention to our response to Council’s request for further information dated 2 December 2019 (refer to attachment).

Council Question 1: How is it proposed to prevent unauthorised use of the car park outside of normal hours of use if a gate or chain is not used across the entry/exit;

Wilson response: Wilson Parking ensure compliance with the Terms and Conditions as stipulated at the entry of the car park in question, by utilising the services of Parking Enforcement Services. Parking Enforcement Services acts under the parking standard of the Accredited Operator Scheme, Australia. Parking Enforcement Services regularly patrol the car park ensuring compliance and safety within our car parks at all times.

Council Question 2: How will users of the car park identify themselves as ancillary parkers? Will they be issued with IDs or similar?

Wilson response: Wilson Parking has developed a cloud based permit and payment system which utilises licence plate details as a permit. These permits are monitored using an automated number plate recognition system to ensure only approved persons are using the car park.

In closing, we hold the view that:

- Development Plan policy cannot be considered in isolation without taking into consideration of the circumstances of the site (e.g. previous use for the storage / parking of vehicles);
- The low intensity land use / development will not compromise the achievement of the Development Plan's envisaged use of the site.
- In the short to medium term, the proposal will result in an orderly and economic use of the site of which is otherwise likely to remain unused, thereby undermining the broader Development Plan objectives.

Kind regards

Grazio Maiorano
Director



ADELAIDE | MELBOURNE

Suite 12 / 154 Fullarton Road, ROSE PARK SA 5067

OFFICE 08 8333 7999 MOBILE 0400 005 885 EMAIL grazio@urps.com.au WEB www.urps.com.au LINKEDIN www.linkedin.com/urps

For latest news, please see our [website](#).

From: Grazio Maiorano
Sent: Monday, 6 July 2020 3:38 PM
To: Edouard Pool <E.Pool@cityofadelaide.com.au>
Cc: Sam Di Fava <sam@difava.com.au>; Dustin Hu <dustin@difavagroup.com.au>
Subject: RE: Pirie Street Car Park DA - Di Fava [Filed 06 Jul 2020 15:37]

Hi Edouard,

Thank you for the update.

We would prefer to retain the existing plans / commitments.

Kind regards

Grazio Maiorano
Director





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



Certificate of Title - Volume 5443 Folio 976

Parent Title(s) CT 4320/510
Creating Dealing(s) CONVERTED TITLE
Title Issued 21/08/1997 Edition 7 Edition Issued 07/02/2019

Estate Type

FEE SIMPLE

Registered Proprietor

VENTI SA PTY. LTD. (ACN: 630 308 191)
OF 14 ROBE TERRACE MEDINDIE SA 5081

Description of Land

ALLOTMENT 886 FILED PLAN 181728
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

NIL

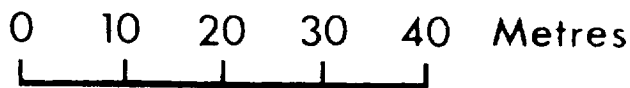
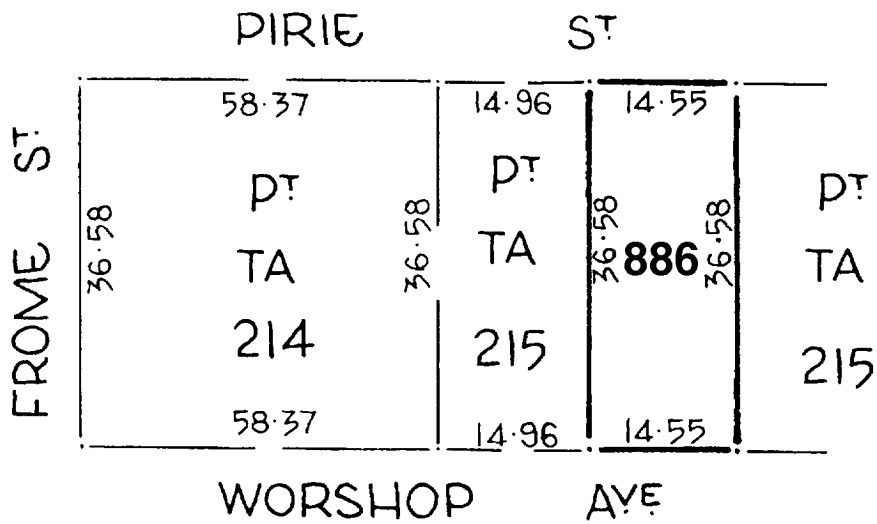
Schedule of Dealings

