

Council Assessment Panel

Meeting Agenda

Wednesday, 28 April 2021, at 5.30 pm, Colonel Light Room, Town Hall, Adelaide.

Panel Members

Presiding Member – Mr Mark Adcock

Panel Member – Councillor Arman Abrahamzadeh

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

Deputy Panel Member – Mr Julian Rutt

Opening and Acknowledgment of Country

At the opening of the Panel Meeting, the Presiding Member will state:

'The City of Adelaide Council Assessment Panel acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

Meeting Agenda

1. Confirmation of Minutes – 22/3/2021 [CAP]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 22 March 2021, be taken as read and be confirmed as an accurate record of proceedings.

2. Declaration of Conflict of Interest

3. Applications assessed under Development Act 1993 with Representations [One]

3.1	Subject Site	5 Albert Lane, Adelaide SA 5000 [Page 3]
	Application No.	DA/564/2020
	Proposal	Construct four level residential flat building including car parking on basement, ground and level one and apartments on levels two and three
	Application	Assessed on Merit
	Representations	Listed to be Heard – Yes
	Recommendation	Development Plan Consent be Granted

4. Applications assessed under PDI Act 2016 with Representations - Nil

5. Applications assessed under Development Act 1993 without Representations
[Two]

- 5.1** Subject Site 263 Gilbert Street, Adelaide SA 5000 [Page 190]
 Application No. DA/458/2020
 Proposal External and internal alterations, change of use to indoor recreation centre, gallery and studio
 Application Assessed on Merit
 Representations Listed to be Heard – Nil
 Recommendation Development Plan Consent be Granted
- 5.2** Subject Site 62 62A 64 64A 66 Hurtle Square, Adelaide SA 5000 [Page 228]
 Application No. DA/295/2020/B
 Proposal Vary previous authorisation - Construction of a seven-storey residential flat building with ground floor commercial tenancy and associated car parking - VARIATION - Internal and external alterations including reduction in dwellings from 40 to 34, reconfiguration of floor plans, facade changes including widened balconies, relocation of water mains services and reduction in bicycle parking
 Application Assessed on Merit
 Representations Listed to be Heard – Nil
 Recommendation Development Plan Consent be Granted

6. Applications assessed under PDI Act 2016 without Representations - Nil

7. Other Applications - Nil

8. Other Business

8.1 List of Recent Lodgements for Planning Consent (2017/02505) [CAP] [Page 306]

8.2 Other Business raised at Panel Meeting

8.3 Next Meeting - 24 May 2021

9. Exclusion of the Public from attendance to Receive, Discuss or Consider Information/Matter on a Confidential Basis (If required)

10. Confidential Matters (If any)

11. Closure

Council is committed to openness and transparency in its decision making processes, however some documents contained within attachments to Development Assessment Panel agenda items are subject to copyright laws. This information is marked with a copyright notice. If these documents are reproduced in any way, including saving and printing, it is an infringement of copyright. By downloading this information, you acknowledge and agree that you will be bound by provisions of the *Copyright Act 1968 (Cth)* and will not reproduce these documents without the express written permission of the copyright owner.

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 28/4/2021

Item	3.1
Address	5 Albert Lane, Adelaide SA 5000
Proposal	Construct four level residential flat building including car parking on basement, ground and level one and apartments on levels two and three, DA/564/2020 [DA] (SG) [CAP]
Applicant	Buik Holdings P/L
Relevant Development Plan	30 April 2020
Lodgement Date	12 Oct 2020
Zone / Policy Area	City Living Zone / South East Policy Area 31
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 - 20
- Planning Report 21 - 41
- Environmental Noise Assessment 42 - 55
- Traffic and Parking Report 56 - 64
- Certificate of Title 65 - 68

Comments from Public Notification 69 - 141

Overshadowing Video provided separately to Panel Members & Applicant

Applicant Response to Representations 142 - 158

PERSONS SPEAKING BEFORE THE PANEL

Representors

- Mr Sandy Wilkinson on behalf of Mr Luke Stradwick and Ms Michelle Roesler of 316 and 318 Angas Street, Adelaide
- Ms Elizabeth Rushbrook and Mr Peter Callahan of 317 Wakefield Street, Adelaide
- Mr James Cummings of Master Plan on behalf of Ms Erica Gamble of 1/326 Angas Street, Adelaide
- Mr John Gamble and Ms Erica Gamble of 1/326 Angas Street, Adelaide
- Mr Mark Baade of SAQ Consulting on behalf of Mr Trevor Wright of 315A Wakefield Street, Adelaide

- Mr Daniel and Mrs Susan Hains of 320 Angas Street, Adelaide
- Mr Mark Anderson of 319 Wakefield Street, Adelaide

Applicant

- Mr Matthew King of URPS on behalf of the Applicant
-

1. DESCRIPTION OF PROPOSAL

- 1.1 This application proposes the construction of a four level residential flat building including car parking on basement, ground and level one and five apartments on levels two and three.
- 1.2 The proposal will have a setback of 1.3 metres for a length of 15.8 metres from northern boundary, 1 metre from the eastern boundary and up to 5.3 metres from the western boundary.
- 1.3 The proposal will have an overall building height of 14.5 metres measured from finished ground level.
- 1.4 A total of 41 car parks are proposed over three levels, including 10 car parks reserved for the apartments (within the basement) and 31 car parks ancillary to an existing office at 118-120 Hutt Street. A bicycle store will be provided in the basement along with additional storage for each apartment.
- 1.5 Vehicle access is proposed via a new crossover from Albert Lane located near the south western corner of the allotment. Movement within the car park will be controlled via a number of automatic sensors and signals.
- 1.6 A mix of materials, finishes and colours are proposed as follows:
 - Precast concrete in a range of finishes and colours
 - James Hardie scyon axon cladding
 - Colorbond Roller Shutter
 - Perforated mesh screen
 - Frameless glass balustrading
- 1.7 Landscaping is proposed within a series of narrow garden beds along the northern and western frontages to Albert Lane and within portions of the setback from the eastern boundary.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site Area: 676m²		
Plot ratio	0.8 (540m ²)	1.4 (964m ²)
Dwelling Unit Factor (DUF)	120m ²	135m ²
Building height - Storeys - Metres (ceiling height)	3 Storeys 11 metres (max.)	4 Storeys 14.5 metres
Private Open Space (POS) - 2 - 3 bedroom apartments	11-15m ²	15-32m ²
Landscaped Open Space (LOS) - % of total site area	20%	9.3%
Car Parking Spaces Bicycle Parks	Min. 5 spaces (residential) 8 spaces	41 spaces 8 spaces

3. **BACKGROUND**

- 3.1 A number of representors have joined to lodge an Application for Review against Council's merit Category 2 categorisation of the proposal. This was lodged on 14 April 2021, despite the categorisation being made public from early January 2021 when the application was placed on public notification.
- 3.2 Council has obtained legal advice regarding whether it is appropriate for this application to still be heard by the CAP considering the lodged Application for Review. The legal advice confirmed it is appropriate for the Panel to still consider the application.
- 3.3 In terms of categorisation, City Living Zone PDC 16(a) lists a car park as being non-complying development, except where ancillary to an approved or existing use. In this instance the existing car park is approved as being ancillary to an office at 118-120 Hutt Street, Adelaide. The application for the office and this car park (P13548B) was approved by Council on 9 October 1986.
- 3.4 The existing car park upon the subject land is linked by way of a condition of approval and legal agreement to the adjacent office development at 118-120 Hutt Street. It is understood the car park was constructed at the same time as the office, shortly after approval was granted.

Condition 3 for approval P13548B reads as follows:

'This approval shall only subsist for so long as the 30 car parking spaces hereby approved, which are to be used in association with the premises and which are the subject of this application, are maintained for such use.'

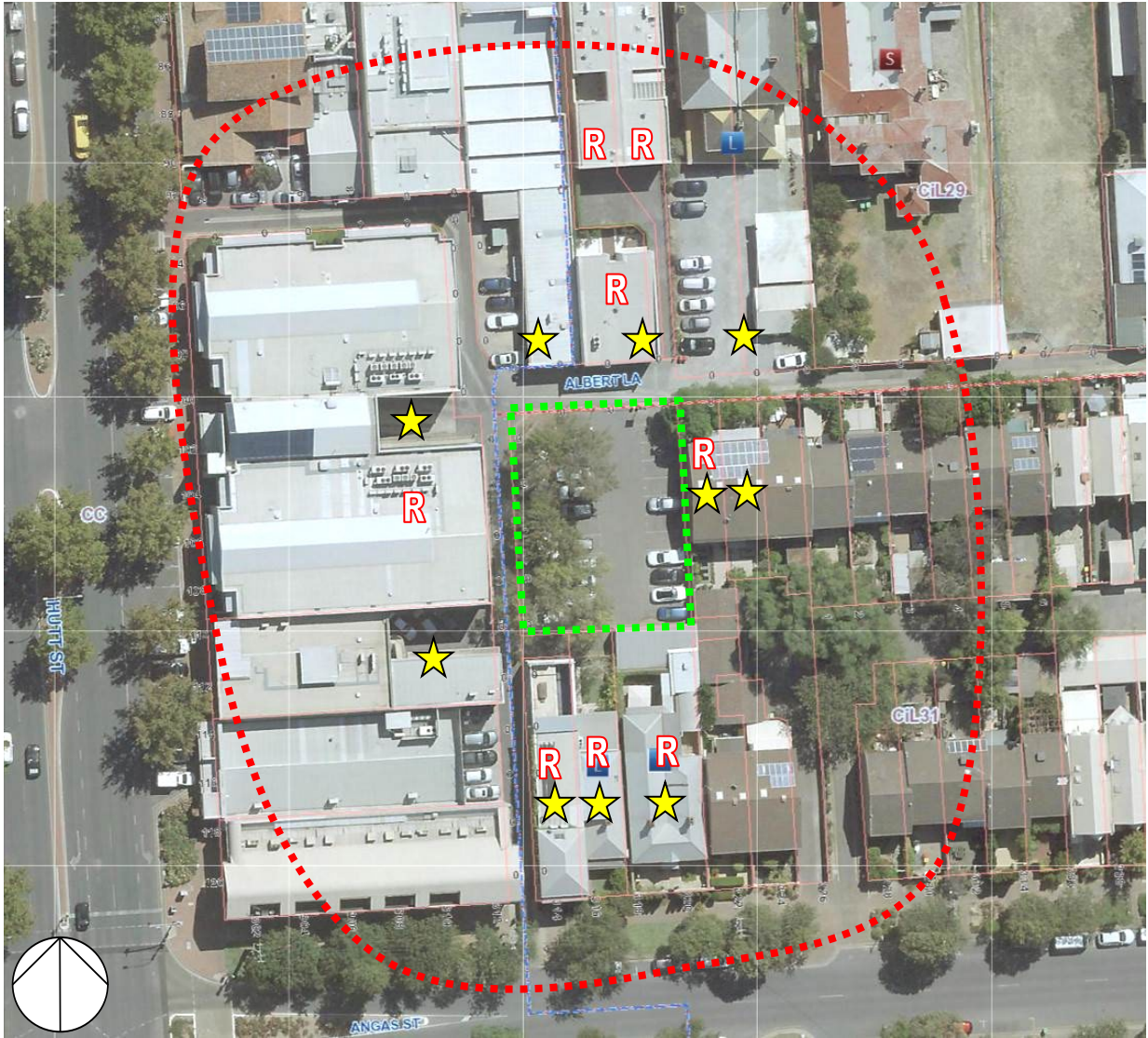
- 3.5 It should be noted that even if the car park was not approved as described above and was instead proposed as a new car park as part of this current proposal, so long as it could be demonstrated it is ancillary to nearby uses, it would not be non-complying.
- 3.6 The application was subject to pre-lodgement advice. Key issues raised by Council Administration related to a setback from the eastern boundary and concern regarding the extent of overshadowing for properties to the south. Throughout the application process and in response to public notification, the applicant ultimately agreed to include a setback for the eastern boundary and reduce the height of the proposal.

4. SITE

- 4.1 The subject land is a rectangular allotment with frontage to Albert Lane of 29.43 metres along the western boundary and 22.98 metres along the northern boundary with a total site area of approximately 676m².
- 4.2 The subject land has rights of way over a portion of land adjoining the south western corner, adjacent to Albert Lane.
- 4.3 The site is currently an open lot car park with a total of 31 car parks ancillary to the office building at 118-120 Hutt Street. One space originally designated as a bin store is currently used as a car parking space.
- 4.4 The site has three non-regulated trees located along the western portion of the land.
- 4.5 Vehicle access is provided from Albert Lane within the north eastern portion of the land as well as along the length of the western boundary.
- 4.6 The subject is relatively level and finished predominantly with a bitumen seal.

5. LOCALITY

- 5.1 The locality is characterised by a mix of residential and commercial uses.
- 5.2 The commercial uses are predominantly located to the west and northwest of the subject land fronting Hutt Street and Wakefield Street. Residential development is generally located to the east and south fronting Angas Street, Angas Court and Albert Lane.
- 5.3 The immediate locality is characterised by two storey row dwellings abutting the eastern boundary, two storey dwelling and commercial buildings to the north, IGA Supermarket to the southwest, 2 to 3 storey offices to the west and single and two storey detached dwellings to the south, two of which are identified as Local Heritage Places.



KEY



Subject Land



Local Heritage Place

CiL31

City Living Zone / South East Policy Area 31



State Heritage Place

CiL29

City Living Zone / East Terrace Policy Area 29



Policy Area Boundary

CC

Capital City Zone



Locality

R

Representor



Properties Publicly Notified

Photo 1 – Subject land looking south east from corner of Albert Lane



Photo 2 – Subject land with adjoining townhouse at 326 Angas Street



Photo 3 – Rear yard of 318 Angas Street adjacent the southern boundary of the land



Photo 4 – Rear of dwelling at 315A Wakefield Street to the north of the subject land



6. **PUBLIC NOTIFICATION**

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

No.	Representor Address	Request to be Heard
1	Mr Luke Stradwick and Ms Michelle Roesler 316 & 318 Angas Street, Adelaide	Yes
2	Ms Elizabeth Rushbrook and Mr Peter Callahan 317 Wakefield Street, Adelaide	Yes
3	Mr Nicholas Gamble 1/326 Angas Street, Adelaide	No
4	Mr James Cummings on behalf of Ms Erica Gamble 1/326 Angas Street, Adelaide	Yes
5	Mr John Gamble and Ms Erica Gamble 1/326 Angas Street, Adelaide	Yes
6	Mr Trevor Wright 315A Wakefield Street	Yes
7	JBS & G Australia Pty Ltd 100 Hutt Street, Adelaide	No
8	Mr Daniel and Mrs. Susan Hains 320 Angas Street, Adelaide	Yes
9	Mr Mark Anderson 319 Wakefield Street, Adelaide	Yes

Summary of Representations	Applicant Response (Summary)
Intensity & Overdevelopment	Existing car parking on site to be retained. Proposal satisfies the relevant Dwelling Unit Factor and is a relatively large allotment within an interface area capable of accommodating infill development without unduly impacting upon residential neighbours.
Building Height	The overall building height has been reduced from 15.4m to 14.5m. Whilst over height, the building provides a transition down in height from the taller Capital City Zone to the west.
Building Setback	Building setbacks increased in response to the representations including a setback of 1 metre from the eastern boundary. Rear portion of levels 2 and 3 have additional offset of 3 metres from the eastern boundary. The amended 1 metre eastern boundary setback will maintain the current situation of the adjoining owner to the east with existing fence to be retained and will minimise excavation impacts on adjacent trees.

Overshadowing	Detailed analysis and updated overshadowing diagrams provided along with 3D modelling. The analysis demonstrates that reduction in height and increased setback will provide, on balance, adequate sunlight, either at or near to, the winter solstice to the north facing windows and private open space of the dwellings to the south.
Noise	<p>Built form will act to mitigate any noise impacts from vehicles manoeuvring inside the building. Access into the site from the southern portion of Albert Lane is appropriate and will result in minimal noise impacts.</p> <p>Noise output from the mechanical plant is unknown as detailed design has not occurred.</p>
Plot Ratio	<p>Parking area is excluded from the definition of 'building floor area' and therefore not included in calculation.</p> <p>Acknowledge proposal exceeds maximum plot ratio but is appropriate given the site abuts the Capital City Zone where there is no plot ratio and a maximum building height of 22 metres. On balance, as the proposal will not result in a detrimental impact, the exceedance in plot ratio is reasonable.</p>
Lack of Landscaped Open Space	<p>Existing site is covered with bitumen with no dedicated landscaped area. It is acknowledged that there are mature and attractive trees on the site, as these trees are not regulated, they are able to be removed.</p> <p>Amended eastern setback will facilitate plantings up the eastern wall softening the building when viewed from the east. Landscaped private open space has increased from 5.3% to 9.3%.</p>
Impact on Amenity	Consideration given to noise, overshadowing and detailed design of the proposed building to limit offsite impacts.
Overlooking & Privacy	The eastern and southern facing windows will have obscured glazing to 1.8 metres above finished floor level. The east facing opening of the balcony will be fitted with a full height angled louvre to prevent overlooking into the adjoining allotments private front yard.

	The north facing windows and balconies will overlook onto the public street. The Development Plan does not restrict the views from windows and balconies overlooking a public street.
Traffic congestion	The car parking on-site will continue to be ancillary to 118-120 Hutt Street and the proposed apartments. Additional comment sought from traffic engineer CIRQA. This confirms the proposal will generate 16 movements during the peak hours which is a low traffic volume. There will be negligible requirement for vehicles to wait for another utilising the internal ramps. The proposal is not expected to result in traffic congestion in Albert Lane or surrounding streets.
Waste Management	A dedicated waste storeroom of 13m ² provided at ground floor level with direct access to Albert Lane to the west. This allows for the required streams to be collected with minimal impacts to traffic flows along Albert Lane.

7. **REQUIRED EXTERNAL REFERRALS**

7.1 No external referrals required.

8. **SPECIALIST ADVICE**

8.1 Local Heritage

The proposal was referred to Council's Heritage Advisor given the location adjoining Local Heritage Places to the south fronting Angas Street. The advisor provided the following comments:

'While there is no physical impact on the adjacent Local Heritage Places, there is some impact on the setting of these places. The proposal will likely be visible behind the Local Heritage Places when viewed from Angas Street. However, the appearance will not dominate or overly detract from the streetscape appearance of the places and the visual impacts are considered to be acceptable.

PDC 141 is the most relevant in this regard, however it seems to speak to development proposed side by side with Local Heritage Places, rather than development which is adjacent on rear boundaries. The proposal is therefore not considered to be at variance to PDC 141.

The Desired Character statement for the South East Policy Area 31 makes reference to the 'large number of State and Local Heritage Places' (although these are less concentrated in this particular part of the policy area) and seeks to direct new development to be consistent with the primarily street-fronting dwellings and their scale and character. This Policy Area also seeks this predominant building scale.

On balance, the proposed development is not considered to be at serious variance to the relevant objectives or principles with respect to heritage impacts.'

8.2 Infrastructure

Standard conditions and advices recommended.

8.3 Traffic

Council's Traffic Engineer has indicated support for the proposal from a traffic and parking perspective.

8.4 Waste

The following comment was provided by Council's Waste Management section:

'The bin storage room has enough area for waste storage. A relatively low number of bins will be required for the proposed use and the waste collection method of a contractor potentially having to wheel out bins is supported.'

9. DETAILED ASSESSMENT

9.1 Summary of South East Policy Area 31 Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Objectives O1	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Land Use P1	<ul style="list-style-type: none"> Residential flat buildings envisaged land use. 	✓
Form and Character P2	<ul style="list-style-type: none"> Refer detailed discussion below. 	✓
Design and Appearance P3-7	<ul style="list-style-type: none"> Exceeds plot ratio. Satisfies dwelling unit factor. 20% landscaped open space not provided. Exceeds 3 storey/11 metre height. Refer Section 9.4. 	✓/✗

9.2 Summary of City Living Zone Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Objectives O1, 2, 4	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Form of Development P1-10	<ul style="list-style-type: none"> Residential flat buildings envisaged land use. Proposal will result in an increase in residential development within the zone. Additional building height proposed greater than prevailing building heights. Additional height located away from main street frontages given the sites mid-block location. Proposed setbacks to setbacks in locality. Finished ground level at grade with surrounding roadway. 	✓/✗
Car Parking P11	<ul style="list-style-type: none"> Satisfied. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Housing Choice O6-8 P5-10	<ul style="list-style-type: none"> Satisfied. 	✓
MEDIUM TO HIGH SCALE RESIDENTIAL DEVELOPMENT		
Building Entrances P48-49	<ul style="list-style-type: none"> Satisfied. 	✓
Daylight, Sunlight & Ventilation P50-58	<ul style="list-style-type: none"> Satisfied. 	✓
Private Open Space P59-65	<ul style="list-style-type: none"> 15-32m² private open space areas proposed. 	✓
Visual Privacy P66-67	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Minimum Unit Sizes P70-71	<ul style="list-style-type: none"> Satisfied. 	✓
Adaptability P72	<ul style="list-style-type: none"> Satisfied. 	✓
Outlook P73-74	<ul style="list-style-type: none"> Satisfied. 	✓
Onsite Parking & Fencing O23 P75-79	<ul style="list-style-type: none"> Satisfied. 	✓
Storage P80-81	<ul style="list-style-type: none"> Satisfied. 	✓

ENVIRONMENTAL		
Crime Prevention through Urban Design O24 P82-86	<ul style="list-style-type: none"> Passive surveillance from apartments to Albert Lane. 	✓
Noise Emissions O26-27 Noise Receivers P95-100	<ul style="list-style-type: none"> Satisfied subject to implementation of recommendations in acoustic report. 	✓
Waste Management O28 P101-104	<ul style="list-style-type: none"> Refer Section 8.4 – Council Waste Management Section. 	✓
Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Satisfied. 	✓
Microclimate and Sunlight O33-34 P119-125	<ul style="list-style-type: none"> Refer Section 9.4. 	✗
Stormwater Management O35-39 P126-131	<ul style="list-style-type: none"> Satisfied. 	✓
Heritage & Conservation O42-45 P136-148	<ul style="list-style-type: none"> Refer Section 8.1 – Council Heritage Advice. 	✓
Built Form & Townscape O46-48 P167	<ul style="list-style-type: none"> Refer Section 9.4. 	✓

Height, Bulk and Scale P168-174	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Plot Ratio P175	<ul style="list-style-type: none"> Refer Section 9.4. 	✗
Maximum Dwelling Density & Floor Area P176	<ul style="list-style-type: none"> Satisfied. 	✓
Landscape Open Space P177	<ul style="list-style-type: none"> Refer Section 9.4. 	✗
Building Setbacks P178	<ul style="list-style-type: none"> Satisfied. 	✓
Composition & Proportion P180-181	<ul style="list-style-type: none"> Satisfied. 	✓
Articulation & Modelling P182-186	<ul style="list-style-type: none"> Satisfied. 	✓
Materials, Colours & Finishes P187-190	<ul style="list-style-type: none"> Satisfied. 	✓
Sky & Roof Lines O49 P192-195	<ul style="list-style-type: none"> Satisfied. 	✓
Active Street Frontages O50-51 P196, 199	<ul style="list-style-type: none"> Minimal activation of ground and first floor levels. Sufficient detailing of the building fronting Albert Lane. Surveillance of Albert Lane provided from balconies and windows of the upper level apartments. Legible pedestrian entrance. 	✓/✗
Landscaping O55 P207-210	<ul style="list-style-type: none"> Minimal landscaping provided. Garden beds to Albert Lane frontages provide greenery, soften and screen the building. 	✓/✗

Access & Movement O60 P224-225	<ul style="list-style-type: none"> Satisfied. 	✓
Pedestrian Access O61-63 P226-232	<ul style="list-style-type: none"> Subject land located outside of core pedestrian area. No canopy or pedestrian cover proposed, however Albert Lane too narrow to accommodate such structures. 	✓
Bicycle Access O64-65 P233-238	<ul style="list-style-type: none"> Satisfied. 	✓
Traffic and Vehicle Access O68-70 P241-250	<ul style="list-style-type: none"> Refer Section 9.4. 	✓
Car Parking O71-762 P251-265	<ul style="list-style-type: none"> Level of parking provided for residential use is sufficient. Access provided from a minor road. Adequate sightlines provided. No active frontages proposed in front of ground level car parking. 	✓

9.4 **Detailed Discussion**

Desired Character

The Desired Character for the City Living Zone acknowledges the diversity of development across the zone from more traditional cottages and row housing to low and medium scale contemporary apartment buildings.

The Zone comprises Adelaide's main residential living districts which have developed with a range of stand-alone and paired cottages, terrace or row housing, and low to medium scale contemporary apartment buildings, and with remnant workshops, service trades, offices and mixed uses, particularly west of Hutt Street.

Infill development is envisaged in limited circumstances as outlined below:

Carefully executed high quality residential infill is envisaged and opportunities are presented for comprehensive redevelopment on larger, particularly non-residential sites, and also on catalyst sites fronting South Terrace and East Terrace. The desired increase in the City's resident population relies, in part, on realising infill housing opportunities with high regard to their context and achieving overall, higher dwelling densities in this Zone.

Whilst the subject site is not a catalyst site fronting the Terraces, it is a large, underutilised allotment with a long history of use as an ancillary open lot car park. The City Living Zone seeks an increase in the number of residents living within and activating the city, through quality infill. As outlined and discussed below the proposal is a high-quality residential infill proposal and whilst it retains the existing ancillary car parking, it does provide for five high quality residential apartments. The proposal will add to the housing choice and diversity of residential accommodation within the zone.

The South East Policy Area 31 Desired Character statement seeks the development of residential flat buildings and infill development upon larger sites:

Residential flat buildings may be appropriate where they are developed on larger sites to provide an increase in dwelling density. Further development of land for non-residential uses is limited to land and buildings in non-residential use.

The proposal is considered to achieve this desire through the introduction of five residential apartments upon the land. Whilst the existing non-residential land use (ancillary parking) is retained, it is not expanded in terms of intensity or across additional parcels of land.

The Desired Character emphasises the need for development to complement the existing character and form of development within the Policy Area, particularly infill development:

Development will be designed to complement the existing streetscape comprising the more spacious settings on the main east-west streets, Carrington, Halifax and Gilles Streets, and the intimacy of the smaller streets and laneways.

Infill development will take particular reference from the siting, form and key elements of existing buildings to ensure a highly attractive and compatible streetscape. The predominant building scale and heritage places in the

immediate locality will be referenced by new buildings/additions, particularly as they address public streets.

Opportunities may be available for carefully composed and sited second and third building levels which are suitably removed from street view, and with limited impact on the low scale setting of such places.

At four storeys the proposal is clearly of a greater scale than surrounding buildings within the locality. The predominant scale of buildings within the locality is two storeys with the Local Heritage Places to the south of the subject land at 318 and 320 Angas Street being single storey.

Whilst the Desired Character statement encourages new development to draw from the scale of existing buildings, particularly heritage places, the subject land is located mid-block fronting onto a lane. The setting of the land is unique in that it does not front, nor is it visible from, any of the surrounding major roads or character streetscapes such as Angas Street to the south. It is screened by commercial development fronting Hutt Street to the west and Wakefield Street to the north. The subject site is also located at the interface with the Capital City Zone to the west and it is this setting and location that lends itself to a higher density and scale of development than is generally considered acceptable by the Desired Character statements for the Zone and Policy Area.

Whilst the proposal does diverge from the specific requirements of the Desired Character statements, it is considered to display general accord with the broader intent for appropriately located and designed residential infill development.

Land Use

The proposal seeks to retain the existing ancillary car parking use and introduce a residential use to the site in the form of a residential flat building atop the car parking.

Residential flat buildings are supported by Zone PDC 2 and Policy Area PDC 1 noted below:

PDC 1 The Policy Area will primarily comprise detached and semi-detached dwellings and residential flat buildings.

The increase in dwelling densities is supported by the Desired Character and Objectives and PDCs of the Zone and Policy Area.

Whilst ancillary car parking is not specifically supported or encouraged within the zone it is a long-standing approved use connected to the office use at 118-120 Hutt Street. The 31 car parks proposed within the building is the same number currently accommodated on the site. One of the spaces currently used, was originally designated as a bin store area. There is not considered to be a change in the intensity of the ancillary parking upon the land. The car parking use achieves the intent of Zone Objective 3 given the enclosure of the parking within the building is likely to reduce the current impact the open lot parking has upon the locality.

Built Form and Design

Along with the portions of the Desired Character statement outlined above, the following City Living Zone provisions are of most relevance to the assessment of the built form and design of the proposal including the proposed bulk and height:

Objective 4: Development having regard to the potential impacts of building height and activities from land in the adjoining zones.

PDC 6 Buildings or additions, including those of innovative and contemporary design, should reinforce the Policy Area and demonstrate a compatible visual relationship with adjacent heritage places ... in terms of its:

- a) bulk, height and scale (i.e. the length and size of unbroken walling and the roof volume and form);*
- b) width of frontage and the front and side boundary building set-back patterns;*
- c) overall building proportions and massing ...;*
- d) modelling and articulation of facades; and*
- e) incorporation of key architectural elements and detailing where a particular construction era and building style prevails as expressed in the desired character ... i.e. with the inclusion of elements such as porches, verandahs, balconies and fences where appropriate.*

PDC 7 Development should not exceed the height prescribed for each Policy Area. The height of new buildings, including the floor to ceiling clearances of each level, should take reference from the prevailing building heights within the locality, with particular reference to adjacent heritage places.

PDC 8 Where development proposes a building higher than the prevailing building heights that contribute to the desired character of a locality, the taller building elements should be setback from street frontages to avoid a detrimental impact on the prevailing character.

The above are supported by the following South East Policy Area 31 PDCs:

3 The plot ratio should not exceed 0.8 ...

4 The dwelling unit factor of development is 120 square metres ...

5 A minimum of 20 percent landscaped open space should be provided on the site of any development.

6 Development should not exceed 3 storeys or 11 metres building height ...

7 Development to a maximum building height of 3 storeys or 11 metres is appropriate where:

- a) the scale relationship of the proposed building with neighbouring buildings is satisfactory; and*
- b) the amenity impacts on adjacent sites acceptable.*

The proposal exceeds the plot ratio (1.4 compared to 0.8) and building height (14.5 metres compared to 11 metres) and is under the desired landscape open space requirement of 20% (9.3% proposed). These departures from the desired quantitative provisions are not insignificant and require careful consideration as to what, if any, resulting impacts occur on the character of the locality and amenity of adjoining properties.

As noted previously, the Desired Characters seek new development to display a level of compatibility with the existing character of the surrounding built form. This is supported by Zone PDCs 6, 7 and 8.

The proposal exceeds the desired building height by one storey and the general building height in the locality by one to two storeys. Whilst this will be notable from within Albert Lane and surrounding properties and private yards, it will not be readily evident from the surrounding major streets or locality more broadly on account of the site being located generally at the rear of surrounding development.

The additional height is broadly supported by the location of the subject land adjacent to and at the interface with, the Capital City Zone. The portion of the Capital City Zone along Hutt Street to the west allows for development up to 22 metres in height. Whilst there are no examples of development to this height within the locality it is regularly recognised that potential building heights are a relevant consideration and that a transition and graduation in building heights between zones is desirable. The proposal will provide for this transition in height within a setting that is removed from Angas and Wakefield Streets at the rear of commercial and residential properties.

The proposal displays a high level of design and is proposed to be constructed from high quality materials and finishes. A suitable level of detailing and articulation is proposed for the car parking levels. The residential apartments are sufficiently removed from the eastern and southern boundaries to provide a setback to adjacent residential development. The proposal adequately addresses the Albert Lane frontages. Whilst an increased level of activation and passive surveillance from the lower levels is desired, the location of the pedestrian entrance on Albert Lane and passive surveillance from the upper levels provides a sufficient degree of interaction and interest.

The extent of landscape open space, and landscaping in general, is limited and under the requirements of the Zone. Whilst an increase in landscaping would be beneficial to the proposal and locality more broadly, the inclusion of landscaping along both frontages to Albert Lane and the eastern façade is supported and provides landscaping in areas most noticeable to the public and adjoining owners. The generous balconies provide additional opportunity for pot plants and planter boxes.

Overall, whilst it is recognised the proposal exceeds several quantitative provisions, it is the location of the site at the interface with the Capital City Zone, at the rear of adjoining properties, that lends support to the proposal. The overall quality of the design and proposed upper-level setbacks from adjoining residential properties also provides support to the overall bulk and scale of the development.

Residential Amenity

The level of residential amenity for future residents within the proposed apartments is expected to be high on account of the large unit sizes, generous balconies and natural light and ventilation. All units have an outlook over Albert Lane with all but the southern apartment on level two having access to direct northern light.

In relation to the potential impact of the proposal upon the amenity of surrounding residential properties, consideration has been given to the level of overshadowing, noise and visual appearance/bulk and scale of the building.

The applicant made several amendments to the proposal following public notification. Amendments include increased setbacks to the eastern and southern boundaries where the subject land adjoins surrounding dwellings and yards.

The introduction of a one metre setback along the length of the eastern boundary assists in providing separation to the adjoining townhouse to the east with additional setbacks of the upper levels adjacent to the rear yard of the townhouses to the east and dwellings to the south. The upper level is located 6.3 metres from the southern boundary and 3.2 metres from the eastern boundary within the south eastern corner of the subject land. The proposed setbacks and general design and form of the building is such that the visual impact, whilst not insignificant, is not unreasonable within an inner city setting.

Overlooking

Overlooking into adjoining properties is adequately addressed using high-level windows and obscure glazing to the eastern and southern elevations. Etched glass screening to a height of 2.4 metres is also proposed for the southern portion of the balcony for apartment 2.03 to prevent overlooking to the neighbouring properties to the south. A condition of approval will be included to ensure the abovementioned methods to prevent overlooking are enforced.

Overshadowing

The applicant has provided detailed overshadowing plans and 3D images for the rear yards of the properties to the south at 316, 318 and 320 Angas Street. The extent of overshadowing is also outlined within the applicant's response to representations.

It is noted the minimum extent of sunlight is provided to the living windows and private open space of 316 and 320 Angas Street between 9am and 3pm on 21 June. The most impacted dwelling is the central dwelling at 318 Angas Street which will not receive two consecutive hours of sunlight to either the living room windows or private rear yard between 9am and 3pm on 21 June. It is understood 316 and 318 Angas Street have been combined into a single dwelling. As such the 316 Angas Street component receives a sufficient level of daylight, however the 318 Angas Street portion does not.

Case law for another development in the City of Adelaide that resulted in significant overshadowing of neighbouring properties, referred to the duration of overshadowing, on months either side of 21 June, as being a relevant consideration in determining whether overshadowing has been minimised to an acceptable level.

The applicant has reduced the height of the proposal by 900mm to minimise the overshadowing impact. Additional details as to the level of overshadowing at the autumn and spring equinox (21 April and 21 August) have also provided clarity as to the extent of overshadowing throughout the year. At these times, the ground floor living windows are not overshadowed from 9am to 3pm with two hours of sunlight to 20% of the private rear yard.

The extent of overshadowing of the central portion of the dwelling at 316-318 Angas Street is significant at the worst point of the year (winter solstice). Either side of this point overshadowing decreases. On balance it is considered the level of overshadowing across the year over the adjoining residential properties is not unreasonable in the context of the locality.

The applicant has also provided shadow diagrams demonstrating that development to the three storey, 11 metre height limit would result in similar overshadowing impacts.

Transport, Access and Parking

The 31 car parks on the site currently used by the office at 118-120 Hutt Street are proposed to be retained with an additional 10 residential car parks.

Each dwelling is only required to have a single car park, therefore the provision of two car parks per unit exceeds the minimum requirement. However, the three apartments on level 3 are entitled to at least two spaces each according to the maximum provision referred to in Table Adel/7 as the floor area for each of these apartments exceeds 75m². The two apartments on level 2 both exceed 150m² in area, allowing for up to three spaces each. Consequently, up to 12 car parking spaces could be provided according to the maximum numbers referred to in Table Adel/7 and 10 spaces are proposed.

The carpark is to be accessed via a new crossover from Albert Lane near the south western corner of the subject land. This access will be adjacent to the driveway associated with the dwelling at 316-318 Angas Street to the south. The subject site has a right of way over a portion of the adjoining driveway but does not exercise that right within this proposal. The location and arrangement of the access is acceptable with sufficient sightlines to both the north and south along Albert Lane.

Council's Traffic Engineer has not raised concerns with the proposal with a supportive traffic report provided by the applicant. An addendum to that report was provided within the response to representations. The addendum confirmed the internal control of vehicles within the carpark via a series of signals and sensors would not impact upon traffic within Albert Lane.

In effect the proposal seeks to introduce up to 10 additional cars to Albert Lane and the surrounding road network. Whilst it is acknowledged Albert Lane is a narrow lane, the additional residential movements are not expected to alter traffic movements significantly or detrimentally within the locality.

The internalisation of the existing open lot car park is a positive outcome with reduced impacts upon adjoining properties from workers accessing vehicles and manoeuvring them within the existing car park.

9.5 **Conclusion**

This application proposes the construction of a four level residential flat building including car parking on basement, ground and level one and apartments on levels two and three.

The proposal is considered to achieve the desire of City Living Zone Objective 2 for *'increased dwelling densities in appropriate locations'*. The proposed introduction of dwellings upon the site is a positive in terms of passive surveillance within Albert Lane and increased opportunities to live within the city.

The incorporation of the parking within the building appears lifts the overall height with the inclusion of two levels of residential above. On balance, the additional height is supported, predominately on account of the location of the site mid-block, removed from any established character streetscape or heritage places and the interface with the Capital City Zone.

Whilst the scale and bulk of the building exceeds is greater than the predominately two storey character of the locality, the quality of the design and materials, level of articulation and setback of the upper levels on the southern and eastern sides is sufficient to warrant a departure from the quantitative requirements.

The proposal is at odds with the desired requirements relating to building height, plot ratio and landscape open space. However, it generally satisfies the broader intent of the Development Plan in terms of:

- An increase in residential development
- High quality design, materials and finishes
- A transition in height and intensity of development between the Capital City Zone and City Living Zone
- High level of residential amenity

The impacts of the proposal upon adjoining residential uses will be notable to adjoining occupants given the long-standing open nature and character of the subject land. On balance, the impacts are not considered unreasonable within this portion of the City Living Zone which directly abuts the Capital City Zone where a greater intensity of development is anticipated.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan as it proposes an appropriately designed infill residential development that achieves the desired character of the Zone and Policy Area without unreasonably impacting upon the amenity of adjoining residential properties.

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

10. **RECOMMENDATION**

That the development, the subject of the application from Buik Holdings P/L to construct four level residential flat building including car parking on basement, ground and level one and apartments on levels two and three at 5 Albert Lane, Adelaide SA 5000 as shown on plans designated DA/564/2020:

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 advisory notes:

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:**

Drawings prepared by Proske Architecture and Interiors as follows:

- **Proposed Site Plan – PL04.B dated 30.03.2021**
- **Proposed Floor Plan 01 – PL05.B dated 30.03.2021**
- **Proposed Floor Plans 02 – PL06.B dated 30.03.2021**
- **Proposed Floor Plans 03 – PL07.B dated 30.03.2021**
- **Elevations – PL08.B dated 30.03.2021**
- **Design Sections – PL09.B dated 30.03.2021**

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 landscaping depicted on the plans shall be maintained in good health and condition at all times to the reasonable satisfaction of the Council. 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.*

4. **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.

5. The existing levels in Albert Lane shall not be modified to suit the levels of the pedestrian or vehicle entry points to the development, unless otherwise agreed to by Council in writing.

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

6. Appropriate acoustic absorption material shall be installed to a minimum 50% of the ground and first floor car park ceilings, as detailed in page 8 of the Environmental Noise Assessment prepared by Sonus dated June 2020, prior to occupation of the building.

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

7. The obscured glazing and screening on the southern and eastern elevations depicted on the plans granted consent described as PL06.B and PL08.B, dated 30 March 2021, shall be installed prior to the occupation or use of the development and thereafter shall be maintained to the reasonable satisfaction of the Council at all times.

Reason: To ensure that the Development does not unreasonably diminish the privacy of residents in adjoining properties.

8. The 31 car parking spaces not designated for the apartments shall only be used by persons associated with the office at 118-120 Hutt Street, Adelaide. The 31 car parking spaces are not to be used for non-ancillary parking at any time.

Reason: To ensure that the Development does not include non-ancillary car parking.

9. A dilapidation survey recording the condition of the northern portions of the neighbouring buildings to the south (316, 318 and 320 Angus Street) and the portions of buildings adjacent the eastern site boundary (various units at 326 Angus Street) shall be provided to Council prior to the issue of Development Approval, 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.

Advisory Notes

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 24 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 24 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. Boundaries

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

4. Residential Parking Permits

No on-street residential parking permits will be issued for use by occupants of, or visitors to, the development herein approved (unless the subject site meets the relevant criteria).

Please visit <https://www.cityofadelaide.com.au/transport-parking/parking/residential-parking/> or contact the Customer Centre on 8203 7203 for further information.

5. Damage to Council's Footpath/Kerbing/Road Pavement

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.

6. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. This includes activities that have received Development Approval.

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/business/permits-licences/city-works/

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.

Applications will require a minimum notice period of two to five business days, depending on the nature of work, and can be lodged online via

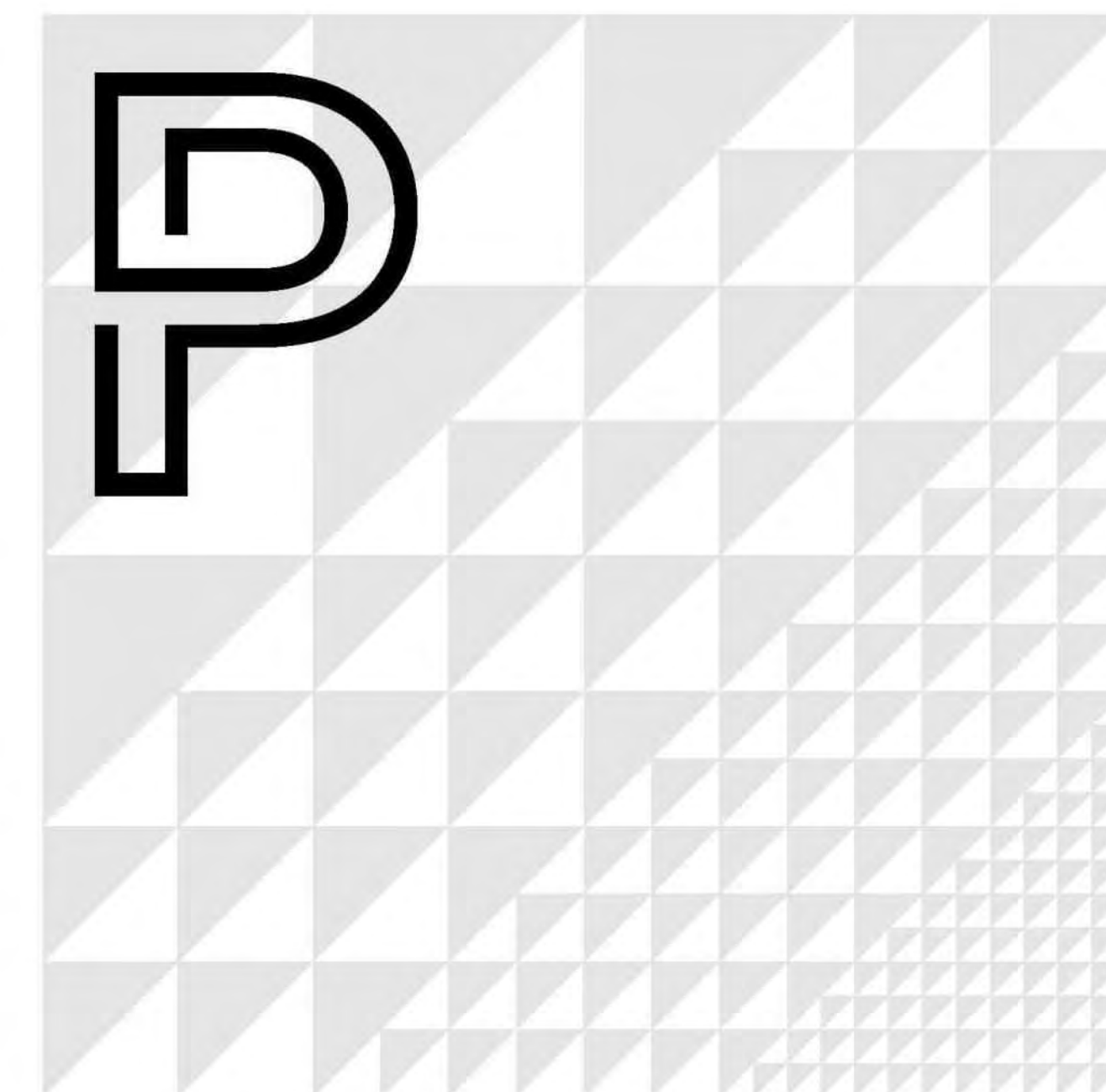
<https://www.cityofadelaide.com.au/business/permits-licences/city-works/>



3D PERSPECTIVE VIEW 01: NORTH APARTMENT ELEVATION



3D PERSPECTIVE VIEW 02: WEST ELEVATION



Project
5 ALBERT LANE APARTMENTS

Client
BUIK HOLDINGS

Project Address
5 ALBERT LANE ADELAIDE

Project Status
FOR APPROVAL

CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED

DA/564/2020
30/03/2021

Date
30.03.2021

Project No.
19.048

Drawing No.
PL00.B

SITE CONTEXT LEGEND

- SUBJECT SITE
- PARKLANDS



SITE CONTEXT ANALYSIS PLAN
NOT TO SCALE

-	FOR APPROVAL	24.09.2020
A	FOR APPROVAL	03.12.2020
B	FOR APPROVAL	30.03.2021

FOR APPROVAL

Client
BUIK HOLDINGS

Drawn	Checked	Date
MC	MB	30.03.2021

Scale	Paper Size
As indicated	A1

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specification. Strictly not to be used for Construction unless specifically stamped otherwise.



Drawing Title
Site Context Analysis Plan

Project
5 ALBERT LANE APARTMENTS
Project Address
5 ALBERT LANE ADELAIDE

Project No.
19.048
Drawing No.
PL01.B

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED**
**DA/564/2020
30/03/2021**

SITE ANALYSIS LEGEND

- PROPOSED DEVELOPMENT
- RESIDENTIAL ZONE (IMMEDIATE LOCALITY)
- COMMERCIAL (IMMEDIATE LOCALITY)
- RESTAURANTS
- SUPERMARKET
- PUBLIC TRANSPORT
- SOCIAL CLUBS
- SCHOOL
- HOSPITAL & MEDICAL
- LOCAL HERITAGE PLACE
- STATE HERITAGE PLACE

PLACES OF INTEREST

1. CALVARY HOSPITAL
2. NETWORK TEN
3. CHRISTIAN BROTHERS COLLEGE JUNIOR SCHOOL
4. NAVAL MILITARY & AIRFORCE CLUB
5. IGA ADELAIDE CITY EAST



SITE LOCALITY PLAN
SCALE 1:500

-	FOR APPROVAL	24.09.2020
A	FOR APPROVAL	03.12.2020
B	FOR APPROVAL	30.03.2021

FOR APPROVAL

Client
BUIK HOLDINGS

Drawn	Checked	Date
MC	MB	30.03.2021
Scale	Paper Size	
As indicated	A1	

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specification. Strictly not to be used for Construction unless specifically stamped otherwise.

P Drawing Title
Site Locality Plan

Project
**5 ALBERT LANE
APARTMENTS**

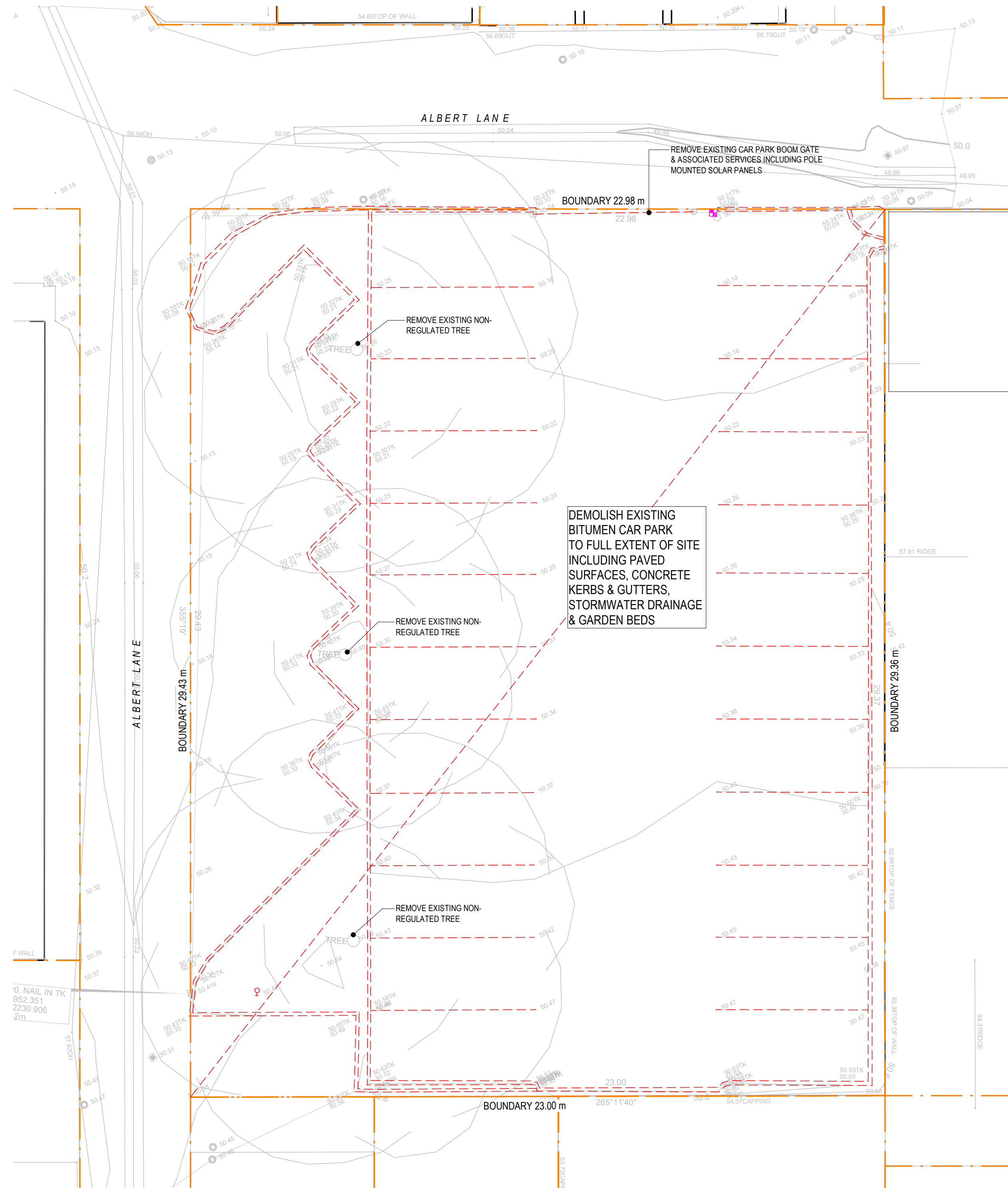
Project Address
**5 ALBERT LANE
ADELAIDE**

Project No.
19.048

Drawing No.
PL02.B

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED**

**DA/564/2020
30/03/2021**



DEMOLITION PLAN
SCALE 1:100

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000
08 8271 0100
proske.com.au

Member
Australian Institute of Architects
City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2020
30/03/2021

Client
BUIK HOLDINGS

Drawn
Author

Checked
Checker

Date
30.03.2021

Scale
1 : 100

Paper Size
A1

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

-	FOR APPROVAL	24.09.2020
A	FOR APPROVAL	03.12.2020
B	FOR APPROVAL	30.03.2021

P
Project
5 ALBERT LANE APARTMENTS
Project Address
5 ALBERT LANE ADELAIDE

Drawing Title
Demolition Plan

Project No.
19.048

Drawing No.
PL03.B

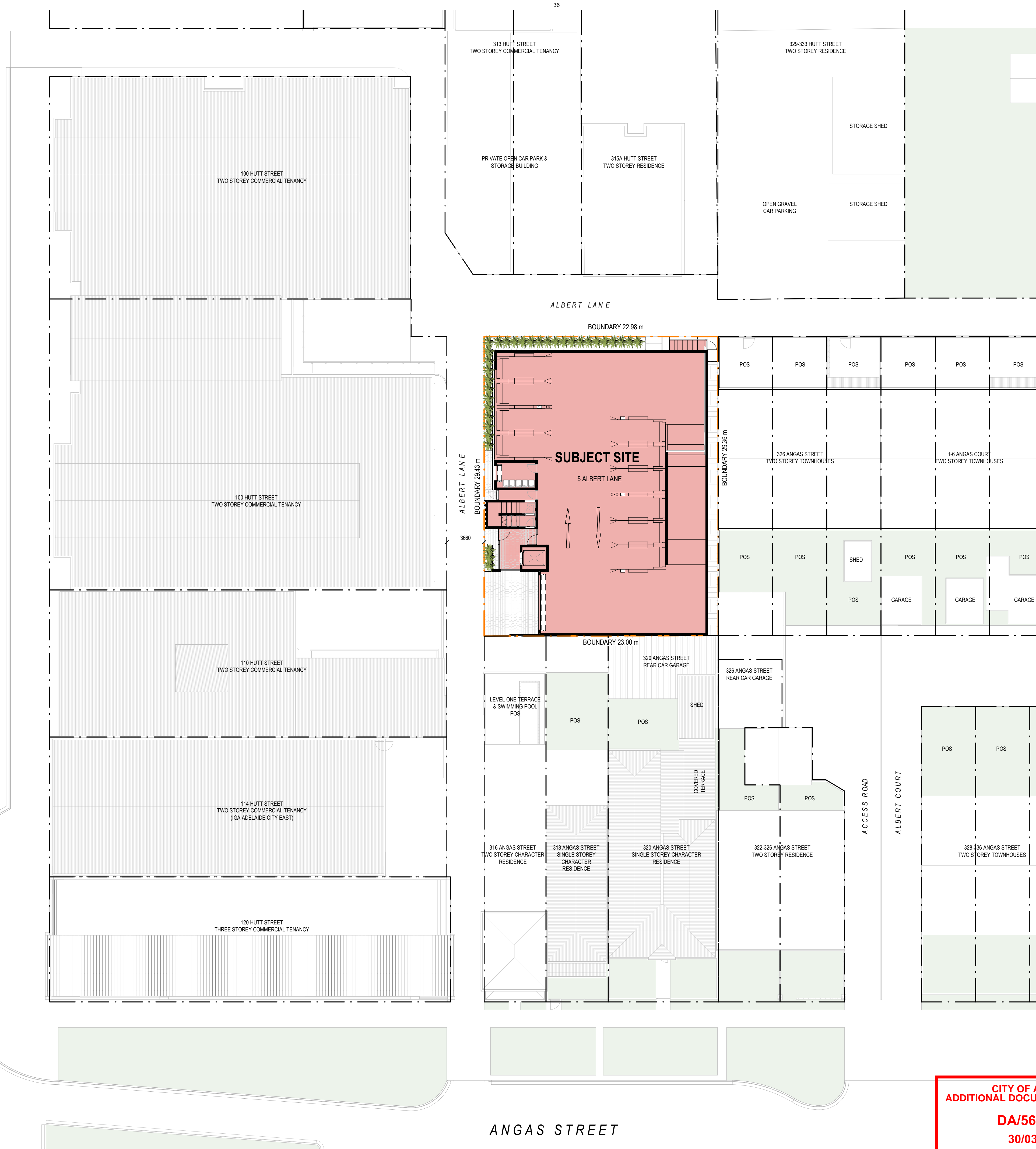
AREA SCHEDULE - PLANNING

AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL LINE, UNLESS OTHERWISE SPECIFIED.

TOTAL ALLOTMENT AREA = 675.95 m²

DESCRIPTION	AREA
L1 GFA	626 m ²
BASEMENT GFA	603 m ²
GROUND FLOOR GFA	569 m ²
L2 GFA	547 m ²
L3 GFA	452 m ²
TOTAL BUILDING GROSS FLOOR AREA	2797 m ²

HUTT STREET



SITE PLAN
SCALE 1:200

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED

DA/564/2020
30/03/2021

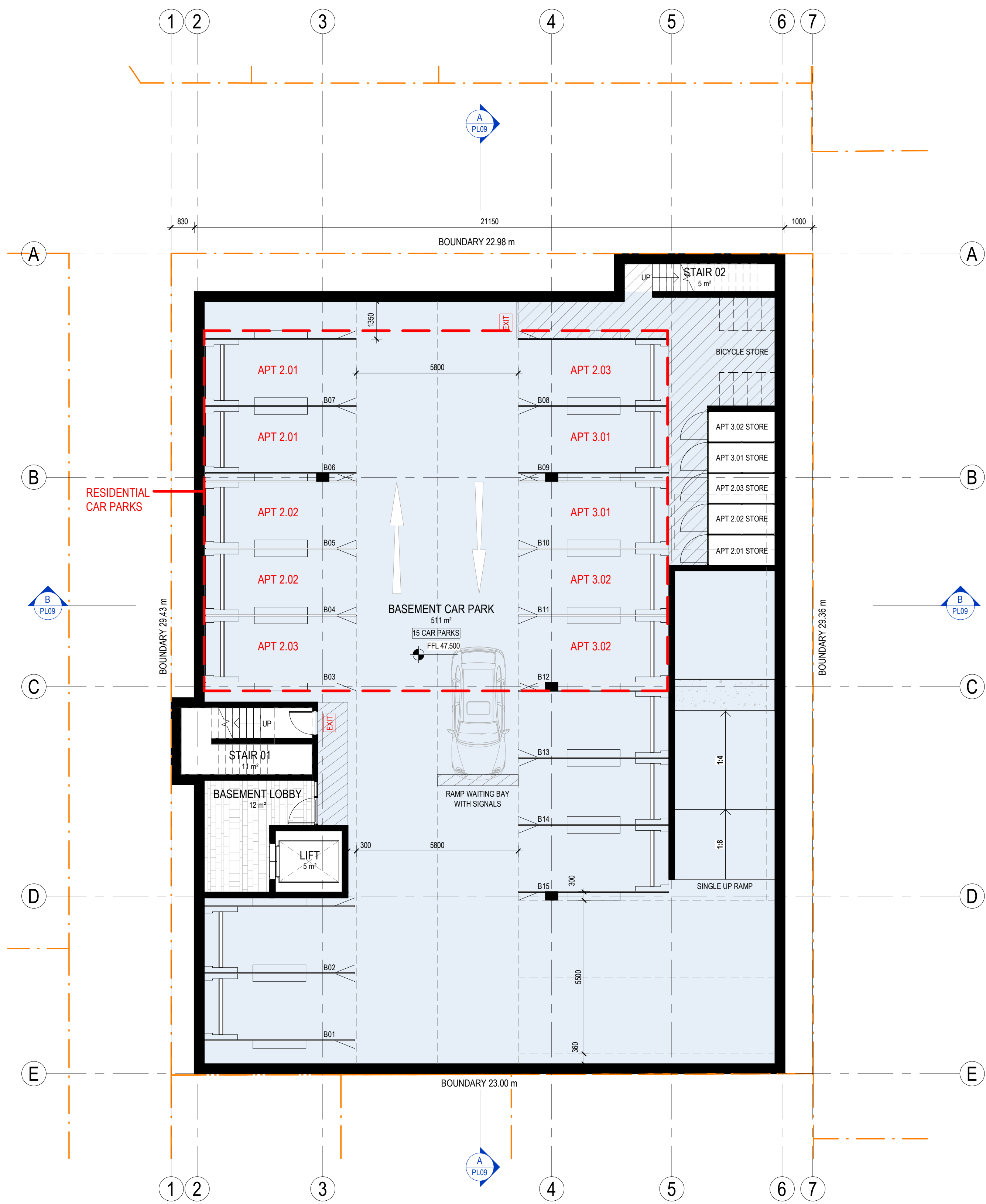
-	FOR APPROVAL	24.09.2020
A	FOR APPROVAL	03.12.2020
B	FOR APPROVAL	30.03.2021

FOR APPROVAL

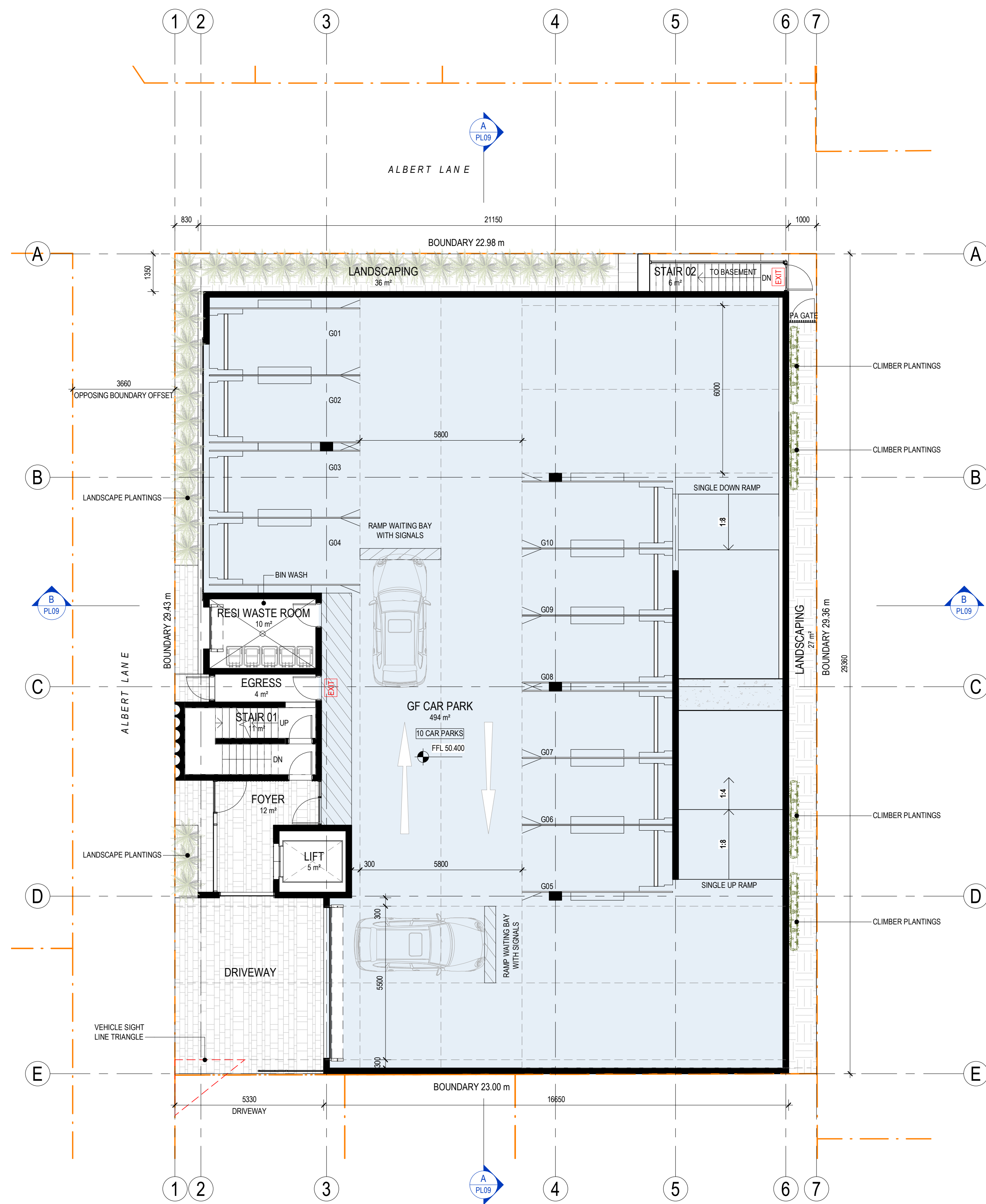
Client BUIK HOLDINGS		
Drawn MB	Checked RP	Date 30.03.2021
Scale 1:200	Paper Size A1	

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specification. Strictly not to be used for Construction unless specifically stamped otherwise.

	Drawing Title Proposed Site Plan
Project 5 ALBERT LANE APARTMENTS	Project No. 19.048
Project Address 5 ALBERT LANE ADELAIDE	Drawing No. PL04.B



BASEMENT FLOOR PLAN
SCALE 1:100



GROUND FLOOR PLAN
SCALE 1:100

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000
08 8271 0100
proske.com.au

Member
Australian Institute of Architects
City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED**
DA/564/2020
30/03/2021

Client
BUIK HOLDINGS
Drawn
MB
Scale
1:100
Checked
RP
Paper Size
A1
Date
30.03.2021

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

- FOR APPROVAL
A FOR APPROVAL
B FOR APPROVAL

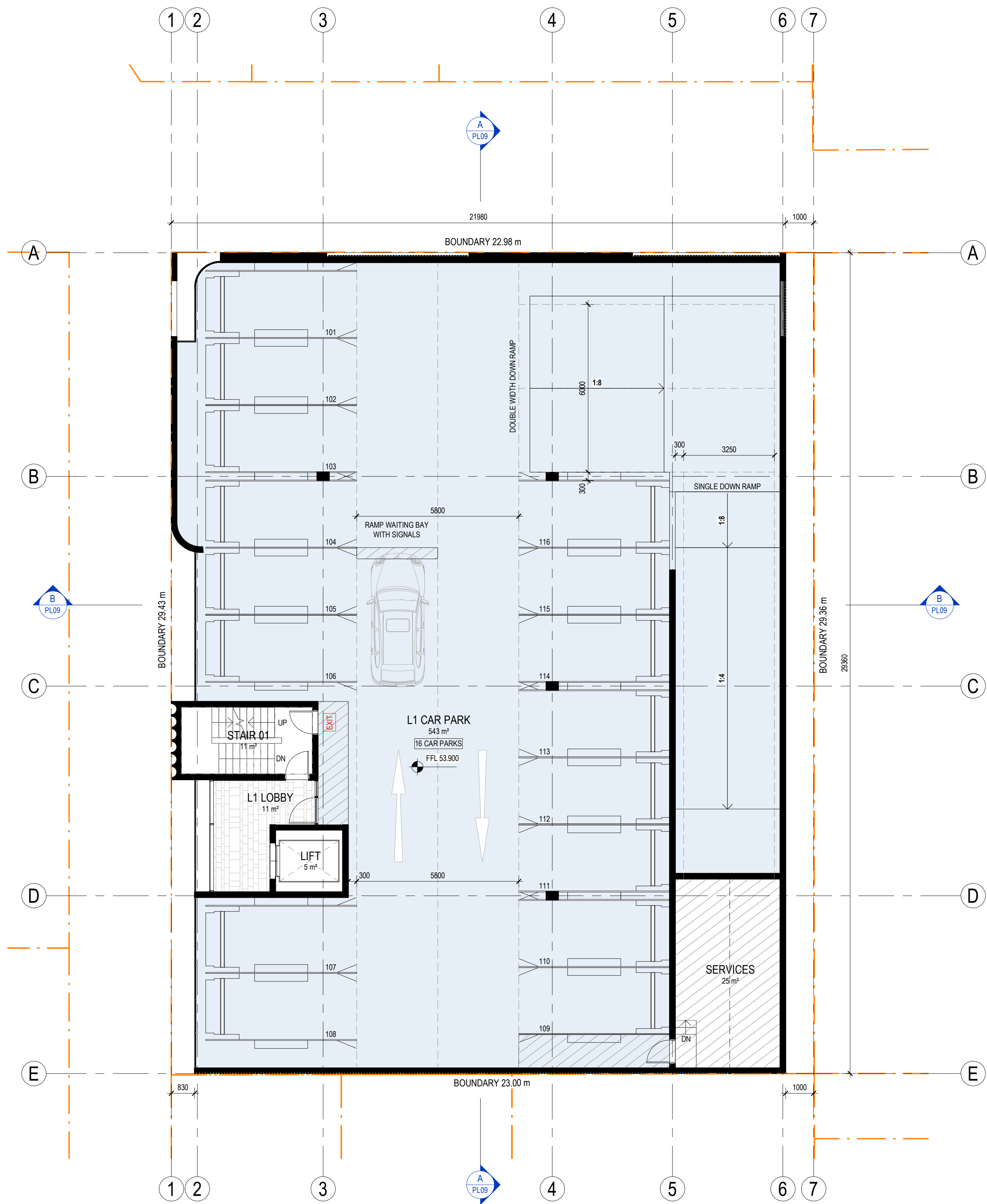
24.09.2020
03.12.2020
30.03.2021

P
Project
**5 ALBERT LANE
APARTMENTS**
Project Address
**5 ALBERT LANE
ADELAIDE**

Drawing Title
**Proposed Floor Plans
01**

Project No.
19.048

Drawing No.
PL05.B



L1 FLOOR PLAN
SCALE 1:100



L2 FLOOR PLAN
SCALE 1:100

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED**
DA/564/2020
30/03/2021

Client
BUIK HOLDINGS

Drawn
MB

Scale
1 : 100

Checked
RP

Paper Size
A1

Date
30.03.2021

Copyright Reserved Proske Architects 2019

The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

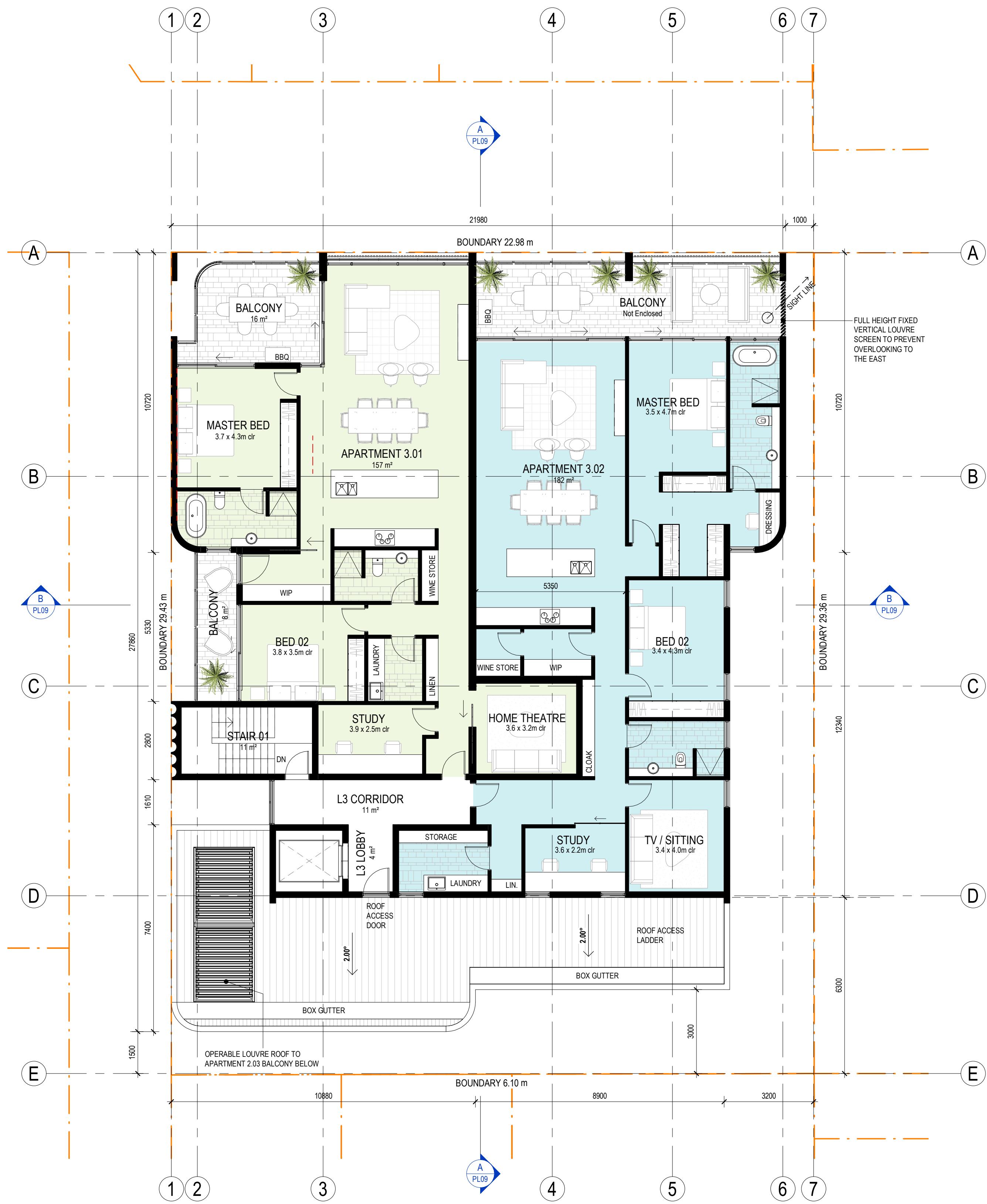
- FOR APPROVAL 24.09.2020
A FOR APPROVAL 03.12.2020
B FOR APPROVAL 30.03.2021

P
Project
**5 ALBERT LANE
APARTMENTS**
Project Address
**5 ALBERT LANE
ADELAIDE**

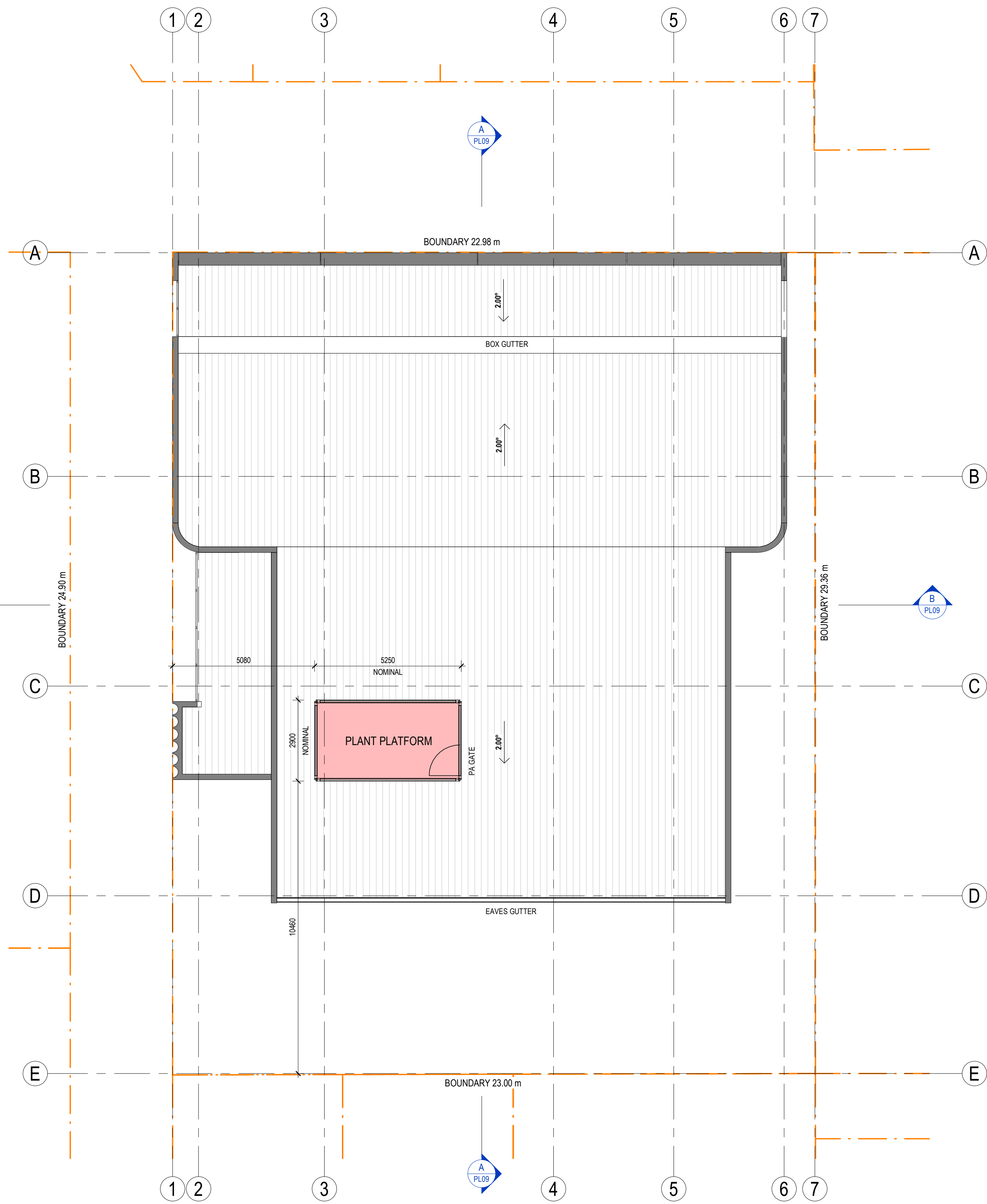
Drawing Title
**Proposed Floor Plans
02**

Project No.
19.048

Drawing No.
PL06.B



L3 FLOOR PLAN
SCALE 1:100



ROOF PLAN
SCALE 1:100

PROSKE
architecture + interiors

26 Wakeham Street Adelaide, SA, 5000 08 8271 0100 proske.com.au

Member Australian Institute of Architects City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2020
30/03/2021

Client **BUIK HOLDINGS**
Drawn **MB** Checked **RP** Date **30.03.2021**
Scale **1:100** Paper Size **A1**
Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

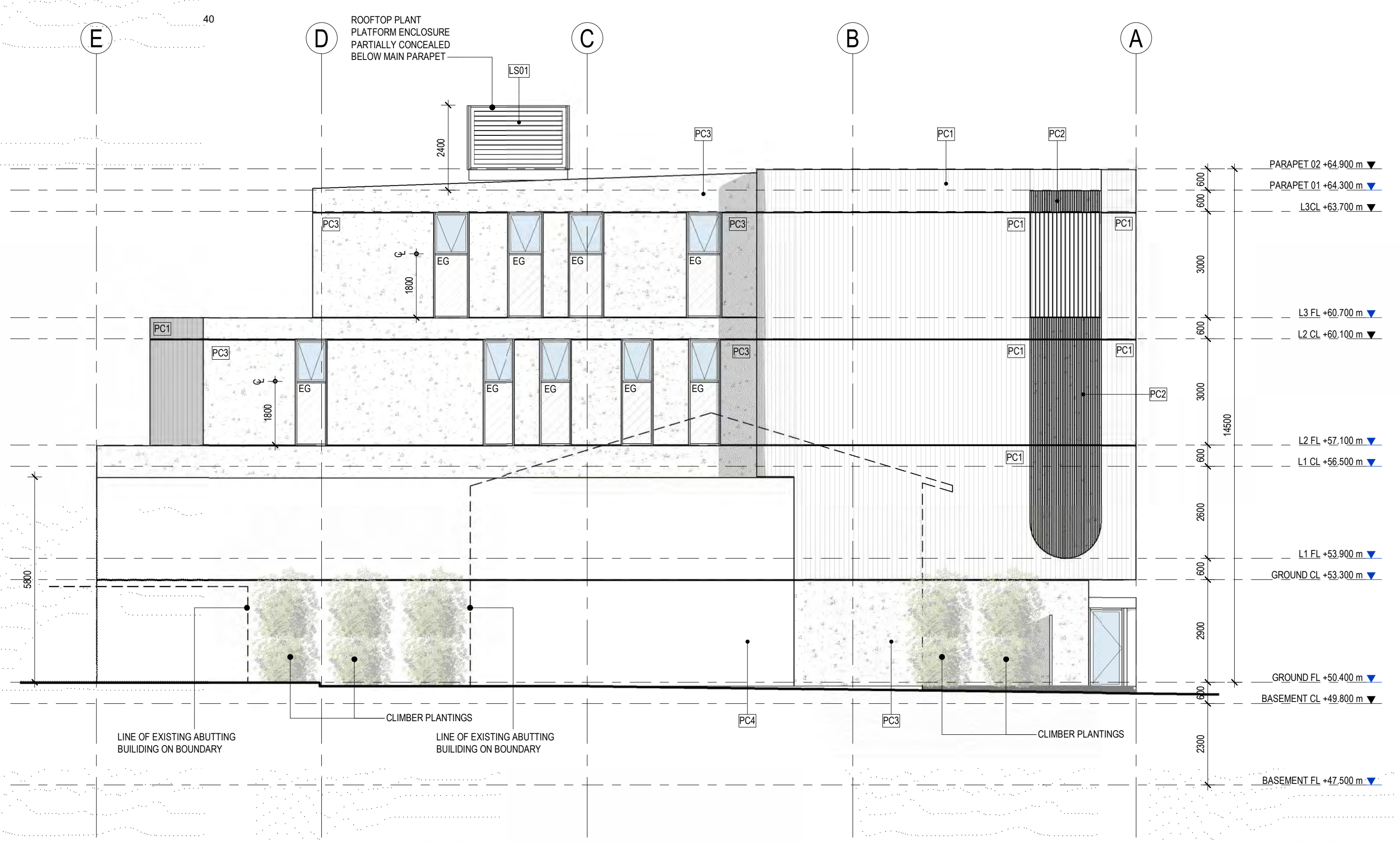
- FOR APPROVAL 24.09.2020
A FOR APPROVAL 03.12.2020
B FOR APPROVAL 30.03.2021

P
Project **5 ALBERT LANE APARTMENTS**
Project Address **5 ALBERT LANE ADELAIDE**

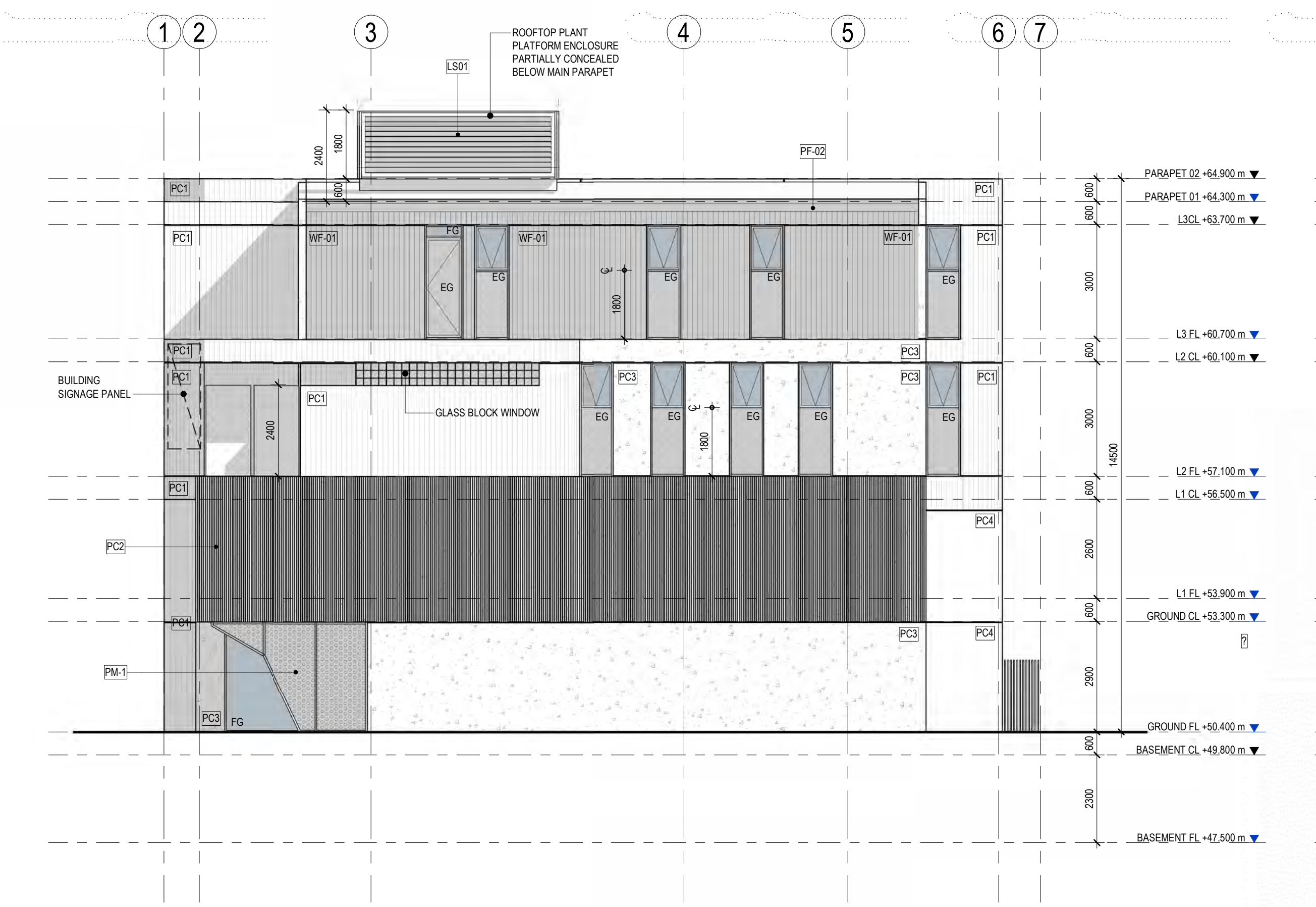
Drawing Title **Proposed Floor Plans 03**
Project No. **19.048**
Drawing No. **PL07.B**



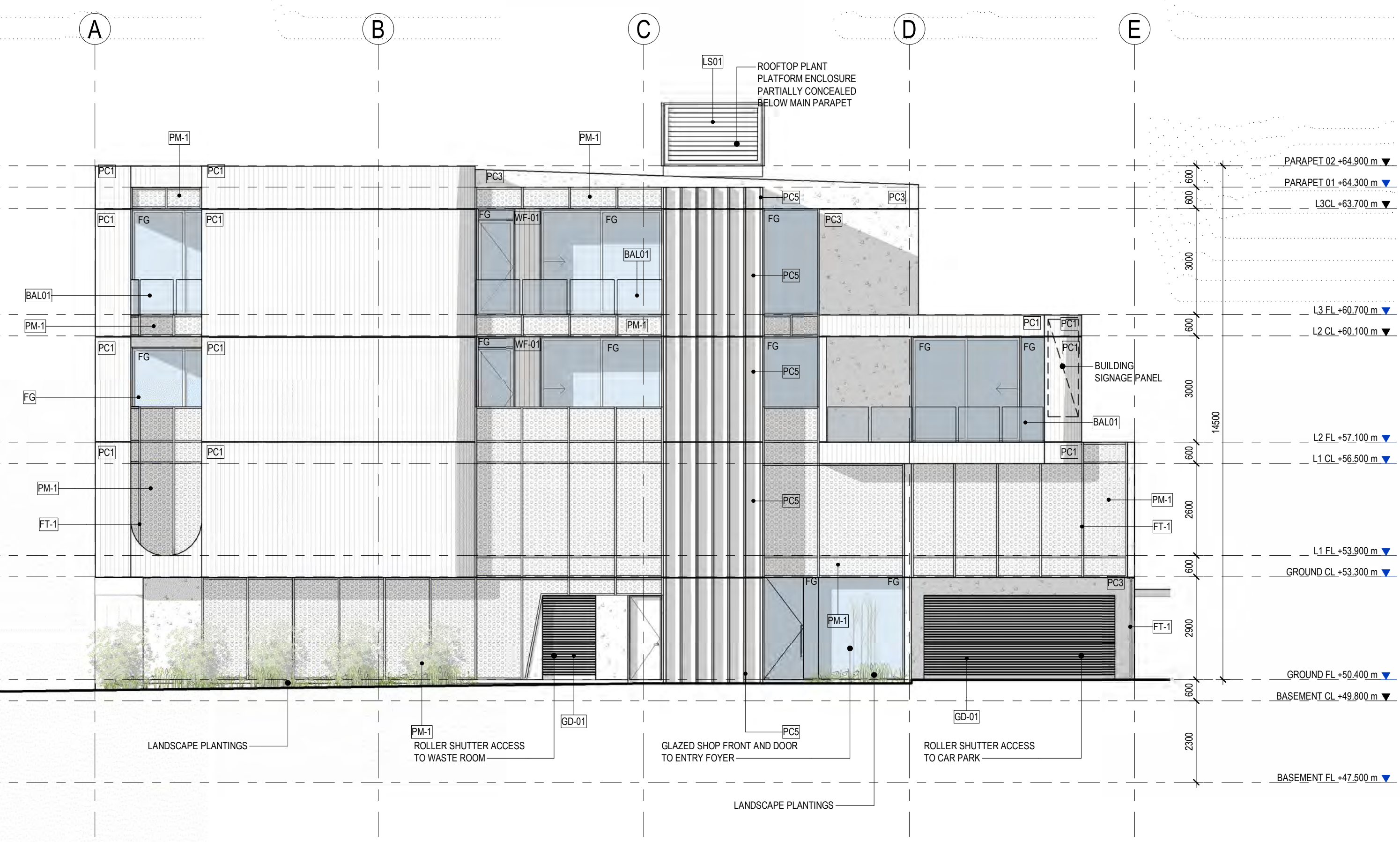
NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100

EXTERNAL FINISHES	
NOTE: PROVIDE SAMPLES OF ALL FINISHES TO ARCHITECT ON SITE FOR APPROVAL	
MARK	DESCRIPTION
BAL-01	FRAMELESS GLAZED BALUSTRADE CLEAR GLAZING
BAL-02	FRAMELESS GLAZED BALUSTRADE ETCHED GLAZING FOR RESIDENT PRIVACY
EG	FIXED GLAZING: ETCHED FOR PRIVACY AND TO MITIGATE OVERLOOKING
FG	FIXED GLAZING: TYPICAL CLEAR
FT-1	METAL SCREEN / BALUSTRADE FRAME, POWDER COAT FINISH: BRONZE TONAL RANGE
GD-01	COLORBOND ROLLER SHUTTER FINISH: NIGHT SKY (BLACK)
LS-01	PLANT PLATFORM SCREEN ALUMINIUM LOUVRES POWDER COAT FINISH: BLACK
LV-01	LOUVRE TYPE 01 EXTERNAL VENETIAN RETRACTABLE LOUVRE COLOUR: BLACK
PC-1	PRECAST CONCRETE - DECORATIVE FORM LINER FACE FINISH MOULD TYPE: TIMBER BOARD FINISH VERTICAL COLOUR: LIGHT GREY
PC-2	PRECAST CONCRETE - DECORATIVE FORM LINER FACE FINISH MOULD TYPE: 50x50mm VERTICAL GROOVE DARK GREY TONAL RANGE
PC-3	PRECAST CONCRETE - STANDARD SMOOTH FACE FINISH DARK GREY TONAL RANGE
PC-5	PRECAST CONCRETE - DECORATIVE FORM LINER FACE FINISH MOULD TYPE: 200mm WIDE VERTICAL SCALLOP COLOUR: LIGHT GREY
PF-01	EXPRESSED STEEL FRAMING PAINT FINISH: BLACK
PM-1	PERFORATED MESH SCREEN / BALUSTRADE: POWDER COAT FINISH: BRONZE TONAL RANGE
WF-01	JAMES HARDIE SCYON AXON CLADDING 133mm VERTICAL GROOVE SMOOTH FACE PAINT FINISH DARK GREY TONAL RANGE

PROSKE
architecture + interiors
26 Wakeham Street Adelaide, SA, 5000 08 8271 0100 proske.com.au

Member Australian Institute of Architects City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

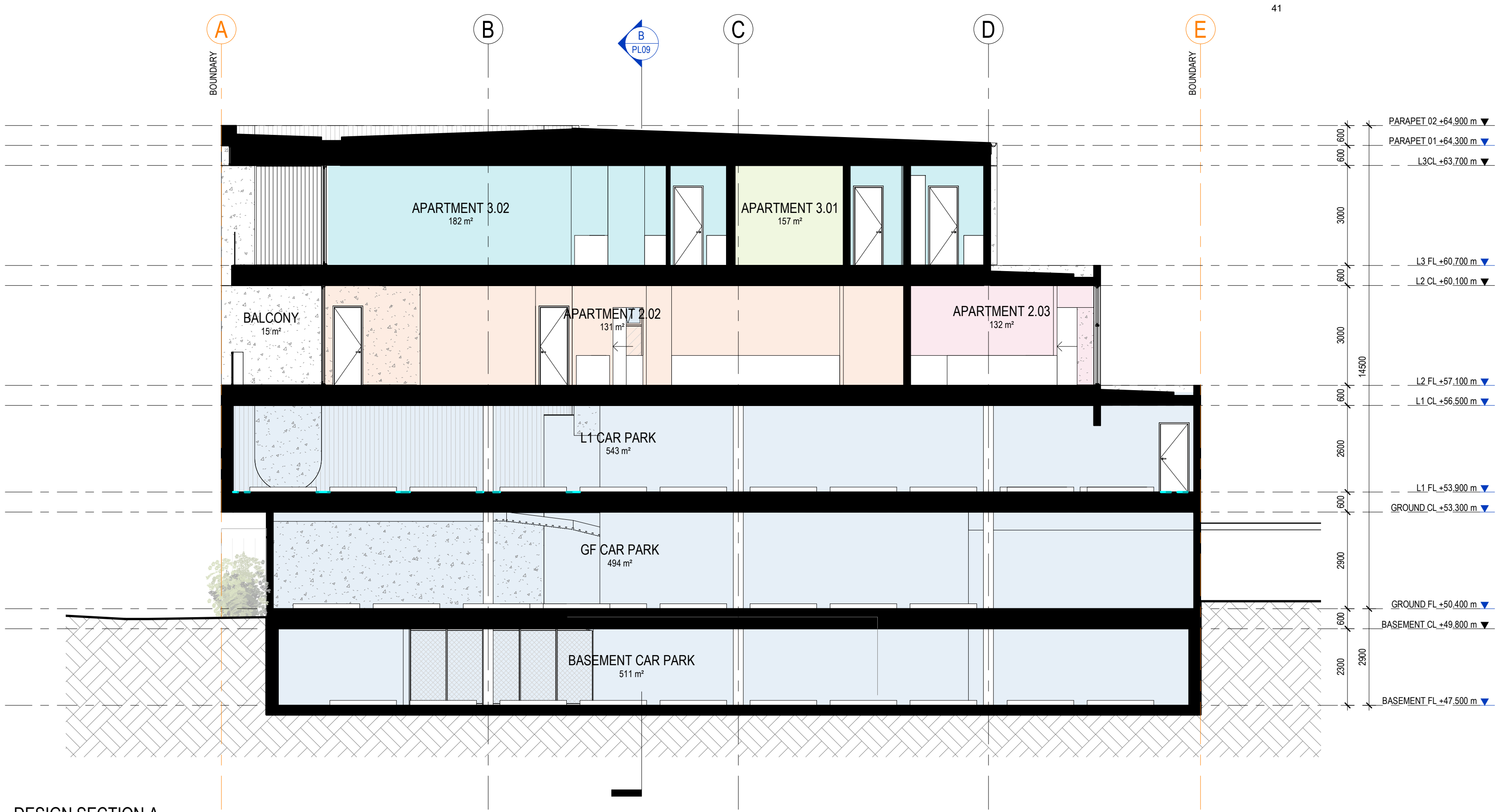
CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2020
30/03/2021

Client **BUIK HOLDINGS**
 Drawn **MB** Checked **RP** Date **30.03.2021**
 Scale **1:100** Paper Size **A1**
 Copyright Reserved Proske Architects 2019

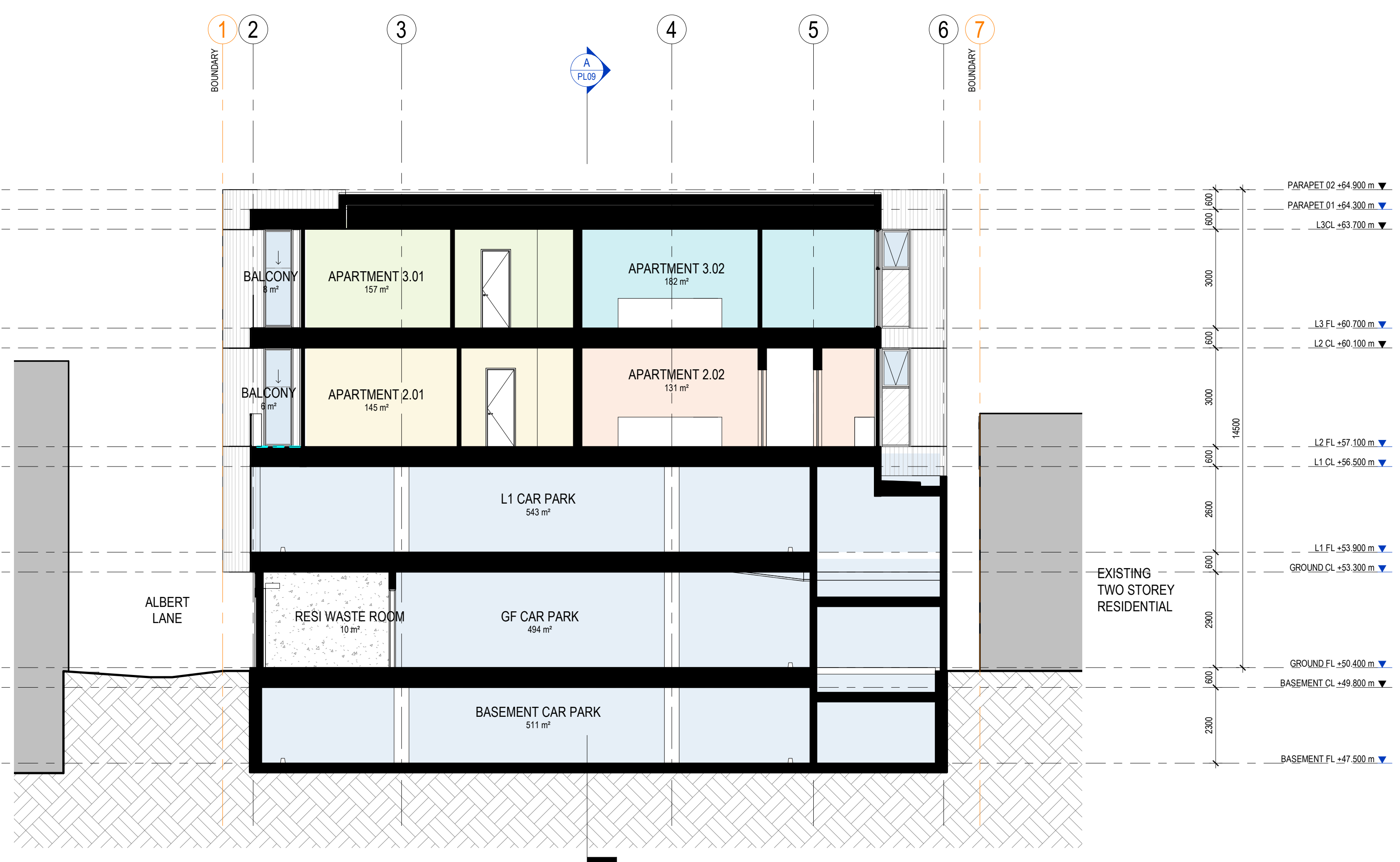
FOR APPROVAL

- FOR APPROVAL	24.09.2020
A FOR APPROVAL	03.12.2020
B FOR APPROVAL	30.03.2021

P
 Project **5 ALBERT LANE APARTMENTS**
 Project Address **5 ALBERT LANE ADELAIDE**
 Project No. **19.048**
 Drawing No. **PL08.B**



DESIGN SECTION A
SCALE 1:100



DESIGN SECTION B
SCALE 1:100

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

Member
Australian Institute of Architects
City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2020
30/03/2021