Dealing Number	Description
13054737	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (ACN: 004 044 937)

Notations

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

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4320/510



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



S.A. LANDS TITLES OFFICE RE-IDENTIFICATION PLAN

PLAN NUMBER
Item No. 3.4 - Attachment to

FP 181728

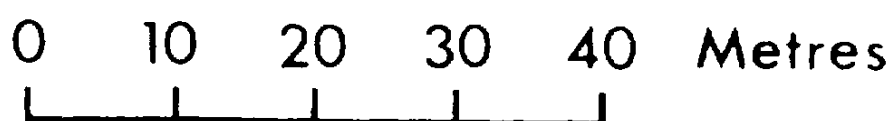
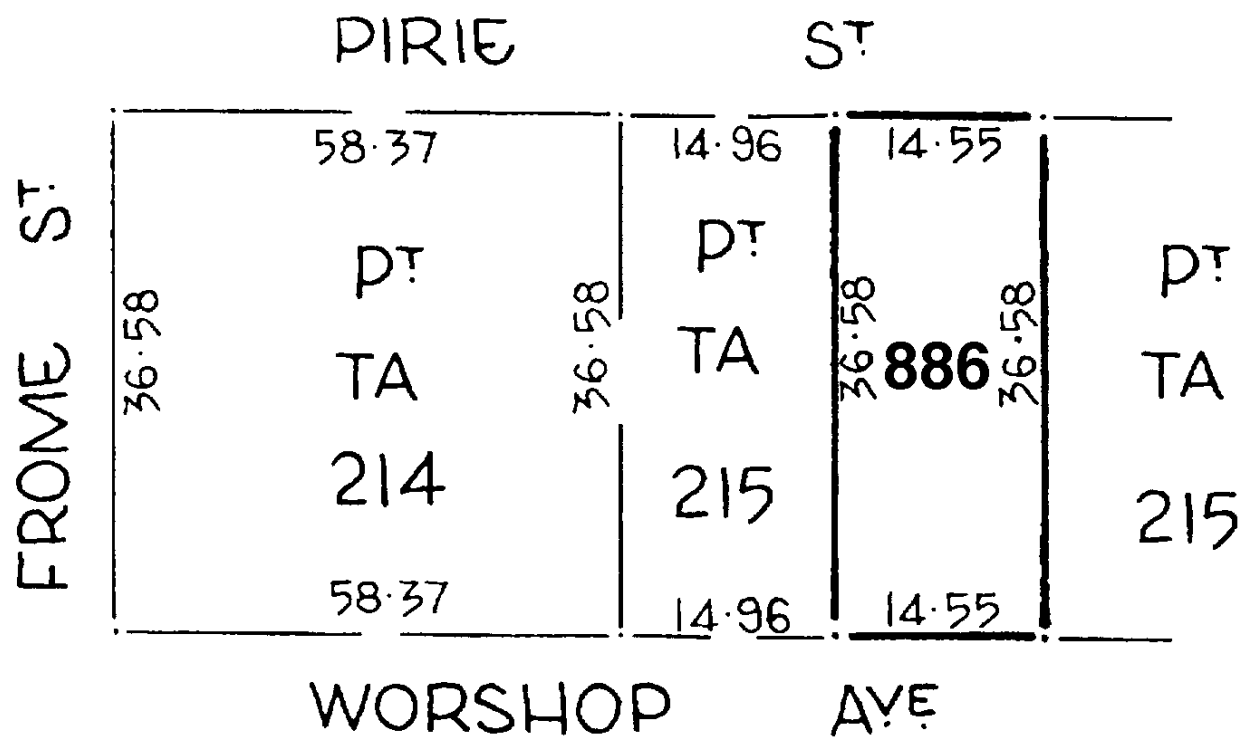
SHEET 1 OF 1

ACCEPTED FOR FILING
24/05/1996

REGISTRAR-GENERAL

AREA : ADELAIDE
LGA : CORP OF THE CITY OF ADELAIDE
HUNDRED : ADELAIDE
SECTION : P T 215

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4320/510



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 27/7/2020**Item No: 5.1**

From: Assessment Manager

Subject: List of Recent Lodgment's for Planning Consent (2017/02505) [CAP]

PURPOSE

To provide Panel Members with a list of development applications lodged for planning consent for the period 12 June 2020 to 16 July 2020.

A total of 62 development applications with a total value of \$15,920,733 have been lodged for planning consent for this period.