Client
BUIK HOLDINGS

Drawn
MB

Scale
1:100

Checked
RP

Paper Size
A1

Date
30.03.2021

Copyright Reserved Proske Architects 2019

The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

- FOR APPROVAL
- A FOR APPROVAL
- B FOR APPROVAL

24.09.2020
03.12.2020
30.03.2021

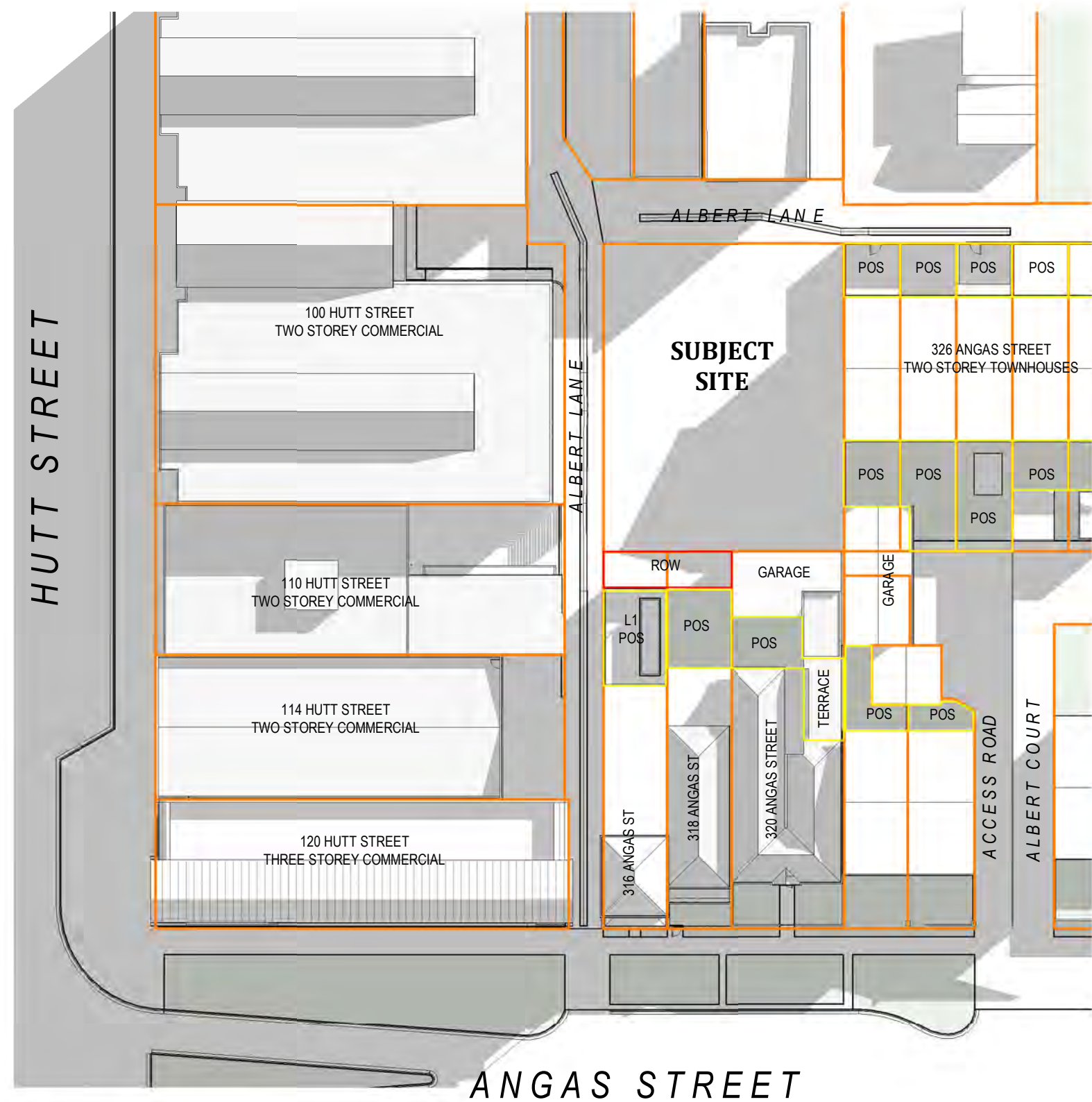
P

Project
5 ALBERT LANE APARTMENTS
Project Address
5 ALBERT LANE ADELAIDE

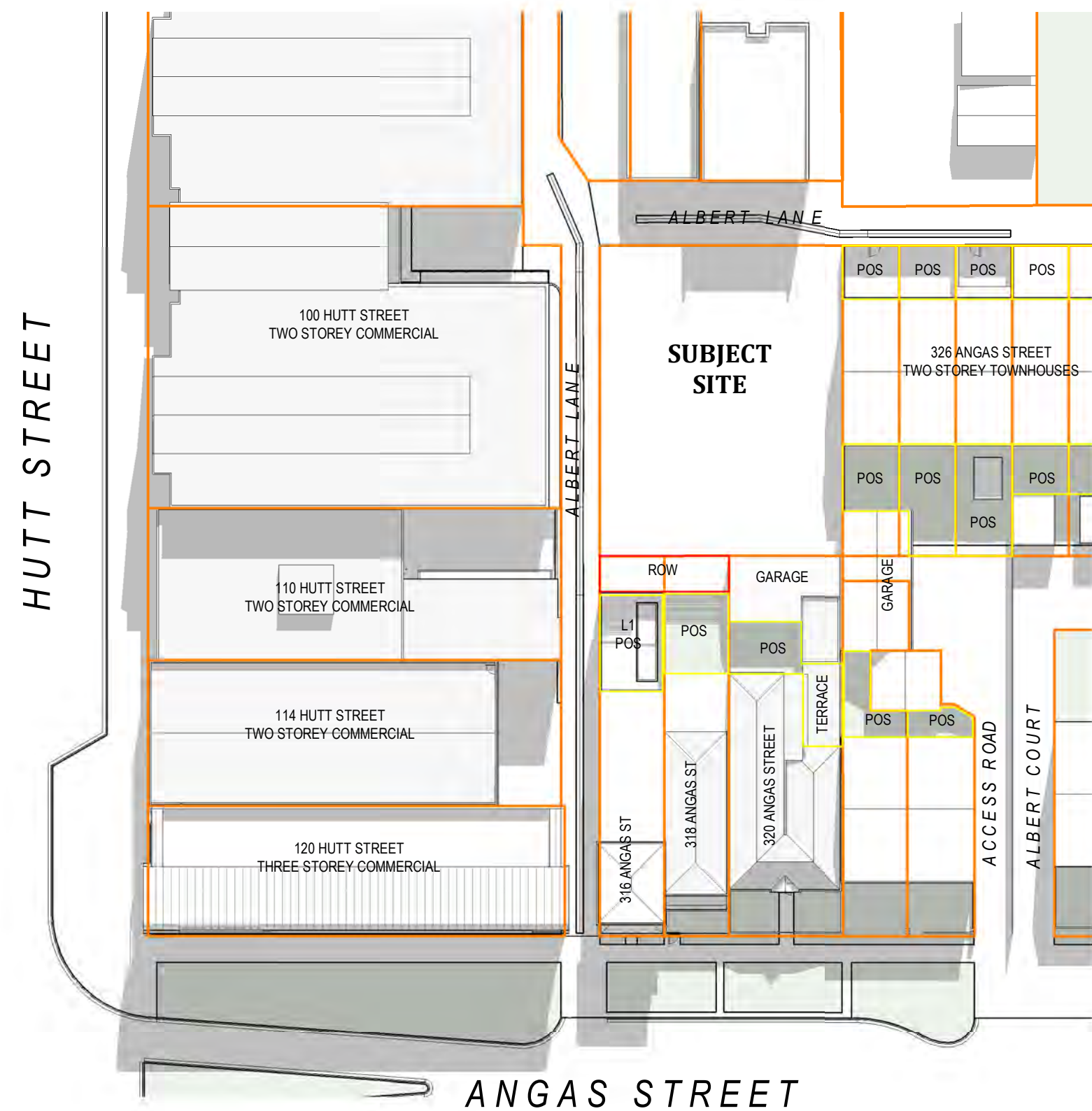
Drawing Title
Design Sections

Project No.
19.048

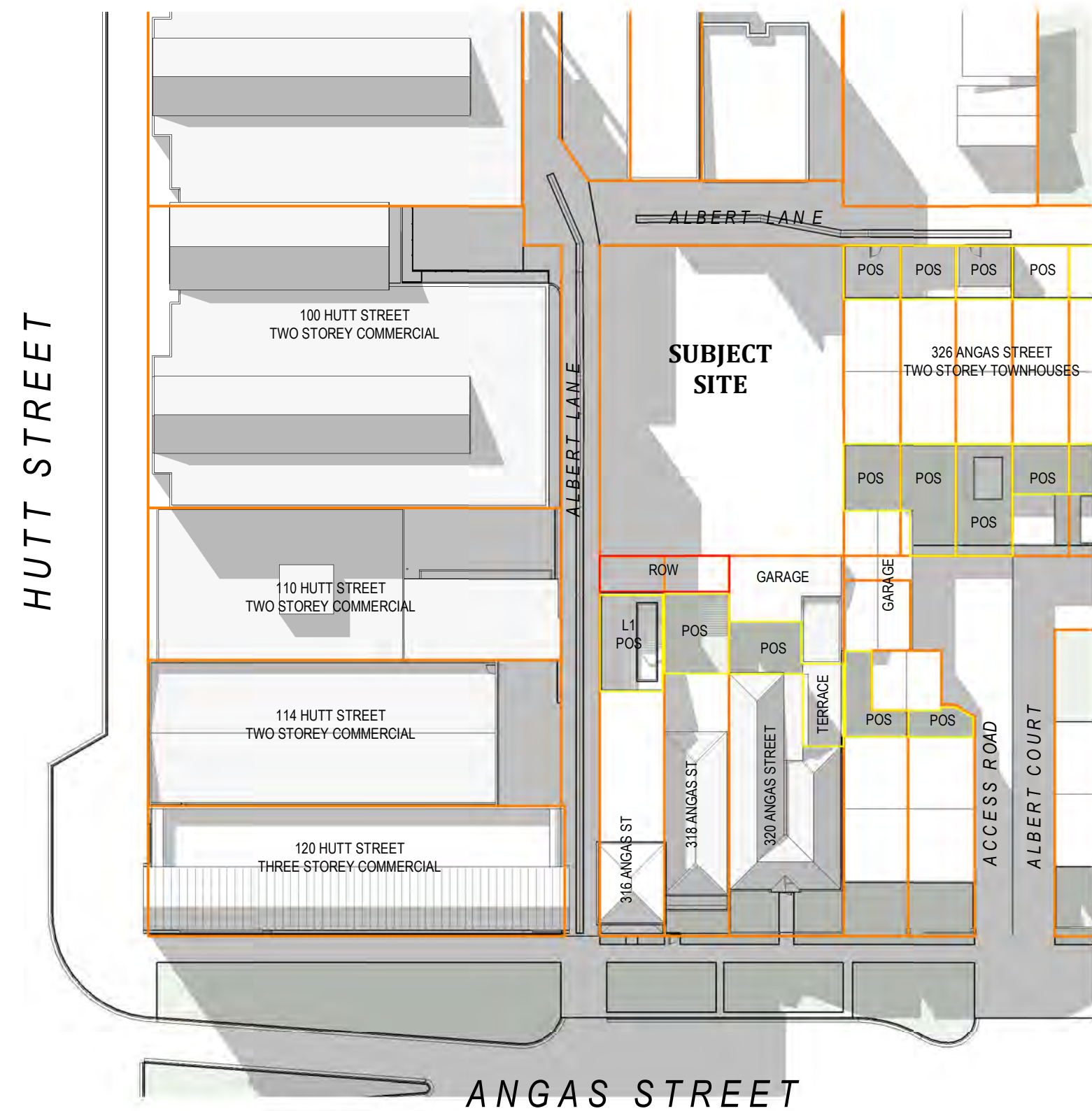
Drawing No.
PL09.B



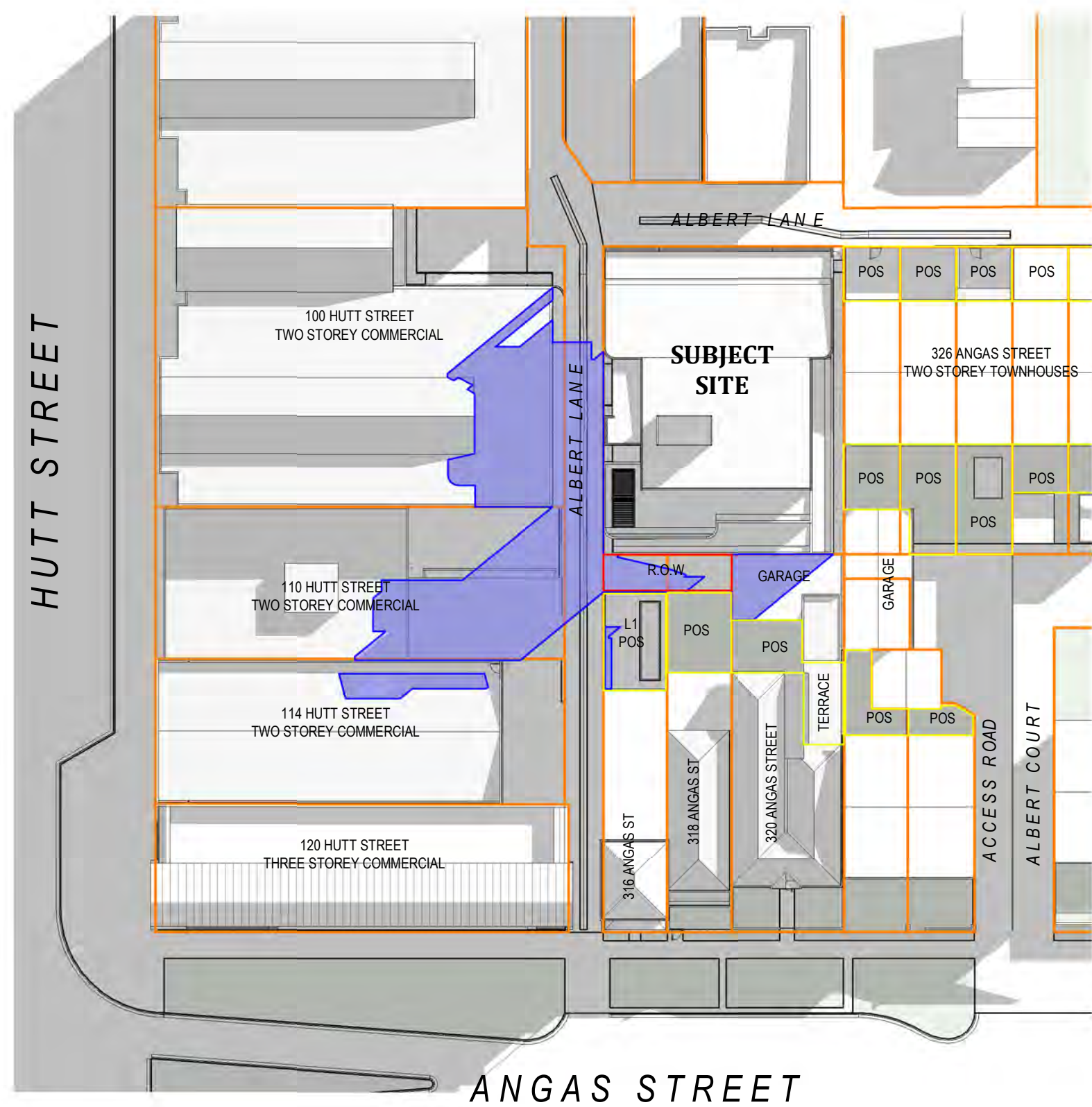
SUNSHADE ANALYSIS EXISTING CONDITIONS JUNE 21 9AM
SCALE 1:500



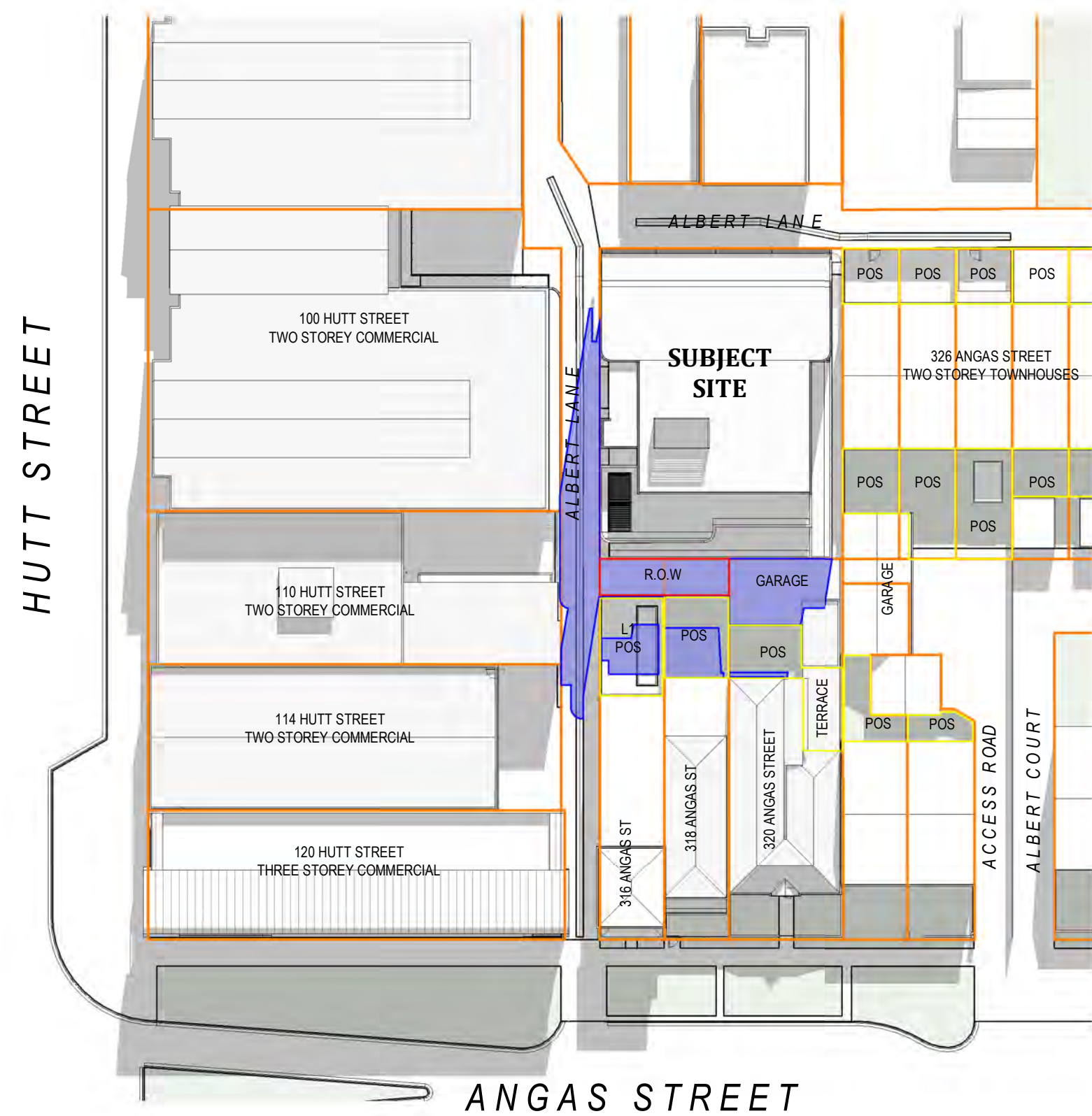
SUNSHADE ANALYSIS EXISTING CONDITIONS JUNE 21 12PM
SCALE 1:500



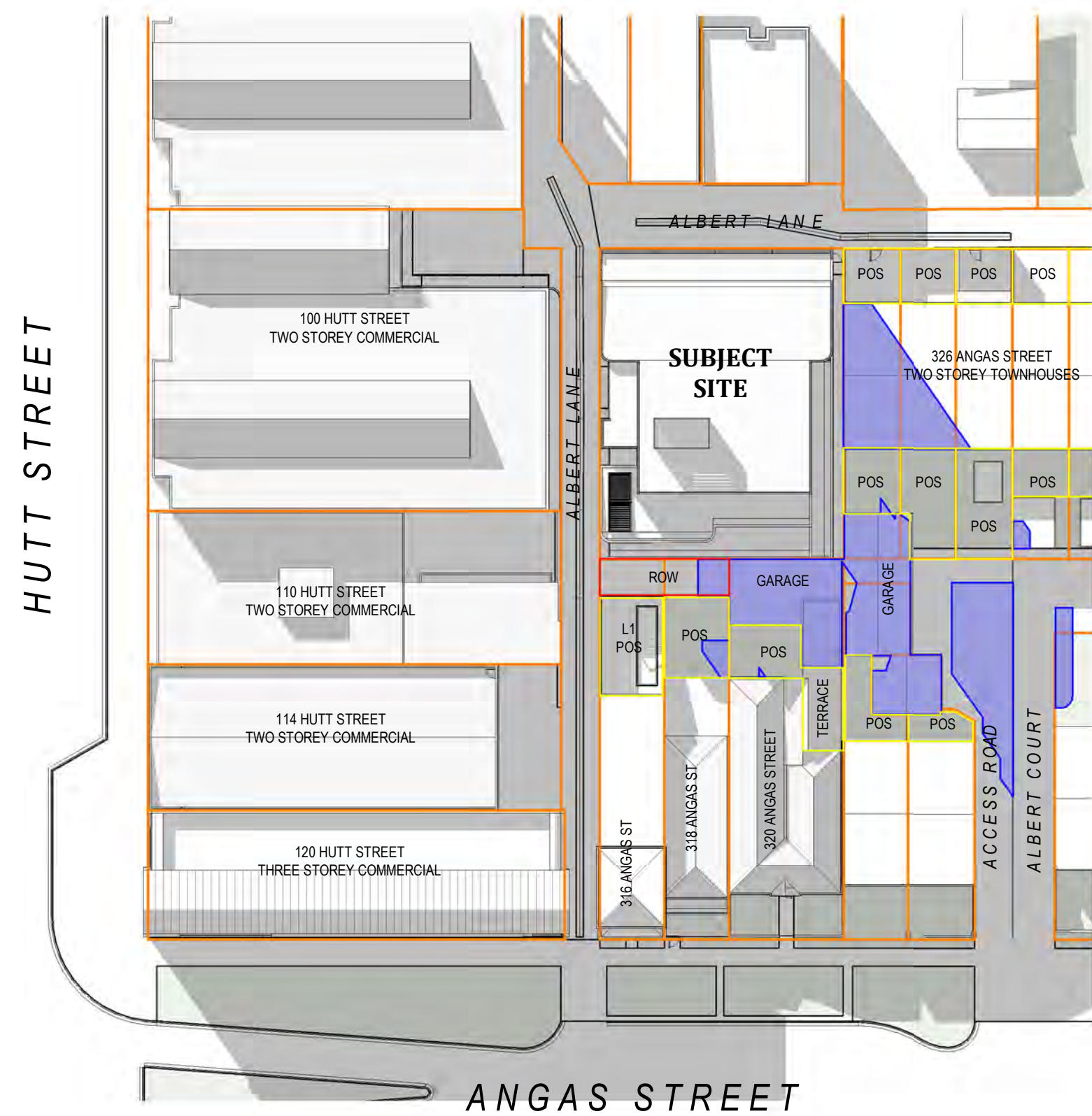
SUNSHADE ANALYSIS EXISTING CONDITIONS JUNE 21 3PM
SCALE 1:500



SUNSHADE ANALYSIS PROPOSED DEVELOPMENT JUNE 21 9AM
SCALE 1:500



SUNSHADE ANALYSIS PROPOSED DEVELOPMENT JUNE 21 12PM
SCALE 1:500



SUNSHADE ANALYSIS PROPOSED DEVELOPMENT JUNE 21 3PM
SCALE 1:500

SUNSHADE ANALYSIS LEGEND

- AREA OF FILL DENOTES AREAS OF SHADOW CAST BY PROPOSED NEW DEVELOPMENT IN ADDITION TO AREAS OF SHADOW CAST BY EXISTING BUILDINGS AND STRUCTURES ON ADJACENT SITES
- POS = EXISTING ADJACENT RESIDENTIAL PRIVATE OPEN SPACE
- ROW = EXISTING RIGHT OF WAY EASEMENT LOCATED ON RESIDENTIAL ALLOTMENTS DIRECTLY SOUTH OF SUBJECT SITE

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED

DA/564/2020
30/03/2021

Client BUIK HOLDINGS		
Drawn MB	Checked RP	Date 30.03.2021
Scale As indicated	Paper Size A1	

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

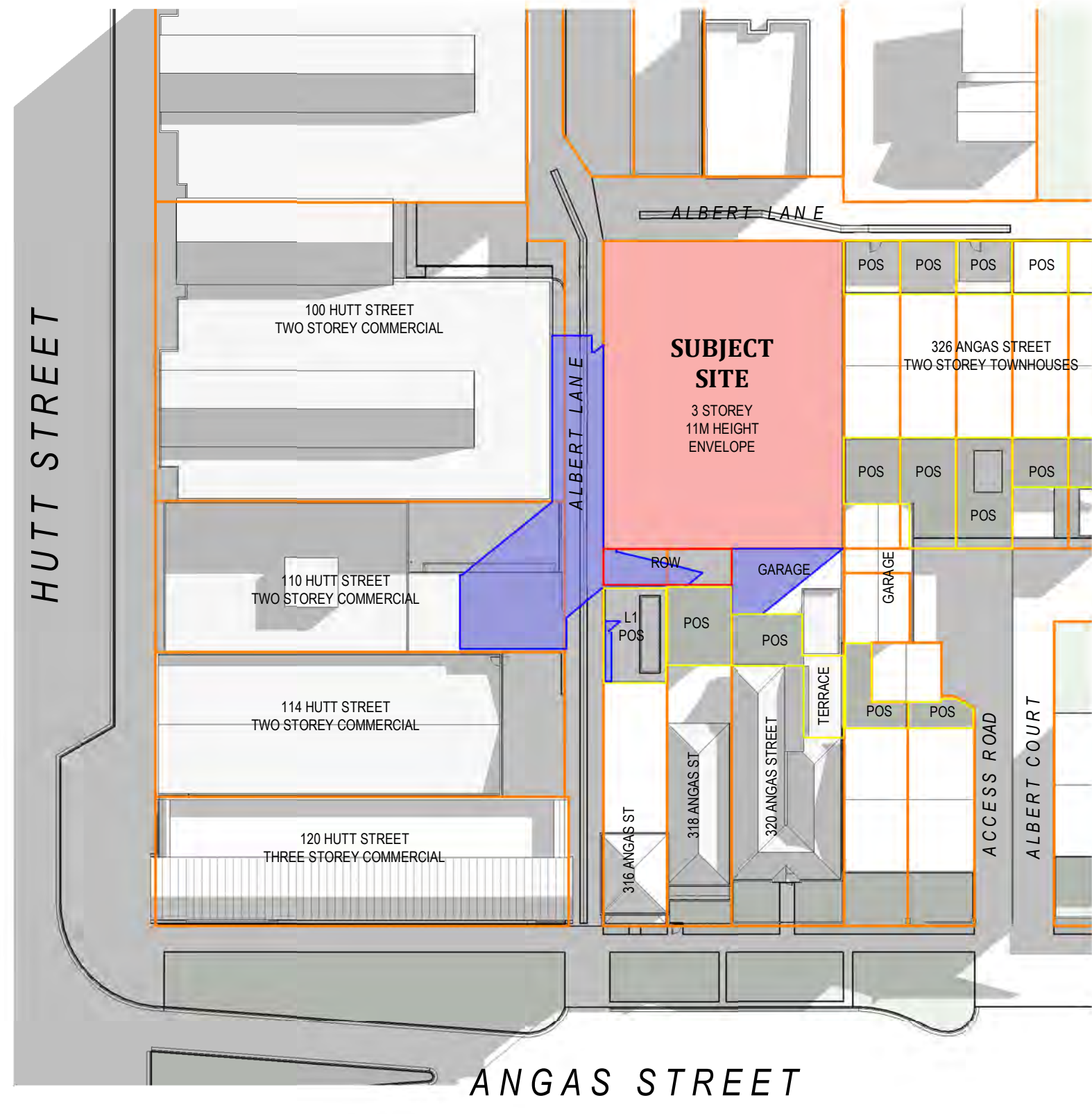
-	FOR APPROVAL	24.09.2020
A	FOR APPROVAL	03.12.2020
B	FOR APPROVAL	30.03.2021

P
Project
5 ALBERT LANE APARTMENTS
Project Address
5 ALBERT LANE ADELAIDE

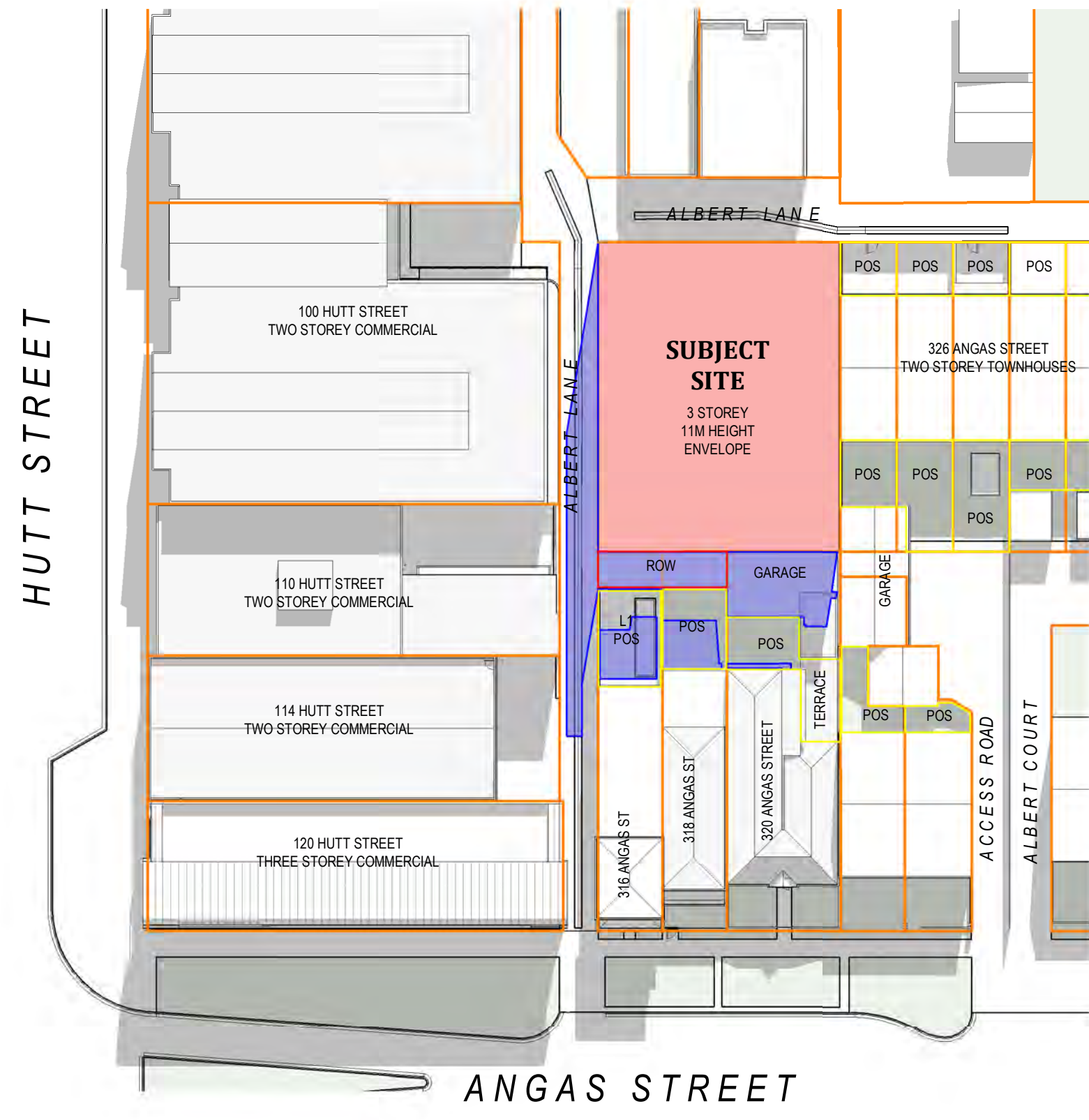
Drawing Title
Sunshade Analysis Plans 01

Project No.
19.048

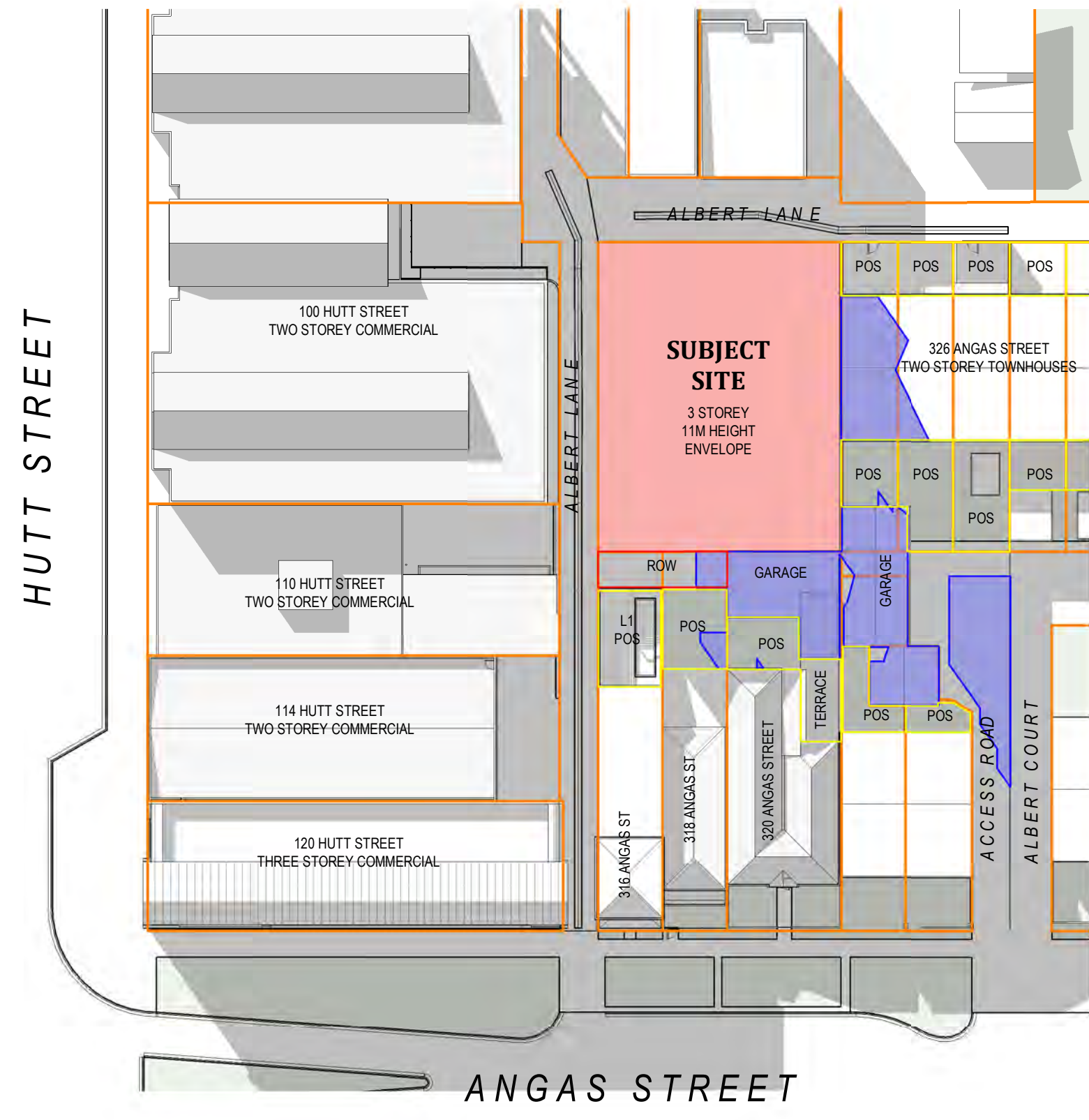
Drawing No.
PL10.B



SUNSHADE ANALYSIS 3 STOREY ENVELOPE JUNE 21 9AM
SCALE 1:500



SUNSHADE ANALYSIS 3 STOREY ENVELOPE JUNE 21 12PM
SCALE 1:500



SUNSHADE ANALYSIS 3 STOREY ENVELOPE JUNE 21 3PM
SCALE 1:500

SUNSHADE ANALYSIS LEGEND

- AREA OF FILL DENOTES AREAS OF SHADOW CAST BY PROPOSED NEW DEVELOPMENT IN ADDITION TO AREAS OF SHADOW CAST BY EXISTING BUILDINGS AND STRUCTURES ON ADJACENT SITES
- POS = EXISTING ADJACENT RESIDENTIAL PRIVATE OPEN SPACE
- ROW = EXISTING RIGHT OF WAY EASEMENT LOCATED ON RESIDENTIAL ALLOTMENTS DIRECTLY SOUTH OF SUBJECT SITE

PROSKE
architecture + interiors

26 Wakeham Street Adelaide, SA, 5000 08 8271 0100 proske.com.au

Member Australian Institute of Architects City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2020
30/03/2021

Client
BUIK HOLDINGS

Drawn
MB

Scale
As indicated

Checked
RP

Paper Size
A1

Date
30.03.2021

Copyright Reserved Proske Architects 2019

FOR APPROVAL

-	FOR APPROVAL	24.09.2020
A	FOR APPROVAL	03.12.2020
B	FOR APPROVAL	30.03.2021

P

Project
5 ALBERT LANE APARTMENTS

Project Address
5 ALBERT LANE ADELAIDE

Drawing Title
Sunshade Analysis Plans 02

Project No.
19.048

Drawing No.
PL11.B

316 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 9AM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 10AM JUNE 21

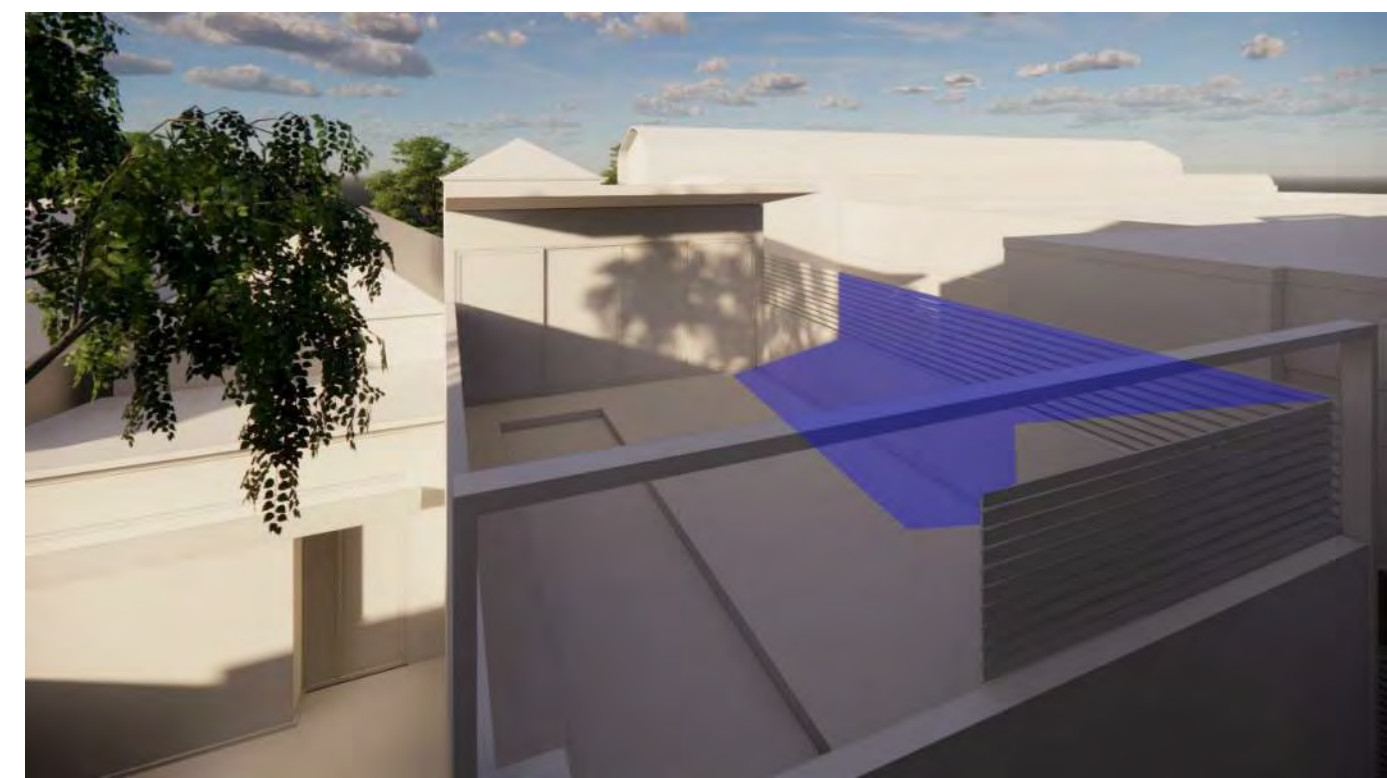


316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 11AM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 12PM JUNE 21

316 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 9AM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 10AM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 11AM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM JUNE 21

316 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 1PM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 2PM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 3PM JUNE 21

316 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 1PM JUNE 21




316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 2PM JUNE 21



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 3PM JUNE 21

SUNSHADE ANALYSIS LEGEND - 3D

 AREA OF FILL DENOTES AREAS OF SHADOW CAST BY PROPOSED NEW DEVELOPMENT IN ADDITION TO AREAS OF SHADOW CAST BY EXISTING BUILDINGS AND STRUCTURES ON ADJACENT SITES

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

Member
Australian Institute of Architects
City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2020
30/03/2021

Client
BUIK HOLDINGS

Drawn
MB

Scale
1 : 100

Checked
RP

Paper Size
A1

Date
30.03.2021

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

- FOR APPROVAL
A FOR APPROVAL
B FOR APPROVAL

24.09.2020
03.12.2020
30.03.2021

P
Project
5 ALBERT LANE APARTMENTS
Project Address
5 ALBERT LANE ADELAIDE

Drawing Title
Sunshade Analysis Perspective Views 01

Project No.
19.048

Drawing No.
PL12.B

318 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 9AM JUNE 21

318 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 9AM JUNE 21

318 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 1PM JUNE 21

318 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 1PM JUNE 21



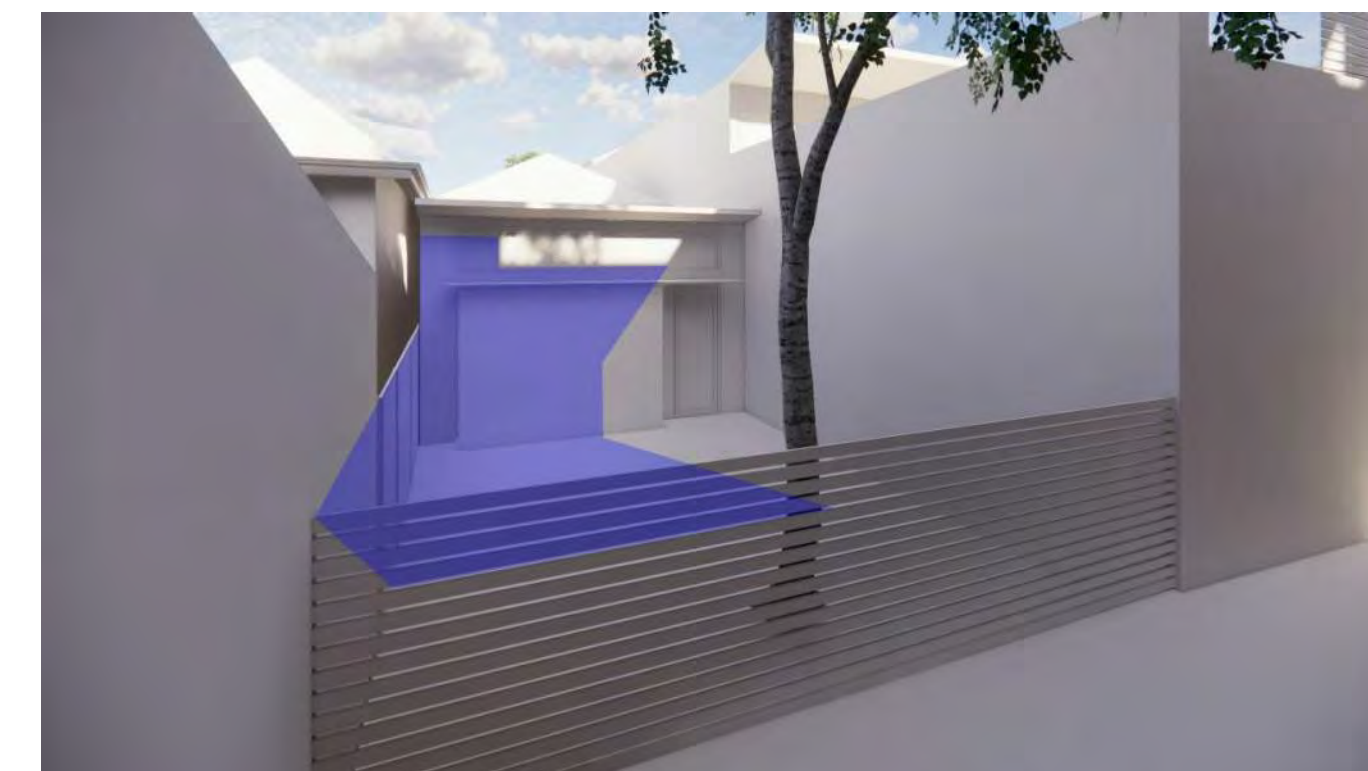
318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 10AM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 10AM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 2PM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 2PM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 11AM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 11AM JUNE 21



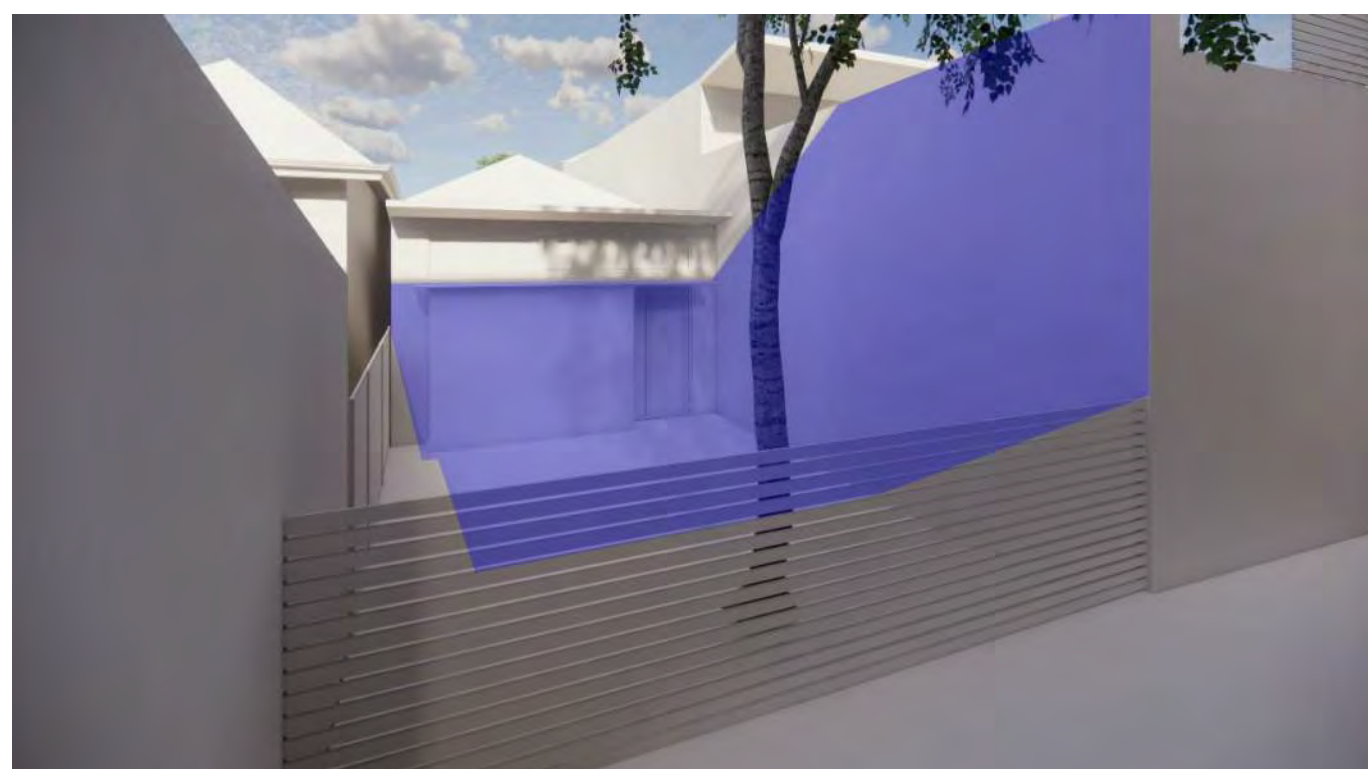
318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 3PM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 3PM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 12PM JUNE 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM JUNE 21

SUNSHADE ANALYSIS LEGEND - 3D

AREA OF FILL DENOTES AREAS OF SHADOW CAST BY PROPOSED NEW DEVELOPMENT IN ADDITION TO AREAS OF SHADOW CAST BY EXISTING BUILDINGS AND STRUCTURES ON ADJACENT SITES

PROSKE architecture + interiors

26 Wakeham Street Adelaide, SA, 5000 08 8271 0100 proske.com.au

Member Australian Institute of Architects City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

CITY OF ADELAIDE ADDITIONAL DOCUMENTS RECEIVED DA/564/2020 30/03/2021

Client BUIK HOLDINGS Drawn MB Checked RP Date 30.03.2021 Scale 1:100 Paper Size A1 Copyright Reserved Proske Architects 2019

FOR APPROVAL FOR APPROVAL 30.03.2021

Project 5 ALBERT LANE APARTMENTS Project Address 5 ALBERT LANE ADELAIDE Drawing Title Sunshade Analysis Perspective Views 02 Project No. 19.048 Drawing No. PL13.-

320 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 9AM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 10AM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 11AM JUNE 21

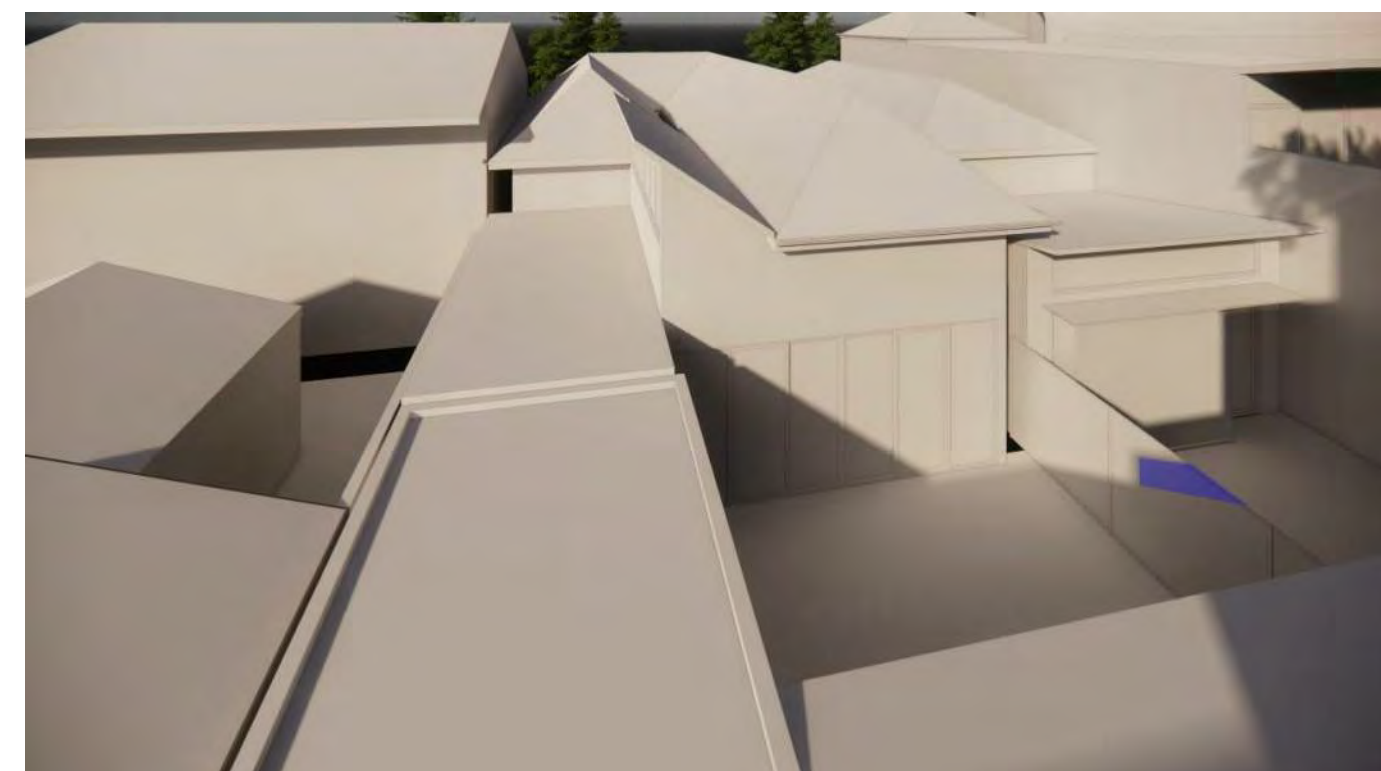


320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 12PM JUNE 21

320 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 9AM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 10AM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 11AM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM JUNE 21

320 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 1PM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 2PM JUNE 21

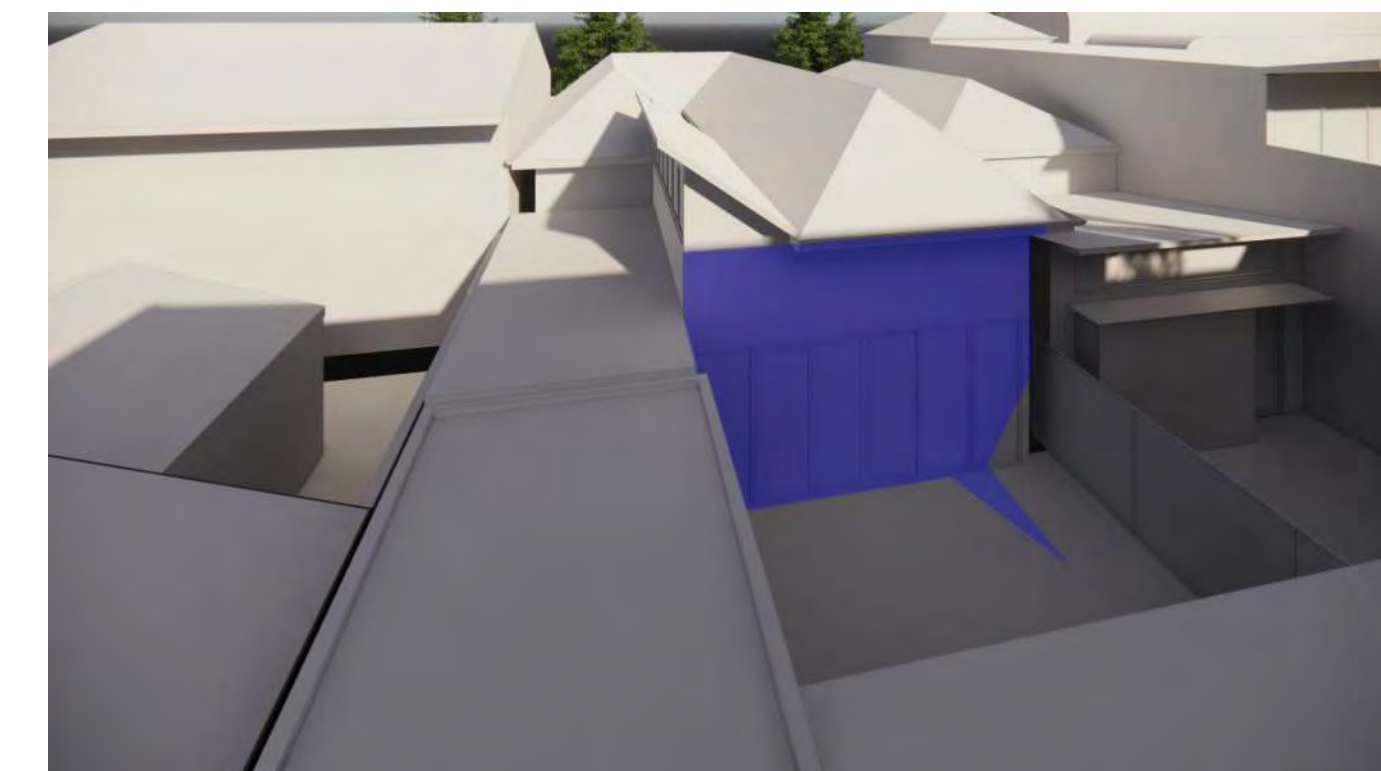


320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 3PM JUNE 21

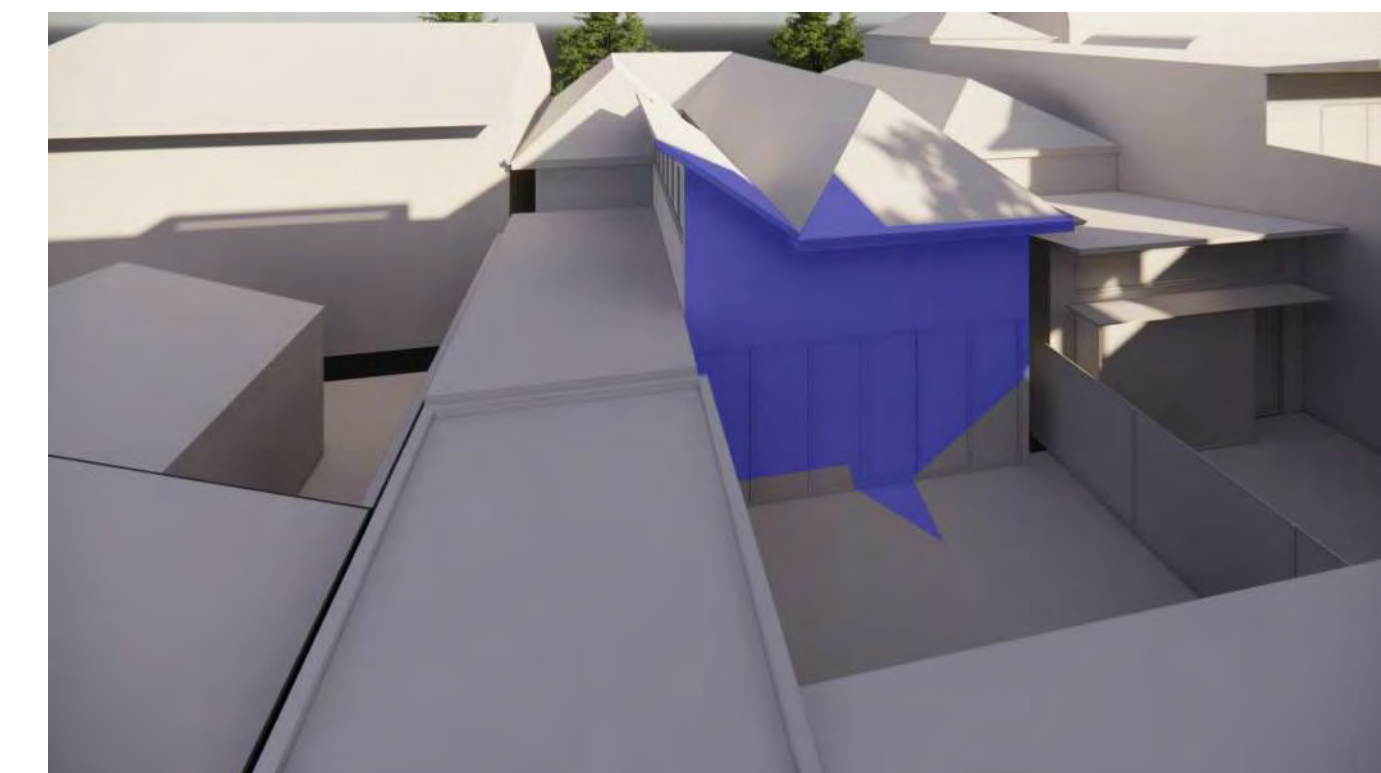
320 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 1PM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 2PM JUNE 21



320 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 3PM JUNE 21

SUNSHADE ANALYSIS LEGEND - 3D

AREA OF FILL DENOTES AREAS OF SHADOW CAST BY PROPOSED NEW DEVELOPMENT IN ADDITION TO AREAS OF SHADOW CAST BY EXISTING BUILDINGS AND STRUCTURES ON ADJACENT SITES

CITY OF ADELAIDE ADDITIONAL DOCUMENTS RECEIVED DA/564/2020 30/03/2021

Client BUIK HOLDINGS Drawn MB Checked RP Scale 1:100 Paper Size A1 Date 30.03.2021 Copyright Reserved Proske Architects 2019

FOR APPROVAL

FOR APPROVAL 30.03.2021

Project 5 ALBERT LANE APARTMENTS Project Address 5 ALBERT LANE ADELAIDE

Drawing Title Sunshade Analysis Perspective Views 03 Project No. 19.048 Drawing No. PL14.-

318 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING (APRIL 21)



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 9AM APRIL 21

318 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT (APRIL 21)



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 9AM APRIL 21

318 ANGAS STREET SUNSHADE ANALYSIS - EXISTING OVERSHADOWING (APRIL 21)



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 1PM MAY 21

318 ANGAS STREET SUNSHADE ANALYSIS - PROPOSED DEVELOPMENT (APRIL 21)



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 1PM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 10AM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 10AM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 2PM MAY 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 2PM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 11AM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 11AM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 3PM MAY 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 3PM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: EXISTING CONDITIONS 12PM APRIL 21



318 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM APRIL 21

SUNSHADE ANALYSIS LEGEND - 3D



AREA OF FILL DENOTES AREAS OF SHADOW CAST BY PROPOSED NEW DEVELOPMENT IN ADDITION TO AREAS OF SHADOW CAST BY EXISTING BUILDINGS AND STRUCTURES ON ADJACENT SITES

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2020
30/03/2021

Client
BUIK HOLDINGS
Drawn
MB
Scale
1 : 100
Checked
RP
Paper Size
A1
Date
30.03.2021
Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancy to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

FOR APPROVAL

30.03.2021



Project
5 ALBERT LANE
APARTMENTS
Project Address
5 ALBERT LANE
ADELAIDE

Drawing Title
Sunshade Analysis
Perspective Views 04

Project No.
19.048
Drawing No.
PL15.-

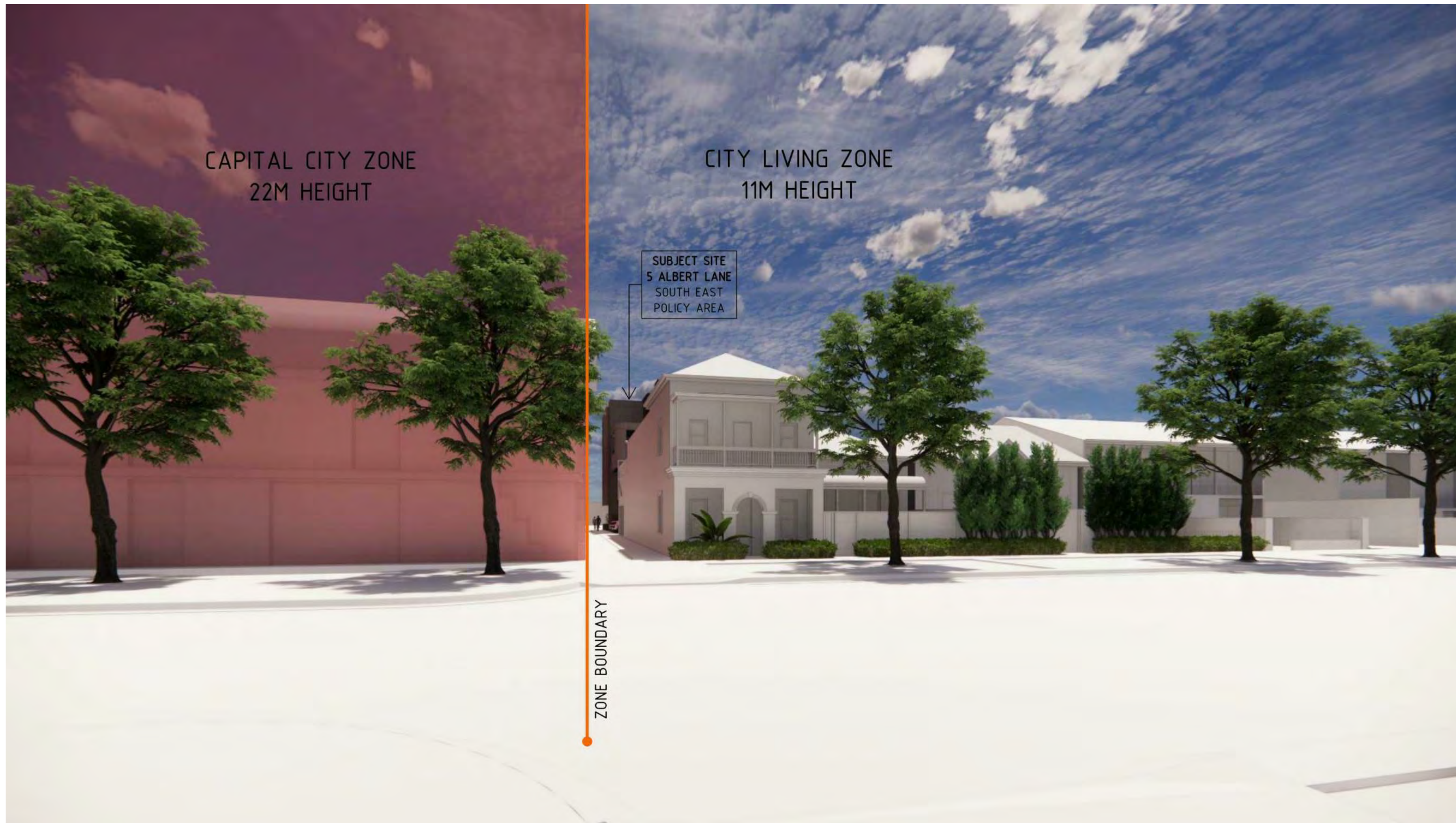
PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000
08 8271 0100
proske.com.au

Member
Australian Institute of Architects
City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021



STREETSCAPE ANALYSIS PERSPECTIVE VIEW 01: ANGAS STREET LOOKING NORTHWARD



STREETSCAPE ANALYSIS PERSPECTIVE VIEW 02: ANGAS STREET LOOKING NORTHWARD DOWN ALBERT LANE

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

Member
Australian Institute of Architects
City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED

DA/564/2020
30/03/2021

Client
BUIK HOLDINGS

Drawn
MB

Scale

Checked
RP

Paper Size
A1

Date
03.12.2020

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

- FOR APPROVAL
A FOR APPROVAL

24.09.2020
03.12.2020



Project
5 ALBERT LANE APARTMENTS
Project Address
5 ALBERT LANE ADELAIDE

Drawing Title
Streetscape Analysis Perspective Views

Project No.
19.048

Drawing No.
PL16.A



3D PERSPECTIVE VIEW 03: ALBERT LANE LOOKING SOUTHWARD



3D PERSPECTIVE VIEW 04: ALBERT LANE LOOKING NORTHWARD



3D PERSPECTIVE VIEW 05: ALBERT LANE LOOKING WESTWARD

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

Member
Australian Institute of Architects
City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED**

**DA/564/2020
30/03/2021**

Client
BUIK HOLDINGS

Drawn
MB

Scale

Checked
RP

Paper Size
A1

Date
30.03.2021

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

- FOR APPROVAL
A FOR APPROVAL
B FOR APPROVAL

24.09.2020
03.12.2020
30.03.2021



Project
**5 ALBERT LANE
APARTMENTS**
Project Address
**5 ALBERT LANE
ADELAIDE**

Drawing Title
**3D Perspective Views
01**

Project No.
19.048

Drawing No.
PL17.B



3D PERSPECTIVE VIEW 06: EAST BOUNDARY CONDITION

PROSKE
architecture + interiors

26 Wakeham Street Adelaide, SA, 5000
08 8271 0100 proske.com.au

City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED**

**DA/564/2020
30/03/2021**

Drawn **MB** Checked **RP** Date **30.03.2021**

Scale Paper Size **A3**

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL

FOR APPROVAL 30.03.2021



Project **5 ALBERT LANE APARTMENTS**
Project Address **5 ALBERT LANE ADELAIDE**

Client **BUIK HOLDINGS**

Drawing Title **3D Perspective Views 02**

Project No. **19.048**

Drawing No. **PL18.-**



3D PERSPECTIVE VIEW 07: EAST BOUNDARY CONDITION

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

City of Adelaide Council Assessment Panel Meeting - Agenda - 28 April 2021

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED**

DA/564/2020

30/03/2021

Drawn **MB** Checked **RP** Date **30.03.2021**

Scale Paper Size **A3**

Copyright Reserved Proske Architects 2019
The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specifications. Strictly not to be used for Construction unless specifically stamped otherwise.

FOR APPROVAL
- FOR APPROVAL

30.03.2021

P
Project
5 ALBERT LANE APARTMENTS
Project Address
5 ALBERT LANE ADELAIDE

Client
BUIK HOLDINGS
Drawing Title
3D Perspective Views 03
Project No.
19.048
Drawing No.
PL19.-



Buik Holdings
19ADL-0334
December 2020



PLANNING STATEMENT

5 Albert Lane, Adelaide

5 Albert Lane, Adelaide

October 2020

Lead consultant URPS

Prepared for Buik Holdings

Consultant Project Manager Matthew King, Managing Director

Suite 12/154 Fullarton Road
(cnr Alexandra Ave)
Rose Park, SA 5067
Tel: (08) 8333 7999
Email: matthew@urps.com.au

URPS Ref 19ADL-0334

Document history and status

Revision	Date	Reviewed	Approved	Details
V1-5	October 2020	MK	MK	Final
V1-5	December 2020	MK	MK	Final V1-6

© URPS

All rights reserved; these materials are copyright. No part may be reproduced or copied in any way, form or by any means without prior permission.

This report has been prepared for URPS' client. URPS and its associated consultants are not liable to any person or entity for any damage or loss that has occurred, or may occur, in relation to that person or entity taking or not taking action in respect of any representation, statement, opinion or advice referred to herein.

www.urps.com.au
ABN 55 640 546 010

H:\Synergy\Projects\19ADL\19ADL-0334 5 Albert Lane, Adelaide - Mixed Use Development\Development Application\Application Lodged YYMMDD\201008_R1_v5_Final.docx



Contents

- 1.0 Introduction.....1**
- 2.0 Executive Summary.....2**
- 3.0 The Subject Land and Locality.....3**
- 4.0 The Proposal.....4**
- 5.0 Procedural Matters.....6**
 - 4.1 Assessment Process..... 6
 - 4.2 Public Notification..... 6
- 5.0 Planning Assessment.....7**
 - 5.1 Land Use..... 7
 - 5.2 Height/Scale..... 8
 - 5.3 Setbacks..... 10
 - 5.4 Dwelling Unit Factor..... 11
 - 5.5 Plot Ratio..... 11
 - 5.6 Design and Appearance..... 12
 - 5.7 Landscaped Open Space..... 13
 - 5.8 Interface Management..... 14
 - 5.8.1 Visual Impact..... 14
 - 5.8.2 Noise..... 15
 - 5.8.3 Overshadowing..... 15
 - 5.8.4 Overlooking..... 16
 - 5.9 Vehicle Access and Car Parking..... 16
 - 5.10 Waste Management..... 16
 - 5.11 Apartment Amenity..... 17
- 6.0 Conclusion.....18**

1.0 Introduction

URPS has been engaged by Buik Holdings to provide advice and prepare this supporting planning statement regarding a proposal for the redevelopment of an existing car park and construction of a multi-level residential flat building comprising 5 apartments.

This statement has been prepared following our review of the proposal plans prepared by Proske Architecture and Interiors, the certificate of title, past approvals and lease agreements, the Sonus Acoustic assessment report, the CIRQA traffic engineers report, the subject land and locality and the Adelaide City Council Development Plan consolidated 30 April 2020.

For the reasons explained within this report, the proposal is a carefully designed and high-quality development that, when tested against the most relevant provisions of the Development Plan, merits Development Plan Consent.

2.0 Executive Summary

The location of subject land can be summed up as 'out the back' within a laneway type environment.

It is at the back of a number of 2-2.5 storey commercial buildings to the west that are located in the Capital City Zone - Albert Lane is the interface between the Capital City Zone and the City Living Zone.

It is also at the back of commercial buildings to the north, and dwellings to east and south. As a consequence, there is a mix of built form, setbacks, car parking, waste storage areas, fencing and minimal landscaping.

As its name suggests, Albert Lane is a single width laneway with no separation between vehicles, pedestrian and cyclists and a central spoon drain. The site itself is occupied by an existing at-grade car park and some non-Regulated, medium sized trees.

The amenity of the immediate locality is typical of many laneway areas out the back of more prominent streets. At the same time, the subject site is located immediately adjacent to desirable areas such as the shopping/restaurant strip along Hutt Street and the historic residential character of Angas Street.

The east Adelaide Park Lands are also only 250m to the east. This location together with the size and shape of the site means that it is well placed to accommodate the residential infill anticipated by the Adelaide Development Plan.

The site is not vacant – it contains car parking that is tied to an adjacent commercial property. Established legal agreements dictate that this car parking must be retained as part of any redevelopment of the land. This makes redevelopment of the site all the more challenging and is a key reason why the proposed building is one storey taller than the Development Plan height guideline.

The proposed development retains the existing number of car parking spaces and provides parking for the apartments above across three levels – basement, ground and first floor. The top two levels contain five apartments in total. This is an appropriate land use mix.

The building design responds to the varied architectural environment it sits in. Its height, albeit taller than anticipated in the Development Plan, is:

- A comfortable fit in this locality.
- Provides a transition between the height limit in the Capital City and City Living Zones.
- Setback from residential boundaries to mitigate impacts of shadow, privacy and sense of enclosure.

The result is a building that is suited to its location, robust in form and materials, providing for residential infill and retention of parking where it is needed, and managing impacts on neighbouring properties appropriately.

3.0 The Subject Land and Locality

The subject land is known as 5 Albert Lane, Adelaide. It is also known as Certificate of Title Volume 5427 And Folio 991 (refer **Appendix A**).

The land has the following features:

- A car park with 31 parking spaces. This car park provides parking to the property at 120 Hutt Street Adelaide. The use of the land for car parking was authorised previously under a development application (refer to **Appendix B**).
- The car park features a primary car parking (where there are 24 spaces) which is accessed via an existing crossover from Albert Lane to the north of the land. 7 additional angled parking spaces situated on the western side of the land are also provided and accessed from Albert Lane.
- Relatively flat topography with only a very gradual fall in a south-north direction.
- Non-regulated trees situated within an existing garden bed.

The locality has a mixed character which is typical of a site at the edge of two zones (these being the Capital City Zone and the City Living Zone).

Land to the west and north of the land comprises primarily offices but also includes an IGA supermarket which fronts Hutt Street. Albert Lane primarily has a 'back of house' character given the rear of those buildings face Albert Lane (with their façades fronting Hutt Street).

Also, to the north, and to the north-east and east of the land lie two storey dwellings being a mix of contemporary and older styles dating back to the 1970s.

To the south of the land lie single and two storey 'character' residences two of which are identified as Local Heritage Places.



Figure 1 – View of the subject land as taken from Albert Lane (looking south)

4.0 The Proposal

The proposal involves a complete re-development of the land, as detailed within the proposal plans prepared by Proske Architecture and Interiors (refer **Appendix C**).

All current site improvements (i.e. the at-grade car park, paved surfaces, concrete kerbs and gutters, stormwater drainage and garden beds including non-regulated trees) are to be demolished.

There are 41 car parking spaces proposed. 31 of these spaces are to be used externally i.e., by the property at 120 Hutt Street Adelaide. This leaves 10 spaces for the apartments.

Car parking spaces are clearly allocated for each use with the apartment spaces also clearly marked in red. Security and control of the use of the car park will be provided by the use of a key fob.

There are existing legal agreements requiring the retention of these parking spaces on the site (refer **Appendix D**).

At the at-grade level of the new facility, will be an entry lobby accessed via Albert Lane, lift, stair well and fire egress and waste storage for the apartments. The stair, lobby and lift extend down to the basement.

Level 1 will feature an additional 16 parking spaces with 5 for external use and the remaining 9 for their 5 apartments to use. Level 1 also features stair, lobby and lift and there is a services area allocated in the south-eastern pocket of the land measuring 25m².

Level 2 features 3 apartments (2 x 2 bedrooms and 1 x 2 bedroom with study). Level 3 features 2 x apartments both with 2 bedrooms and one with a study.

The building has a modern, simple form with primary materials including pre-cast concrete and perforated mesh screening in a bronze finish.

3D imagery of the proposal is provided on the following page.



Figure 2 - 3D visuals of the proposal (prepared by Proske Architecture and Interiors)

5.0 Procedural Matters

4.1 Assessment Process

The subject land is situated within the City Living Zone and Policy Area 31 as per Zones and Policy Areas Maps 36 and 57.

Within the Zone a “residential flat building” is not listed as a complying or non-complying form of development and is therefore is assessed on its merits.

A change in use to car park, except where ancillary to an approved or existing use is a non-complying form of development. As a car park already exists on the land the proposed development is not changing this aspect of the existing land use. Therefore, the car park element of the proposal is also to be assessed on its merits.

On this basis, the proposed development is an on-merit form of development.

4.2 Public Notification

All development in the Zone is Category 2 except for non-complying development.

Therefore, the proposal is a Category 2 form of development for the purposes of public notification.

5.0 Planning Assessment

5.1 Land Use

The subject site currently contains an at grade car park that is ancillary to the existing development at 120 Hutt Street, Adelaide i.e. to the west.

The proposed development has two land use elements:

1. Retention of the car park that is ancillary to the existing nearby development at 120 Hutt Street, Adelaide.
2. A residential flat building.

Both these land use elements sit within the proposed new building, with the car parking at ground level and the dwellings above.

Principle of Development Control 16 in the City Living Zone states:

PDC 16 The following kinds of development are non-complying:

(a) A change of use to any of the following:...

Car park except where ancillary to an approved or existing use...

The existing ancillary car park being retained on the subject is a continuation of an existing land use and not a change in land use. This does not trigger the non-complying assessment process.

Principle of Development Control 2 in the City Living Zone anticipates residential flat buildings as follows:

PDC 2 The following types of development, or combinations thereof, are envisaged:...

Residential Flat Building

The Desired Character statement for Policy Area 31 also states:

South East Policy Area 31

Desired Character

...Residential flat buildings may be appropriate where they are developed on larger sites to provide an increase in dwelling density...

The Desired Character statement for the City Living Zone also anticipates:

...The City Living Zone will provide high amenity residential living environments along with related non-residential uses compatible with residential amenity, as articulated in the Policy Areas. Carefully executed high quality residential infill is envisaged and opportunities are presented for comprehensive redevelopment on larger, particularly non-residential sites, and also on catalyst sites fronting South Terrace and East Terrace. The desired increase in the City's resident population relies, in part, on realising infill housing opportunities with high regard to their context and achieving overall, higher dwelling densities in this Zone...

The City Living Zone and Policy Area 31 do not define what constitutes a “large” site. The Dwelling Unit Factor in Policy Area 31 is 120m². The subject site is 676.3m² (22.98m x 29.43m) in area and is “large” in comparison to the 120m² Dwelling Unit Factor. There is also a variety of much smaller allotments surrounding the subject site. In this context, we contend that the subject site is a “large” that can reasonably accommodate a residential flat building.

Therefore, the proposed land uses satisfies the Development Plan guidelines.

5.2 Height/Scale

Principle of Development Control 7 of the City Living Zone guides building height as follows:

PDC 7 Development should not exceed the height prescribed for each Policy Area. The height of new buildings, including the floor to ceiling clearances of each level, should take reference from the prevailing building heights within the locality, with particular reference to adjacent heritage places.

Policy Area 31 includes the following provisions also targeted towards the height and scale of development:

Desired Character

...Development will comprise residential buildings that are consistent with the existing palette of primarily street-fronting dwellings (detached, semi-detached and row dwellings) and the prevailing building scale and character. Residential flat buildings may be appropriate where they are developed on larger sites to provide an increase in dwelling density. Further development of land for non-residential uses is limited to land and buildings in non-residential use.

Development will be designed to complement the existing streetscape comprising the more spacious settings on the main east-west streets, Carrington, Halifax and Gilles Streets, and the intimacy of the smaller streets and laneways.

...The predominant building scale and heritage places in the immediate locality will be referenced by new buildings/additions, particularly as they address public streets. Opportunities may be available for carefully composed and sited second and third building levels which are suitably removed from street view, and with limited impact on the low scale setting of such places.

...Development will exemplify quality contemporary design that is generally of greater intensity than its surrounding and will comprise a number of individual buildings in a spacious, well landscaped setting designed to carefully manage the interface with adjacent residential development, particularly with regard to massing, proportions, overshadowing, traffic and noise. High regard is to be had to reflecting each key development areas context, in particular with regard to state and local heritage places, subdivision pattern and movement.

PDC 7 Development to a maximum building height of 3 storeys or 11 metres is appropriate where:

- (a) the scale relationship of the proposed building with neighbouring buildings is satisfactory; and
- (b) the amenity impacts on adjacent sites acceptable.

except where located on land within the areas indicated on Policy Area [Maps Adel/56, 57 and 63](#), where development up to 2 storeys is appropriate. (underlining added)

The proposal is four storeys (with an additional basement level underground) and a maximum height above natural ground level of 15.4 metres. Therefore, the building exceeds the height guideline by one storey or 4.4 metres.

In our view, the proposed height is acceptable in this instance because it satisfies the key elements of PDC 7 quoted above as discussed below:

- ***The “scale relationship of the proposed building with neighbouring buildings is satisfactory” because:***
 - > The existing non-residential buildings to the west fronting Hutt Street range in height from 2, 2.5 and 3 storeys. Dwellings to the east, south-east and north-east are 2 storeys. The scale differences between existing buildings and the proposed development is proportionate and satisfactory.
 - > The subject site sits immediately adjacent the Capital City Zone to the west, wherein development of up to 22 metres tall is envisaged i.e. double the height allowable on the subject site. The proposed 15.4m high building will provide an appropriate transition in height/scale at the interface between Zones from the 22m height guideline in the Capital City Zone to the 11m height guideline in the City Living Zone.
 - > The scale of the proposed building has been moderated at its residential interface to the south with Level 2 being setback 1.5-3m and Level 3 being setback 3m from the southern boundary i.e. the building is stepped away from the boundary at higher levels.
 - > The scale of the proposed building has been moderated at its residential interface to the east with Levels 2 and 3 being setback between 1-3m from the east site boundary i.e. the building is stepped away from the boundary at higher levels.
 - > The location of the subject site means that the proposed building is not directly visible from Angas Street, Hutt Street or Wakefield Street.



Figure 3 – Diagram prepared by Proske Architecture and Interiors showing the site’s adjacency to the CC Zone and also the limited visual impact of the development to Angas Street

- **The “amenity impacts of adjacent site are acceptable” because:**
 - > All south and east facing windows have fixed obscure glass to at least 1.8m in height minimising the potential for overlooking of adjoining dwellings to the east and south.
 - > The south-facing balcony of Apartment 2.03 on Level 2 contains a privacy screen minimising the potential for overlooking of adjoining dwellings to the south and south-east.
 - > The overshadowing diagrams indicate that sunlight access impacts are reduced to an acceptable level in the context of the locality and the zoning ‘s envisaged height – refer below analysis.
 - > There are no specified boundary setback guidelines in the City Living Zone, with the policy focus on achieving consistency where consistent boundary setbacks already exist. In this locality adjacent to the subject site there are a number of two storey walls on side and rear boundaries. In this context, Levels 1 and 2 of the proposed development extending to the side/rear boundaries of the site is consistent with existing development. From an amenity perspective, some courtyards at the ground and first floor level associated with adjoining dwellings will experience a greater sense of enclosure, but not beyond what may be reasonably anticipated in a CBD location.

Principle of Development Control 6 in the City Living Zone guides building height as follows:

PDC 6 Buildings or additions, including those of innovative and contemporary design, should reinforce the Policy Area and demonstrate a compatible visual relationship with adjacent heritage places or the Adelaide Historic (Conservation) Zone in terms of its:

- (a) **bulk, height and scale (i.e. the length and size of unbroken walling and the roof volume and form);...(underlining added)**

Residential flat buildings that increase dwelling density and intensity are anticipated on larger sites such as the subject land in the Desired Character statement for Policy Area 31 quoted above. The inconsistent character in terms of scale of this particular locality and the fact that the subject site does not address any significant public streets has been discussed previously. The bulk, height and scale of the development satisfies PDC 6 in this regard.

The proposed development adjoins the rear of two Local Heritage Places at 318 and 320 Angas Street. There is adequate separation from the elements of heritage value on these adjacent sites and the Angas Street streetscape to satisfy PDC 6.

5.3 Setbacks

Principles of Development Control 6 and 9 in the City Living Zone guide boundary setbacks as follows:

PDC 6 Buildings or additions, including those of innovative and contemporary design, should reinforce the Policy Area and demonstrate a compatible visual relationship with adjacent heritage places or the Adelaide Historic (Conservation) Zone in terms of its:...

- (b) **width of frontage and the front and side boundary building set-back patterns;...**

PDC 9 Where consistent building set-backs from front, side and rear allotment boundaries prevail in a locality, new development should be consistent with these setbacks. (underlining added)

Existing development in Albert Lane is largely set on or close to front, side and rear boundaries.

A 1350mm wide deep soil landscape planting buffer is featured along northern boundary.

The proposed development is consistent with the character of existing development in the locality in terms of boundary setbacks, thereby satisfying PDCs 6 and 9.

Principle of Development Control 8 of the City Living Zone states:

PDC 8 Where development proposes a building higher than the prevailing building heights that contribute to the desired character of a locality, the taller building elements should be setback from street frontages to avoid a detrimental impact on the prevailing character.

This provision is targeted towards development that fronts the more significant streets in the City Living Zone where the prevailing building height contribute towards a desired locality character e.g. Angas Street.

The subject site is located on Albert Lane, which is a laneway that has an eclectic built form character that is not particularly defined by consistency of building height (existing buildings range in height from 1-2.5 storeys in height).

In this context, it is contended that PDC 8 is not relevant to the assessment of this development proposal.

5.4 Dwelling Unit Factor

Policy Area 31 PDC 4 anticipates a dwelling unit factor (DUF) of 120m², except for the key development area indicated on [Figure SE/1](#) (which does not cover the subject site).

The proposed development has a DUF of 135m² which satisfies this guideline.

5.5 Plot Ratio

Principle of Development Control 3 of Policy Area 31 indicates that the plot ratio should not exceed 0.8 on this site.

Council Wide Principle of Development Control 175 states that plot ratios have been established in a number of Zones for the purpose of ensuring that intensity of development on land is consistent with the desired character.

The amount of building floor area that may be permitted on the allotment(s) on which any development is situated should not exceed the area calculated by multiplying the area of the allotment(s) on which the development is situated by the plot ratio applicable to the allotment(s).

The proposed development has a total building floor area of 822m² (levels 2 and 3 excluding mechanical or electrical plant or equipment servicing the building, lift shafts and vertical service ducts).

The subject site is 676.3m² in area. This means that the plot ratio is 1.22. This variation from the plot ratio guideline is acceptable for the reasons detailed in the section on height and scale as provided earlier in this report.

5.6 Design and Appearance

The following provisions of the City Living Zone relate to design and appearance:

City Living Zone

Desired Character

...The Zone comprises Adelaide's main residential living districts which have developed with a range of stand-alone and paired cottages, terrace or row housing, and low to medium scale contemporary apartment buildings, and with remnant workshops, service trades, offices and mixed uses, particularly west of Hutt Street.

The City Living Zone will provide high amenity residential living environments along with related non-residential uses compatible with residential amenity, as articulated in the Policy Areas. Carefully executed high quality residential infill is envisaged and opportunities are presented for comprehensive redevelopment on larger, particularly non-residential sites, and also on catalyst sites fronting South Terrace and East Terrace. The desired increase in the City's resident population relies, in part, on realising infill housing opportunities with high regard to their context and achieving overall, higher dwelling densities in this Zone.

PDC 6 Buildings or additions, including those of innovative and contemporary design, should reinforce the Policy Area and demonstrate a compatible visual relationship with adjacent heritage places or the Adelaide Historic (Conservation) Zone in terms of its:

- (a) bulk, height and scale (i.e. the length and size of unbroken walling and the roof volume and form);
- (b) width of frontage and the front and side boundary building set-back patterns;
- (c) overall building proportions and massing (by maintaining the desired horizontal [and/or vertical] emphasis, exhibiting vertical openings and a high solid to void ratio);
- (d) modelling and articulation of facades; and
- (e) incorporation of key architectural elements and detailing where a particular construction era and building style prevails as expressed in the desired character (without excessive use or mimicry of decorative elements and ornamentation) i.e. with the inclusion of elements such as porches, verandahs, balconies and fences where appropriate. (underlining added)

The character of this particular locality has previously been described. In short, it is a locality of very mixed character – mix of land uses, scale and architectural style. This is quite different from more prominent streets in the Zone and Policy Area 31 that often have a more consistent established character.

The subject site is large in size where residential infill and compatible use is anticipated with a view to realising higher densities in the City Living Zone. The subject site is also tucked away so that there is greater freedom in terms of architectural expression without disturbing established desired built-form character.

The subject site adjoins the rear of two Local Heritage Places. As discussed previously, there is adequate separation from the elements of heritage value on these adjacent sites and the Angus Street streetscape to satisfy PDC 6. Provisions in the Council Wide section relating to development adjacent to Heritage Places are more applicable in circumstances where the sites share a street frontage.

Many Development Plan provisions anticipate new development being complementary to established built-form character. Council Wide PDC 181 is an exception to this, applying where there is little or no established building pattern:

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

- (a) frontages creating clearly defined edges;
- (b) generating new compositions and points of interest;
- (c) introducing elements for future neighbouring buildings; and
- (d) emphasising the importance of the building according to the street hierarchy

The proposed building has a commercial character at ground and first floor levels where car parking is accommodated. Building materials include perforated metal that provides for ventilation and pre-cast concrete. There is also a strip and vegetation at ground level along the western elevation.

The second and third floor levels facing north feature wide balconies, while the western façade has staggered setbacks and complementary variation in materials.

This satisfies the PDC 181 quote above by creating clearly defined building edges, providing a dramatic composition with points of interest and complementing the nature of established commercial development in the laneway.

5.7 Landscaped Open Space

Principle of Development Control 5 in Policy Area 31 states:

PDC 5 A minimum of 20 percent landscaped open space should be provided on the site of any development.

The proposal features a landscaping strip along the north and western edge of the subject site. This is approximately 36m² in area, representing approximately 5-6% of the subject site.

While this is substantially less than the 20% guideline, the location of the subject site on a laneway at the rear of commercial properties with substantial site coverage means that this variation from the Development Plan is justified in this instance.

That said, a combination of creepers and planters on balconies provide some 'greening up' of the building (as shown below) to soften its appearance.



Figure 4 – Proposed ‘green up’ methods employed by Proske Architecture and Interiors

5.8 Interface Management

Primary interface considerations in this matter relate to visual impact, noise, overshadowing and overlooking. Commentary on these matters is provided below.

5.8.1 Visual Impact

The land to the east of the subject site comprises an attached, 1970’s two storey townhouse (within a residential flat building) with rear access. The dwelling is located on the boundary of the subject land for a length of about 13.6 metres. The same dwelling’s carport is also located on the boundary of the subject land for a length of about 3.7 metres, meaning that there is about 17.4 metres of existing boundary development.



Figure 5 – Existing two-storey boundary wall on the eastern side, fronting the subject land

The proposed development locates the Ground Floor and Level 1 (car park levels) on this same boundary.

The combined height of these levels is less than the height of the two-storey dwelling to its east, providing an acceptable height and extent of boundary development adjacent that property.

Levels 2 and 3 above are setback in the order of 3.0-3.2 metres reducing the visual impact of these levels from neighbouring properties to the east and south.

The proposed development also features a two-storey wall on the southern boundary, with the top two proposed levels being setback between 1.5-6.3 i.e. as the building goes up it goes in. To the south are three residential properties, namely 316, 318 and 320 Angas Street. There is a strip of private land leading to a garage at the rear of 320 Angas Street.

This land runs along the southern boundary of the subject site and provides a buffer between the proposed development and the rear of the adjoining residential properties to the south.

5.8.2 Noise

An environmental noise assessment has been made of the car parking portion of the proposed development to be located at 5 Albert Lane, Adelaide by Sonus (refer **Appendix E**).

The conclusion of the report states:

- The assessment considers noise at the surrounding residences from on-site vehicle movements and general car park activity.
- The predicted noise levels from the development will achieve the relevant requirements of the Development Plan subject to the implementation of the treatments recommended in this report, comprising the installation of absorption to the car park soffit and specific wall and/or acoustic louvre constructions for the car park structure.
- It is therefore considered that the facility has been designed to minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise, thereby achieving the relevant provisions of the Development Plan related to environmental noise.

5.8.3 Overshadowing

Detailed shadow analysis plans for the proposal reveal the following:

- **Townhouse to immediate east at 326 Angas Street:**
 - > There is no impact from the development on its north facing windows.
 - > There is no additional impact from the development on its north and south facing private open space.
- **Dwelling at 316 Angas Street**
 - > There is no additional impact on its upper level north facing windows.
 - > There are some additional shadow impacts at 9 am and midday from the proposal on its upper level terrace however this would occur even with a 3-level development on the land.
 - > There is no impact on its upper level terrace at 3pm.

- **Dwelling at 318 Angas Street**
 - > There is no additional impact from the development upon its private open space and north facing windows at 9am.
 - > There is additional impact from the proposal at midday including upon the north facing windows however only marginally worse than what would be cast by a 3-level development on the land.
 - > There is some additional shadow upon the private open space however about the same as a 3-level development.
- **Dwelling at 320 Angas Street:**
 - > There is no additional impact from the development at 9am.
 - > There is additional impact from the proposal at midday upon the private open space area however about the same as a 3-level development.
 - > There is additional impact upon the north facing windows however only marginally worse than what would be cast by a 3-level development on the land.

Overall, the extent of 'additional' impact when factoring in existing conditions and anticipated heights on the land is not considered to be excessive nor unreasonable. As such, I am satisfied with the impacts of the proposal from an overshadowing perspective.

5.8.4 Overlooking

Privacy treatments have been employed at both interface boundaries in the form of obscure glazing to a height of 1.8 metres upon all windows satisfying Council Wide Principle of Development Control 36.

5.9 Vehicle Access and Car Parking

Vehicle access to the land will be via a crossover from Albert Lane. The access location and design, and the internal car park layout and design, has been informed following advice from CIRQA traffic engineers. We defer to the findings within their report as attached (refer **Appendix F**).

5.10 Waste Management

Based on ACC's waste generation rates, the proposal only needs 2x 240L bins for general waste, 2x 240L bins for recycling and 1x 240L bin for organic waste. A waste store is provided to accommodate these bins. This is a relatively low number of bins (and would take up less space than 660L bins). Even if wheeled out of the bin store by the collection contractor, the time to service such a small number of bins would be minimal.

In terms of odour, a tap and appropriate drainage provisions are to be accommodated for bin washing. Alternatively, a bin washing contractor (with dedicated washing device on a utility vehicle/ute) could be utilised (which would occur infrequently and easily be accommodated on site).

5.11 Apartment Amenity

The proposed apartments will have a high level of amenity for residents in that all apartments:

- Range in size between 131-182m².
- Have 3.0m internal ceiling heights.
- Features large outdoor balcony areas for private open space ranging in size between 16m² - 30m².
- Save for Apartment 2.03, all have northern orientated private open space.
- Have multiple frontages enhancing cross ventilation opportunities.
- Have storage facilities in the basement car park.
- Have vehicle and bike parking facilities.

6.0 Conclusion

In summary, the proposal will:

- Provide dwellings on the land which are an envisaged land use within the Zone.
- Be of an appropriate site for a residential flat building given it is relatively large size and located behind properties fronting Angas Street.
- Be of an appropriate height given its:
 - > scale relationship with nearby buildings is satisfactory, and
 - > the amenity impacts on adjoining dwellings are acceptable.
- Provide generally appropriate setbacks.
- Satisfy the Dwelling Unit Factor guidelines.
- Exceed plot ratio however it is justified given the height/scale is appropriate.
- Be of an attractive design and appearance.
- Have acceptable landscaping elements in this context.
- Appropriately mitigated visual, noise, overshadowing and overlooking impacts upon adjoining land.
- Have appropriate access, car parking and waste management elements.

Therefore, Development Plan Consent is warranted in this instance.

5 Albert Lane

Car Parking

Environmental Noise Assessment

June 2020

S6354C3

sonus.

Jason Turner

Associate

Phone: +61 (0) 410 920 122

Email: jturner@sonus.com.au

www.sonus.com.au

5 Albert Lane – Car Parking
Environmental Noise Assessment
S6354C3
June 2020

sonus. ■

Document Title : 5 Albert Lane – Car Parking
Environmental Noise Assessment

Document Reference : S6354C3

Date : June 2020

Author : Jason Turner, MAAS

© Sonus Pty Ltd. All rights reserved.

This report may not be reproduced other than in its entirety. The report is for the sole use of the client for the particular circumstances described in the report. Sonus accepts no responsibility to any other party who may rely upon or use this report without prior written consent.

TABLE OF CONTENTS

1	INTRODUCTION	4
2	CRITERIA	5
2.1	Development Plan	5
2.2	Environment Protection (Noise) Policy 2007	5
3	ASSESSMENT	7
3.1	Noise Sources	7
3.2	Operational Assumptions	7
3.3	Recommendations	8
3.4	Predicted Noise Levels	11
4	CONCLUSION	12
	APPENDIX A	13
	APPENDIX B	14

1 INTRODUCTION

An environmental noise assessment has been made of car parking activity at the development to be located at 5 Albert Lane, Adelaide.

The development comprises:

- Basement, ground and first floor carparking; and
- Second and third floor accommodation.

It is noted the development replaces an existing car park in an area surrounded by residential and commercial buildings with their own vehicle movements. Additionally, it is unusual for the inherent activity of vehicle parking associated with the residential component to be objectively assessed. Notwithstanding this, an assessment has been made and acoustic treatments designed for inclusion into the development. The assessment considers noise levels at noise sensitive locations from activity associated with car parking activities only.

The closest noise sensitive locations and the proposed development are shown and labelled in Appendix A.

The assessment has been based on:

- *Proske Architecture & Interiors* drawings set for the project titled “5 Albert Lane Apartments”, reference “19.048” including drawings “PL04”, “PL05” and “PL06”, issued 6 May 2020;
- An inspection of the site and surrounds, conducted on 17 June 2020;
- Previous noise measurements and procurement of data from similar sites for car parking activity and vehicle movements; and,
- The assumption that the entry to the car park will be a permanent opening, i.e. not covered by a roller door (that is, the roller door can be open or slotted to support a ventilation system).

2 CRITERIA

2.1 Development Plan

The proposed development and all nearby residences are located within the *City Living Zone* of the *Adelaide (City) Development Plan*¹ (the **Development Plan**). The Development Plan has been reviewed and the following provisions are considered relevant to the noise assessment:

Council Wide Section – Environmental Noise Emissions

Objective 26 Development that does not unreasonably interfere with the desired character of the locality by generating unduly annoying or disturbing noise.

Principles of development control

Noise Sources

PDC 89 Development with potential to emit significant noise (including licensed entertainment premises and licensed premises) should incorporate appropriate noise attenuation measures in to their design to prevent noise from causing unreasonable interference with the amenity and desired character of the locality, as contemplated in the relevant Zone and Policy Area.

PDC 94 To ensure minimal disturbance to residents:

b) typical activity within any car park area including vehicles being started, doors closing and vehicles moving away from the premises should not result in sleep disturbance when proposed for use after 10.00pm as defined by the limits recommended by the World Health Organisation.

2.2 Environment Protection (Noise) Policy 2007

In addition to the Development Plan, the *Environment Protection (Noise) Policy 2007* (the **Policy**) has also been referenced in order to ensure car parking activity from the *development does not unreasonably interfere with the amenity of the locality*, as per PDC 89.

The Policy is based on the World Health Organisation Guidelines to prevent annoyance, sleep disturbance and unreasonable interference on the amenity of an area. Therefore, compliance with the Policy is sufficient to satisfy both PDC 89 and PDC 94 of the Development Plan.

¹ Consolidated – 30 April 2020.

The Policy provides goal noise levels to be achieved at residences based on the relevant principally promoted land uses in the Development Plan. Based on the land uses, the following goal noise levels are provided by the Policy to be achieved at residences:

- An average (L_{eq}) noise level of 52 dB(A) during the daytime (between 7:00am and 10:00pm); and
- An average (L_{eq}) noise level of 45 dB(A) at night (before 7:00am or after 10:00pm).

When measuring or predicting noise levels for comparison with the Policy, adjustments may be made to the average goal noise levels for each “annoying” characteristic of tone, impulse, low frequency, and modulation of the noise source. The characteristic must be dominant in the existing acoustic environment and therefore the application of a penalty varies depending on the assessment location, time of day, the noise source being assessed and the predicted noise level. Based on the above, a 5 dB(A) penalty is deemed to be warranted due to the potential car parking activity occurring at times of low ambient noise.

In this circumstance, the car park replaces an open car park and so provides the potential to reduce noise levels, resulting in the following effective goal noise levels which include the 5 dB(A) penalty:

- An average (L_{eq}) noise level of 47 dB(A) during the daytime (between 7:00am and 10:00pm); and
- An average (L_{eq}) noise level of 40 dB(A) at night (before 7:00am or after 10:00pm).

The noise levels have been assessed to private outdoor areas during the day periods and to the nearest facade containing a window during the night period.

3 ASSESSMENT

3.1 Noise Sources

The noise levels at the nearby residences from the proposed car parking activity have been predicted based on a range of previous noise measurements and observations at similar facilities. These include:

- people talking as they vacate or approach their vehicles, the opening and closing of vehicle doors, vehicles starting, vehicles idling, and vehicles moving into and accelerating away from their park position; and,
- general vehicle movements through the car park.

Sound power levels for the above activities are provided in Appendix B.

A car park ventilation system might result from implementation of the following treatments which includes solid walls in designated areas. It is recommended that any such system be assessed during the detailed design phase, once the need for and design of ventilation becomes known.

3.2 Operational Assumptions

The predictions of noise from use of the facility have been based on the following operational assumptions for the level of activity in any 15-minute² period during the:

- Day (between 7:00am and 10:00pm):
 - 15 vehicle movements (approximately one third of capacity) entering the ground floor to use the carpark;
 - 10 vehicle movements between the ground floor and the basement or first floor (five per floor).
- Night (before 7:00am or after 10:00pm):
 - 10 vehicle movements (approximately one quarter of capacity) entering the ground floor to use the carpark;
 - 6 vehicle movements between the ground floor and the basement or first floor (three per floor).

² Default assessment period of the Policy.

3.3 Recommendations

Based on the above, the following acoustic treatments are recommended:

- Install absorption to the soffit above the ground and first floor car park levels for 50% of the total area, evenly spread throughout the space. The absorption should have an NRC rating of at least 0.6. An example of a suitable product is *Bradford Martini Absorb MD 25*. If required, the absorption can be covered by a perforated material such as sheet steel or plasterboard, provided the material has an open area of at least 15%;
- Ensure that the walls of the car park, marked in **RED** below, are constructed from a solid material, such as a minimum 9mm thick fibre cement sheeting (or any other material with the same or greater surface density in kg/m^2); and,
- Ensure that the walls of the car park, marked in **GREEN** below, are constructed from either a solid material as described above, or an acoustic louvre such as the *Fantech SBL1*.

Any wall not nominated in the following diagrams as **RED** or **GREEN** can be retained as an opening.

The acoustic treatments provided above present one option for achieving the criteria. Different options can be considered using different materials or combinations of materials during the detailed design phase if required.