ATTACHMENTS

Lodged Applications for Planning Consent 1 - 8

RECOMMENDATION

That the report be received.

Item No. 5.1 – Attachments 1 - 8 (List of Recent Lodgements for Planning Consent)

Pages 194 to 201

DEVELOPMENT PLANNING - Council Assessment Panel Report

Item No. 5.1 - Attachment 1

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

Application Assessed on Merit

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
*1	DA/155/2020/A	61 Wellington Square NORTH ADELAIDE SA 5006	Vary previous authorisation undertake remedial work to roof (rafters and tiles) and ceiling of existing dwelling - VARIATION - Re-roofing entire dwelling with new tiles	25/06/2020	TBA	Category 1
*2	DA/198/2018/A	Basement 75 Hindley Street ADELAIDE SA 5000	Vary previous authorisation change of use for basement to licensed premises (wine bar) - VARIATION - Inclusion of adult entertainment	6/07/2020	TBA	Category 1
3	DA/238/2020/A	Plaza Tenancy 6, 25 Grenfell Street ADELAIDE SA 5000	Vary previous authorisation change the use of existing tenancy (A) and amalgamate with adjacent tenancy (B) to create an End of Trip facility - VARIATION - include internal fit out works and external screen	16/07/2020	TBA	Category 1
4	DA/300/2020	10 Sydney Place ADELAIDE SA 5000	Internal and external alterations and upper level addition and change of use to office	12/06/2020	\$250,000	Category 2
5	DA/302/2020	105-107 Melbourne Street NORTH ADELAIDE SA 5006	Internal fit out and signage	12/06/2020	\$10,000	Category 1
*6	DA/303/2020	ANZ BUILDING 11-29 Waymouth Street ADELAIDE SA 5000	Increase size of existing illuminated wall sign at ground level facing Post Office Place	12/06/2020	\$32,000	Category 1
7	DA/304/2020	87-93 Angas Street ADELAIDE SA 5000	Internal and external alterations and change of use to childcare and early learning centre	15/06/2020	\$3,000,000	Category 1
*8	DA/305/2020	Primal Accounting and Business Solutions Level 6, Room 2 68 Grenfell Street ADELAIDE SA 5000	Change of use of portion of level 6 to educational facility	15/06/2020	TBA	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No. 5.1 - Attachment 2

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

9	DA/307/2020	GF-1F 209 Morphett Street ADELAIDE SA 5000	Change of use to gaming lounge	15/06/2020	\$40,000	Category 1
*10	DA/309/2020	National Australia Bank Ground 22 King William Street ADELAIDE SA 5000	Internal fit-out, alterations and additions to the front façade and the replacement and installation of signage	17/06/2020	\$40,000	Category 1
*11	DA/310/2020	GF-1F 234-236 Grote Street ADELAIDE SA 5000	External alterations to front facade and signage	18/06/2020	\$20,000	Category 1
12	DA/311/2020	183 Barton Terrace W NORTH ADELAIDE SA 5006	Enclose existing balcony with windows	18/06/2020	\$3,000	To Be Determined
13	DA/312/2020	Mezzanine 2 King William Street ADELAIDE SA 5000	Internal fit out	18/06/2020	\$500,000	Category 1
*14	DA/313/2020	15 Blackburn Street ADELAIDE SA 5000	Install fencing along the western and northern boundaries	19/06/2020	\$4,642	Category 1
15	DA/314/2020	35 Archer Street NORTH ADELAIDE SA 5006	Replace existing carport	19/06/2020	\$9,500	To Be Determined
16	DA/317/2020	356 Gilles Street ADELAIDE SA 5000	Conservation works to front facade and verandah	22/06/2020	\$60,000	Category 1
17	DA/318/2020	24 St Helena Place ADELAIDE SA 5000	Change in use from warehouse and office to office with signage and solar panels to roof	22/06/2020	\$300,000	To Be Determined
18	DA/320/2020	263 Gilles Street ADELAIDE SA 5000	Two storey rear addition with carport and basement	22/06/2020	\$632,500	Category 2