Figure 1: Recommended Treatment Measures Ground Floor

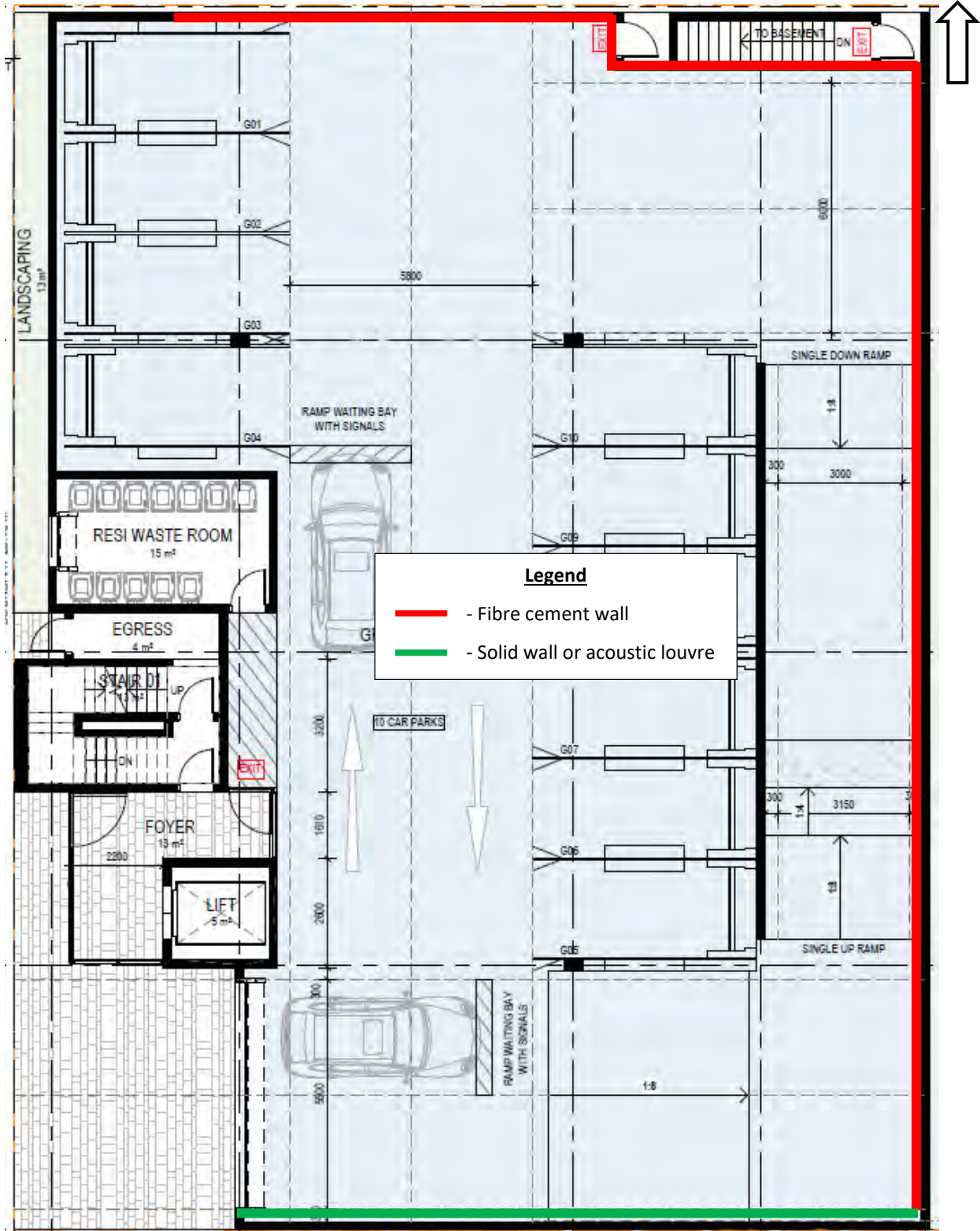
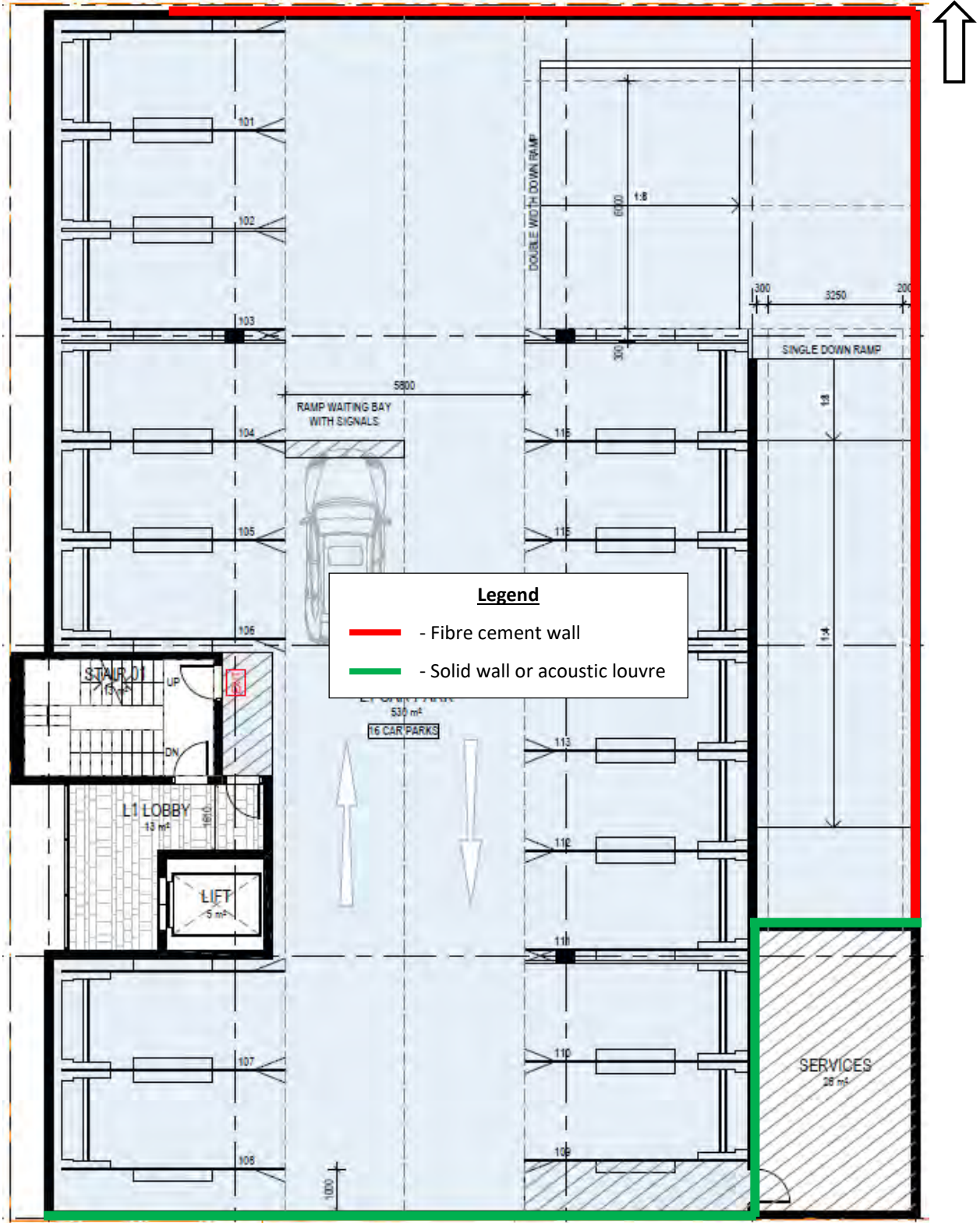


Figure 2: Recommended Treatment Measures First Floor



3.4 Predicted Noise Levels

With the inclusion of the acoustic treatments described above and the assumed level of activity at the site, the highest predicted noise levels from the car park activity are as shown in Table 1.

Table 1: Highest predicted noise levels.

Time	Prediction	Criteria
Day	43 dB(A)	47 dB(A)
Night	40 dB(A)	40 dB(A)

The results in Table 1 indicate that with the above acoustic treatments incorporated, the criteria will be met at all nearby residences.

4 CONCLUSION

An environmental noise assessment has been made of the car parking portion of the proposed development to be located at 5 Albert Lane, Adelaide.

The assessment considers noise at the surrounding residences from on-site vehicle movements and general car park activity.

The predicted noise levels from the development will achieve the relevant requirements of the Development Plan subject to the implementation of the treatments recommended in this report, comprising the installation of absorption to the car park soffit and specific wall and/or acoustic louvre constructions for the car park structure.

It is therefore considered that the facility has been designed to *minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise*, thereby achieving the relevant provisions of the Development Plan related to environmental noise.

APPENDIX A

Figure 3: Site Locality and Nearby Residences.



APPENDIX B

Table 2: Noise Level Data.

Equipment/Activity		Noise Level
Car park activity	General activity	83 dB(A) SWL
	Moving car	82 dB(A) SWL



**MIXED-USE DEVELOPMENT
5 ALBERT LANE, ADELAIDE**
TRAFFIC AND PARKING REPORT





DISCLAIMER

The information and data contained within this document are the property of CIRQA Pty Ltd and copyright. This document and the information contained therein is for the use of the authorised Client noted below. The document may not be used, copied, reproduced or modified in whole or in part for any purpose other than for which it was supplied by CIRQA Pty Ltd. CIRQA Pty Ltd accepts no responsibility or liability to any other party who may use or rely upon this document or the information contained therein.

DOCUMENT CONTROL

Report title: Mixed-Use Development, 5 Albert Lane, Adelaide
Traffic and Parking report

Project number: 19266

Client: Hutt Street Property Unit Trust

Client contact: Sam Nicholls

Version	Date	Details/status	Prepared by	Approved by
Draft	11 Sep 20	For review	JJB	BNW
V1	8 Oct 20	For submission	JJB	BNW
V1.1	30 Mar 21	Minor update	JJB	BNW

CIRQA Pty Ltd

ABN 12 681 029 983

PO Box 144, Glenside SA 5065

150 Halifax Street, Adelaide SA 5000

(08) 7078 1801

www.cirqa.com.au



1. INTRODUCTION

CIRQA has been engaged to provide design and assessment advice for a proposed mixed-use development at 5 Albert Lane, Adelaide. Specifically, CIRQA has been engaged to provide advice in respect to traffic and parking aspects of the proposal.

This report provides a review of the subject site, the proposed development, its access and parking provisions and the associated traffic impact on the adjacent road network. The traffic and parking assessments have been based upon plans prepared by Proske Architects (drawing no. 19.048_PL01.B to PL09.B, dated 30 March 2021).

2. BACKGROUND

2.1 SUBJECT SITE

The subject site is located at 5 Albert Lane, Adelaide. The site is bound by residential properties to the south and east, Albert Lane to the west and a private lane (owned by the Adelaide City Council) to the north. The Adelaide City Council's Development Plan identifies that the site is located within a City Living Zone (Policy 31 – South East Policy).

The subject site is currently occupied by a 31-space at-grade car park (which is associated with separate commercial tenancies on Hutt Street). Access to the site is provided via Albert Lane.

2.2 ADJACENT ROAD NETWORK

Albert Lane is a laneway under the care and control of the City of Adelaide. The road is designated for two-way flow albeit generally comprises a single width carriageway. The lane services the rear of commercial properties fronting Hutt Street and Wakefield Road. Additionally, a private lane connects to Albert Lane (adjacent the subject site). The private lane provides rear access to additional properties fronting Wakefield Road and Angas Court/James Street (albeit most properties only have pedestrian access with vehicular access provided via the other frontage roads). Albert Lane is accessible from both Hutt Street and Angas Street. All turning movements are permitted at the Angas Street access, while movements at Hutt Street are restricted to left-in/left-out by a raised median.

Hutt Street is a local street under the care and control of the City of Adelaide and is subject to a 50 km/h speed limit. Adjacent the access to/from Albert Lane, Hutt Street comprises two traffic lanes and dedicated bicycle lane in each direction, separated by a raised paved median. Ticketed angled parking is provided on both sides of Hutt Street, albeit restricted to 1-hour parking from 8:00 am to 6:00 pm

Monday to Friday and 8:00 am to 12 noon on Saturday. Sealed footpaths are provided on both sides of Hutt Street.

Angas Street is a local street under the care and control of the City of Adelaide. Angas Street comprises a single traffic lane in each direction with 2P parallel parking from 8:00 am to 6:00 pm Monday to Friday and 8:00 am to 12 noon on Saturday on the northern side of the road. A loading zone and 1P parallel parking spaces (from 8:00 am to 6:00 pm Monday to Friday and 8:00 am to 12 noon on Saturday) are located on the southern side of the road, opposite the Albert Lane access. Sealed footpaths are provided on both sides of the road. A 50 km/h speed limit applies on Angas Street.

Figure 1 illustrates the location of the subject site and the adjacent road network.

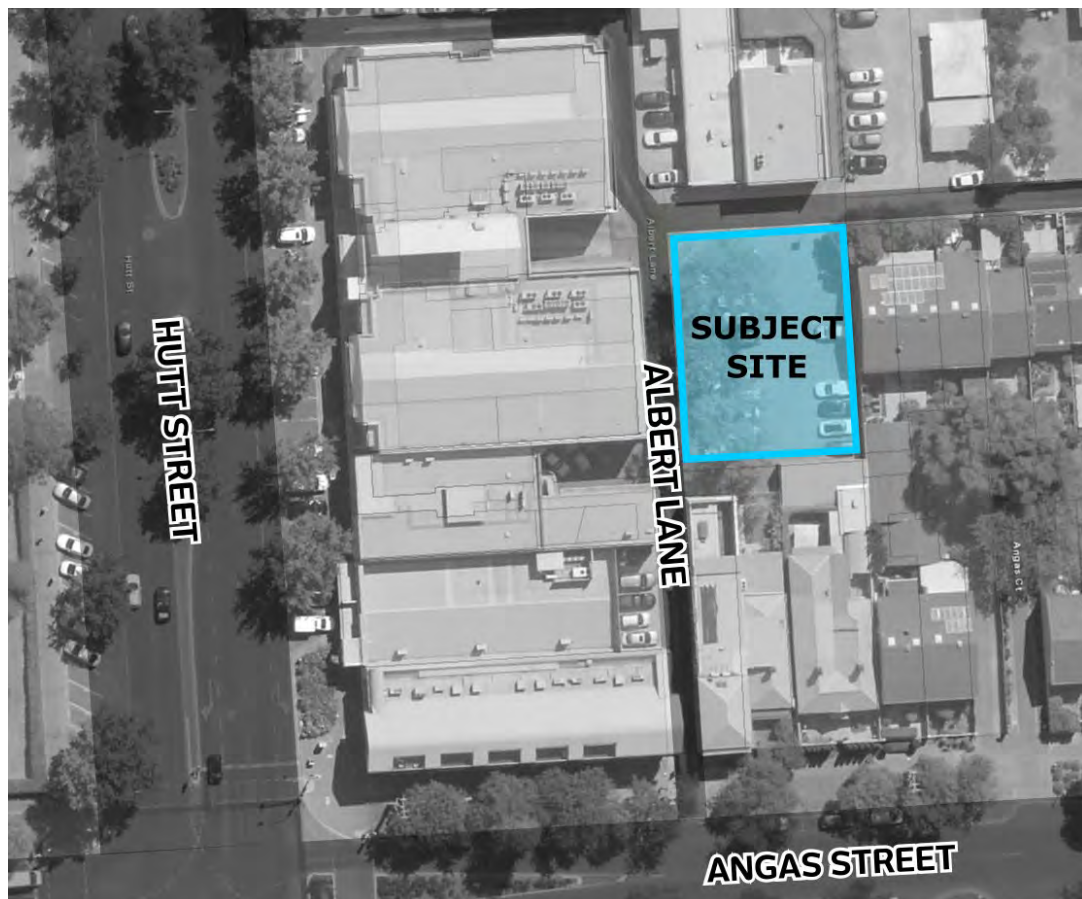


Figure 1 – Location of the subject site and the adjacent road network

2.3 ACTIVE AND SUSTAINABLE TRANSPORT

The site is well serviced by walking and cycling facilities. Sealed footpaths are provided on both sides on Angas Street and Hutt Street. Adjacent the site, cyclists are able to ride on-street within the fulltime bicycle lanes on Hutt Street or under a standard shared arrangement on Angas Street. Alternatively, cyclists



are able to share the footpaths with pedestrians. It is noted that many of the streets surrounding the subject site (including Hutt Street and Angas Street) form part of the BikeDirect network. Multiple 'off road sealed paths' (as classified in the BikeDirect network) are also located in the nearby parklands to the east of the site.

Public transport services operate frequently in close proximity to the subject site. Bus stops in both directions are located on Hutt Street (approximately 150 m) and Wakefield Street (approximately 250 m). These stops are serviced by the following bus routes:

- 98A – City and North Adelaide Anti-Clockwise Loop
- 98C – City and North Adelaide Clockwise Loop
- 99A – City Anti-Clockwise Loop
- 99C – City Clockwise Loop
- 147 – Beaumont to City
- 150 – Osborne to City
- 150B – City to Largs Bay
- 150P – City to Port Adelaide Interchange
- 155 – West Lakes Interchange to City
- 157, 157X – Largs Bay to City
- 170 – Urrbrae to City
- 171 – Mitcham Square to City
- 171A – City to Highgate
- 172 – Kingswood to City
- 173 – Blackwood Interchange to City
- 174 – Paradise Interchange to City
- 178, 178X – Paradise Interchange to City
- 178M – City to Athelstone
- 178S – City to Newton
- 637 – Kingswood to City (School Service)
- 820 – Burnside to city
- 821 – Carey Gully to City
- 822 – Stirling to City



3. PROPOSED DEVELOPMENT

3.1 LAND USE AND YIELD

The proposed development comprises the demolition of the existing parking area and the construction of a multi-storey residential building and parking area. The building will comprise five apartments.

3.2 ACCESS AND PARKING DESIGN

The site will be serviced by a 41-space parking area. Ten spaces will be assigned to the apartments and the remainder of spaces will be retained under the existing arrangements servicing separate commercial uses). A further eight bicycle parking spaces are also proposed.

The parking area will generally comply with the requirements of Australian/New Zealand Standard, *Parking Facilities Part 1: Off-street car parking* (AS/NZS 2890.1:2004) and Australian/New Zealand Standard, *Parking Facilities Part 6: Off-street parking for people with disabilities* (AS/NZS 2890.6:2009) in that:

- regular parking spaces will be 2.4 m wide and 5.4 m long;
- the parking aisles will be at least 5.8 m wide (with additional clearance where required adjacent obstructions);
- columns and walls will be located clear of the car clearance envelope;
- 0.3 m clearance will be provided to all objects greater than 0.15 m in height;
- a 1 m aisle extension will be provided beyond the last parking space in a blind aisle;
- pedestrian sightlines will be provided at the site's property boundary; and
- ramps will have a maximum gradient of 1 in 4 with transitions of 1 in 8 for at least 2 m at each end.

Vehicle access to the sites secured parking area will be provided via a 6.3 m wide two-way crossover on Albert Lane. All vehicles will be able to enter and exit the site in a forward direction.

The on-site parking spaces will be provided over three levels (basement, ground floor and first floor). The ground floor parking area accommodates two-way movements, however access to the basement and first floor levels is proposed to occur via a single width ramp. The Australian Standards AS2890.1-2004 states that, "As a guide, 30 or more movements in a peak hour (in and out combined) would usually require provision for two vehicles to pass on the driveway, i.e a minimum width of 5.5 m." Conservatively assuming that one movement will be associated with each parking space during the peak hour, the basement and first floor

parking spaces would each generate up to 16 movements during the am and pm peak hours. As there will be less than 30 movements on each ramp during the peak hours, the single width ramps will adequately service the access requirements of the proposed parking area. Due to sight distance limitations on the access ramps, it is proposed that two-way traffic will be managed using signals. For example, when a car is using the ramp to access the first level, a car seeking to exit the first level (travelling in the opposite direction) will be held at a stop line until the ramp is clear to use. Figure 2 illustrates an indicative turn path for the above arrangements.

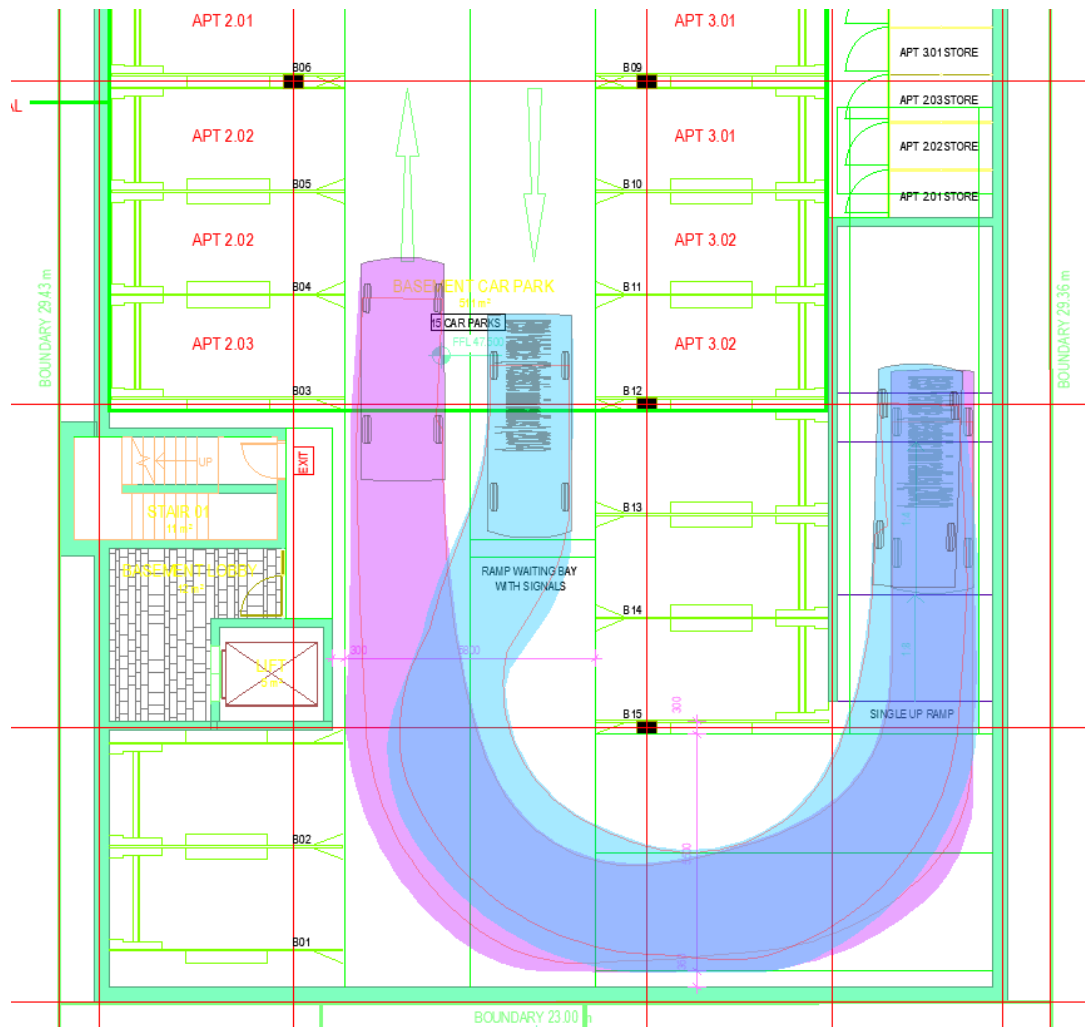


Figure 2 – Vehicle turn path for the single lane/two-way ramp arrangement

3.3 REFUSE COLLECTION

Refuse collection is proposed to occur on-street via Council’s standard waste collection service. As such, there is no requirement for commercial vehicles to enter the subject site.



4. PARKING ASSESSMENT

4.1 CAR PARKING

The City of Adelaide's Development Plan identifies the subject site is located within a City Living Zone. As such, the Development Plan identifies a minimum parking rate of 1 space per dwelling (up to 200 m² building floor area) for medium to high scale residential or serviced apartments. No maximum provision rate is identified for such development in the City Living Zone.

Based upon the above rate, the development would require at least five parking spaces to meet the requirements of the Development Plan. It is proposed that each dwelling will be provided with two on-site parking spaces, therefore satisfying the requirements of the Development Plan. The remaining 31 parking spaces are proposed to replace the 31 existing parking spaces that serviced the nearby commercial uses.

4.2 BICYCLE PARKING

The Development Plan identifies the following bicycle parking provision for low, medium and high scale residential development:

- one bicycle parking space for every dwelling/apartment with a total floor area less than 150 square metres;
- two bicycle parking spaces for every dwelling/apartment with a total floor area greater than 150 square metres; PLUS
- one visitor bicycle parking space for every 10 dwellings.

On the basis of these rates, the proposal has a requirement for eight bicycle parking spaces. The proposal includes eight bicycle parking spaces within the basement parking area. This provision satisfies the Development Plans bicycle parking requirement.

5. TRAFFIC IMPACT ASSESSMENT

The RTA's "*Guide to Traffic Generating Developments*" (the RTA Guide), and its subsequent updates, are documents commonly used by traffic engineers to determine the forecast traffic generation of a variety of land uses. For high density dwellings, the Guide identifies trip generation rate of 0.53 am and 0.32 pm peak hour trips per dwelling. The residential component of the proposal is therefore forecast to generate in the order of 3 am and 2 pm peak hour trips. Such an increase in movements is minimal.

It is noted that the proposal will also accommodate staff parking associated with the nearby commercial building. As the proposal will replace the existing 31



parking spaces, the development will result in two to three additional peak hour movements (generated by the residential component of the development). Such a low number of movements will have minimal impact on the operation of Albert Lane or the surrounding road network.

6. SUMMARY

The proposed development comprises the construction of a multi-storey residential building and parking area. Vehicle access to the site's at-grade car park will be provided via a two-way access on Albert Lane. A total of 41 car parking spaces will be provided on-site.

Based on the Development Plan, the proposal would require a minimum of five residential parking spaces. It is proposed that each of the five dwellings will be designated two parking spaces, therefore satisfying (exceeding) the requirements of the Development Plan. It is noted that the remaining 31 on-site parking spaces will replace the existing on-site parking spaces, servicing staff of the nearby commercial building.

It has been forecast that the proposed development could generate two to three additional peak hour trips. Such traffic generation numbers are very low and will be readily accommodated by the surrounding road network.

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1886



VOLUME 5427 FOLIO 991

Edition 5

Date Of Issue 19/06/1997

Authority RT 8152003

South Australia

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

ACTING REGISTRAR-GENERAL

**REGISTERED PROPRIETOR IN FEE SIMPLE**

LOUISVILLE PTY. LTD. OF PO BOX 7052 HUTT STREET SA 5000

DESCRIPTION OF LAND

ALLOTMENT 5 FILED PLAN 37412
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

EASEMENTS

TOGETHER WITH A RIGHT OF WAY OVER THE LAND MARKED D APPURTENANT ONLY TO
THE LAND MARKED Y

TOGETHER WITH A RIGHT OF WAY OVER THE LAND MARKED E

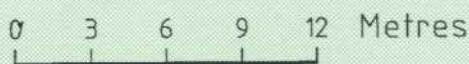
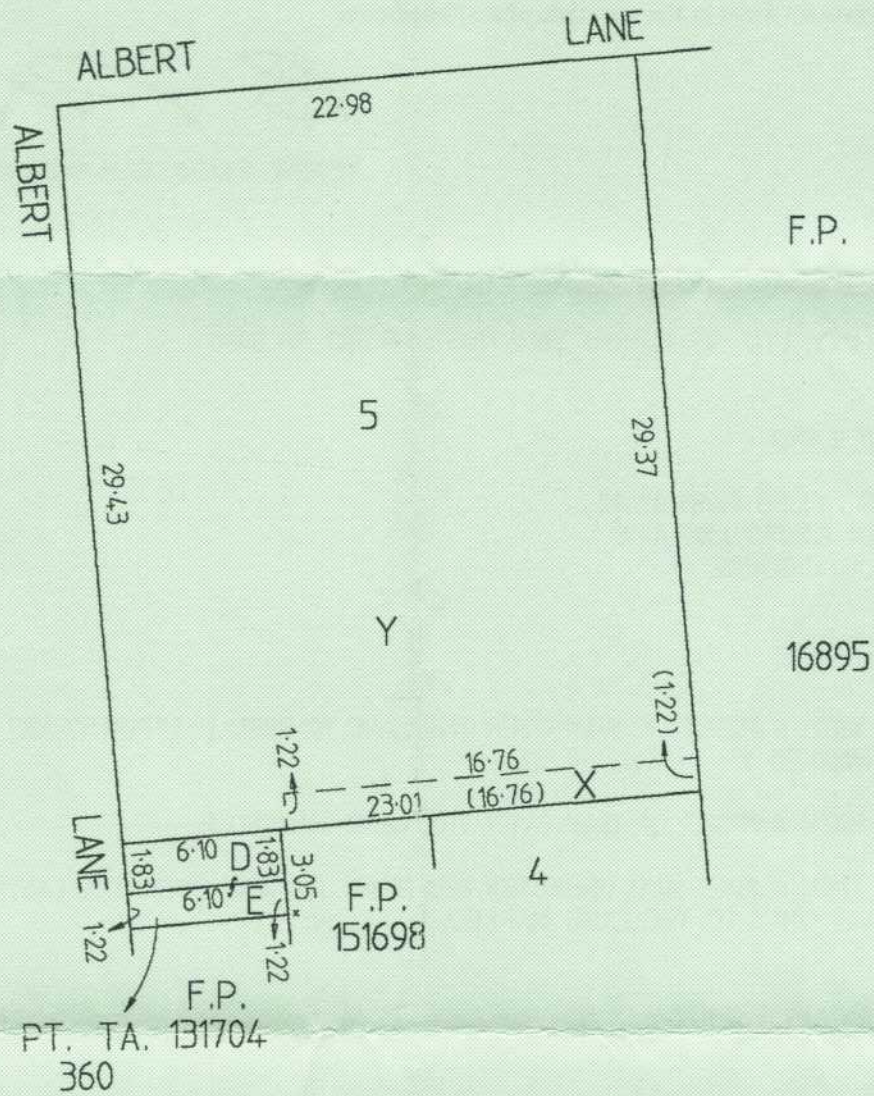
TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED D
APPURTENANT ONLY TO THE LAND MARKED X

SCHEDULE OF ENDORSEMENTS

NIL

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

266



CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1886



VOLUME 5427 FOLIO 991

Edition 5

Date Of Issue 19/06/1997

Authority RT 8152003

South Australia

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

ACTING REGISTRAR-GENERAL

**REGISTERED PROPRIETOR IN FEE SIMPLE**

LOUISVILLE PTY. LTD. OF PO BOX 7052 HUTT STREET SA 5000

DESCRIPTION OF LAND

ALLOTMENT 5 FILED PLAN 37412
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

EASEMENTS

TOGETHER WITH A RIGHT OF WAY OVER THE LAND MARKED D APPURTENANT ONLY TO
THE LAND MARKED Y

TOGETHER WITH A RIGHT OF WAY OVER THE LAND MARKED E

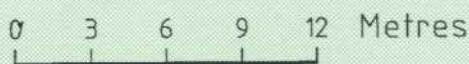
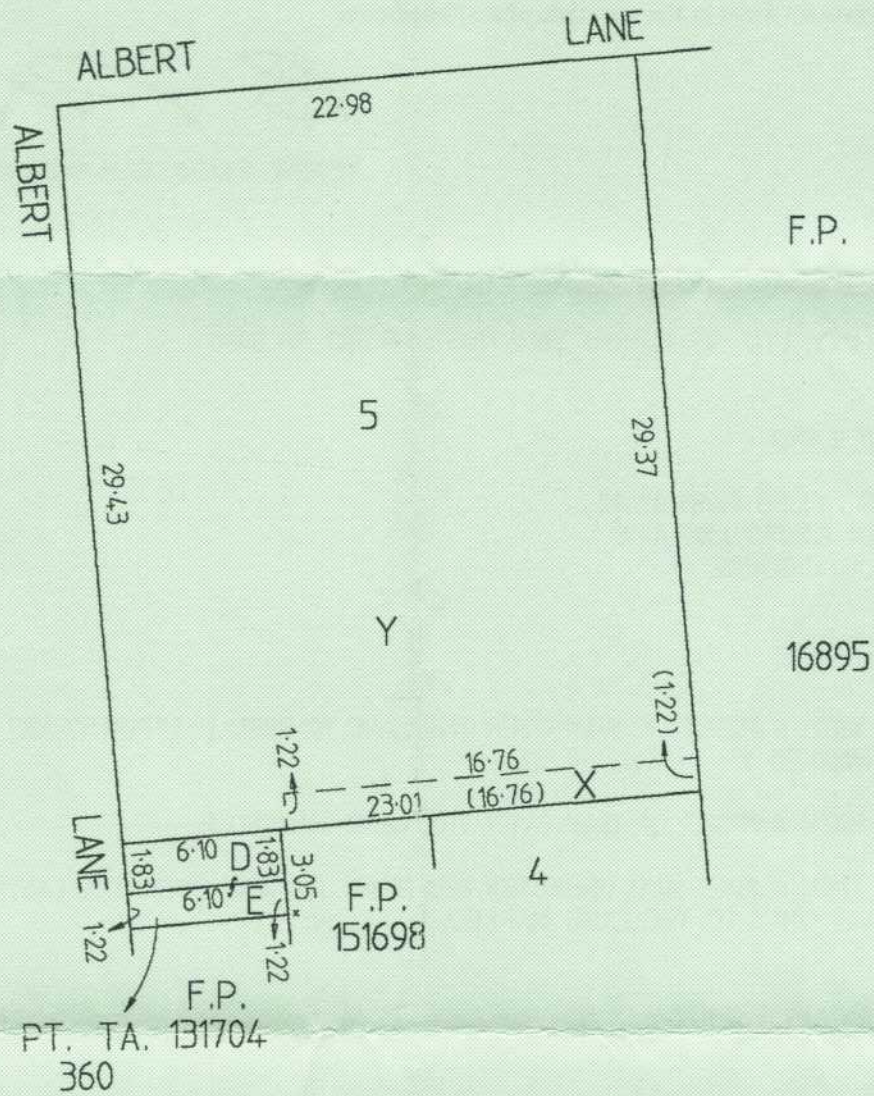
TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED D
APPURTENANT ONLY TO THE LAND MARKED X

SCHEDULE OF ENDORSEMENTS

NIL

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

266



Respondent Mr A I Wilkinson



Item 3.1 - Attachment 69

Respondent Address 112 Osmond Tce 100
NORWOOD SA 5067

Response Type PNYES Representor Wishes To Be Heard

Response Date 28/01/2021

Letter Details

Use Respondent Name

Summary of Response Further to our discussion the other day please find attached our planning submission on behalf of Luke and Michelle.

We would like to exercise our right to make a verbal representation to the CAP

Please append our A3 shadow diagrams which I will send by separate email as well as our video, which we would invite you to show at the CAP meeting for the benefit of CAP members.

Regards

Sandy

sandy@alexanderwilkinson.com.au

Please note: Video will be available at CAP meeting to view.

Seb Grose

From: Sandy Wilkinson <sandy@alexanderwilkinson.com.au>
Sent: Monday, 25 January 2021 5:06 PM
To: Seb Grose
Cc: drnichelloesler@gmail.com
Subject: 5 Albert Lane, Adelaide DA/564/2020 - Planning Submission on behalf of Michelle Roesler and Luke Stradwick of 316&318 Angas Street
Attachments: 2021.01.24 5 Albert Lane Subm'n.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Seb Grose,

Senior Planner
City of Adelaide

Dear Seb,

Further to our discussion the other day please find attached our planning submission on behalf of Luke and Michelle.

We would like to exercise our right to make a verbal representation to the CAP

Please append our A3 shadow diagrams which I will send by separate email as well as our video, which we would invite you to show at the CAP meeting for the benefit of CAP members.

Regards

Sandy

25 January 2021

Seb Grose
Senior Planner Planning Assessment
City of Adelaide

Development Application DA/564/2020
5 Albert Lane
ADELAIDE

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

PLANNING SUBMISSION – on behalf of Michelle Roesler & Luke Stradwick

5 ALBERT LANE, ADELAIDE - DA/564/2020

1.0 INTRODUCTION

I have been engaged by Michelle Roesler and Luke Stradwick of 316 & 318 Angas Street, Adelaide, two immediately adjacent Local Heritage houses to the south of the proposed development, pictured below. They have engaged me to provide a planning opinion in response to the adjoining owner notification letter they have received. My clients have disposed these two dwellings as one dwelling for their own purposes, but have designed it so that it can readily revert back to two separate dwellings at a future stage.

This submission has been prepared in with regard to the provisions of the City of Adelaide Development Plan, Consolidated – 30 April 2020.

I have degrees in both Architecture and Town Planning. I have been a development assessment planner and heritage advisor at the City of Adelaide and have been a member of the City of Adelaide Development Assessment Panel from 2007 until 2014 and currently sit on the City of Unley Council Assessment Panel. I established my design, heritage and planning practice, ALEXANDER WILKINSON DESIGN in 1999. I have appeared as an expert witness before the ERD Court particularly on matters of Streetscape and Heritage on a number of occasions.



Michelle Roesler & Luke Stradwicks place at 316&318 Angas Street immediately south of subject land.

PLANNING SUBMISSION – 5 ALBERT LANE, ADELAIDE DA/564/2020 - ALEXANDER WILKINSON DESIGN

design +
planning by design

Violet Bank
Cnr Old + New Street
North Adelaide, SA 5006

Telephone 0407493192
sandy@alexanderwilkinson.com.au
www.alexanderwilkinson.com.au

2.0 BACKGROUND

This Development Application has been lodged as a Category 2 application. The site is a Residential Zone with a three storey, 11metre height limit. This would have been known by the applicant at time of preparation of the Development Application and at time of purchase had it been recently been purchased.

The Capital City Zoning of the adjacent Hutt Street buildings did not pertain to this residential Zone adjacent, where the height limit remains at 3-storeys.

3.0 DESCRIPTION OF DEVELOPMENT APPLICATION

The subject land size is Site area 676.2m²,

TOTAL proposed floor area 822 m²

The development equates to a PLOT RATIO 1.22.

The proposal has car parking over three levels to serve the existing provision of 31 cars for the adjacent offices at 120 Hutt Street plus 10 cars for the five (5) apartments.

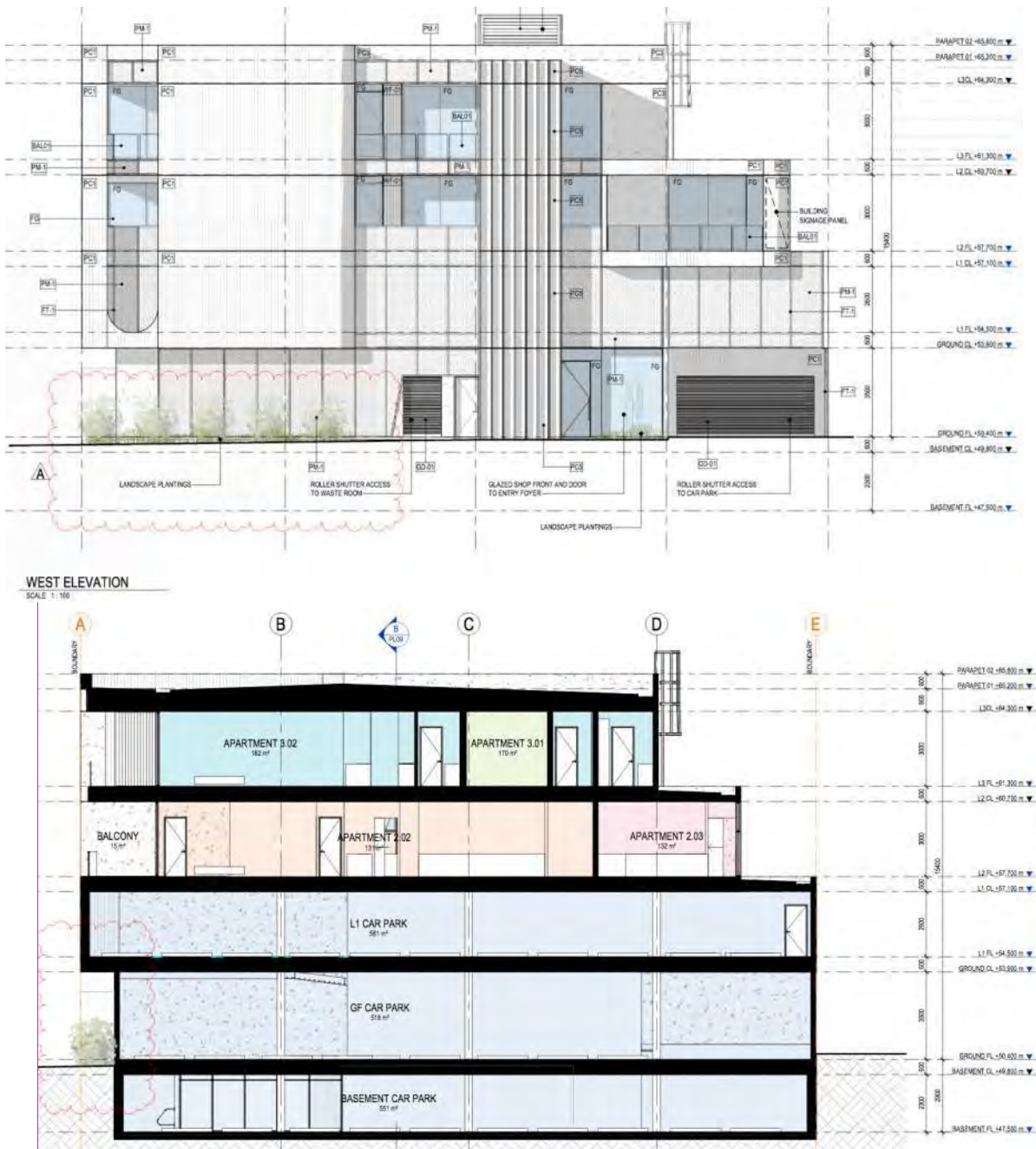
The proposal is described in the Public Notification as:

Construct four level residential flat building including car parking on basement, ground and level one and apartments on levels two and three.

This description is misleading and infers that the development is 3 storeys height, whereas in reality, the development is a five (5) level building comprising car parking at basement ground (level 1) and level 2 with apartments are on levels three and four.

The perspective on the front cover makes the setbacks on the southern side appear more than they are as the aligned drawings on the following page illustrate. The setbacks on the perspective look like 30 degrees but in only actually 45 degrees which is why the development obliterates my clients winter sun access, which comes in a 31degrees at noon and less in the morning.

Whilst the proposal exhibits some architectural style, quality and flair, its 4-storey scale and boundary interfaces are nonetheless severe.



PLANNING SUBMISSION – 5 ALBERT LANE, ADELAIDE DA/564/2020 - ALEXANDER WILKINSON DESIGN

3.0 LOCALITY

The site is in the City Living Zone Policy Area 31. The site is on the border of the Capital City Zone, but sits entirely within the City Living Zone, which has a three-storey height limit and sections where a two-storey height limit apply.

The client's cottage at 318 Angas Street is a single storey Local Heritage place as is 320 Angas Street, where the requirement is to maintain a single storey streetscape presentation. The client's engaged Troppo Architects to design a very sympathetic two storey rear addition to 318, which incorporated the upper level set back and within the roof space.

To the west of the site are modern office buildings that are two storeys above an under-croft car park accessed via Albert Lane, which could be described as two and a half storeys. Whilst these buildings sit within the Capital City Zone, where a 22m height limit is theoretically possible, they are unlikely to be redeveloped to this theoretical height limit because it would not be economic to demolish such substantial and valuable modern buildings that are nowhere near the end of their economic life. See photo overpage.





Recent modern office development on Hutt Street immediately west of the subject land.



Clients' properties at 316 & 318 Angas Street. Albert Lane on the left is the interface of the Hutt Street zone with the adjacent residential zone in which the site sits behind my clients' properties.



3m Right of way between my clients' properties and subject land providing rear access to 318 and 320, whose garage is at the end of the ROW.



Subject Land bounded by Albert Lane on two sides, disposed as ancillary parking for the Hutt Street buildings adjacent on the right of the photograph.



Subject Land - bounded by Albert Lane on two sides, disposed as ancillary parking for the Hutt Street buildings adjacent on the right of the photograph.



Figure 1 – View of the subject land as taken from Albert Lane (looking south)

Note full sun on the rear of the Angas Street residential properties in this photo provided by the applicant.



The rear of 316, 318 and 320 Angas Street can be seen at the southern end of the existing car park. The eastern adjacent 1980's townhouses which have a 12m long two storey wall on the boundary with front and rear courtyards immediately east of the site.



The rear yard of 318 Angas Street can be seen here with sun landing on the timber slat back fence and gate.

4.0 ASSESSMENT

4.1 Land Use

No issue is taken with the land use as proposed comprising maintaining the existing provision of ancillary parking, and the development of residential apartments above.

4.2 Height/Scale

The zoning does anticipate development up to 3 storeys away from street frontages on sites such as this. As such objection would not be made to a 3 storey development provided it was set sufficiently away from boundaries such that it didn't impact my client's residential amenity or the backdrop setting of their local heritage houses per the principle below.

PDC 7 Development to a maximum building height of 3 storeys or 11 metres is appropriate where:

- (a) the scale relationship of the proposed building with neighbouring buildings is satisfactory; and
- (b) the amenity impacts on adjacent sites acceptable.

The proposal however goes an entire floor over this maximum height limit with only a 45° setback angle on the southern aspect that resultantly overshadows my clients' property.

I feel for the eastern adjacent townhouse owners/occupiers who would be even more severely impacted by the development hard on their side boundary adjacent their courtyards.

Not only does the development exceed the storey height limit but at 15.4m vs 11m maximum, it exceeds the height limit by 4.4m when a normal storey is typically in the order of 3.0-3.3m. This comes about because of the large ground floor ceiling height etc, which is perhaps done to elevate the apartments to give them a better view. This only compounds the over height impact on the amenity of neighbouring residential properties.

The justification argued by URPS Planning Consultants, engaged by the applicant, is based on the adjacent capital city zone where the maximum height limit is 22m.

To the west of the site are modern office buildings that are two storeys above an under-croft car park accessed via Albert Lane, which could be described as two and a half storeys.

Whilst these buildings sit within the Capital City Zone, where a 22m height limit is theoretically possible, they are unlikely to be redeveloped to this theoretical height limit because it would not be economic to demolish such substantial and valuable modern buildings that are nowhere near the end of their economic life. See applicants' images overpage.

This representation of theoretical development potential pictured over the page is a common ruse used by Planning Consultants that often bears no relevance in real economic terms as the buildings on the adjacent sites are recent developments that are unlikely to be redeveloped for the foreseeable future.

Were the properties in the capital city zone ripe for redevelopment, this argument would have more sway.

Applicant's representation of theoretical development potential to west of site.

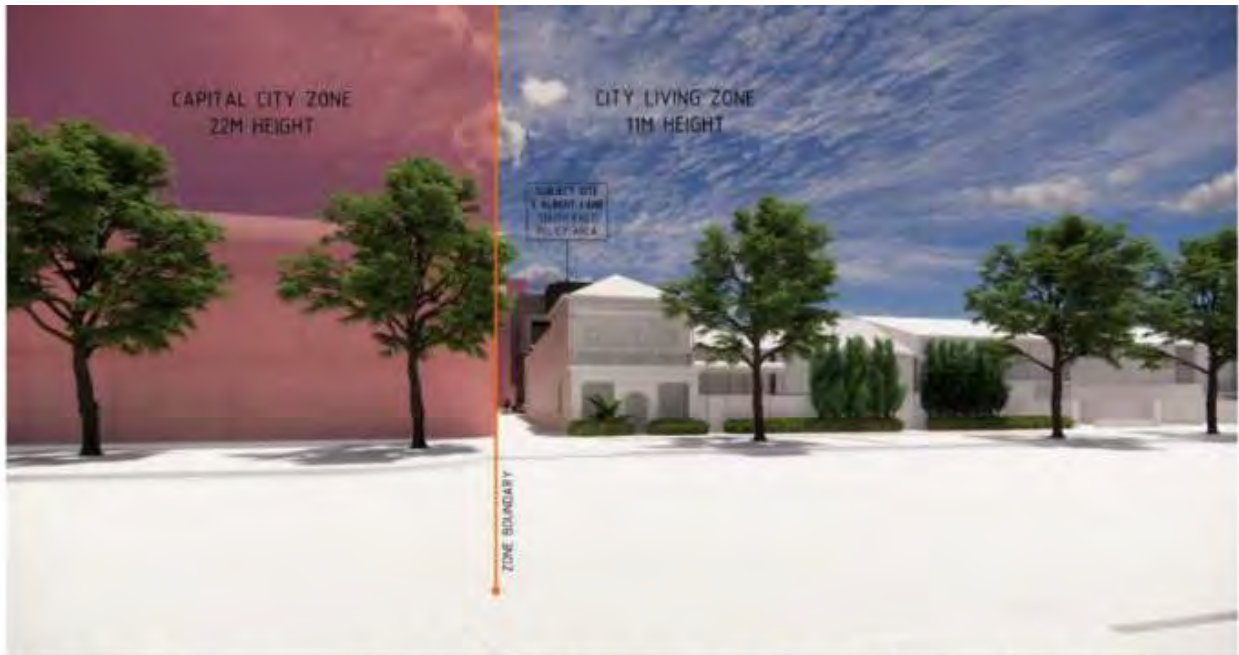
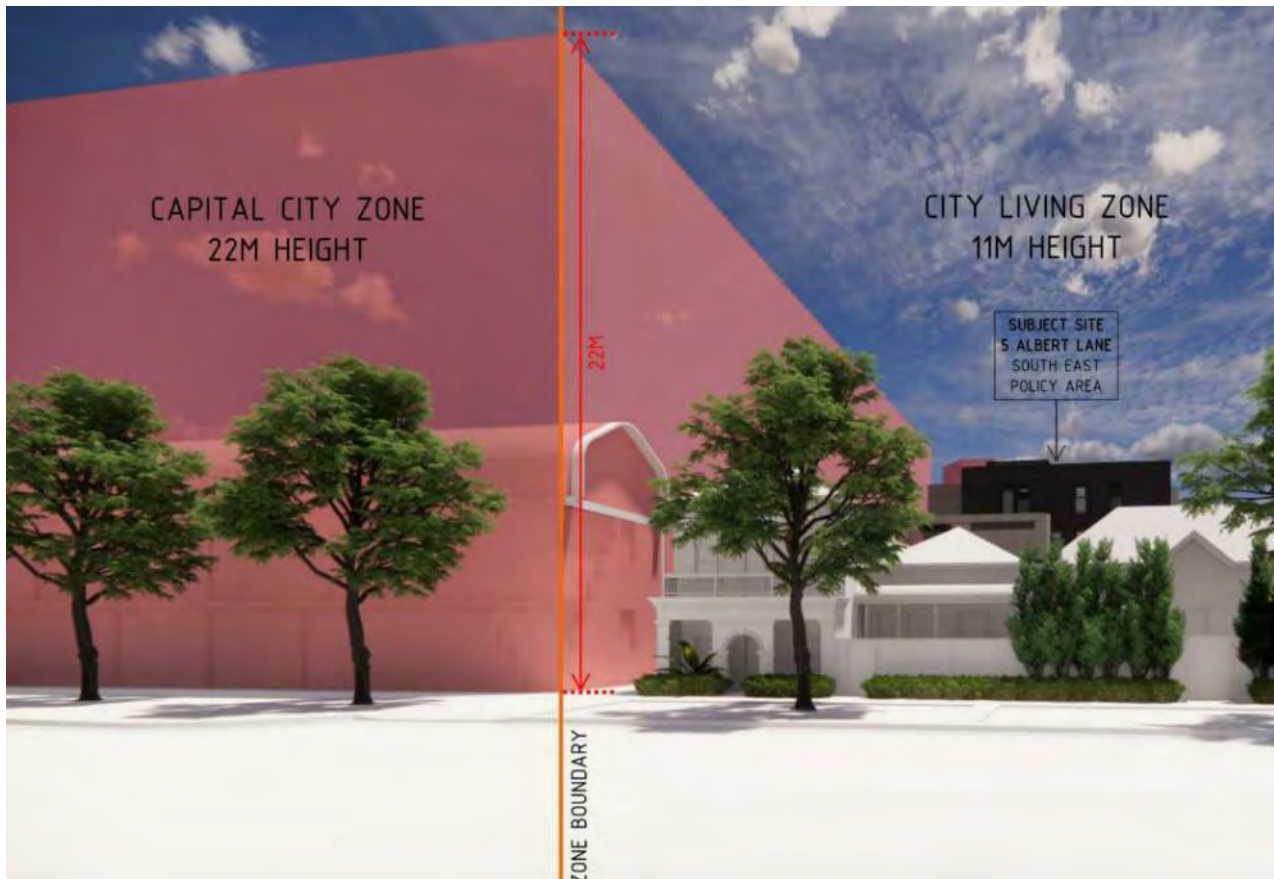


Figure 3 – Diagram prepared by Proske Architecture and Interiors showing the site’s adjacency to the CC Zone and also the limited visual impact of the development to Angas Street



4.3 Setbacks

PDC 6 Buildings or additions, including those of innovative and contemporary design, should reinforce the Policy Area and demonstrate a compatible visual relationship with adjacent heritage places or the Adelaide Historic (Conservation) Zone in terms of its:...

(b) width of frontage and the front and side boundary building set-back patterns;...

The image provided by the applicant on the previous page illustrates how the proposed 4-storey development will be readily visible behind the Local Heritage places in Angas Street contrary to PDC6 outlined above.

If the fourth level over and above the Development Plan allowance were removed or sited at the northern end of the site, then it would not be visible as it clearly will be as proposed and illustrated.

Principle of Development Control 8 of the City Living Zone states:

PDC 8 Where development proposes a building higher than the prevailing building heights that contribute to the desired character of a locality, the taller building elements should be setback from street frontages to avoid a detrimental impact on the prevailing character.

PDC8 pertains to development higher than the prevailing height, which is one to two storeys. It is not a principle envisaging development higher than the maximum allowable height. It does not therefore provide license to exceed the maximum height.

4.4 Dwelling Unit Factor

No issue taken with Dwelling Unit Factor

4.5 Plot Ratio

The proposed floor area is 822m² on this 676.3m² site.

The maximum Plot Ratio is 0.8, which would allow 540.8m² of apartments.

The proposed floor area is 281.2m² over the maximum such that the plot ratio is 1.22, as such it is 52.5% over the maximum plot ratio.

Under previous Development Plans being over the plot ratio and height were non-complying triggers. Such triggers have been removed in the current Development plan, removing rights of appeal from affected property owners such as my clients. Whilst some degree above the plot ratio may be acceptable, exceeding planning provisions by up to 10% is a commonly accepted degrees subject to design.

I would suggest that exceeding it by over 50% is both greedy and excessive and well and truly beyond the pale.

The entire fourth level equates to the amount that the proposal is over the plot ratio.

4.6 Design and Appearance

PDC6 discussing high quality medium scale apartment development on larger non-residential sites, but this is within the context of a zone with a maximum 3-storey height. The site area is akin to a quarter acre block, not what could necessarily be considered large.

4.7 Landscaped Open Space

Principle of Development Control 5 in Policy Area 31 states:

PDC 5 A minimum of 20 percent landscaped open space should be provided on the site of any development.

The proposal provides less than 6% that is underneath the rest of the 4-storey building that overhangs it as opposed to 20% of the site. It is generally taken that at least 70% of the 20% should be open to the sky to enable landscaping and even trees.

As proposed with a small landscaped strip underneath the cantilevered building on the northern side there is certainly no opportunity for trees or other landscaping that might provide any benefit to adjoining owners. The existing car park is well landscaped with nice established deciduous trees, all of which would necessarily be removed to make way for this development which occupies the entirety of this site.

4.8 Noise

Whilst an Acoustic Consultant report from Sonus has been provided to justify the proposal in acoustic terms, it would make far more sense to locate the vehicle entry exit at the northern end adjacent other commercial premises where Albert Lane is wider rather than at the southern end of the site next to the southern adjacent residential properties.

4.9 Overshadowing

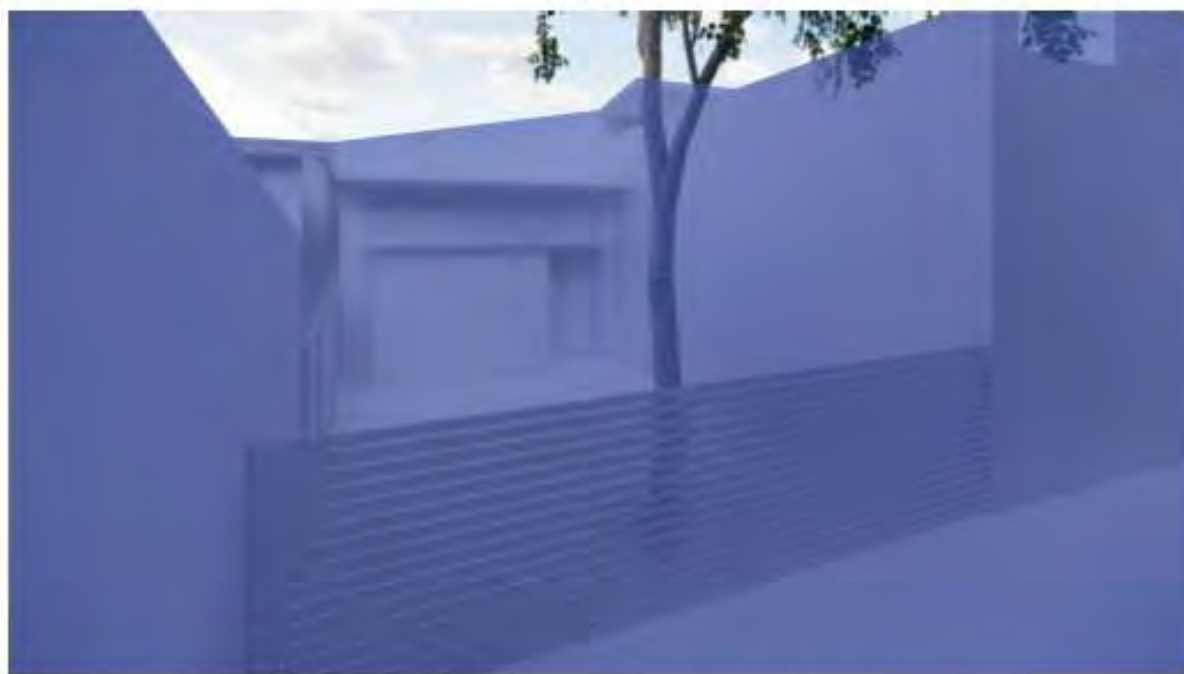
The applicants own shadow diagrams illustrate the overshadowing effect of the development; however, the shadows have been shown with a lighter transparent fill to make the shadows seem lighter. This is both disingenuous and misleading.

We have prepared our own overshadowing diagrams based on the applicant's proposed drawings of their proposal and used our information (modelling) of the southern affected residential properties.

The assertions in the URPS report regarding overshadowing are patently incorrect and the overshadowing diagrams and video arial view of the shadow cast minute by minute from 9am to 3pm on the 22nd of June tell the whole story.

There are images provided by the applicant and in the URPS report that make comparison between the 4-storey development with step backs compared to a three storey that complies with height limit that makes the assertion that the proposal is not much worse in overshadowing terms than a three storey complying height development.

This assertion is fundamentally flawed in that it assumes that the overshadowing principles of Development Control do not apply if the development is within the height limit such that a 3-storey building could be built hard on the southern boundary. This is clearly not the case.



318 ANGAS STREET REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM JUNE 21

The development two images above tell the story which is established in full in our provided shadow diagrams, 3D images and aerial view video.

RECOMMENDATIONS

The Proposal should be refused for the reasons outlined in this submission because it is verging on being Seriously At Variance with the Development Plan given the divergence on matters of height, plot ratio and LOS and overshadowing impact on neighbouring residential properties.

If a compromise proposal were to be brought back to Council CAP following the lodgement of an appeal the following measures should be considered:
Removal of the fourth floor (third floor) altogether and ensuring that the building permits at least 2 hours of winter sun to the southern adjacent properties to 20% of their private open space and rear north facing living room windows.

The only way that a fourth level that might exceed the 0.8 plot ratio could be countenanced is if it and the lift were sited at the northern end set in away from boundaries such that it is imperceptible to adjoining residential properties as a 4-storey development, which could be possible given the narrowness of Albert Lane and the overall dimensions of the site.

CONCLUSION

Whilst the proposal has architectural merit as a piece of design it is nonetheless way over the odds in terms of the Development Plan the resultant amenity impacts on neighbouring residential properties.

I therefore urge the members of the CAP to refuse the current application so that the applicant can make substantive changes to seriously endeavour to satisfy provisions of the Policy Area City Living Zone.

We wish to exercise our right to make a verbal representation to the CAP.

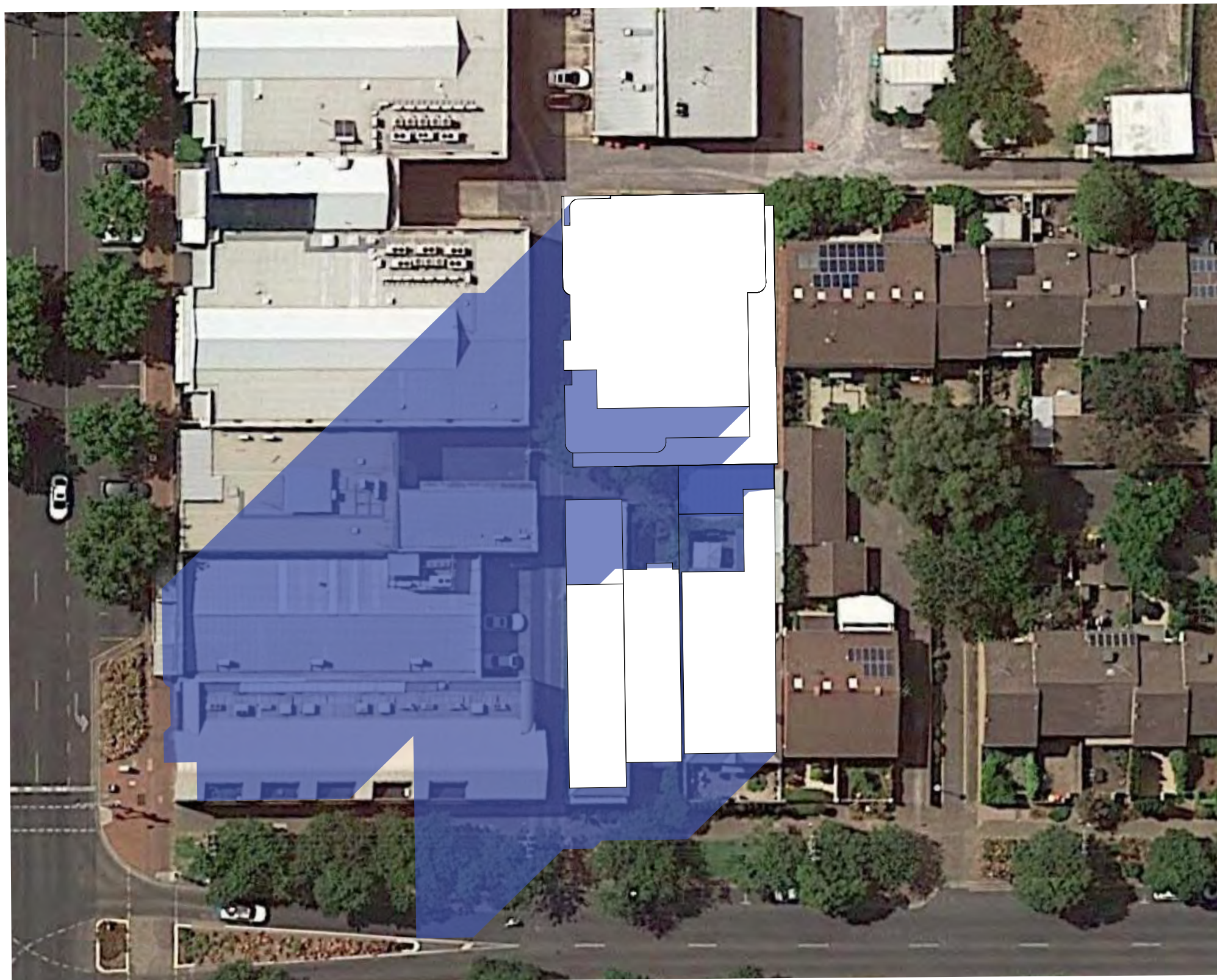
Yours Faithfully

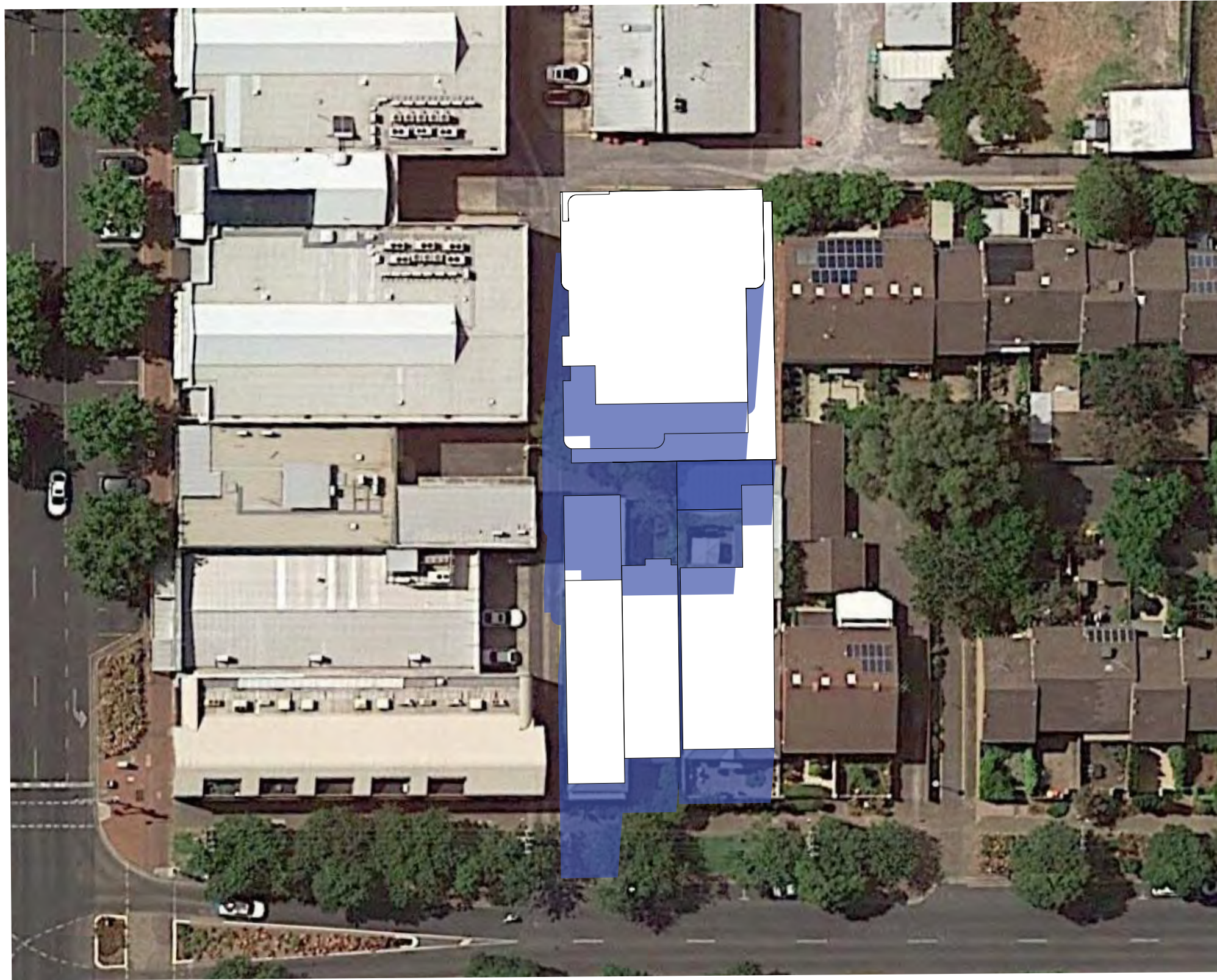
ALEXANDER WILKINSON

3.A(Planning)B.Arch.hons(Conservation)

ALEXANDER WILKINSON DESIGN PTY LTD

Intentionally left blank







design +
planning by design

Violet Bank
Cnr Old + New Street
North Adelaide, SA 5006

Telephone 8267 3192
Mobile 0407493192

sandy@alexanderwilkinson.com.au
www.alexanderwilkinson.com.au

drawing title:
june 21 - 3pm

SunShade Analysis June 21 at 3pm

1:500

issue: | date: | reason:

client:

date: 25/01/2021 scale: 1:500 at A3

drawn by: jcg checked by: AW

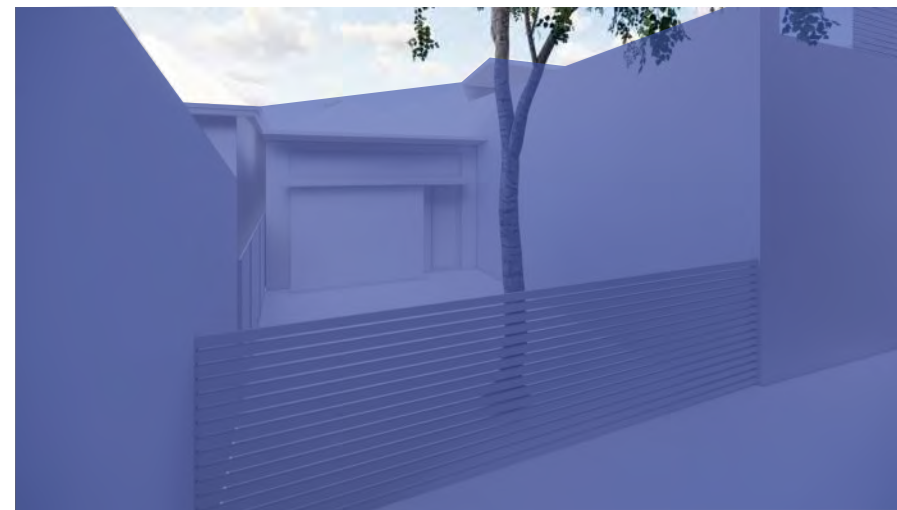
drawing number: SK03

project:
5 ALBERT LANE
ADELAIDE 5000

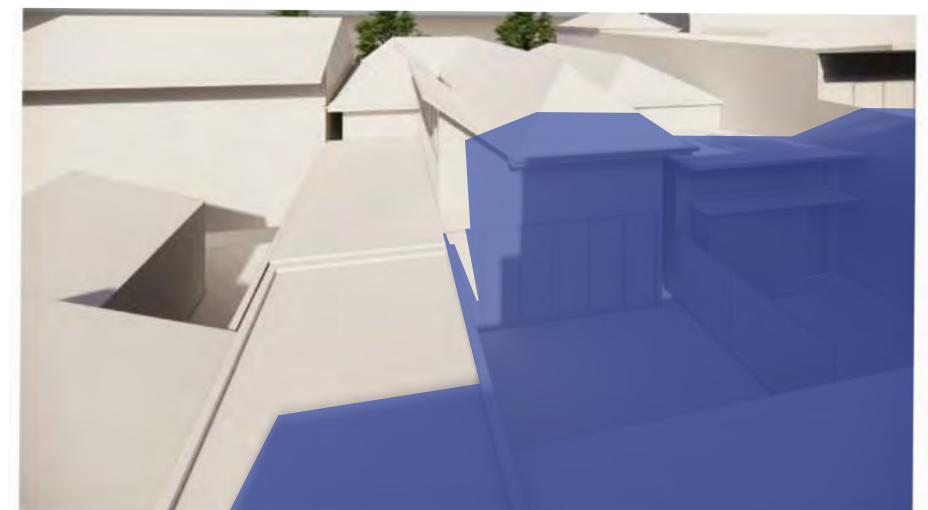
03



316 ANGAS STREET L1 REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM JUNE 21



318 ANGAS STREET REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM JUNE 21



320 ANGAS STREET REAR (NORTH) P.O.S SUNSHADE ANALYSIS: PROPOSED DEVELOPMENT 12PM JUNE 21

issue:	date:	reason:

client:

project:
5 ALBERT LANE
ADELAIDE 5000

date: 25/01/2021 scale: 1:211.47 at A3

drawn by: jcg checked by: AW

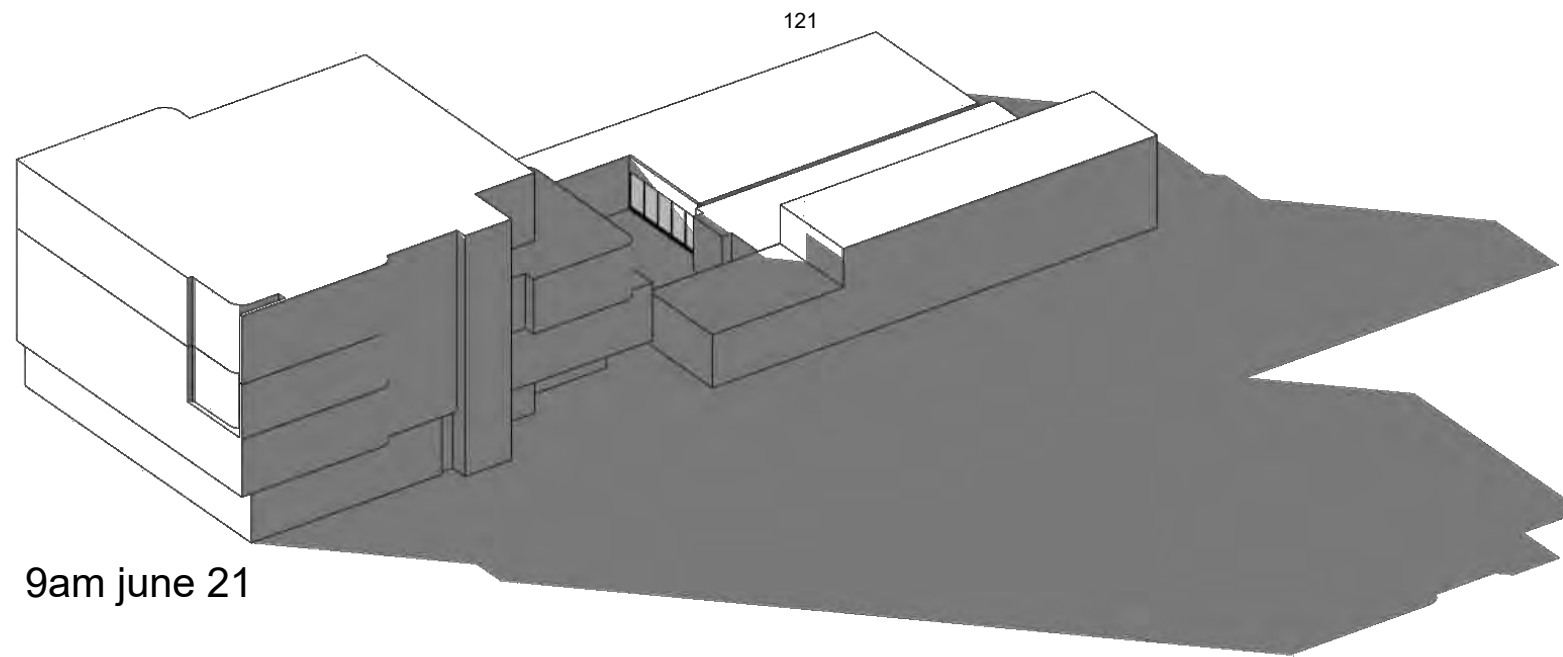
drawing number: SK04

design +
planning by design

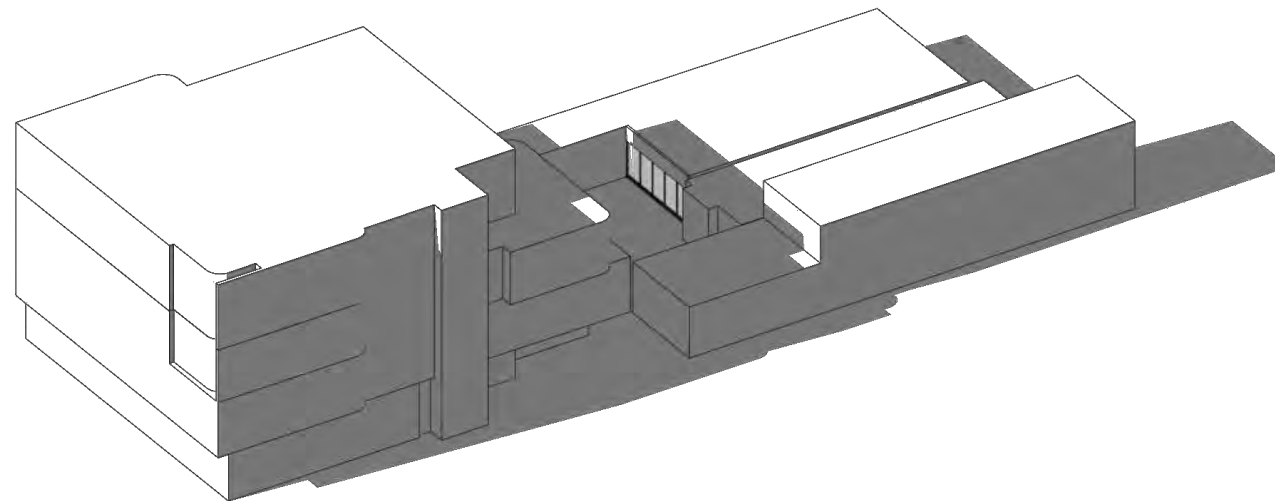
Violet Bank
Cnr Old + New Street
North Adelaide, SA 5006

Telephone 8267 3192
Mobile 0407493192

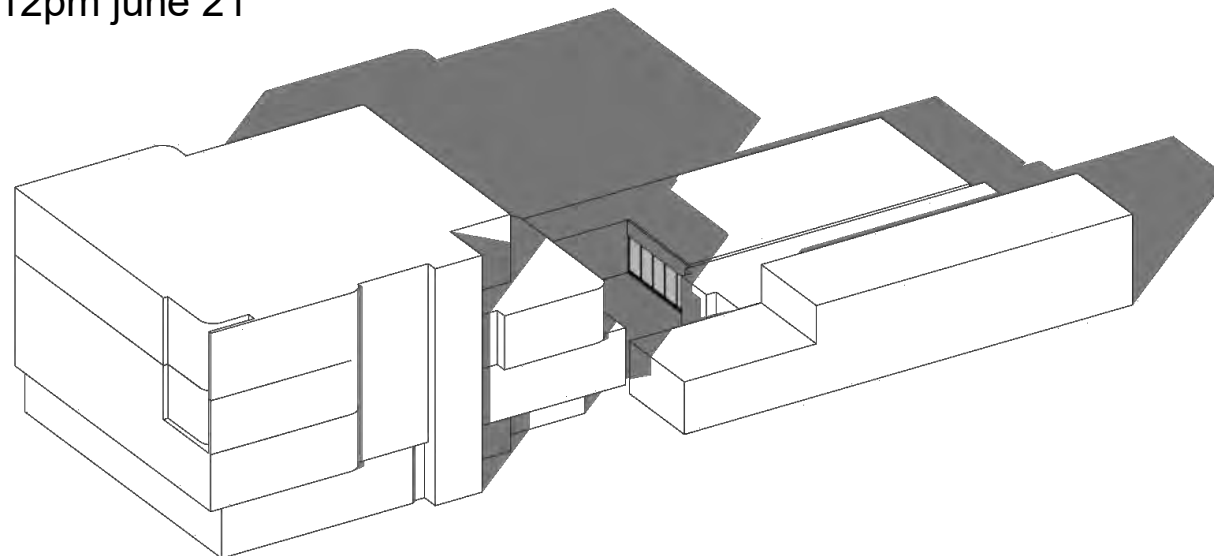
sandy@alexanderwilkinson.com.au
www.alexanderwilkinson.com.au



9am june 21



12pm june 21



3pm june 21

issue:	date:	reason:

client:

project:
5 ALBERT LANE
ADELAIDE 5000

date: 25/01/2021 scale:
drawn by: jcg checked by: AW
drawing number: SK05

Respondent Ms E A Rushbrook



Respondent Address 317 Wakefield St, ADELAIDE SA 5000
122

Response Type PNYES Representor Wishes To Be Heard

Response Date 28/01/2021

Letter Details

Use Respondent Name

Summary of Response Please find attached our submission in regard to the development proposal for Albert Lane.

itqueen@bigpond.com

Seb Grose

From: Elizabeth Rushbrook <itqueen@bigpond.com>
Sent: Sunday, 24 January 2021 11:52 PM
To: Seb Grose
Subject: RE: DA/564/2020 - 5 Albert Lane, Adelaide
Attachments: Mr Seb Grose final.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Seb

Please find attached our submission in regard to the development proposal for Albert Lane. I look forward to receiving the details of the panel meeting. I anticipate receiving the SECRA attachment tomorrow.

Kind regards
Elizabeth

Mr S Grose
 City of Adelaide
 25 Pirie Street
 Adelaide SA 5001

Dear Seb

Thank you for your timely correspondence regarding the development proposal for 5 Albert Lane Adelaide. We would like to address the meeting when it considers the application. We will also table a letter from the South East City Residents Association (SECRA), which will be an attachment to this submission.

My husband and I oppose the development in its current form for the following reasons:

- **Omissions in the development proposal**
 The townhouses at 315A, 317 and 319 are owner-occupied and access Albert Lane for car parking on their properties and the collection of bins for three types of waste disposal. We also use the Lane for service personnel and tradesperson's access when carrying out work on our property and visitor's cars.
 However, the reports from CIRQA on traffic and parking report and the environmental noise assessment report by Sonus omit consideration of these homes.¹
 Therefore, it is recommended that the proposal is amended to reflect these homes and integrate this new information into their Planning Statement.
- **Traffic matters**
 Albert Lane's description is a 'single-width laneway with no separation between vehicles, pedestrians and cyclists and a central spoon drain'² is accurate. It is T shaped Lane with exits on both Hutt Street and Angus Street with the development positioned on the corner of the T.
- The traffic and parking report by CIRQA only considers the development site and not the impact it may have upon the existing users of Albert Lane. It does not include any estimates of the current uses of Albert Lane by residents and businesses who have some five car parks off Albert Lane. In terms of traffic movement, the report primarily concentrates on the traffic movement along Hutt and Angus Streets, not the relevant traffic issues presented by Albert Lane itself.³
- The report suggests that the multi-story car park will not be in use before 7 am and after 10 pm,⁴ but this is unlikely given the residential component of the development. Moreover, it is reported that the entrance to the multi-story car park will not have a door⁵ compromising the safety of the cars and development residents.
- Areas not reported on are:
 - the multi-story car park entrance may back up vehicles due to excess demand and the system of internal traffic lights.⁶ This may lead to vehicles blocking Albert Lane, Angus Street or Hutt Street.⁷ The impact of the development upon other Albert

¹ For instance see URPA,3.

² URPA, 2.

³ CIRQA report, 2-3.

⁴ Sonus report, 6 and 7.

⁵ Sonus report, 4.

⁶ CIRQA report, 5.

⁷ CIRQA report, 5.

Lane users is not assessed, such as waste collection, taxis/uber, and delivery vans, for example.

- The existing line of sight will be eradicated along Albert Lane and around the Lane's northern boundary due to the scale of the development providing a road traffic issue.
- The needs of pedestrians or cyclists within Albert Lane to travel safely in the single laneway with no or minimal setbacks to the development's street-level boundaries.
- The SONUS report noted the unusual arrangement of a multi-story car park to be associated with residential accommodation.⁸
- Areas not reported in this report are:
 - Impact of the multi-story car park ventilation system and the air conditioning system for the residences⁹ upon nearby residents.
 - Noise associated with residential apartments above street level most of which have open balconies facing north.¹⁰

- **Relevant planning zones**

The State Government website outlines the benefit of development plans are to:

- inform the community about how an area is expected to be developed
- to inform neighbours about the kinds of development they can expect in their neighbourhood
- inform applicants about the type of development encouraged in an area. Therefore the type of information that may be required in a development application
- provide the basis against which development assessment decisions are made
- provide the basis upon which any appeal decisions are made.¹¹

The Planning Statement if approved, will be seen to undermine some of these objectives.

- **The city living zone**

Guidance is given to assessing developments in this zone by giving the greatest weight *to be applied to satisfying the desired character for the zone*.¹²

For Policy area 31, this is '*an attractive residential locality with a high level of residential amenity. The Policy Area contains a large number of State and Local Heritage Places*'.

The proposed development

- exceeds the height prescribed for Policy area 31, which is '3 storeys or 11 metres building height', and the exceptions made in the Development Plan do not appear to apply.
- Minimum of 20% landscaped open space should be provided on the site of any development and the proposed small garden along two sides of the development will not meet the standard of 'high quality of landscaping, of both public and private space'.¹³ It is noted that the existing large, mature trees will be removed.¹⁴
- Non-complying development for the zone is car parking except where ancillary to an approved or existing use¹⁵. The approval for the existing use for car parking at the development site is not enclosed and therefore cannot be assessed. However, an

⁸ Sonus report, 4.

⁹ Sonus report, 7.

¹⁰ URPS report, 17.

¹¹ 'Role of the development plan'<https://www.sa.gov.au/topics/planning-and-property/development-plans/guidance-and-application/about-accessing-development-plans>.

¹² Development Plan Adelaide, April 2020, 173,181.

¹³ Development Plan Adelaide, April 2020, Desired character.

¹⁴ The trees are just visible in URPS report, 14.

¹⁵ Development Plan Adelaide, April 2020, City Living Zone, Non complying Development (16).

existing asphalt surface used for car parking does not set a precedent for a three-story car park.

In conclusion, the submission has omissions. Further, it does not consider the impact of the Planning Statement upon the amenity of our neighbourhood. A locality or building amenity is defined as 'any quality, condition or factor that makes, or contributes to making, the locality or building harmonious, pleasant or enjoyable'.¹⁶ This Planning Statement does not with is traffic, noise, height, and open space considerations add to the amenity of those in Albert Lane's vicinity.

The matters raised in this submission are not comprehensive as it has not addressed issues of waste management, lighting and signage due to lack of time.

Yours sincerely,

(signed)

Elizabeth Rushbrook and Peter Callahan

317 Wakefield Street

Adelaide SA 5000

24 January 2021

¹⁶ *Development Act 1993 (SA) s 4.*

strengthening our community

Seb Grose
Senior Planner - Planning Assessment
4th Floor 25 Pirie Street
Adelaide, South Australia, 5000
T: [+61882037195](tel:+61882037195)
E: s.grose@cityofadelaide.com.au

22 January 2021

To the Council Assessment Panel, City of Adelaide

DA/564/2020 5 Albert Lane proposed development

The South East City Residents Association (SECRA) welcomes the opportunity to make a submission on this development application. We are not planners and our advice to residents who approach us with concerns about a proposed development is to seek expert planning advice as to the effect such a development will have on their properties.

However, given that the height of this proposed development so obviously does not comply with the requirements of the development plan (a plan that involved a number of public consultations in which SECRA participated on behalf of residents), and as a result of having been approached by a SECRA member adjacent to the proposed development seeking support from SECRA, the following submission is submitted for consideration by the Council Assessment Panel.

SECRA strongly objects to the proposed four-storey building on Albert Lane on the grounds that it does not comply with the development plan which, SECRA has been advised, prescribes a maximum building height of 3 storeys or 11.0 m within the City Living Zone.

SECRA notes the developer's arguments for what most people would consider a non-complying height, but SECRA believes there is no merit in not following the building height determined by the development plan. Otherwise, why have a building height prescribed in the plan?

Non-planners find it difficult to understand why 'on merit', which is so subjective, can override the prescribed height for a development. If this application is approved then it becomes a 'slippery slope' where all developers in the City Living Zone will propose four-storey developments. Why would they not? And then five—only one more than four. And if that is approved, then six.

And what will happen to the development plan that involved so much public consultation? It will become irrelevant. No one will take it seriously. People will lose faith in the process. Therefore SECRA respectfully asks the Panel to reject this application.

SECRA also notes that access to the proposed development is via a narrow T-shaped lane, one branch of which is a dead end. Given that the development includes a three-storey car park (basement and two floors), which doesn't fit with 'an attractive residential locality with a high level of residential amenity', there are implications for traffic management. SECRA does not believe that a traffic survey in Albert Lane

has been carried out. SECRA is also concerned about waste management in the Lane, the loss of existing trees, and the lack of any landscaping around the proposed development.

SECRA would also ask the Panel to take into consideration how the development might affect neighbouring properties with regards to: light and sunlight; overlooking and privacy; noise —of air conditioning units, perhaps— or from outdoor decks, balconies; and the interface with an adjoining heritage property.

SECRA notes the appetite for infill in the development plan but our neighbourhood is already medium density. There is not much in to fill. Our cottages and townhouses are not on large blocks. Residents cannot afford to lose open space and greenery in their streets and lanes.

Yours sincerely,

Heather Nimmo, on behalf of the SECRA committee,
Treasurer,
South East City Residents Association (SECRA)
82234458

Respondent N J Gamble



Respondent Address 42 McCracken St, KENSINGTON VIC 3031

Item 3.1 - Attachment 98

129

Response Type PNNO Representor Does Not Wish To Be He

Response Date 25/01/2021

Letter Details

Use Respondent Name PUBLIC

Summary of Response

Surname: Gamble
Given Names: Nicholas John
Address Line 1: 42 McCracken St
Suburb: Kensington
Postcode: 3031
Email Address: nicholasjgamble@gmail.com

Nicholas Gamble
42 McCracken St,
Kensington Vic 3031

m. 0421 591 765
e. nicholasjgamble@gmail.com

25th January 2021

Mr Seb Grose
Planning Department,
City of Adelaide.

Re. Representation opposing DA/564/2020 Objection – Commercial Car Park and Residential Flat Building at 5 Albert Lane, Adelaide.

Dear Mr Grose,

Please find below my representation opposing the development application as per the above of 5 Albert Lane, Adelaide.

1. Executive Summary.

This report has been prepared in response to the application for the development of 5 Albert Lane Adelaide, DA/564/2020.

Sally Gamble is the current owner and occupant of 1/326 Angas St, located directly adjacent the East boundary of the proposed development at 5 Albert lane and as her son I am making this representation to protect her interests and preserve her ongoing enjoyment of her property without the considerable reduction in amenity that this development in its current form would generate.

I have been a practicing registered Architect in Australia for 19 years and have an appreciation for development context and appropriate built form responses. From this position I vigorously oppose the development in its current form.

A summary of the specific matters of concern has been provided in section 02 of this report and a detailed assessment of the application in the context of the Adelaide City Development Plan has been provided in section 03.

2. Summary of Specific Matters of Concern.

- a. The development does not observe the prevailing character of the area including:
 - Building Heights
 - Building Set-backs (Front, Side and Rear).
- b. The proposed development exceeds the prescribed building height limit for the zone. The justifications for this cited in the application are rejected. Being:
 - i. *“Be of an appropriate height given its:

 - scale relationship with nearby buildings is satisfactory, and
 - the amenity impacts on adjoining dwellings are acceptable.
 - Provide generally appropriate setbacks.”*

The scale relationship of the proposed development with the existing surrounding buildings is unsatisfactory. There will be considerable amenity impacts on the adjoining buildings and appropriate set-backs have not been observed. **Ref Section 3.5**

- c. It's scale, height and bulk will have considerable impact on the amenity of adjoining dwellings, particularly the 15.71m high wall for the majority of No. 326 Angas St boundary. The accuracy of the development proposal statements pertaining to impacts to adjoining dwellings is also disputed. **Ref Section 3.4.5**
- d. The accompanying drawings do not adequately describe the existing character and scale of the surrounding area in the context of the development. Streetscape elevations extending well beyond the subject development site should be provided to demonstrate whether the scale of the development observes the prevailing character of the area.
- e. The major component of the development is a commercial multi-storey car park which is a non-complying use. **Ref Section 3.1.and 3.3**
- f. The placement of the car park levels to ground and level 1 results in an inactive street frontages which has a negative impact on the amenity of the streets and a poor CPTUD outcome for the area. **Ref Section 3.8**
- g. The development will generate considerable overshadowing to adjoining properties private open spaces and existing north windows which impacts on the amenity and usage of these spaces. The assertion that the development will not further impact the overshadowing of no. 326 Angas St is rejected. Additional sun shade diagrammes at 9am, 12pm and 3pm at on 2st September and December should be submitted by the applicant to properly assess this. **Ref Section 3.6**
- h. Inadequate landscaped open space has been provided in accordance with the 20% requirement of the development plan which will result in a negative impact on the amenity of the local area. **Ref Section 3.4.3**
- i. The development exceeds the designated plot ratio of 0.8 for the zone. The method of calculation for the nominated plot ratio of 1.2 is disputed. It is my contention that the plot ratio of a development of this nature should reflect the actual intensity of the development and include general floor areas, not only residential floor areas therefore the actual plot ratio is approximately 3.76. **Ref Section 3.4.2**
- j. The existing / demolition plans indicate the demolition of the walls adjoining the subject site and the North and South private open space to No. 326 Angas St. These walls are wholly on the property of No. 326 Angas St therefore the applicant is not in a position to demolish them without the building owners permission and I have been advised that this permission is denied.
- k. There is mature vegetation in the form of trees to the west boundary of the north private open space of No. 326 Angas St that will very likely be negatively impacted by the proposed development, particularly the creation of the basement level hard along the east boundary of the subject site.
- l. The traffic report does not adequately address the impacts of vehicle movements associated with a commercial car park and the introduction of traffic signalisation in response to the provision of only single lane ramping. The combination of these things could very likely result in traffic queuing and congestion within the surrounding laneway network.
- m. There is a discrepancy between the number of car parking spaces proposed within the development application (41 spaces) and the traffic report (42 spaces).
- n. There does not appear to be any provision for mechanical ventilation / exhaust of the basement car park area within the development proposal. Where is this zone to be

exhausted to and will there be negative impacts on the adjoining properties associated with mechanical fumes and noise.

- o. The acoustic report does not address the issues of building services noise. There is a significant plant area denoted to the south east of Level 1, adjacent the southern private open space and habitable rooms of 322 and 326 Angas St. There is a roof plant area that could result in negative impacts on all surround buildings.

3. Development Assessment against the Adelaide City Council Development Plan (April 2020)

The following section assesses the development application of 5 Albert Lane against the Adelaide City Council Development Plan.

The relevant excerpt of the plan has been provided with following comment / assessment of the development in the context of impacts (amenity and otherwise) to adjoining buildings / dwellings.

3.1. Zone – City Living Zone (p173)

OBJECTIVES

Objective 1: A Zone comprising a range of dwelling types and tenures, including affordable housing.

Objective 2: Increased dwelling densities in appropriate locations.

Objective 3: Non-residential activities that support city living and amenity with minimal impact on the environmental quality or amenity of living conditions.

Objective 4: Development having regard to the potential impacts of building height and activities from land in the adjoining zones.

The following types of development, or combinations thereof, are envisaged:

- Affordable housing
- Community Centre
- Domestic outbuilding in association with a dwelling
- Domestic structure
- Dwelling
- Dwelling addition
- Residential Flat Building

Comment.

The proposed development type is nominated as a residential flat building however the primary use of the development is commercial multi-storey car parking with residential as an ancillary use.

3.2. Form of development No. 7 (p174)

Development should not exceed the height prescribed for each Policy Area. The height of new buildings, including the floor to ceiling clearances of each level, should take reference from the prevailing building heights within the locality, with particular reference to adjacent heritage places.

Comment.

The proposed development exceeds the height prescribed for the policy area. The new height does not reference the prevailing 2-2.5 storey building heights.

3.3. Non-complying Development (p175)

16 The following kinds of development are non-complying:

- Car park except where ancillary to an approved or existing use

Comment.

Section 5.1 (p7) of the development application states that the existing at-grade car park is an existing ancillary use to the development at 120 Hutt St. The validity of this claim is in question as there is no supporting evidence of this provided within the advertised application. I.e. Did the existing at grade car park form a part of the development approval for 120 Hutt St? If not, is this to be considered a non-complying existing use?

The application asserts that as the car park is an existing use then this component of the application can be considered on its merits however the development plan excerpt above states that a car park is a non-complying use unless it is ancillary to an approved or existing use. Assuming there is no valid planning status for the car park to be considered as an ancillary use to the development at 120 Hutt St then the existing car park is not ancillary to an approved or existing use and should be considered non-complying.

As the commercial car park component of the proposed development constitutes the major component of the development, 3 effective storeys of the 5 storey development (including basement) it therefore can not be considered as ancillary use to the residential development and is therefore a non-complying development.

Section 4 (p4) asserts that existing / legal agreements require these car parks to be retained on the site.

- *On the face of it this would have no relevance to an appropriate planning outcome of the site. And should not be used to justify a development with significant negative outcomes on the amenity of the area and adjacent dwellings.*
- *If the existing legal agreements require the replacement of existing car parking on the site and it is deemed to be a compliant development, then nothing is stopping the provision of this car parking in additional basement levels thereby eliminating the need for this development to exceed the prescribed height limits. The commercial impacts of this are of no relevance to the planning framework.*

3.4. South East Policy Area

DESIRED CHARACTER (p181)

Development will comprise residential buildings that are consistent with the existing palette of primarily street-fronting dwellings (detached, semi-detached and row dwellings) and the prevailing building scale and character. Residential flat buildings may be appropriate where they are developed on larger sites to provide an increase in dwelling density.

Dwellings will be varied but **will be consistent with the prevailing rhythm of buildings and spaces**. Infill development will take particular reference from the siting, form and key elements of existing buildings to ensure a highly attractive and compatible streetscape. **The predominant building scale and heritage places in the immediate locality will be referenced by new buildings/additions**, particularly as they address public streets. **Opportunities may be available for carefully composed and sited second and third building levels which are suitably removed from street view, and with limited impact on the low scale setting of such places.** (Emphasis added)

PRINCIPLES OF DEVELOPMENT CONTROL (p181)

3.4.1. PDC 2 Development should be consistent with the Desired Character for the Policy Area.

Comment.

The proposed development is inconsistent with the prevailing rhythm of buildings. It does not reinforce the predominant building scale.

3.4.2. PDC 3 - The plot ratio should not exceed 0.8

Comment

The proposed development application asserts that the development results in a plot ratio of 1.22 however this only includes the top two levels of the development, being the residential component excluding, common areas or service areas or car parking. This is intentionally misleading.

*Schedule 01:Definitions of the development plan defines plot ratio as:
plot ratio: the ratio between the total building floor area or areas of a building or buildings, and the area of the allotment(s) upon which such building or buildings are or are intended to be erected.
The total building floor area is not defined by residential use. (emphasis added).*

The application plot ratio calculation relies on the definition of 'Total building floor area' which excludes car parking, however as emphasised above, the plot ratio definition states 'or areas of a building or buildings'. As this development is primarily a commercial multi-storey car park then the exclusion of the associated areas from the plot ratio calculation is not representative of the development intensity.

If the other levels of the development are included (basement to level 3, inclusive of enclosed common areas, car parking, service areas and balconies) in the calculation then the total development floor area is approx.. 2546sqm resulting in a plot ratio of 3.76sqm. (2546sqm FECA/667.3sqm site area) This is approx. 5 times over the permitted plot ratio for the policy area and therefore an extreme overdevelopment of this site.

3.4.3. PDC 5 - A minimum of 20 percent landscaped open space should be provided on the site of any development.

Comment

The proposed development does not achieve this principle. Instead it proposes a minimum landscape buffer to the North and Western edge of the site and vertical

greening elements. These landscape buffers and vertical greening elements do not result in a meaningful contribution to the public realm. And are of a scale that will not sustain significant vegetation. The use of vertical greening elements as a 'landscaping' element is contentious as more often than not the initial infrastructure and ongoing maintenance required to support these installations is not provided.

The inclusion of meaningful landscaped open space in areas subject to higher densities, particularly of a residential use, is critical to the ongoing amenity of these areas.

The applicant has sought to use the fact that the site is on a laneway to the rear of commercial properties and is currently a car park to justify this non-compliance. It is noted that the car park currently serves as defacto open space, permitting light and amenity to adjacent properties with a number of significant trees that are proposed for removal. Therefore in contrast, the existing context and nature of the site is more reason to provide meaningful landscaped open space.

3.4.4.PDC 6 Development should not exceed 3 storeys or 11 metres building height

Comment

The proposed development exceeds the maximum storeys and height.

3.4.5. PDC 7 Development to a maximum building height of 3 storeys or 11 metres is appropriate where:

- (a) the scale relationship of the proposed building with neighbouring buildings is satisfactory; and
- (b) the amenity impacts on adjacent sites acceptable.

Comment

The proposed development exceeds the maximum storeys and height and the scale and relationship of the proposed building with neighbouring buildings is inappropriate. The proposed building height of 15.4m is 1 storey and 4.4m above the permitted maximum height. Further, the proposed drawings do not provide reference levels to natural ground, in reviewing the demolition plan provided with surveyed levels, the level of 50.09 to the north east corner of the site actually results in a total building height of 15.71m above natural ground at this location. The proposed building is approx.. 10m above the north and south gutter line and 7.9m above the ridge line of 326 Angas St. This will result in considerable impacts on the amenity of No. 326 Angas St with excessive building height and visual bulk. The existing buildings adjacent to the other boundaries of the subject site are predominantly 2-2.5 storey's.

The proposed development should be restricted to 2 to 2.5 storeys in height to ensure a satisfactory scale relationship with neighbouring buildings while also observing adequate set-backs to ensure acceptable amenity impacts on adjacent sites.

3.5.Dwelling Set-backs

OBJECTIVE

Objective 13: Building set-backs that complement the prevailing set-backs in the street.

PRINCIPLES OF DEVELOPMENT CONTROL

PDC 22 To reinforce the pattern and character of individual streets, set-backs of low scale residential development should be consistent with the prevailing set-back in the locality in relation to:

- (a) street frontages; and
- (b) side and rear boundaries.

Design Techniques (these are ONE WAY of meeting the above Principle)

22.1 In relation to 22(a), in instances where set-backs vary, development (excluding open porches, etc) should be set back:

- (a) the same distance as one or the other of the adjoining buildings, provided the difference between the set-backs of the two adjoining buildings is less than or equal to 2 metres; or
- (b) not less than the average of the set-backs of the adjoining buildings, if the difference between the set-backs of the adjoining buildings is greater than 2 metres.

Comment

The prevailing character and street frontage set-backs along the east west component of Albert lane have not been observed by the proposed development.

The prevailing condition along the southern edge of the east west component of Albert Lane is a building set-back of approx.. 5.1m.

This should be adopted as the minimum set-back for the proposed development in order to reinforce the prevailing character of the street.

3.5.1. PDC 23 (p21) The set-back of low scale residential development from side and rear boundaries should progressively increase as the height of the development increases and side boundary walls should be located and limited in length and height to:

- (a) minimise the visual impact on adjoining properties;
- (b) minimise the overshadowing of adjoining properties;
- (c) reduce the risk of damage to significant trees on adjoining properties taking into account potential damage to root systems; and
- (d) maximise energy efficiency.

Comment:

The development application states:

“5.8.1 Visual Impact

The land to the east of the subject site comprises an attached, 1970’s two storey townhouse (within a residential flat building) with rear access. The dwelling is located on the boundary of the subject land for a length of about 13.6 metres. The same dwelling’s carport is also located on the boundary of the subject land for a length of about 3.7 metres, meaning that there is about 17.4 metres of existing boundary development.

The proposed development locates the Ground Floor and Level 1 (car park levels) on this same boundary. The combined height of these levels is less than the height of the two-storey dwelling to its east, providing an acceptable height and extent of boundary development adjacent that property.

Levels 2 and 3 above are setback in the order of 3.0-3.2 metres reducing the visual impact of these levels from neighbouring properties to the east and south.”

The statements in the above are misleading. The proposed 2nd two levels of the development abuts the full length of the east boundary and both the northern and southern private open spaces of the adjoining dwelling of No.1/ 326 Angus St. It states that this proposed level is less than the existing dwelling, however this has been measured at the ridge of the existing dwelling, the proposed wall will actually be 1.91m above the northern gutter line of the existing 2-storey dwelling and the total height of the proposed east wall for the full extent of the private open space to the adjoining dwelling is approximately 7.61m above natural ground (NG RL 50.09 taken from demolition plan). The visual impact of this will be considerable and will significantly affect the amenity of No. 1/326 Angus St..