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No. 5.1 - Attachment 3

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

19	DA/321/2020	The Yoga Centre Adelaide Ground 51 Gilbert Street ADELAIDE SA 5000	Partial change of use from Yoga Studio to Gym/Personal Training Studio on ground floor and a one-hour extension to hours of operation	22/06/2020	\$4,000	To Be Determined
*20	DA/322/2020	161-169 Ward Street NORTH ADELAIDE SA 5006	Repairs to fire damage	22/06/2020	\$3,500,000	Category 1
*21	DA/325/2020	Skycity Adelaide North Terrace ADELAIDE SA 5000	Internal alterations to level 1 gaming area	23/06/2020	\$2,200,000	Category 1
22	DA/326/2020	28-30 Alfred Street ADELAIDE SA 5000	Demolish existing side verandah and replace with new verandah	23/06/2020	\$3,000	Category 1
23	DA/327/2020	Bread and Bone GF-MF Tenancy 6 15-17 Peel Street ADELAIDE SA 5000	Construct balcony to Peel Street frontage	25/06/2020	\$28,000	Category 1
24	DA/329/2020	30-32 Claxton Street ADELAIDE SA 5000	Replace carport	25/06/2020	\$5,000	Category 1
*25	DA/330/2020	Jamie's Italian Ground 2 King William Street ADELAIDE SA 5000	Vary condition 3 of application S10/33/2012/E (020/0007/14A) amend to operation hours	26/06/2020	Nil	Category 1
*26	DA/332/2020	Level 1 Office 30 12-20 O'Connell Street NORTH ADELAIDE SA 5006	Change of use to consulting rooms	26/06/2020	TBA	Category 1
27	DA/333/2020	Level 1 5/133 Wakefield Street ADELAIDE SA 5000	Change of use from shop/art studio to three (3) studio apartments	26/06/2020	\$400,000	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No. 5.1 - Attachment 4

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

*28	DA/334/2020	Telstra 67-79 Waymouth Street ADELAIDE SA 5000	Modify ground floor and create new access to Waymouth Street	26/06/2020	\$25,000	Category 1
29	DA/335/2020	1-27 Moonta Street ADELAIDE SA 5000	Install four lightboxes on building facade	29/06/2020	\$10,000	Category 1
30	DA/336/2020	28 Claxton Street ADELAIDE SA 5000	Replace front windows and door	29/06/2020	\$13,519	Category 1
31	DA/338/2020	30 Whitmore Square ADELAIDE SA 5000	Heritage conservation works to front facade and balcony	29/06/2020	\$105,000	Category 1
32	DA/339/2020	BETHLEHEM LUTHERAN CHURCH 164-170 Flinders Street ADELAIDE SA 5000	Conservation works including re-roofing	29/06/2020	\$200,000	Category 1
*33	DA/340/2020	ANZ BUILDING 11-29 Waymouth Street ADELAIDE SA 5000	External works to retail tenancy and signage (Hello Sarnie)	30/06/2020	\$5,000	Category 1
*34	DA/341/2020	National Australia Bank Ground 17 Gouger Street ADELAIDE SA 5000	Internal fit-out, alterations and additions to the front facade and the replacement and installation of signage	30/06/2020	\$35,000	Category 1
*35	DA/342/2020	DARNLEY HOUSE 247 Currie Street ADELAIDE SA 5000	Change of use from office to dwelling	30/06/2020	TBA	Category 1
36	DA/343/2020	Ground 63 Light Square ADELAIDE SA 5000	Change in use to restaurant and licensed entertainment venue	1/07/2020	\$750,000	Category 1
37	DA/346/2020	102 Melbourne Street NORTH ADELAIDE SA 5006	Change of use to restaurant including installation of kitchen and flue and signage	2/07/2020	TBA	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No. 5.1 - Attachment 5

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

38	DA/347/2020	WILLIAM BOOTH MEMORIAL HOSTEL 62-68 Whitmore Square ADELAIDE SA 5000	Install fencing	2/07/2020	\$6,500	Category 1
39	DA/348/2020	90 Wellington Square NORTH ADELAIDE SA 5006	Roof restoration	3/07/2020	\$26,214	Category 1
40	DA/351/2020	89 Gover Street NORTH ADELAIDE SA 5006	Demolition of existing bathroom/laundry and construct side extension	7/07/2020	\$25,000	Category 2
41	DA/353/2020	60 Lefevre Terrace NORTH ADELAIDE SA 5006	Repoint bluestone wall and undertake cellar repairs	2/07/2020	\$9,268	Category 1
42	DA/357/2020	1 MacKinnon Parade NORTH ADELAIDE SA 5006	Conservation works to verandah	9/07/2020	\$1	Category 1
43	DA/359/2020	Thea - BF, GF and 1F 110-112 Gawler Place ADELAIDE SA 5000	Create a refuse store by replacing existing window with roller shutter door	10/07/2020	\$3,500	Category 1
44	DA/360/2020	24 St John Street ADELAIDE SA 5000	Single storey rear extension and privacy screen on side boundary	10/07/2020	\$30,000	Category 1
45	DA/361/2020	Foods for Life 100 Gawler Place ADELAIDE SA 5000	New shopfront installation and fit out	10/07/2020	\$5,000	Category 1
46	DA/363/2020	Shop 3 28 Compton Street ADELAIDE SA 5000	Change the use to light industry for the production of gelato, including associated offices and storage	13/07/2020	\$5,000	Category 1
47	DA/364/2020	88 Finniss Street NORTH ADELAIDE SA 5006	Install inground swimming pool	14/07/2020	\$34,490	To Be Determined