Further, the above statement goes on to assert that levels 2 and 3 are set-back 3.0 to 3.2m from the east boundary. This is again misleading. The northern section of east wall for 10.72m is only offset 1m from the east boundary. This results in a building height of 15.71m from natural ground for the full extent of the northern private open space of No. 326 Angus St.

Minimal to no effort has been made within the design to reduce the visual bulk and considerable amenity impacts of this development on No. 1/326.

Further, the level of detail provided in the application drawings is insufficient to properly assess the scale, bulk and visual impact of the proposed development in the context of the surrounding buildings. No proposed streetscape elevations have been provided that would represent the true scale of the development against the existing adjoining buildings.

P10 of the application also states:

“From an amenity perspective, some courtyards at the ground and first floor level associated with adjoining dwellings will experience a greater sense of enclosure, but not beyond what may be reasonably anticipated in a CBD location.”

This statement is rejected. The effect of the adjoining wall to the west boundary of No. 1/326 Angus St will be significant and it is noted that the City Living Zone and the prevailing character of the subject area is not a ‘CBD location’ as the statement attempts to infer.

3.6. Building Siting

OBJECTIVE

Objective 14: Low scale residential development sited to:

- (a) protect and maintain the desired character of the relevant Zone or Policy Area;
- (b) ensure adequate daylight to dwellings and sunlight to private open space; and
- (c) protect neighbouring amenity.

PRINCIPLES OF DEVELOPMENT CONTROL

PDC 25 Low scale residential development should ensure an adequate level of sunlight to:

- (a) ground level private or communal open space of adjacent residential development;

PDC 27 Development within or adjoining the City Living Zone, the Adelaide Historic (Conservation) Zone or the North Adelaide Historic (Conservation) Zone should maintain at least two hours of direct sunlight between 9.00am and 3.00pm solar time on 22 June to either the northern facade or at least one ground floor habitable room window (excluding

bathroom, toilet, laundry or storage room windows), of any neighbouring residential property and to at least 20 percent of that property's private open space, private landscaped open space or communal open space, where such communal open space provides the primary private open space for any adjacent residential development. Where the existing period of direct sunlight is less than two hours per day or covers less than 20 percent of open space, development should not further reduce it.

Comment:

The development application states:

“Townhouse to immediate east at 326 Angas Street:

> There is no impact from the development on its north facing windows.

> There is no additional impact from the development on its north and south facing private open space.”

The intent of the Principles of development control 27 is to adopt the worst case scenario being, 22nd June thereby assuming that at all other times the resulting overshadowing condition will only improve. This development application thereby assumes that as there is no additional impact to overshadowing to No. 326 Angus St at 22nd June then impacts of the development regarding overshadowing to No. 326 are irrelevant. This should not be the case. In regards to No. 1/326 Angas St, detailed overshadowing diagrams should be prepared at 9am, 12pm and 3pm at 22nd Sept and 22nd Dec.

Further, the application assumes that a 3 storey development would be suitable and approved for this site as evidenced by the inclusion of overshadowing diagrams for a 3 storey building envelope, thereby implying this is a base case scenario for the purposes of this application and that the considerable and non-complying overshadowing to adjoining north facing windows and private open spaces generated by this development is of minimal to no impact. This is misleading and obfuscating and should be rejected as a qualitative reference.

3.7. Visual and Acoustic Privacy

OBJECTIVE

Objective 17: Low scale residential development sited and designed to protect visual and acoustic privacy for the occupants of the dwellings and nearby residents.

PRINCIPLES OF DEVELOPMENT CONTROL

PDC 35 Low scale residential development should be sited and designed to avoid the need for screening devices to protect the privacy of the occupants of adjacent dwellings and to enable internal spaces of proposed dwellings to be as pleasant and as usable as possible.

PDC 36 In the event that direct overlooking occurs from proposed upper level habitable room windows, external balconies, terraces, decks and roof gardens to habitable room windows and primary areas of private open space of adjacent dwellings, such direct overlooking should be minimised by:

- (a) setting buildings back from boundaries;
- (b) screening devices such as:
 - (i) canopy projections above windows to minimise viewing down into rooms;
 - (ii) horizontal projecting sills to restrict downward overlooking; or
 - (iii) side window or balcony screens to restrict sideways/oblique overlooking;

Comment:

The angled fixed louvres to the balconies on levels 2 and 3 to the northern units of the east elevation are inadequate to 'prevent' (as nominated on the plans) overlooking to the private open space of 1/326 Angas St.

3.8.Environmental (p38)

Crime Prevention Through Urban Design

OBJECTIVES

Objective 24: A safe and secure, crime resistant environment that:

- (a) ensures that land uses are integrated and designed to facilitate natural surveillance;
- (b) promotes building and site security; and
- (c) promotes visibility through the incorporation of clear lines of sight and appropriate lighting.

Comment:

The development does not provide active street frontages. (p67)

The inactivity of the ground and level one of the development along both street frontages does not promote CPTUD. Further the position and design of the secondary egress from the basement car park at the north east of the development creates a semi hidden alcove that promotes unsavoury behaviour.

Increasing the set-back of the development from the north boundary would permit the basement egress in this location to exit without the requirement for a small semi-hidden alcove.

Representation Concluded



Yours Sincerely,
Nicholas Gamble

Respondent MASTERPLAN SA P/L

Respondent Address 33 Carrington St, ADELAIDE SA 5000140

Response Type PNYES Representor Wishes To Be Heard

Response Date 22/01/2021

Letter Details

Use Respondent Name PUBLIC

Summary of Response

Our client wishes to support this representation with a verbal representation to the Council Assessment Panel when the application is considered. Please advise the timing and location of the relevant meeting.

Surname: MasterPlan
Given Names: James Cummings
Company Name: Ms E M Gamble
Address Line 1: 1/326 Angas Street,
Suburb: Adelaide
Postcode: 5000
Email Address: jamesc@masterplan.com.au



22 January 2021

Mr Seb Grose
Planning Department
City of Adelaide

Dear Mr Grose

**Re: Representation against DA/564/2020 - Car Park and Residential Flat Building
5 Albert Lane, Adelaide**

MasterPlan has been engaged by Ms E M Gamble ('our client') who is the owner and occupier of 1/326 Angas Street, Adelaide. Our client's property is located directly adjacent to the abovementioned Development Application which is currently on Category 2 public notification.

Our client holds serious concerns relating to the impact the proposed development will have on their property and **oppose** the development which is described by Council as:

"Construct four level residential flat building including car parking on basement, ground and level one and apartments on levels two and three."

Our client's property abuts the eastern boundary of the subject land and is directly affected by the proposed development as detailed **below**.

In forming my opinions on the proposed development, we have:

- reviewed the application documents made available during the period of Public Notification;
- inspected the subject site and locality; and
- reviewed the relevant provisions of the Adelaide (City) Development Plan, dated 30 April 2020.

The specific matters of concern to our client can be summarised as follows:

1. Impacts arising at the common boundary of our client's property and the subject land, relating to the extent and height of the proposed boundary wall.
2. The extent to which the proposed development exceeds maximum height requirements.
3. The extent to which the proposed development exceeds the plot ratio of the Policy Area.
4. The lack of landscaping proposed on site in relation to Policy Area requirements.



33 Carrington Street
Adelaide SA 5000
(08) 8193 5600

Offices in SA | NT | QLD
ISO 90012015 Certified
ABN 30 007 755 277

52086LET01



5. The overdevelopment and over-intensification of the site.
6. The extent of car parking proposed.

The above concerns are discussed under the following subheadings.

Extent of Boundary Wall and Building Height

The Proposal Plans provided indicate a boundary wall to a height of 15.4 metres directly abutting our clients land on the Eastern Elevation towards the north Albert Lane frontage. This large mass of built form will dominate the previously open residential amenity of our client's private open space.

Principle of Development Control (Principle) 7 of South East Policy Area 31 states:

- "7 Development to a maximum building height of 3 storeys or 11 metres is appropriate where:*
- (a) the scale relationship of the proposed building with neighbouring buildings is satisfactory; and*
 - (b) the amenity impacts on adjacent sites acceptable.*
- except where located on land within the areas indicated on Policy Area Maps Adel/56, 57 and 63, where development up to 2 storeys is appropriate."*

The provision makes clear the quantitative limits on development but highlights that development at this height will only be appropriate where it meets the qualitative requirements in respect of impact on immediately adjacent properties and the locality. The clear inference on the provision is that whilst development up to the maximum height will be acceptable in some circumstances, there will be other circumstances where development at, or less than, the maximum height has an unacceptable impact, and is; therefore inappropriate.

The proposed development exceeds the maximum building height by 4.4 metres. The proposed departure from the maximum building height is substantial and equates to a building some 40 per cent greater in height than stipulated in the Policy Area.

The proposed 15.4-metre-high boundary wall cannot be considered to appropriately relate to our client's neighbouring building height, being a traditional two (2) storey dwelling, nor can the impact of the mass, bulk and scale be considered appropriate in regard to the impact on the residential amenity currently enjoyed by our client in their private open space.

The shared boundary between our client's site and the proposed development will have a jarring, dislocated interface where a low scale residential development sits adjacent a large four (4) storey building, built forward and to the shared boundary. The proposed building is likely to totally dominate our client's site in scale and form.



We would contend that having regard to the provision clearly militating towards the quantitative height being a maximum acceptable, seeking the qualitative outcomes to be met in all circumstances, and, tending to suggest that heights at the maximum will not be achievable in many cases, the failure to meet this provision is considered to constitute a serious departure which, in itself may be fatal to the proposal.

Plot Ratio

Council-Wide Principle 175 specifically states that plot ratios have been established for the purpose of ensuring that intensity of development on land is consistent with the Desired Character.

Policy Area Principle 3 sets a plot area ratio not exceeding 0.8, except for the key development area indicated on Figure SE/1. The subject site is not within the key development area.

The Planning Report provided states that *"The proposed development has a total building floor area of 822m² (levels 2 and 3 excluding mechanical or electrical plant or equipment servicing the building, lift shafts and vertical service ducts)."*

The Planning Report goes on to say that the subject site has an area of 676.3 square metres which equates to a plot ratio of 1.22.

The divergence from the plot ratio as established by the Policy Area is considered significant. The proposed discrepancy is greater than 50.0 per cent. The proposal does not accord with Council-Wide Principle 175, Policy Area Principle 3 and therefore is not consistent with the Desired Character (Policy Area Objective 1 and Principle 2).

It should also be noted that the plot ratio calculation does not include the three levels of car parking proposed which are not related to the site. Should the 31 car parks be included in the calculation (noting that they are proposed as essentially a commercial car park arrangement with a land use off site), the plot ratio would be much greater.

It is considered that the substantial exceedance of the plot ratio is a significant departure from the policy which indicates the overdevelopment of the site.

Landscaping

Policy Area Principle 5 states that *"a minimum of 20 percent landscaped open space should be provided on the site of any development"*. Principle 5 essentially sets the maximum site coverage for the Policy Area.

The Planning Report provided states that approximately 36.0 square metres or 5.0 to 6.0 per cent of the site is to be landscaped.



The provision of 5.3 per cent of the site represents approximately only a quarter of what is required by the Policy Area and represents a significant shortfall, which further indicates the overdevelopment of the site and it materially limits the ability of the landscaping to ameliorate the unreasonable impacts of the proposal on our client's property.

Overdevelopment

In determining if the proposal represents overdevelopment of the site, we have considered three (3) quantitative measures as set by the Development Plan. These measures are building height, plot ratio and the provision of landscaping as detailed above and summarised in the table **below**:

QUANTITATIVE MEASURE	REQUIREMENT	PROPOSED	VARIANCE FROM REQUIREMENT	VARIANCE AS A PERCENTAGE
Building Height	11 metres	15.4 metres	4.4 metres	40.0 per cent
Plot Ratio	0.8	1.22	0.42	52.5 per cent
Landscaping	20 per cent of site	5.3 per cent of site (or 36 square metres)	14.7 per cent of site (or 99.3 square metres)	73.5 per cent

The proposed development fails on all three (3) quantitative measure by a substantial margin.

It may be considered appropriate to have a minor shortfall in one (1) or two (2) of the quantitative requirements such as landscaping and compensate with "*greening*" features; however, to fall significantly short in all three (3) measures suggests over development of the site as detailed in the previous sections.

Council Wide Principle 175 specifically states that plot ratios have been established for the purpose of ensuring that intensity of development on land is consistent with the desired character. The proposed development exceeds the plot ratio significantly and therefore represents a clear over-intensification of the site.

Overshadowing

Our client is concerned about the overshadowing impact from the proposed 15.4-metre-high common boundary wall located adjacent to their Private Open Space. Our clients predominantly utilise their north facing Private Open Space in the afternoons from September through to May when the climate is more conducive to outdoor activities.

The application documents provided include a sunshade analysis for the winter solstice only. In order to understand the full impact of the proposal on our client's open space, our clients request sunshade analysis be provided for the Spring and Autumnal equinox and the Summer solstice.



Car Parking

The Planning Report provided references an approval for the car park on site being associated with the development at 120 Hutt Street being attached at **Appendix B**. Appendix B is not provided in the documents provided during the Public Notification.

The Planning Report also refers to existing legal agreements requiring the retention of the existing parking spaces on site being attached at **Appendix D**. Appendix D is not provided in the documents provided during the Public Notification.

The Certificate of Title provided for the site makes no mention of any Land Management Agreement.

We therefore question the planning and/or legal requirement for the provision of 31 car parks to be used under a commercial arrangement with an off-site development in the absence of any notation on the Certificate of Title or alternative legal instrument in respect of this.

As it currently stands, the proposed development is predominantly a commercial car park with three (3) levels dedicated to car parking and two (2) levels of residential apartments as clearly illustrated on the cross sections in the application documents.

The removal of the commercial car parking aspect of the development would clearly assist in reducing the excessive building height, bulk, and scale of the proposal.

Further, locating car parking at basement, ground floor and level 1 of the development effectively precludes any form of streetscape activation.

Closure

Our client has serious concerns regarding the proposed development and the impact it will have on their adjoining property and therefore **oppose** the proposal.

From our assessment, the proposed development is a significant overdevelopment and over-intensification of the site. The proposal significantly exceeds building height and plot ratio requirements and fails to provide adequate landscaping by a very considerable margin.

Therefore, the proposed development does not adequately meet the requirements of the Development Plan and should be refused Development Plan Consent.

The documents provided are also lacking critical detail including relevant approval and commercial arrangement documentation relating to the provision of 31 car park associated with off-site developments.

Car parking is the predominant component of the proposal and as such the requirement for such extensive car parking needs to be not only fully understood but justified.



Our client wishes to support this representation with a verbal representation to the Council Assessment Panel when the application is considered. Please advise the timing and location of the relevant meeting.

If you require any clarification in respect of this representation, please do not hesitate to contact the undersigned on 8193 5600.

Yours sincerely

A handwritten signature in blue ink that reads "J Cummings".

James Cummings
MasterPlan SA Pty Ltd

cc: Via email: John and Sally Gamble.

24 January 2021

Mr Seb Grose
 Planning Department
 City of Adelaide

Dear Mr Grose

**Re: Objection to Development Proposal 5 Albert Lane Adelaide
 DA/564/2020**

I, Erica Mary [Sally] Gamble own the townhouse at 1/326 Angas St in which I reside with my husband John Gamble. We bought both 1/326 and 2/326 around 14 years ago, fully refurbished the two units and joined them together in the process to form a single living space complete with personal offices and 3 bedrooms. We originally resided in 322 Angas St. [which we still own] and also own 3/326 Angas St.

We are thus residents of the immediate area for some 20 years, and have fully renovated each of the properties, all of which are impacted on by this proposed development. 1/326 Angas St is the only address that received a letter advising of the development proposal. Any impact on 1/326 will equally impact on 2/326.

- This proposal is essentially a carpark [with apartments atop]. The existing open carpark serves its purpose, and is not an intrusion on our living space. The “new” carpark will be a significant intrusion, for reasons we expand on below.
 We question whether Council has investigated the legal status of the purported agreement that underpins the “ancillary” use of the site as a carpark? It is apparent that the carpark is now owned by a legal entity that differs from ownership of the Hutt St office premises.
- One fundamental issue is the apparent intent [indicated on a ground plan – perhaps elsewhere?] to demolish the existing wall of 1/326 and replace it with a wall of close to 16m in height. Regardless of the adamant objection we have to demolition of our two-level house wall, the plan consigns our property to being dominated by concrete wall extending the entire length of the north and south courtyards.
- Another fundamental issue is the intent to excavate a basement carpark which also extends the full length the boundary of 1/326. The question as to whether the soil type, the water table and drainage, the potential to undermine our foundations etc has not been addressed in the proposal, and will become a major issue if building consent is sought.
- The design of the carpark, its narrow ingress and egress, and the single internal lane, will serve to both increase and concentrate vehicle movements. There will be an inevitable line-up of vehicles inside and out at peak times, and one can envisage the single lane from Angas St to Albert Lane being blocked with traffic, barely leaving space for a bicycle. We have concern about the location, noise and gases expelled from the exhaust system, and the obvious

- Shade vs Sun. 326 Angas St, in entirety, will be severely deprived of sunlight for much of the afternoon, year-round. The Expert's Report on the issue covers one day of the year only, and at a three-storey level only. We believe Council should be privy to an analysis of the effect at each of the solstices and equinoxes at four-hourly intervals. During winter, our courtyards and windows get direct afternoon sunlight: from the west and northwest aspects. This may cease entirely, given the proposed wall on our western boundary will be almost 16m in height. We now get full or filtered sunlight to both courtyards most of the year. The wall will certainly create a severe shadowing; we expect it will block sunlight into both the southern and northern courtyards and into the southern rooms of 1/326.
- The Application suggest that *"some courtyards will experience a greater sense of enclosure, but not beyond what may be reasonably anticipated in a CBD location"*. We are not in the CBD. The "sense of enclosure" will be felt at all levels and from all aspects of the residence at 326 Angas St [not merely the "courtyards"].
- We already experience noise intrusion from air conditioning units on the office buildings fronting Hutt St. So be it. But, the prospect of having a raft of aircon units, and/or large commercial units expelling hot air and noise day and night – from very close proximity – is not an appealing thought.

Thank you for your consideration. We will accept an invitation to present to Council.

Erica and John Gamble 24/01/21

Respondent Mr M Baade

Respondent Address 25 Vardon Ave, ADELAIDE SA 5000 149

Response Type **PNYES** Representor Wishes To Be Heard

Response Date 24/01/2021

Letter Details

Use Respondent Name PUBLIC

Summary of Response: Mark Baade of SAQ Consulting is the representative of Mr Trevor Wright, owner and occupier of the adjacent residential property at 315A Wakefield Street. Mr Wright reserves his right to speak at the CAP meeting.

Surname: Baade
Given Names: Mark
Company Name: SAQ Consulting Pty Ltd
Address Line 1: P O Box 50
Suburb: Clayfield
Postcode: 4030
Email Address: mark@saqconsulting.com.au

25 January 2021



SAQ Consulting Pty Ltd

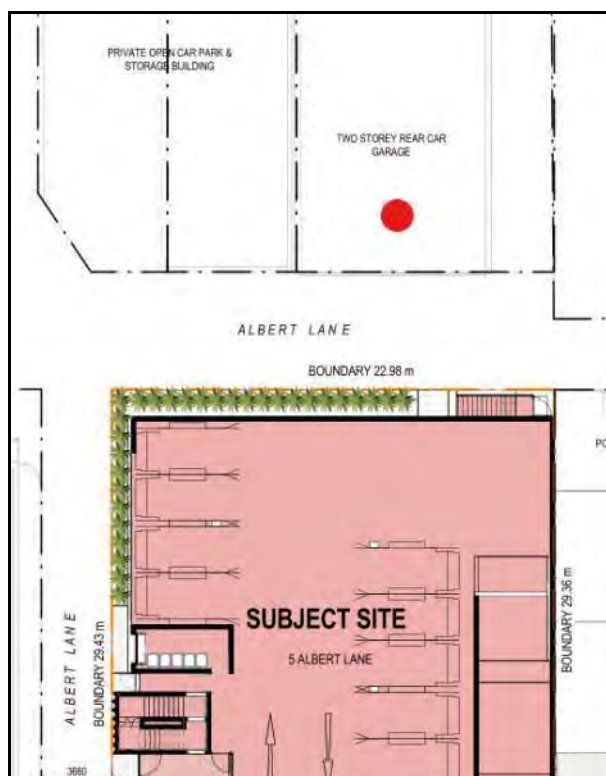
ABN 76 864 757 592
P O Box 50
Clayfield QLD 4011

Seb Grose
Senior Planner
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001

Dear Seb

RE: DA/564/2020
REPRESENTATION PURSUANT TO CATEGORY 2 PUBLIC NOTIFICATION
5 Albert Lane, Adelaide
Construct four level residential flat building including car parking on basement, ground and level one and apartments on levels two and three

I advise **SAQ Consulting Pty Ltd** acts on behalf of Mr Trevor Wright who has received notice of the above development at 5 Albert Lane, Adelaide. Mr Wright owns and resides in the residential property directly to the north of the subject site at 315A Wakefield Street, which the proposal plans erroneously note as being a 'two storey rear car garage' - shown below.





Mr Wright has requested that I review the planning report prepared by URPS and make representation on his behalf to Council. He is understandably concerned about the impacts of the proposed development and in particular the privacy and overlooking concerns arising due to the ability of the north-facing windows and balconies of the residences – at just over six (6) metres away - being able to look straight through the clear windows of his bedroom, office and bathroom.

The view of the street below clearly shows the location of the windows in question and the property boundary of the subject land.



The impacts on Mr Wright's property have not been addressed at all by the design or the accompanying planning statement, quite possibly because the actual use of Mr Wright's property has not been correctly established. As a result, Mr Wright will have, just over six metres away, the elevation shown below where balconies, living and bedroom areas will have clear views into his residence.





Review of Application

On review of the planning statement and proposal plans, it seems to me the proposal struggles on a number of fronts against the requirements of the Development Plan primarily due to its height and size and realities of the subject land. As presented and discussed below, the proposal clearly falls well short of a number of requirements so much so that I cannot see how the proposal has sufficient merit to warrant approval in its current form – and that is without proper consideration of my client’s concerns which the proposal has had no regard for.

The proposal’s planning report readily (and tellingly) acknowledges the following issues with the proposal:

- Building height is exceeded by one storey/4.4 metres
- Plot ratio is exceeded – 1.22 proposed compared with maximum of 0.8
- Landscaped open space – 5-6% proposed compared with a required minimum of 20%

These departures, none of which are trivial, all point to an over-development of the subject land.

As I have set out below, I have concluded the proposal is indeed an overdevelopment of the subject land for a range of reasons. I have also set out how the proposal and the description of its merits have relied upon exaggerated assessments of the prevailing form and character of the locality as well as diminishing the importance of some aspects of the proposal’s non-compliance. As noted above, the proposal also fails to properly acknowledge the use of my client’s residence and respond accordingly.

Subject Land

The planning report relies on its own interpretation of whether or not the subject land is a ‘larger site’ as anticipated (but undefined) by the Development Plan. The application concludes that the subject land is a ‘large’ site because its size (676 sqm) is ‘large’ compared to the 120sqm dwelling unit factor. This seems a very rudimentary approach and I am of the view a more considered analysis is necessary.

The subject land is a single allotment and when compared to the allotments in the locality is not especially noteworthy for its size. The cadastral extract below shows whilst it is larger than the residential lots to the east it is not a large site when compared to the nearby Hutt Street or Wakefield Street properties.

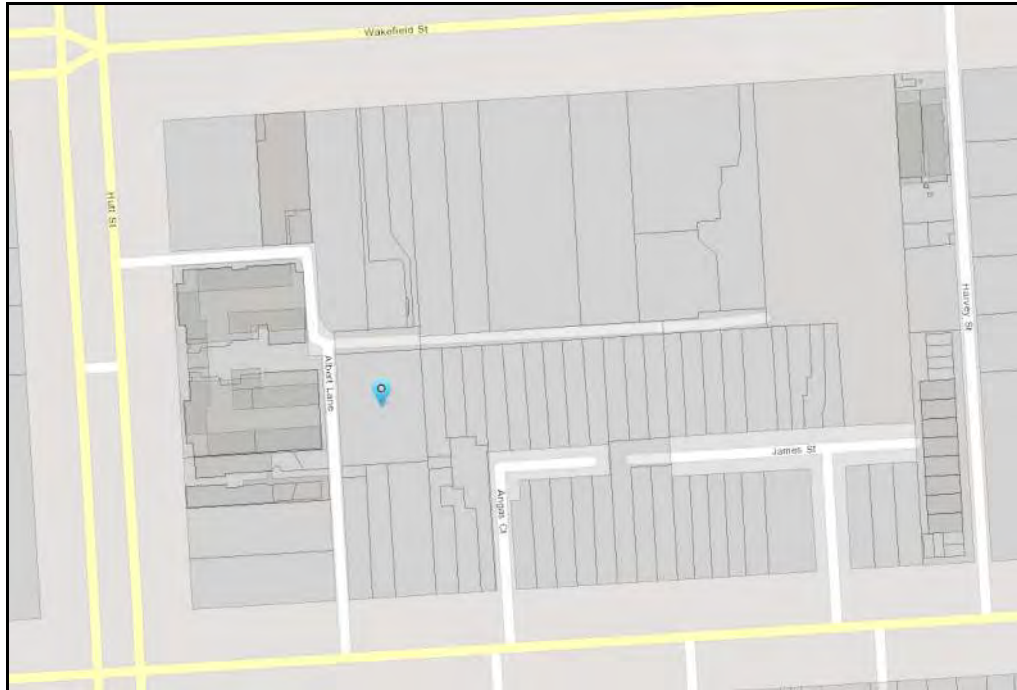
As such, I do not share the view the site is a ‘large’ (or ‘larger’) site and consider the proposal and its justification has proceeded on an incorrect basis in this respect. In essence, the subject land is most probably not a ‘larger site’ as it relates to this particular Development Plan context.

Further, in this respect, the Development Plan calls for:

‘Carefully executed high quality residential infill is envisaged and opportunities are presented for comprehensive redevelopment on larger, particularly non-residential sites...’



As has already been highlighted above and discussed in further detailed below, the proposed redevelopment and its significant shortcomings do not bear the hallmarks of a *'carefully executed'* infill development.



This issue combined with the general over-development of the site indicates the proposal in its current form finds insufficient support in the Development Plan.

Building Height

The planning report relies heavily on the surrounding building heights as part of the justification for the height of the development itself - as is proper given one of the requirements of the Development Plan is to consider the prevailing building heights when considering what might be appropriate.

However, the report routinely describes the surrounding buildings as 2-2.5 storey (executive summary) then as 2, 2.5 and 3 storeys (page 9). Both of these statements are exaggerations of the true situation and any viewing of the buildings surrounding the subject land or, particularly, along Hutt Street does not bear out the proposal's contentions in this respect.

The report also attempts to compare the height of the proposed building against a theoretical building height which might be permissible on the Hutt Street frontage, but which does not exist. On that basis, the report then attempts to describe this as an appropriate transition between the two zones, even though there are no taller buildings to transition from.

This approach is, with respect, a 'straw man' argument with no merit given such a building height does not exist and to my knowledge is not being contemplated. The proposal must respond to the circumstances it is dealt, not those which might be possible in the future, and the Development Plan gives no dispensation in this regard.

As such, the fact that the building is one storey or 4.4 metres taller than permitted is therefore worsened by the reality that the prevailing building height simply does not support



it in this location. Little if any regard has been given to the heritage items to the south and no regard has been had for the bulk and scale impacts on my client's residence.

As conceded by the application, the essential reason for the proposal being one storey higher than permitted has to do with the need to accommodate the existing car-parking for an adjacent commercial premises. This is not a factor directly associated with the residential flat building and has resulted, in conjunction with the parking requirements for the apartments, in a basement, ground and level 1 parking structure. It would presumably be possible to create two underground levels of parking (but no doubt at a prohibitive cost) which would most likely solve the over-height problem.

However, that is not what is proposed and a significant departure from the building height should not be tolerated in this instance given that departure (and the substantial impacts arising from that departure) are due to what essentially amounts to an in-direct requirement in the building's design, which is to accommodate all of the 31 existing car-parking spaces.

Whilst I acknowledge this is significant constraint on the re-development of the subject land (the planning report calls it "*challenging*"), this is not and should not become the problem of the surrounding landowners, including my client. The surrounding landowners and occupiers should not be forced to shoulder a greater and unfair burden because of this constraint on the subject land.

Plot Ratio

The significant departure from the plot ratio as set out in the planning report speaks for itself – the building proposes too much floor area for the subject land and is therefore, by definition, an over-development of the site.

This is unsurprising given it is one-storey too tall for the site, has minimised boundary setbacks and has provided only around a quarter of the area required for landscaping.

There is a significant and material departure from the Development Plan requirements for which no particular justification has been provided. Instead, the planning report simply states:

"This variation from the plot ratio guideline is acceptable for the reasons detailed in the section on height and scale as provided earlier in this report."

This statement assumes the arguments about height and scale are acceptable, which they are not in either the context of the Development Plan or the impacts arising. It then follows that the plot ratio cannot possibly be justified simply by way of a reference back to another shortcoming of the proposal.

Given the requirements of the Development Plan and the direct and detrimental impacts on the locality, including my client's property, the proposed plot ratio is not a suitable or acceptable outcome.

Landscaped Open Space

The application makes no attempt to justify the lack of landscaped open space proposed, which is comprised of two landscaping 'strips' totalling 5-6% of the site when it should be closer to 20%. The planning report simply states it is "*justified in this instance*" and goes on to state that a combination of creepers and balcony planters will help to 'green up' the building.



The existing carpark currently contains three substantial (although non-regulated) deciduous trees which are an attractive component of the current streetscape. To suggest that a new building which relies on the removal of those trees, a departure from landscaped open space requirements in the order of 75% and that creepers and balcony planters will help to soften that departure is not possible to accept.

In the report's executive summary, it notes there is "*minimal landscaping*" in the locality and one would imagine that in itself is a very good reason to ensure landscaping requirements are met whenever new development is proposed.

Once again, the essential reason for the lack of landscaped open space is because the proposed building is too large for the subject land and cannot be designed or set back to fulfill this Development Plan requirement.

Interface Management

The section of the planning report dealing with interface management sets out the proposal's impacts with regard to visual, noise, overshadowing and overlooking.

Apart from overshadowing, all of these impacts have material and detrimental effects on my client and his residence.

Specifically:

- The visual impact, particularly as viewed from the south-facing habitable rooms in Mr Wright's residence, is significant given the face of the proposed building is only slightly more than 6 metres away. However, the additional height and bulk of the building – which arises due to its non-compliance with height limits, plot ratio and setbacks – increases this impact to an unacceptable level.
- The Sonus noise report deals only with noise arising from the proposed carparking arrangements on the subject land, which will have relatively limited impact on my client's property. However, no consideration has been given to the impacts of four balconies directly facing my client's property, which is particularly relevant given one of the rooms affected is a bedroom.
- The problem arising with respect to overlooking is self-evident and appears to arise due to there being no recognition of the actual function and use of my client's residence directly to the north of the proposal. The proposal offers no solution to assist in reducing the direct and material privacy impacts, which it does attempt to do on its other elevations.

As such, the interface management proposed by the application is completely inadequate and in its current form the proposal is highly detrimental to my client's quiet enjoyment of his residential property.



Conclusion

As is evidenced from a careful reading of the application documents and an analysis of the subject land and locality, the proposed development has direct, material and significant impacts on its locality and does not sufficiently meet the requirements of the Development Plan to warrant approval.

The accompanying planning report concedes and discusses a number of significant departures from the Development Plan requirements, all of which combine to create an unacceptable solution for the subject land.

The key and unavoidable issue is that the building, on any assessment, represents an overdevelopment of the land, arising in no small part to the need to accommodate 31 carparking spaces not directly associated with the residential flat building.

Unfortunately for the proposal, it falls well short of being deserving of approval even before my client's property is properly recognised as a residence and the impacts from the proposal considered and responded to.

Accordingly, I can reach no other conclusion than the proposal is unsuitable for the subject land generally but specifically has had no regard for impacts on my client's adjacent residence, which are direct, material and significant.

For all the reasons I have set out above, I am of the opinion the proposal should be refused.

My client reserves his right to be heard by the Council Assessment Panel when this application comes before it for consideration.

If Council has any questions, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mark Baade', is written over a faint circular stamp or watermark.

MARK BAADE

B. Plan (Hons)

M: 0417 088 000

mark@saqconsulting.com.au



10000
JBS&G letter to ACC 21012021

21 January 2021

Rebecca Rutschack
Manager – Planning Assessment
City of Adelaide
25 Pirie Street
ADELAIDE SA 5001

Dear Rebecca,

DA/564/2020 – 5 Albert Lane, Adelaide SA 5000

We are seeking clarification from the Council / Developer on the following issues, which will impact our staff and clients on day-to-day basis:

1. Right of Way Access

- The TMP doesn't discuss access / egress for the existing car park rear entry at 100 Hutt – can it be confirmed that the development will not impede on what is already present.
- In the event of an emergency, building evacuation is via Albert Lane and Hutt Street exits. Assembly point is on the corner of Albert Lane and Angas Street.

2. Construction commencement date and anticipated length of time

- There is minimal information that gives us comfort on how this will be delivered such that it will not have negatable impact on our business.

3. Noise and dust management during the construction phase

4. Contractor parking

- Angas Street parking is already scarce.

Should you require clarification, please contact the undersigned on 08 8431 7113 or by email rpowell@jbsg.com.au.

Yours sincerely:

Ross Powell
Regional Manager SA & VIC
JBS&G Australia Pty Ltd



Respondent	Mr J D Hains
Respondent Address	320 Angas St, ADELAIDE SA 5000 159
Response Type	<input type="text" value="NYES"/> Representor Wishes To Be Heard
Response Date	20/01/2021
Letter Details	
Use Respondent Name	<input checked="" type="checkbox"/> PUBLIC
Summary of Response	Susan and Daniel Hains of 320 Angas Street Adelaide SA 5000 wish to make a verbal representation at the Council Assessment Panel meeting to support our written submission (attached) Surname: Hains Given Names: Susan and Daniel Address Line 1: 320 Angas Street Suburb: ADELAIDE Postcode: 5000 Email Address: d.hains@bigpond.com

20 January 2021

Mr Seb Grose
Planning Officer
City of Adelaide
25 Pirie Street
ADELAIDE SA 5000

Dear Mr Grose

**Re: Planning application DA/564/2020:
5 Albert Lane Adelaide SA 5000**

Thank you for the notice of this planning application and your invitation to comment upon it.

We live at 320 Angas Street Adelaide, a single storey "Local Heritage Place" built in 1880. We have owned the property since 2005. It lies on the southern boundary of the proposed development.

Our garage is at the rear of the property, accessed by Albert Lane and a right of way at the rear of 316 and 318 Angas Street.

We accept your invitation to be present when the planning committee considers this proposal to give verbal support for the following concerns.

Our submission makes reference to the South East Policy Area 31, City Living Zone and will abbreviate references to the various PDC numbers.

Page 2: Application DA/564/2020

PREAMBLE

The application asserts that “amenity impacts to adjacent sites are acceptable”. We reject this.

The proposed development is a multi-storey car park topped with 2 levels of apartments. 75% of the car parking space on 3 of the 5 levels is a commercial arrangement linked to an adjacent commercial property owned by the developer on Hutt Street.

This submission explains that:

1. We would be overshadowed, losing precious winter sunshine in our main living area and courtyard.
2. The facing façade of the southern wall as viewed from our property is ugly and the building is massive and over-bearing.
3. The development will lead to critical traffic congestion in Albert Lane with implications for access to our garage.

The proposed development exceeds the zoning regulations with regard to both height and plot ratio and as will be argued, seriously affects the amenity of surrounding residents in single and two storey dwellings on 3 sides.

These concerns are now addressed in more detail.

OVERSHADOWING

The overshadowing of the proposed development would severely impact the pleasure we have living at 320 Angas Street.

PDCs 120 and 121 of the Environmental (Microclimate and Sunlight) Section state that development should not significantly reduce daylight to private open space and habitable rooms of adjoining properties in the City Living Zone.

Our family room lies at the rear of our house with large windows facing north that allow winter sunshine into the room. The room includes kitchen, dining and lounge areas and is the “heart” of our home where we spend the greater part of each day.

Page 3: Application DA/564/2020

The photograph shows the summer view from the family room looking north into the small courtyard. The door to the garage is visible.



On the application, the **existing** 3D winter solstice rendered shadow line is approximately 1m from our rear elevation (courtyard sunshine) and our rear windows are not overshadowed at all.

The application shows the 3D rendered plans of the winter solstice shadowing of our property by the proposed development.

Our courtyard and north facing windows would be completely over-shadowed. The effect of this would be the complete loss of winter sunshine and warmth, an amenity that is most important to us and a major feature of our house.

Page 4: Application DA/564/2020

The overshadowing impact of the proposed development is not reasonable.

The plans also give the shadowing if the building was 3 storeys high instead of 4. If 3 storeys, the shadowing of our windows would be almost complete.

On page 15 of the development proposal the effect of overshadowing on our property at 320 Angas Street is addressed with a comparison of the shadowing of 3 and 4 storeys. It is stated that the overshadowing effects of the proposed development will be "about the same" with regard to our private courtyard and "only marginally worse" with regard to our north facing windows with 4 compared with 3 storeys.

The argument being presented is that since our amenity with regard to sunlight is likely to be significantly affected by 3 storeys, 4 storeys is acceptable!

We are very concerned that this important room would not receive 2 hours of direct sunlight during winter months as a result of the proposed development. This is the case whether it is 3 or 4 storeys high with the current set-back. Please refer to PDC 57 of the City Living (medium to high scale residential/serviced apartment) Section.

Although the zone allows for a maximum of 3 storeys, it should not cause unreasonable loss of amenity of adjoining properties and we refer to PDC 7 in this regard.

The proposed development should be rejected in its present form. Any revised proposal should be no more than two storeys and further setback from the southern boundary to reduce the overshadowing impact on our amenity.

Page 5: Application DA/564/2020

NOISE & FUMES

The plans address the likely noise from vehicular traffic associated with the proposal but have not included noise levels from the plant room that is situated on the roof at the south-western part of the building. The noise from the plant room may be disturbing particularly when we are using our courtyard.

There is a suggestion that a car-park fume extraction system may need to be installed. No noise survey data has been offered in the plans for this and no consideration of the effect of fume emission on the neighbours.

BUILDING HEIGHT, SCALE & MASS

The proposed 5 level 4 storey building, largely a multi-storey car park, facing a small passage such as Albert Lane does not complement the existing single and 2 storey buildings on 3 sides of the proposed site and would detract from the prevailing character of the area.

The proposed development is on land zoned for city living where the regulated maximum number of storeys is 3 and the height limit 11m (PDC 6).

PDC 7 allows a maximum 3 storeys or 11 metres where:

1. The scale relationship of the proposed building with neighbouring buildings is satisfactory and
2. The amenity impacts on adjacent sites is acceptable.

Although PDC 7 allows for a maximum building height of 3 stories or 11m, it does not state that this is always acceptable. Development proposals should be assessed on their merits for every site and consider the amenity impact on adjoining properties, the scale and relationship of the proposed buildings and the locality.

Page 6: Application DA/564/2020

Our dwelling at 320 Angas Street is a single storey building listed as a Local Heritage Place. We would be adversely affected by the proposed development which has a poor built form relationship with the locality and in particular with the Local Heritage Places on its southern boundary.

The two lower above-ground levels comprising the southern wall of the proposed development are composed of ugly, severe precast concrete. They lie right on the southern boundary of the site and would present a most unattractive aspect viewed from our property.

The proposed development creates a walled recess of the right of way to our garage which may attract vagrants, rough sleepers and unfortunates to the area.

As well as exceeding the regulated height the proposal substantially exceeds the regulated plot ratio and is an over development of the site.

ALBERT LANE

South East Policy Area 31 (Desired Character of the City Living Zone) states that:

“Development will be designed to complement the existing streetscape comprising the more spacious settings on the main east-west streets, Carrington, Halifax and Gilles Streets and **the intimacy of the smaller streets and laneways.**” (My emphasis)

Although it carries traffic in both directions, Albert Lane is a single lane thoroughfare.

Many vehicles use the lane particularly just before and after office hours. This requires a considerable degree of courtesy and goodwill by those who use the lane. Backing up and waiting for a vehicle coming in the opposite direction is common.

The addition of 10 extra vehicles from the residential development would further over-burden an already stressed lane.

Parking for vehicles servicing properties around the development site is very hard to find during office hours. It is unusual to find a park on Angas Street at these times.

Page 7: Application DA/564/2020

I can see no provision in the plans for the parking of tradesmen servicing the proposed apartments. Typical trade vans are too high to enter the proposed multi-level carpark.

We frequently have the right of way to our garage blocked by tradesmen working at surrounding premises. The proposed development can only exacerbate this problem.

CONCLUSION

We are not averse to the site being used for a residential development that is in harmony with the adjacent domestic homes.

As submitted, the proposed development would significantly reduce the amenity of neighbours comprising 6 owner/occupied homes in single and 2 storey dwellings overlooking the southern, northern and eastern sides with regard to overshadowing/overlooking and to all neighbours with regard to noise and traffic congestion in Albert Lane.

We have described the ways in which the proposed development transgresses the various guidelines and regulations of the City Living Zone South East Policy Area 31.

We oppose the application in its present form.

Yours sincerely



Susan Hains 0411 204 774
&
Daniel Hains 0409 044 443

Seb Grose

From: Daniel Hains <d.hains@bigpond.com>
Sent: Monday, 25 January 2021 2:43 PM
To: Seb Grose
Subject: DA/564/2020:
Attachments: Angas 320210125.pdf

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mr Grose,

The following is supplementary to our submission on this matter already with you.

Please see attached shadow renditions regarding the proposed development just commissioned with Sandy Wilkinson.

They show COMPLETE overshadowing of our courtyard and windows at 320 Angas Street at 9am on the winter solstice.

This is at variance with the shadowing predicted in the plans that indicates that we have direct sunlight at 9am.

Please note that the overshadowing becomes more extensive during the day.

The proposed building cuts off our direct winter sunshine completely.

We object strenuously to the proposal as submitted on the grounds that it contravenes the regulations with regard to over-shadowing.

Thanks for considering this important new evidence.

Yours sincerely

Daniel and Susan Hains
320 Angas Street
Adelaide SA 5000



WILKINSON
ALEXANDER

drawing title
june 21 - 9am

SunShade Analysis June 21 at 9am
1:500

issue	date	reason

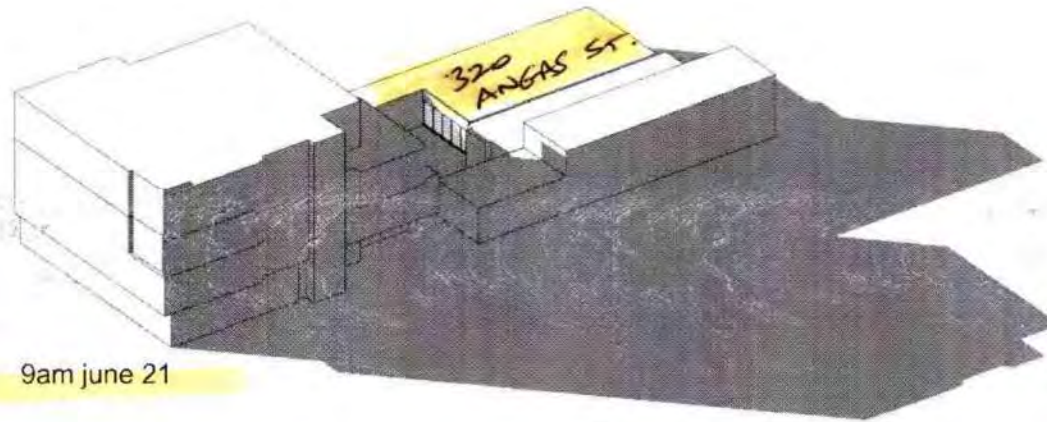
client:

project:
5 ALBERT LANE
ADELAIDE 5000

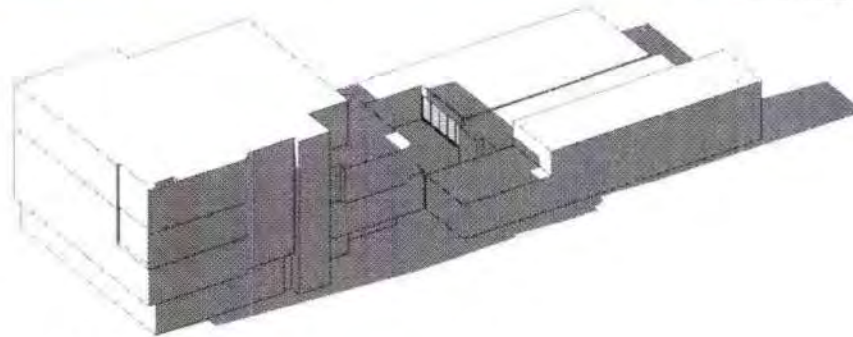
date: 25/01/2021 scale: 1:500 at A3
drawn by: jog checked by: AW
drawing number: SK01

01

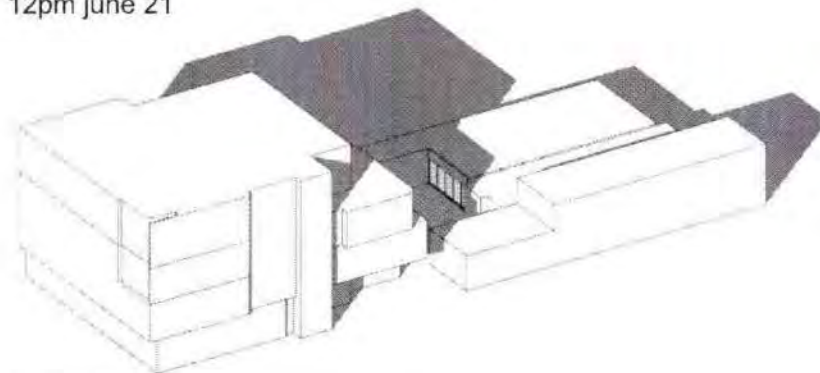
169



9am june 21



12pm june 21



3pm june 21



WILKINSON
ALEXANDER

drawing title
Massing Model

Massing Model Perspectives
NTS

issue:	date:	reason:

client:

project:
5 ALBERT LANE
ADELAIDE 5000

date: 25/01/2021 scale:
drawn by: jog checked by: AW
drawing number: SK05

05

Respondent Mr M S Anderson

Respondent Address 319 Wakefield St, ADELAIDE SA 5000 170

Response Type **PNYES** Representor Wishes To Be Heard

Response Date 13/01/2021

Letter Details

Use Respondent Name PUBLIC

Summary of Response

Concern regarding proposed development from directly proximate owner occupier of a private residence, See file attached. I seek the opportunity to address the relevant meeting.

Surname: Anderson

Given Names: Mark Stephen

Address Line 1: 319 Wakefield St

Suburb: Adelaide

Postcode: 5000

Email Address: driver457@bigpond.com

Concerns Regarding Proposed Development Application DA/564/2020 5 Albert Lane Adelaide 5000

Attn: Mr Seb Grose, Adelaide City Council Planning

Dear Mr. Grose,

My name is Mark S Anderson and I am the owner occupier of the private residence situated at 319 Wakefield St Adelaide 5000.

I have the following concerns with respect to the aforementioned development application. More precisely:

1. The application notes it is situated in Policy Area 31 and while considering some aspects of the adjacent Capital Zone it does not address any policy objectives and requirements of policy area 29, situated directly adjacent to the proposed development. The separate, private residences of 315A, 317, and 319 Wakefield St are situated adjacent and directly North of the proposed development being separated from the proposed development by only the width of the single narrow Lane to the respective private boundaries. It is a well known Common Law precept that the policy and objectives of one zone or policy area affects and influences the policy and objective of proximate situations. Policy area 29 objectives and principles have not been addressed in this proposal and accordingly concerns are resultant.
2. The consideration of the waste management provisions appear to be incorrect and are likely to cause difficulties to the amenity of the area given the development is at the intersection of three policy areas:
 - a. Private residential waste management in the Albert Lane and adjacent environs cater, and if not 100% then 99% representative of actual, for one 140 Litre "Red Lid" general, one 240 litre "Yellow Lid" recyclable, and potential provisioning for green waste. The proposed plan for 5 residences provides for only 480 litres of red lid, and 480 litres of yellow lid where it is obvious 700 litres of Red Lid, and 1400 litres of Yellow Lid are almost certainly required.
 - b. The current waste management procedures for Albert Lane are congested and contested within the area requiring ongoing forbearance and careful management by multiple residents, e.g. third party good Samaritan cleanup from dumpster diving at the highly proximate IGA supermarket, to obtaining permission to use other private properties for bin set out (the garbage truck ceases further traversal of the Lane after the property fronted by 323 Wakefield), that the introduction of further waste receptacles need to be precisely dealt with. Add to the above the commercial facilities and resultant bin numbers for 315 Wakefield St (not 315A which is in addition to the separate 315), and 309 Wakefield Medical Premises which are also utilising the Northern aspect of Albert Lane from the development and the matter is further exacerbated. Additional waste receptacle collection set out provisioning at

the Northern aspect of the proposed development for waste collection is not viable due to lane width.

- c. The obvious under provisioning of the waste receptacles for the proposed development is likely to exacerbate already sensitive matters through the resultant residents “helping themselves” to other property’s waste receptacles given that they are almost certainly under provisioned and when compared to other directly proximate private residences.
 - d. The proposal appears to completely dismiss that fact that the enclosed multi-level car park, and the proposed development common circulation areas, will certainly require cleaning and how to dispose of the non-flushable drain waste resulting from such cleaning processes over a minimum of two levels covering essentially the entire site.
3. Previous construction development in Albert Lane has coincided with studied, and carefully timed illegal rubbish dumping into private waste receptacles. The illegal dumping has included actual toilets, concrete, chemical receptacles, pallets, and other chemically treated materials, along with a variety of construction waste. Any proposed development will need to be accompanied by very strict waste management procedures during construction, as well as onerous consequences for breaches.
 4. The description of the three separate Torrens titled private residences comprised of 315A, 317, and 319 Wakefield St all of which require Albert Lane for ingress, egress, and waste management are completely erroneous. 315A is actually described as possessing a two-storey car parking garage. This erroneous description can lead the reader to assume that since a two storey car parking garage exists in the same policy area, then the creation of a further two storey car parking garage is reasonable. No such two-storey car parking garage exists. Further, the reader can be misled to thinking that a two storey parking garage exists in policy area 31 thereby reducing the perceived non-compliance with policy objectives. 315A exists in policy area 29. An addendum is that the reader would think there is only one private residence directly North and adjacent proximity to the proposed development when in fact there are three.
 5. The Northern aspects of the proposed development overlook 315A, 317, and 319 Wakefield St private residences with balconies in the proposed development, but the matter is silent in the documentation thereby requiring speculation on the developer’s intent. It is contended that the aspect provides no increased residential amenity to the proposed development, with a decreased size in habitable residential area for a policy area 31 focussed on city living. In cities when faced with a poor aspect overlooking other private residences this can easily result in the resident utilizing the balcony area as utility storage, and as a clothesline.
 6. The introduction of a non-compliance with a policy objective by going to a fourth storey appears driven by the introduction of a non-compliance to a policy objective in seeking above ground level car parking for commercial purposes, and not as a consequence for residential development in a residential policy area. It seeks not only to have two flavours of development, that being commercial revenue from parking, and residential, but to introduce components against the principles and objectives policies for both flavours, i.e. above ground grade parking, and above maximum height for residences. As proposed, it does not fit with Policy Area 31, nor does it fit with the directly adjacent Policy Area 29. The use of the Capital City Policy area comparison is not sufficient to result in accepting this proposal in its current form.