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No. 5.1 - Attachment 6

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

48	DA/366/2020	182 Ward Street NORTH ADELAIDE SA 5006	Three storey addition to rear of existing consulting rooms	15/07/2020	\$3,500,000	Category 2
49	DA/367/2020	12 McLaren Street, ADELAIDE SA 5000	Restoration and repointing of chimneys	16/7/2020	\$2,600	Category 1
50	DA/368/2020	27 Curtis Street, NORTH ADELAIDE SA 5006	Replace shed door with a roller shutter and reinstate sliding gates	16/7/2020	\$2,000	Category 1
51	DA/369/2020	186-188 Gouger Street ADELAIDE SA 5000	Change of use from residential to office	16/07/2020	Nil	Category 1
52	DA/370/2020	The Glasshouse Hotel Ground 13-15 Gouger Street ADELAIDE SA 5000	Change of use to shop, signage and shopfront alterations	16/07/2020	\$32,000	Category 1
53	DA/41/2016/B	85-87 Gover Street NORTH ADELAIDE SA 5006	Vary previous authorisation new bathroom and rear verandah, internal and external conservation work - VARIATION - change to verandah restoration and installation of a maintenance access gate and attic fire wall	25/06/2020	\$14,000	Category 1
54	DA/455/2019/A	RUNDLE CENTRAL 112-118 Rundle Mall ADELAIDE SA 5000	Vary previous authorisation refurbish existing canopy, demolish existing arched canopy structure and refurbish tiled portion of façade below archway. Installation of new shop front to Rundle Mall frontage and new signage - VARIATION - revisions to canopy signage, under canopy blade signage and remediation of heritage tiles	7/07/2020	TBA	Category 1
55	DA/616/2018/B	26-28 St John Street ADELAIDE SA 5000	Vary previous authorisation demolish dwelling and construct a two-storey dwelling, swimming pool and remove a significant tree - VARIATION - change in the roof pitch of the upper roof from 45 degrees to 38.5 degrees.	7/07/2020	TBA	Category 2

DEVELOPMENT PLANNING - Council Assessment Panel Report

Item No. 5.1 - Attachment 7

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

Non-Complying Development

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
56	DA/323/2020	154 Gover Street NORTH ADELAIDE SA 5006	Construct rear addition on top of existing garage	23/06/2020	\$40,000	Category 3 Non- Complying
57	DA/352/2020	11-19 Sultram Place ADELAIDE SA 5000	Change of use to public car park	7/07/2020	TBA	Category 3 Non- Complying

Land Division

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
*58	LD/6/2020	Floor 34 3401/19 Frome Street ADELAIDE SA 5000	Vary the store sub from lot 2702 to lot 3401	22/06/2020	Not Applicable	Category 1
59	LD/7/2020	14-16 Owen Street ADELAIDE SA 5000	Land Division to create 3 allotments	25/06/2020	Not Applicable	Category 1
60	LD/8/2020	22-60 Gouger Street ADELAIDE SA 5000	Boundary realignment	8/07/2020	Not Applicable	Category 1
61	LD/9/2020	9 Stafford Street ADELAIDE SA 5000	Land Division to create 2 allotments	14/07/2020	Not Applicable	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 12/06/2020 to 16/07/2020

Item No. 5.1 - Attachment 8

S49 Crown Development

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
*62	S49/17/2020	Adelaide Festival Theatre, King William Road, ADELAIDE SA 5000	Create new opening in existing wall to lighting gantry located within the theatre space	29/06/2020	TBA	Category 1

Please Note:

Category 1 (No Notification Required)

Category 2 (Adjacent Owners and Occupiers Notified Only)

Category 3 (As for Category 2, plus other Owners and Occupiers directly affected to a significant degree)

* Approved