Ref: 19ADL-0334



URPS

1 April 2021

Mr Seb Grose
Acting Team Leader - Planning
The City of Adelaide
25 Pirie Street
ADELAIDE SA 5000

Email: s.grose@cityofadelaide.com.au

Adelaide
12/154 Fullarton Rd
Rose Park, SA 5067
08 8333 7999

Melbourne
29-31 Rathdowne St
Carlton, VIC 3053
03 8593 9650

urps.com.au

Dear Seb

DA/564/2020 – 5 Albert Lane, Adelaide

Introduction

Thank you for your email advising of the Category 2 representations received for the development proposed at 5 Albert Lane, Adelaide (DA/564/2020).

URPS has prepared this response on behalf of the applicant. This response is accompanied with:

- Updated plans from Proske Architects.
- A written response to the traffic and car parking concerns from representors as prepared by Cirqa.
- Amended traffic report prepared by Cirqa.

Summary of Representations

The following representations were received:

Representor	Address	Wishes to be heard by CAP
Sandy Wilkinson on behalf of Michelle Roesler and Luke Stradwick	316 and 318 Angas Street, Adelaide	Yes
Elizabeth Rushbrook and Peter Callahan	317 Wakefield Street, Adelaide	Yes


URPS

Representor	Address	Wishes to be heard by CAP
Nicholas Gamble on behalf of Sally Gamble	1/326 Angas Street, Adelaide	No
MasterPlan on behalf of Sally Gamble	1/326 Angas Street, Adelaide	Yes
Erica and John Gamble	1/326 Angas Street, Adelaide	Yes
SAQ Consulting Pty Ltd on behalf of Mr Trevor Wright	315A Wakefield Street	Yes
JBS & G	100 Hutt Street, Adelaide	No
Susan and Daniel Hains	320 Angas Street, Adelaide	Yes
Mark Anderson	319 Wakefield Street, Adelaide	Yes

The representation received by SECRA was provided as an attachment and is invalid as they were not notified during the Category 2 public notification process.

Amendments to Proposal

The proposal has incorporated amendments following public notification thereby further reducing interface impacts associated with the proposal:

- Reduction in overall building height (ground ffl to parapet 02) of 900mm (15.4m down to 14.5m). This has been achieved by:
 - Reducing ground floor level to ceiling level (underside of structure) height by 600mm from 3.5m down to 2.9m.
 - Reducing upper parapet height by 300mm.
- Parapets have been deleted to the southern portion of upper roof (L3) and the east and west external walls have tapered down with the slope of roof to the southern eaves gutter in lieu of box gutter. This has resulted in an additional reduction in height to the southern external wall (L3) of 600mm (1.5m reduction overall)
- Move eastern wall off the boundary so it now has a 1 metre setback.
- Eastern wall (ground and level 1) overall height reduced by 1.5m (7.3m down to 5.8m). This has been achieved by:
 - Reducing ground floor ffl to ceiling level (underside of structure) height by 600mm 3.5m down to 2.9m



- Reducing height of roof structure over car park ramping by an additional 900mm (1.5m reduction overall)
- Note this means the overall height of wall near the eastern boundary is close to the existing eave/gutter height of existing abutting two storey dwellings to the east (based on accurate survey data).

The amendments are detailed within the attached revised set of documentation.

Due to the amendments to the setback of the eastern wall, the internal car park areas have been impacted. The amended plans have been reviewed by Cirqa and the traffic report has been updated.

Representation Summary

We have reviewed the representations and note that the themes common to the representations are summarised as follows:

- Height
- Overshadowing
- Setbacks
- Landscaped open space
- Plot ratio
- Car parking/Traffic
- Noise
- Design

The three main areas of concerns relate to building height, overshadowing and the height of the wall on the eastern boundary. Therefore, the greatest emphasis has been placed on these three points.

Summary of Issues and Response

Height

To assist in minimising the concerns raised by the representors, the overall building height has been reduced and setbacks from boundaries increased. The combination of these amendments in turn minimises overshadowing impacts.

The height reduction further aligns the building height as sought by the Policy Area. We acknowledged that the development is over the height guideline however exceeding this policy does not mean that the development is inappropriate.



The reduction in height and further overshadowing analysis (as detailed below) demonstrates that the additional height has no demonstrable impact.

There were comments in relation to the design of the rear of the building and the height impact on the heritage places to the rear of the site. The south elevation now further 'steps back' to minimise visual impacts and is only two storeys in height on the southern boundary. The proposal has a varied material palette to provide interest and break up the overall built form.

With respect to the impact on the setting of the heritage places, there is no actual impact on these because the portions of the buildings that are listed relate to their street facing facades and side wall returns visible from the street. The development is separated by a right of way providing a distinct physical separation to the listed properties. Further, we also note that no concerns have been expressed by council's heritage staff regarding the proposal.

There have been comments made by representors that the adjoining sites are unlikely to be developed to a height of 22 metres as it is uneconomically viable to do so. Whether or not it is economic to demolish a building is irrelevant and does not consider an owner's future plans to potentially extend at upper levels rather than demolish. The Development Plan shows that adjoining sites can be developed to a higher limit and in our experience this is important to acknowledge in understanding the locality and context for future development opportunities/potential height outcomes.

Overshadowing

Following receipt of the representations, the overshadowing diagrams have been reviewed and have been updated to ensure that heights of buildings and fences are accurate to ensure that the plans are precise.

3D images have been provided that compare the existing situation with the proposed at hourly intervals on June 21 for the three most impacted sites of 316 Angas Street, 318 Angas Street and 320 Angas Street - these clearly demonstrate the impacts of the proposed development and how these have been moderated.

It should be noted that 316 and 318 have been combined and are now one dwelling but have been separately addressed below:

- 316 Angas Street (private open space is located at first floor level with swimming pool):
 - The full extent of the north facing windows to the level 1 living area are not affected by the proposed development between 9am – 3pm.
 - Minimum 20% area of P.O.S is not affected by the proposed development between 1pm and 3pm (2 consecutive hours).



- 318 Angas Street:
 - North facing windows to the ground floor main living area are generally unaffected by the proposed development from 9am – 10am.
 - North facing windows to ground floor main living area are overshadowed by the proposed development from 10am – 2pm, and affected by existing overshadowing from 2pm – 3pm.
 - Existing P.O.S is generally unaffected by the proposed development from 9am – 10am. During this time period P.O.S is affected by existing overshadowing.
 - Existing P.O.S receives 20-50% daylight between 11am – 3pm, this daylight is overshadowed by the proposed development during these times.

Whilst this portion of the overall 316-318 Angas Street site does not meet the Development Plan guidelines for two consecutive hours to the north facing windows or POS there is direct sunlight available to the other half of the dwelling at 316 Angas Street. We understand that the CAP has taken a very sensible or pragmatic approach with other development applications to ascertain the full impacts of a proposal towards the spring and autumn equinox. Development applications have been granted consent when it has been demonstrated that developments did overshadow on the winter solstice but did not overshadow on the two equinoxes. We have therefore undertaken further analysis to ascertain the impacts of the proposal either side of the winter solstice.

- The further analysis shows:
 - > There is significantly reduced overshadowing from the proposed 4 storey development 2 months either side of the June 21 winter solstice (21 April and 21 August were very similar so we have just shown 21 April to support our position).
 - > Between the hours of 9am – 3pm inclusive on April 21 north facing windows to the main ground floor living area to 318 Angas street are not overshadowed/impacted by the proposed development at all.
 - > Between the hours of 11am – 1pm inclusive on April 21 approx. 20% of the existing north facing P.O.S to 318 Angas St is not overshadowed by the proposed development at all.
- This therefore indicates that whilst there is overshadowing on the winter solstice, when a broader more detailed analysis is undertaken, the overshadowing is not so detrimental to warrant refusal.
- 320 Angas Street:
 - The full extent of the north facing windows to the ground level main living area is not affected by the proposed development between 9am – 11am (2 consecutive hours)



- Existing P.O.S is generally not affected by the proposed development between 9am – 11am (2 consecutive hours). Note after this time existing P.O.S is largely impacted by existing overshadowing.

In summary, we have undertaken detailed analysis and interrogation with updated overshadowing diagrams with associated 3D modelling these clearly demonstrate that the height reduction means that the north facing windows and private open space of the dwellings to the south, will either meet the requirements of CW PDC 27 or on balance provide adequate sunlight near to the winter solstice.

The Development Plan provisions do not need to be met in their entirety and in this case, there is adequate justification provided that the impact from overshadowing upon 318 Angas Street is not so detrimental as to warrant refusal.

Setbacks

Concerns were expressed regarding the eastern wall which you in part shared. To address this issue, and minimise impacts as raised by the adjoining owner, the following additional setbacks are now achieved:

- Basement level setback 1 metre off the eastern boundary
- Ground level and level 1 setback 1 metre off the eastern boundary as viewed in **Image 1 below**.
- Level 2 and 3 setback 1 metre off the eastern boundary (from the front boundary to 10.72m from the front boundary).
- Level 2 setback 3 metres off the eastern boundary for the rear portion of the building (behind 10.72 from the front boundary).
- Level 3 setback 3.2 metres off the eastern boundary (behind 10.72 from the front boundary).



Image 1: Setbacks along eastern boundary

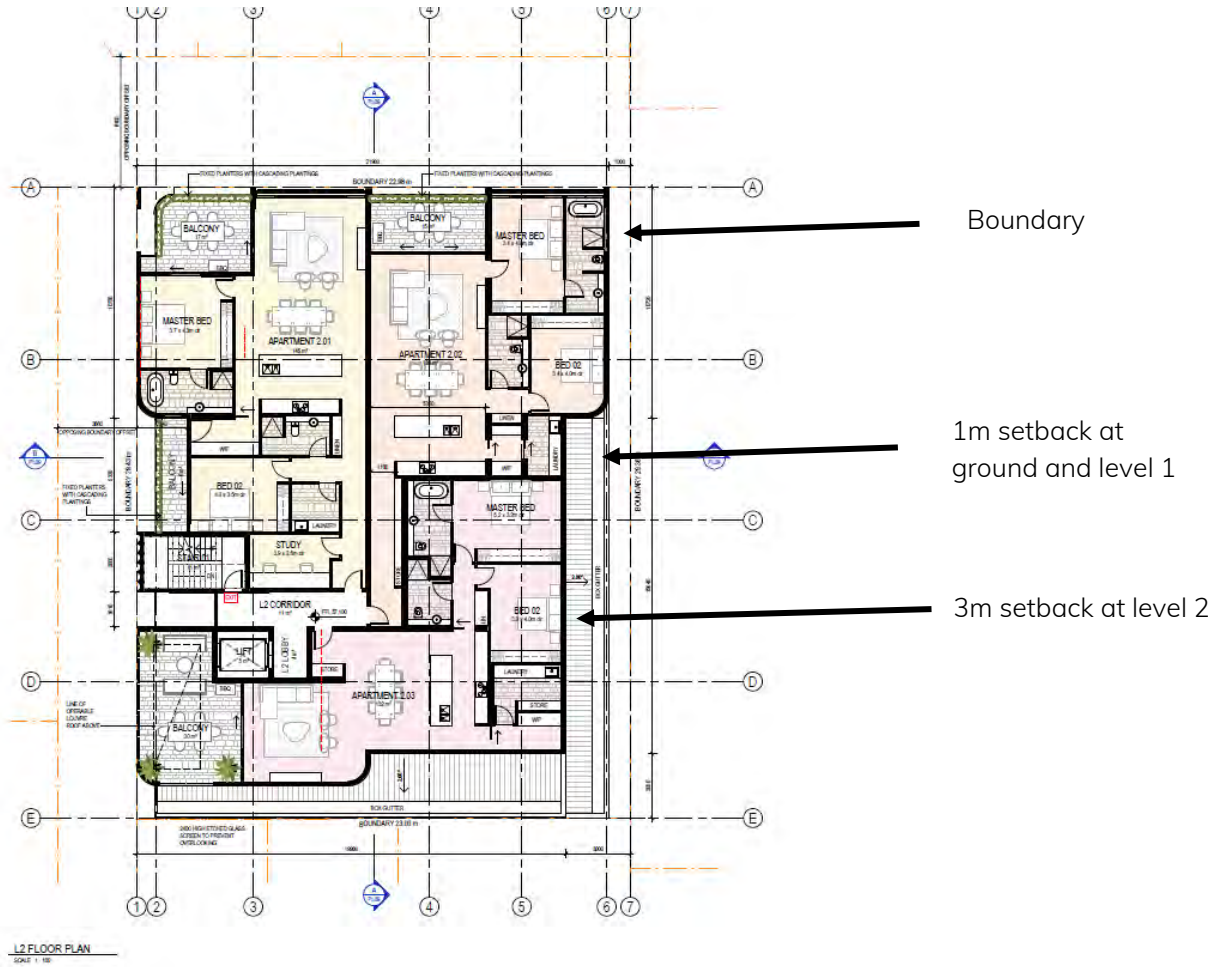


Image 2: Cross section of original proposal with basement, ground and level 1 on the eastern boundary

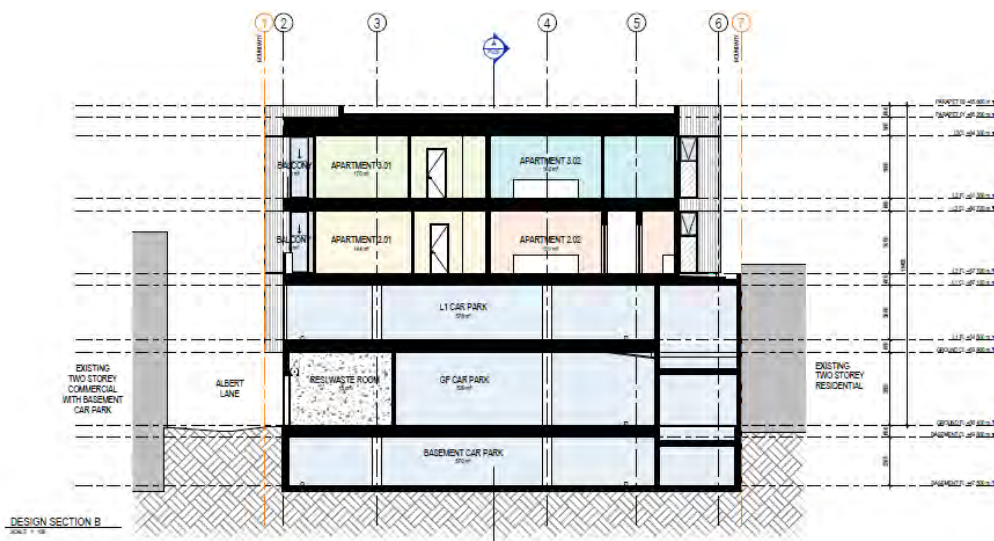
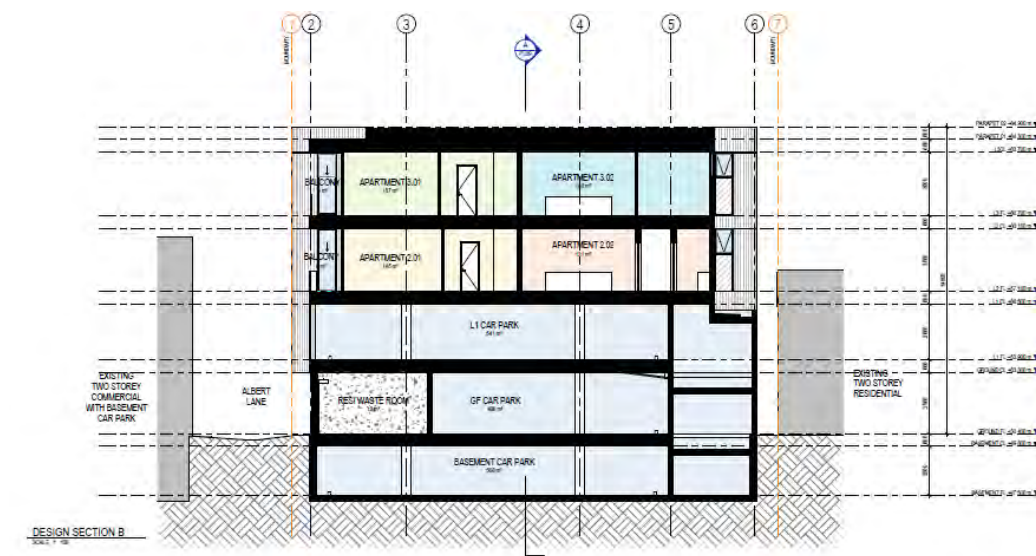


Image 3: Cross section of amended proposal with basement, ground and level 1 site off the eastern boundary



The amendments maintain the current situation for the adjoining owner to the east with the existing fence to be retained or replaced. The setbacks result in a two-storey wall, one metre off the boundary along the rear portion of the site, which in our collective experience is entirely reasonable in the City Living Zone.

At the front of the site, the upper levels will be setback 1 metre off the eastern boundary. The two-storey wall at the front and the rear has been removed. Whilst the upper levels maintain the original 1 metre setback, this has no detrimental impacts in our view, as the dwelling benefits from maintaining its open outlook on the northern side.

The basement setback minimises excavation impacts on trees on the adjoining site and enables creepers to be planted within this space (refer further comment below). Whilst portion of the existing tree branches overhanging onto the subject site will need to be removed to enable construction, these trees are not significant.

In summary, the amended setbacks meet CW PDC 23 as the setbacks progressively increase as the height of the development increases on both the eastern and southern elevations. The side wall has been removed thus minimising the visual impact on the property to the east.

Landscaped Open Space

CW PDC 177 provides instances when it is acceptable for the amount of landscaped open space to be less than envisaged in the Zone and states:



Landscaped Open Space should be provided on the site of a development to at least the extent specified in the Principles of Development Control for the relevant Policy Area for siting, amenity and screening purposes. Where the existing amount of landscaped open space provided is less than the amount specified in the relevant Zone or Policy Area, development should not further reduce this amount. Where landscaping is not required, the provision of landscaped pedestrian spaces, planter boxes and in-ground planting is appropriate.

In this instance, the entire site is covered by bitumen. There is no landscaped open space. It is acknowledged that there are mature trees on the site but in terms of a Development Plan assessment, none of the site is dedicated a landscaped open space.

The amendments to the proposal increase the area of landscaped open space with the provision of the 1 metre strip running along the eastern boundary. This area facilitates the plantings up the eastern wall that will soften the building when viewed from the property to the east.

The amount of landscaped open space therefore increases from 5.3% to 9.3% and will result in a pleasing presentation to Albert Lane and to the neighbours to the east.

Whilst we do not disagree that the existing trees are attractive, they are not Regulated trees therefore are afforded no protection.

Plot Ratio

The Development Plan explicitly excludes areas set aside for parking, manoeuvring, ramps and other means of access from the definition of 'building floor area' as per Schedule 1 Definitions. Therefore, the parking spaces should not be included.

It is acknowledged that the proposed development exceeds the maximum plot ratio. Exceeding plot does not automatically result in a development being inappropriate to its context. In this instance, the site abuts the Capital City Zone where there is no plot ratio and has a maximum height of 22 metres.

In the context of abutting the Capital City Zone that has no plot ratio maximum, we consider this proposal a reasonable proposition particularly as the exceedance does not result in any detrimental impacts.

Traffic/Carparking

The proposed car park will not be a public car park. Car parking spaces will either be ancillary to 118-120 Hutt Street or by use of the proposed apartments. Whilst car parking spaces are not an envisaged use, the proposal removes the current at grade car parking spaces that are generally not desired with the City of Adelaide. Instead, it contains car parking within high quality-built form that will conceal them from view.



The open lot car park is not a desired land use, nevertheless it has existing use rights and provides ancillary parking to the site at 118-120 Hutt Street as required by development approval conditions of P13543B approved by the City of Adelaide on 30 June 1986. The proposed development maintains the status quo with respect to ancillary parking on the site.

The ventilation system of the car park will be examined at the detailed design stage to ascertain whether mechanical ventilation is required.

Cirqa have provided a detailed response to the main representations relating to traffic matters. This response can be found in **Appendix 1**.

Noise

The existing site results in vehicular noise emanating from the site. The built form on the site will act to mitigate any noise impacts from vehicles manoeuvring inside the building. The access into the site from the southern portion of Albert Lane is entirely appropriate and will have minimal noise impacts on adjoining sites as indicated in the Sonus report.

Plant will be located on the roof within a louvred enclosure, 10.4 metres from the southern boundary distance from adjoining dwellings which are then separated by the right of way. As detailed design has not occurred, the noise output of mechanical plant is unknown. We have no objections to a condition of consent requiring that the proposal meets the relevant policies of the Development Plan with respect to noise output.

Visual Privacy

The matter of visual privacy has been raised for the adjoining dwellings to the north and east. We note that all east facing windows are proposed to have obscured glazing to 1800mm above finished floor level to mitigate overlooking. This is also typical for south facing windows. The east facing opening of the balcony will be fitted with a full height angled louvre to prevent overlooking directly to the east into the neighbouring allotments private front yard.

Concerns regarding the north facing balconies and potential views into the adjoining windows of the dwelling to the north have been raised. The Development Plan does not protect views from windows or balconies that face and overlook public streets. This has been common practise in applications assessed by the City of Adelaide with many applications approved with balconies and windows overlooking over a public road. As such, we believe there is no requirement to restrict north facing views.



Waste Management

A dedicated waste storeroom of 13 m² has been provided at ground floor level with direct access to Albert Lane to the west. This allows for the required streams to be collected with minimal impacts to traffic flows along Albert Lane.

Design

The proposal has been designed to have an extremely high quality of design. We acknowledge that for the proposal to be considered favourably, the proposal cannot be just satisfactory in its design aesthetic but must be of the highest quality as required by CW PDC 167:

Where development significantly exceeds quantitative policy provisions, it should demonstrate a significantly higher standard of design outcome to qualitative policy provision

Whilst we do not believe that the proposal exceeds all quantitative policy provisions it does exceed plot ratio and height. For that reason, the architectural team have designed a building that has a strong contemporary design aesthetic. It is high quality and more visually interesting than the standard approach of a row dwellings that could have been accommodated on the site. The proposed design has enabled all impacts to be successfully mitigated whilst providing a contemporary modern design.

The matter of a lack of active frontage has been raised. The Development Plan does not require an active frontage in the City Living Zone, unlike the policy requirements for the Capital City and Main Street Zones. Whilst the ground floor accommodates car parking spaces, it is visually interesting and provided with landscapes spaces and an architecturally interesting façade.

Other Matters

At the planning assessment stage, detailed design and scheduling of the proposal has not been undertaken. As such we are unable to advise of the length of construction and in any event is not a relevant planning consideration. Neither are the matters of dust, noise and contractor parking. Dust and noise are generally covered under the Local Noise and Litter Control Act.

It is agreed that the intent of the Development Plan is to inform the community on how an area is to be developed. As has been held in the ERD court for many years, the provisions within a Development Plan are however not mandatory; they are guiding principles and do not need to be adhered to in all instances. An assessment of a proposal is undertaken on balance factoring in the intent of the principles, the condition of the land and locality and the overall merits of a proposal. A proposal may not meet certain principles, but there may still be enough merit for it to be granted consent.



Conclusion

The proposal is for a well-designed high-quality infill development sited adjacent the Capital City Zone. The development is over height and over plot however every effort has been to mitigate impacts on adjoining land through various plan amendments.

In summary, we note:

- The proposal achieves the intent of the City Living Zone by increasing the residential population of the City.
- The design is innovative, contemporary and appropriately scaled. It is well articulated and modelled. It has been designed with an appropriate materials palette that adds interest with contextually appropriate colours and finishes.
- The increased setback along the eastern boundary results in building siting that is not out of character with other development in the City Living Zone.
- The overall reduction in height reduces overshadowing impacts to the dwellings to the south and the detailed analysis demonstrates that the overshadowing meets the relevant Development Plan in most cases, where it does not, it provides an acceptable level of sunlight to windows and private open space close to the winter solstice.
- Landscaped Open Space increases compared with that already provided on the site. The amended eastern setback enables plantings to be provided up the eastern wall to create a pleasant outlook for the neighbouring property to the east.
- There is no actual or contextual impact on the adjoining Local Heritage Places.
- The plant area has been re-located away from the dwellings.
- The development removes an undesired open lot car parking area and replaces it with car parking contained inside a high quality and well-designed building.

Thank you for the opportunity to respond and for the collaborative discussions that have taken place. I will make myself available to attend the Council Assessment Panel in support of our submission. Please call me on 8333 7999 with any questions.

Yours sincerely

Matthew King
Managing Director



Appendix 1

Response to traffic representation



Ref: 19266|BNW

30 March 2021

Ms Rebecca Rutschack
URPS
Suite 12, 154 Fullarton Road
ROSE PARK SA 5067

Dear Rebecca,

MIXED-USE DEVELOPMENT 5 ALBERT LANE, ADELAIDE

I refer to the development application (DA 564/2020) for a mixed-use development at 5 Albert Lane, Adelaide. Specifically, as requested, I have reviewed the representations received during the public notification period.

Key comments relating to traffic matters raised by the representors are provided in italics below, followed by my response.

"The traffic and parking report by CIRQA only considers the development site and not the impact it may have upon the existing users of Albert Lane. It does not include any estimates of the current uses of Albert Lane by residents and businesses who have some five car parks off Albert Lane. In terms of traffic movement, the report primarily concentrates on the traffic movement along Hutt and Angus Streets, not the relevant traffic issues presented by Albert Lane itself."

The existing movements on Albert Lane would be very low. Data was requested from the City of Adelaide for the lane however traffic volumes have not previously been recorded on Albert Lane. Nevertheless, as detailed in the traffic report, it is forecast that the proposal will generate less than five additional peak hour trips. Such an increase is negligible and will not alter the nature nor function of Albert Lane.

"The report suggests that the multi-story car park will not be in use before 7 am and after 10pm, but this is unlikely given the residential component of the development. Moreover, it is reported that the entrance to the multi-story car park will not have a door compromising the safety of the cars and development residents."



The CIRQA report made no mention of the times of use for the commercial car park component. Nevertheless, the majority of movements would occur within the above hours (with only a small number of movements occurring outside these times).

The car park access will include a secure access (roller door). This will be set in from the property boundary to allow entering vehicles to store clear of Albert Lane while waiting for it to open.

"...the multi-story (sic) car park entrance may back up vehicles due to excess demand and the system of internal traffic lights. This may lead to vehicles blocking Albert Lane, Angus Street or Hutt Street. The impact of the development upon other Albert Lane users is not assessed, such as waste collection, taxis/uber, and delivery vans, for example."

and

"The traffic report does not adequately address the impacts of vehicle movements associated with a commercial car park and the introduction of traffic signalisation in response to the provision of only single lane ramping. The combination of these things could very likely result in traffic queuing and congestion within the surrounding laneway network."

As detailed in the original traffic report, the proposal is (conservatively) forecast to generate 16 movements during the am and pm peak hours (including the existing movements associated with the commercial parking spaces). Such a volume of traffic generation is well below the level of traffic for which the Australian Standards identify two-way passing is likely to be required. The probability of two vehicles attempting to utilise one of the single width ramps simultaneously (and in opposite directions) will be very low. The traffic signal system will, therefore, be utilised rarely to control simultaneous movements. This is similar to the existing situation with the majority of parking spaces on the site requiring access via a boom-gated driveway (without queuing issues currently occurring).

In order to further demonstrate this, single server queuing theory analysis has been undertaken. Assuming the longest travel distance for a manoeuvre around the single width ramp is 40 m and a (conservative) travel speed of 5 km/h, it would take approximately 30 seconds for a vehicle to drive around one of the single width ramps (including reaction time and start-up for a car to enter the ramp once one has passed). Adopting 30 seconds as the 'server time', the queuing theory analysis indicates that:

- for approximately 87% of the time there would be no vehicles using the ramp or waiting to use it;
- for approximately 2% of the time there would be one vehicle using the ramp or waiting to use it; and



- for less than 0.5% of the time there would be two vehicles using the ramp or waiting to use it.

The above analysis indicates there will be negligible requirement for vehicles to wait for another utilising a ramp. It should be noted that the above results relate to the peak hour periods and that conditions at other times would be even better. The above confirms there will not be 'congestion' or excessive queuing associated with the traffic signal system for the ramps. In particular, queues associated with the site will not extend out to Albert Lane.

"The existing line of sight will be eradicated along Albert Lane and around the Lane's northern boundary due to the scale of the development providing a road traffic issue."

The proposed building will reduce sight distance provisions at the corner in Albert Lane, albeit will be within the site's property boundaries. The building will also include setback from the boundaries. Such conditions are common place within laneways. Furthermore, when the existing car park is fully occupied sight distance around the corner would be restricted by parked vehicles. Consideration could be given to the installation of a convex mirror to assist with distance around the corner (as is already implemented at the intersection of Albert Lane/Angas Street as well as a number of private access points along the lane).

Additionally, it is noted that the proposal will reduce the number of vehicle movements undertaken around the subject corner as the site's access point will be relocated to the south-western corner and drivers associated with the site would not be required to turn around the corner (movements would be to/from either Angas Street or Hutt Street via the other sections of Albert Lane).

"The needs of pedestrians or cyclists within Albert Lane to travel safely in the single laneway with no or minimal setbacks to the development's street-level boundaries."

As above, the proposal would generate less than five additional peak hour movements (and even lower additional volumes at other times of the day). The level of pedestrian and cyclist movement in Albert Lane would also be very low. The impact of the very low additional number of movements will not impact safety within the lane for pedestrians, cyclists or other road users.

"There is a discrepancy between the number of car parking spaces proposed within the development application (41 spaces) and the traffic report (42 spaces)."

The current (revised) plans indicate that 41 spaces will be provided within the site. This will comprise ten spaces assigned to residents and 31 spaces retained for the existing commercial parking arrangement.



"The [CIRQA report] doesn't discuss access / egress for the existing car park rear entry at 100 Hutt - can it be confirmed that the development will not impede on what is already present."

The proposed development will be undertaken within the site's property boundaries (and include setback/clearance to Albert Lane) and will not impede the publicly accessible area for manoeuvring into and out of the opposite car park.

Please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ben Wilson", written in a cursive style.

BEN WILSON

Director | CIRQA Pty Ltd

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 28/4/2021

Item	5.1
Address	263 Gilbert Street, Adelaide SA 5000
Proposal	External and internal alterations, change of use to indoor recreation centre, gallery and studio DA/458/2020 [DA] (PC) [CAP]
Applicant	Ms B Rugari
Relevant Development Plan	30 April 2020
Lodgement Date	24 August 2020
Zone / Policy Area	City Living Zone / South West Policy Area 33
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

- Plan and Operational Details 1 – 5
- Acoustic Report 6 – 17
- Certificate of Title 18 – 19

Comments from Public Notification 20 – 22

Applicant Response to Representations 23 – 26

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. DESCRIPTION OF PROPOSAL

- 1.1 Planning consent is sought for a change in land use from showroom and warehouse to an indoor recreation centre, gallery and studio.
- 1.2 The applicant intends to hire the space out for various activities such as dance, yoga, rehearsals, exhibitions, workshops, presentations, photography and filming.
- 1.3 The proposal will also involve replacing the existing front door and windows with standard black metal frames and double-glazed glass.
- 1.4 It is anticipated the premise could operate seven days a week from 6:30am to 10:00pm including yoga in the early mornings until midday, then from 4pm onwards during weekdays and in the mornings on the weekend. Dance will operate from 3:30pm onwards on weekdays and in the morning and afternoon on Saturday.

2. DEVELOPMENT DATA

Not applicable to this application.

3. BACKGROUND

Not applicable to this application.

4. SITE

- 4.1 The subject land is located on the southern side Gilbert Street on the western corner of Vinrace Street.
- 4.2 The subject land is not subject to any easements.
- 4.3 The land has a frontage of 9.45 metres to Gilbert Street and a total site area of approximately 259m².
- 4.4 The site is currently developed with a single storey building.
- 4.5 Vehicle access to the site is gained from Vinrace Street with three onsite parking spaces located to the rear of the allotment.

5. LOCALITY

- 5.1 The locality is predominantly characterised by a mixture of residential and commercial developments.
- 5.2 The immediate locality is characterised by offices to the west, a construction site to the east (24 two storey dwellings under construction), two storey dwellings to the south and a mix of residential and non-residential uses such as shops, offices, showrooms and warehousing on the northern side of Gilbert Street.



KEY



Subject Site



Local Heritage Place

CiL33

City Living Zone
South West Policy
Area 33



State Heritage Place

CF

City Frame Zone



Policy Area Boundary

R

Representor



Locality



Properties Publicly
Notified

Photo 1 – View of existing building on the subject land



Photo 2 – View of existing building toward the rear



6. **PUBLIC NOTIFICATION**

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

Summary of Representations	Applicant Response (Summary)
<ul style="list-style-type: none"> • Increase in traffic and on-street parking 	<ul style="list-style-type: none"> • The proposed change of use does not meet the required carparking provision with only three on-site spaces provided however this is determined by existing site conditions.
<ul style="list-style-type: none"> • Noise 	<ul style="list-style-type: none"> • The acoustic report from Marshall Day Acoustics addresses this concern.
<ul style="list-style-type: none"> • Tenant mix/Management of facility 	<ul style="list-style-type: none"> • Tenant mix and management of the facility are not planning related concerns.
<ul style="list-style-type: none"> • Interface between land issues 	<ul style="list-style-type: none"> • The acoustic requirements will ensure the proposal complies with the relevant amenity impact requirements.

7. **REQUIRED EXTERNAL REFERRALS**

- 7.1 No external referrals required.

8. **SPECIALIST ADVICE**

- 8.1 No internal referrals required.

9. DETAILED ASSESSMENT

9.1 Summary of Policy Area Objectives & Principles

City Living Zone – South West Policy Area 33		
<p><i>The Policy Area will continue as a primarily low scale residential environment with an eclectic mix of non-residential land uses interspersed that maintain the area's residential amenity. Development will comprise residential buildings that reinforce the current character, including detached, semi-detached and row dwellings. Residential flat buildings may be appropriate where they are developed on larger sites to provide an increase in dwelling density. Sturt Street will continue as the focus for non-residential activities which serve the needs of the local community.</i></p> <p><i>The Policy Area contains a number of land parcels occupied by non-residential activities that provide the opportunity for integrated developments and opportunities to increase the residential population with contextual and exemplary contemporary design.</i></p> <p><i>Residential development in the form of dwellings will maintain a low scale at street level and will be designed to complement the existing character established by the original, historic dwelling stock. Dwellings will be varied but will be consistent with the prevailing rhythm of buildings and space. Infill development will take particular reference from the siting, form and key elements of existing buildings to ensure a highly attractive and compatible streetscape.</i></p> <p><i>Improved landscaping of both public and private space will enhance amenity for residents and visitors, and also pedestrians and cyclists. Vehicle movement within the Policy Area will be primarily for local and visitor traffic, with an increasing promotion of pedestrian and cycling links to both the inner City and Park Lands.</i></p>		
Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Development consistent with Desired Character which contemplates non-residential activities. 	✓
Objectives O1	<ul style="list-style-type: none"> Development consistent with existing mixed use character. 	✓
Land Use P1 - 2	<ul style="list-style-type: none"> Non-residential use proposed within existing building comprising a lawfully established non-residential land use. 	✓
Design and Appearance P4 - 7	<ul style="list-style-type: none"> Minor external alterations to doors and windows of existing building. 	✓

9.2 Summary of Zone Objectives & Principles

City Living Zone		
<p>The Zone is spread across the southern half of Adelaide, flanked to the north by the City's central business area. Mixed use apartment and commercial corridors frame much of the southern and western margins of the Zone which is also bisected by the Hutt Street main street strip, and corridors of core business areas centred on the Squares and the City's main north-south axis roads, Morphett, King William and Pulteney Streets.</p> <p>The Zone comprises Adelaide's main residential living districts which have developed with a range of stand-alone and paired cottages, terrace or row housing, and low to medium scale contemporary apartment buildings, and with remnant workshops, service trades, offices and mixed uses, particularly west of Hutt Street.</p> <p>The City Living Zone will provide high amenity residential living environments along with related non-residential uses compatible with residential amenity, as articulated in the Policy Areas. Carefully executed high quality residential infill is envisaged and opportunities are presented for comprehensive redevelopment on larger, particularly non-residential sites, and also on catalyst sites fronting South Terrace and East Terrace. The desired increase in the City's resident population relies, in part, on realising infill housing opportunities with high regard to their context and achieving overall, higher dwelling densities in this Zone.</p>		
Subject	Assessment	Achieved ✓ Not Achieved ✗
DP Ref		
Desired Character	<ul style="list-style-type: none"> Development provides a related non-residential use that is compatible with residential amenity. 	✓
Objectives O1 – 4	<ul style="list-style-type: none"> Development supports city living and amenity with minimal impact on the environmental quality of living conditions. 	✓
Land Use P1 - 4	<ul style="list-style-type: none"> Non-residential use is of a suitable scale to not prejudice envisaged development. 	✓
Design and Appearance P5 - 10	<ul style="list-style-type: none"> Only minor external alterations proposed to the existing building. 	✓
Car Parking P11	<ul style="list-style-type: none"> Existing site area results in the requirement for six on-site carparks as per Table Adel/7. Three spaces currently provided to the rear of the site will remain unchanged. Existing shortfall of 3 spaces remains. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Community Facilities O4 – 5 P2 - 4	<ul style="list-style-type: none"> Facility will be located conveniently to serve local community. 	✓
Noise Emissions O26 - 27 Noise Sources P89-94	<ul style="list-style-type: none"> Acoustic report submitted demonstrates the development will be consistent with the residential decibel limits set out in the Environment Protection (Noise) Policy 2007 (EPP) with the acoustic treatments installed (Refer to Section 9.4). 	✓
Waste Management O28 P101-104	<ul style="list-style-type: none"> Waste storage and collection located to the rear of the building is existing and will be maintained. 	✓
Traffic and Vehicle Access O68-70 P241-250	<ul style="list-style-type: none"> No change to existing access. 	✓
Car parking P71-72 P251-265	<ul style="list-style-type: none"> Existing shortfall remains unchanged. See Section 9.2 P11 response. 	✓

9.4 Detailed Discussion

Amenity

The application proposes an indoor recreation centre, gallery and studio. The applicant intends to hire the space out for various activities such as dance, yoga, rehearsals, exhibitions, workshops, presentations, photography and filming.

The indoor recreation centre component (yoga and dance studio/gallery) is proposed as the main use with other uses being subsidiary.

The applicant provided an acoustic assessment as part of their submission. This detailed the assessment against the *Environment Protection (Noise) Policy 2007* (EPP). The report summarises that with the recommended measures being undertaken, the proposal adequately meets the requirements of the EPP. The report recommended some minor treatment to existing doors and windows to achieve compliance with the EPP as detailed below:

- Rear door remains open (dividing warehouse and showroom)
- Existing wall dividing warehouse and showroom to remain
- South and east roller door to remain closed
- Front door and windows to remain closed
- Acoustic grade seals to be provided and maintained on all external doors and windows

Council Administration commissioned a peer review of the acoustic assessment report. This review confirmed that whilst the Development Plan does have criteria in relation to noise sources (such as CWPDC 89 and 90), they agreed that in this instance, it was more appropriate to assess the proposal against the EPP (given it was not a licensed premise or considered a development that had the potential to emit significant noise). They concluded the assessment was appropriate.

Whilst not listed as an envisaged land use, the yoga/dance studio is of a small scale in terms of floor area (129m²) and with recommended minor treatments, will meet the acoustic requirements as set out in the EPP. The other multipurpose uses are considered minor and low impact in terms of any potential diminishment of amenity.

The proposed hours of operation of the yoga/dance studio are 6:30am to 10:00pm, seven days a week. The amenity impact and vehicle movements associated with the hours of operation are considered to be reasonable in the context of the locality with other similar uses and hours, as well as based on the modest floor area of the studio space.

The use is proposed to be hired out to other operators/teachers. This is not a planning concern as the use is considered reasonable regardless of who is undertaking the lessons. Conditions will be imposed to ensure the proposal does not unreasonably impact on surrounding residential amenity.

9.5 Conclusion

This application proposes a change of use to the existing warehouse/office to an indoor recreation centre, gallery and studio. The proposed development is considered to sufficiently accord with the relevant Development Plan provisions as detailed within this report. On balance, the proposal is acceptable for the following reasons:

- It reinforces the Desired Character for the City Living Zone and South West Policy Area 33 as a non-residential use
- With appropriate measures in place, the development complies with the required acoustic levels ensuring an acceptable impact on surrounding uses
- The hours of operation are reasonable given the minor scale of the land use.

The development is not considered to be seriously at variance with the provisions of the Development Plan as it proposes a suitable land use within 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 B Rugari for external and internal alterations, change of use to indoor recreation centre, gallery and studio at 263 Gilbert Street, Adelaide SA 5000 as shown on plans designated DA/458/2020:

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 advisory notes:

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 applicant dated 11 September 2020,
- Marshall Day Acoustic report, numbered Rp 001 20200223, dated 30 November 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. **The acoustic requirements set out in the Marshall Day Acoustics report (Appendix C) shall be undertaken prior to commencement of the use and maintained to the reasonable satisfaction of Council.**

Reason: To ensure the development does not unreasonably impact upon the enjoyment of other land in the locality.

3. **The hours of operation shall be limited to 6:30am to 10:00pm seven days a week.**

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

Advisory Notes

1. **External Signs**

This consent does not include signage for which a separate application must be submitted.

2. **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.

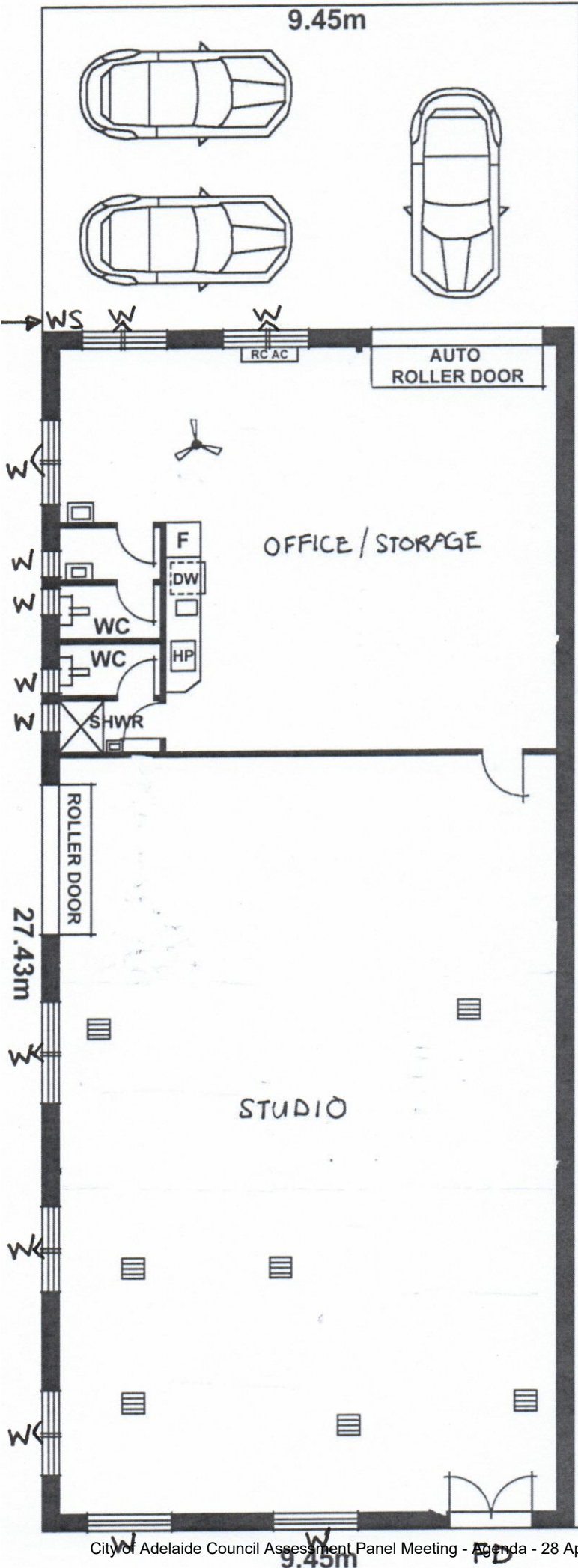
3. Expiration Time of Approval

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent will lapse at the expiration of 24 months from the operative date of the consent unless the relevant development has been lawfully commenced by substantial work on the site of the development within 24 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.

4. 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.

Item 5.1 - Attachment 1
CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/458/2020
04/12/2020



Replace existing front doors, frames + glass with standard black metal frames and double glazed glass.

Marked: PD

WAREHOUSE
70.50sqm

Replace existing windows, frames + glass with standard black metal frames and double glazed glass.

Marked: W

SHOWROOM
129.72sqm

Waste will be stored at the back of the building

Marked: WS

MB: Signage to be discussed with architects at a later date.

Your reference: **DA/458/2020**

11 September 2020

Phil Chrysostomou
Planner
City of Adelaide
25 Pirie Street
ADELAIDE SA 5000

Dear Phil

RE: Response to letter dated 4 September 2020

Point 1 - Expansion of the operational details in relation to each act and activity

CREATIVE USES - AS LISTED IN THE BRIEF

| dance | yoga | rehearsals | exhibitions | workshops | seminars | photography | filming |

Dance

The preference is to hire the space out to a dance teacher(s) who have an established student base and would like to operate from the premises on a structured and permanent basis using a timetable system.

Dance operations are predominately occupied from 3.30pm onwards during the week, as well as on Saturday's during the morning and afternoon.

To accommodate a range of dance genres the studio will be built with sprung floors, meaning the construction of the floor provides a degree of flexibility to absorb the impact of intensive dance exercise. This is considered vital to promote good health and safety.

Dance can incorporate the related operational elements of workshops, rehearsals and filming.

Yoga

The preference is to hire the space out to a yoga instructor(s) who have an established client base and would like to operate from the premises on a structured and permanent basis using a timetable system.

Yoga operations are predominately occupied from early in the morning through to midday and then from 4pm onwards, as well as in the mornings on Saturday's and Sunday's.

Yoga can incorporate the related operational elements of workshops and filming.

Exhibitions

The preference is to hire the space out to an artist(s) who would like to showcase their art either on a once off basis or alternately used in 1-3 month increments using a timetable system.

Exhibitions are occupied predominately between mid-morning to early evening in 2-6 hour increments during the week and on weekends.

Photography

The preference is to hire the space out to photographer(s) who would like to utilise the area and facilities for commercial/professional photoshoots which would be more than likely hired out on a once off basis.

Being an indoor space only, there is no predominant time it would be used – just withing the operational hours.

Filming

This would be more than likely hired out on a once off basis or in conjunction with dance and yoga classes. The preference is to hire the space out to shoot footage of the recreational activities of dance and yoga that may have an online element or whether a videographer is present to record live footage used for commercial/professional purposes.

More than not his would already align with the scheduled timetable for the activities of dance and yoga unless it is a once off occasion.

Rehearsals

The preference is to hire the space out for rehearsals, predominately dance related or alternately drama.

More than likely rehearsals would need to be scheduled either on a once off basis or in a block of however many sessions are required.

These operations would predominately take place from 3.30pm onwards during the week or on weekends during operational hours.

Workshops

The preference is to be able to hire out the space for intensive dance and yoga workshops that operate in a lengthy block of allocated hours (e.g. ranging from 3-6 hours)

Workshops are scheduled in advance and predominately occur on a monthly or quarterly basis. They would be scheduled in sporadically within operational hours.

Seminars

Theoretically, the preference is to be able to hire the space out to those who would like to hold a presentation on the education and theory element of dance, yoga, mindfulness and wellbeing.

These sessions would predominately take place after hours during the week or on weekends during operational hours.

Having addressed this element with greater thought I have come to the realisation that 'seminar' is not ideally the correct term or use. 'Presentations' is more fitting and it makes sense to eliminate the reference to 'seminars'. The concept of presentations explained above can also be incorporated into workshops that have both a practical and theory element.

Point 2 - Will the site offer the various uses concurrently or will they be timetabled? I.e. Is it anticipated that the site could be used solely as a yoga studio for extended periods of time, sporadic or scheduled to occur at the same time?

The creative use(s) operated within the studio will be dependent on who offers an expression of interest and on what days and hours.

For example, if a yoga instructor wanted to hire out the space for the total operational hours and for 7 days, I would accept that. However, if that is not possible, those days and hours can be divided between those of the same or different activity to which I would also accept. With that I would use a timetable system. The goal is for it to be as structured as it can be.

Point 3 - Are the acts and activities facilitated by a central operator or booked by external businesses/operators?

Those who wish to hire out the space will go through a central operator, that being me – Bianca Rugari. I will manage who the space is hired out to and work with a timetable setup. Those who hire the space manage their own students and client base accordingly to their personal business plan.

Should you require any further clarification or information, please do not hesitate to contact me.

Kind regards



Bianca Rugari

Phil Chrysostomou

Subject: FW: 263 Gilbert St

Hi Phil

Confirming our discussion, we understand the site now proposes to operate during the 'day' defined hours, i.e. commencing at 7am, and concluding by 10pm.


- the roller door to the south and the openness of the office/storage area was included in the original assessment as shown in the DA drawing, and therefore no change to the assessment outcome. For reference, the 'internal' wall to the roller door was open (not extending to underside of ceiling line).
- We have reviewed the calculations, based on the roller door to east not including the current airlock, we calculate noise levels at the most affected receiver, R3 (with direct line) to increase by 2 dB. At R1/R2, it is unlikely to increase the calculated noise levels significantly, however assuming would also increase 2 dB, then in all scenarios, the calculated noise levels will achieve the day time planning level at all receiver locations
- It is recommended this roller door remain closed at all times, likewise the roller door to south also remain closed.

Should you have any further questions, do not hesitate to contact me.

Regards

Alex Morabito



 31 Vardon Avenue Adelaide SA 5000 Australia
+61 8 6189 1400 ✉ amorabito@marshallday.com 🌐 www.marshallday.com



 [Read our newsletter](#) [Sign up to our newsletter](#)

Proudly supporting the Australian Arts Industry.

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/458/2020
04/12/2020

MARSHALL DAY
Acoustics 

263 GILBERT STREET, ADELAIDE
MULTI-PURPOSE STUDIO SPACE
Rp 001 20200223 | 30 November 2020



Marshall Day Acoustics Pty Ltd
 ABN: 53 470 077 191
 31 Vardon Avenue
 Adelaide SA 5000
 Australia
 T: +618 6189 1400
 www.marshallday.com

Project: 263 GILBERT STREET, ADELAIDE

Prepared for: Bianca Rugari
 263 Gilbert Street
 Adelaide SA 5000 SA 5000

Attention: Bianca Rugari

Report No.: Rp 001 20200223

Disclaimer

Reports produced by Marshall Day Acoustics Limited are based on a specific scope, conditions and limitations, as agreed between Marshall Day Acoustics and the Client. Information and/or report(s) prepared by Marshall Day Acoustics may not be suitable for uses other than the specific project. No parties other than the Client should use any information and/or report(s) without first conferring with Marshall Day Acoustics.

The advice given herein is for acoustic purposes only. Relevant authorities and experts should be consulted with regard to compliance with regulations or requirements governing areas other than acoustics.

Copyright

The concepts and information contained in this document are the property of Marshall Day Acoustics Limited. Use or copying of this document in whole or in part without the written permission of Marshall Day Acoustics constitutes an infringement of copyright. Information shall not be assigned to a third party without prior consent.

Document Control

Status:	Rev:	Comments	Date:	Author:	Reviewer:
Final	-	-	30 Nov 2020	C. Guzik	P. Heinze

TABLE OF CONTENTS

1.0	INTRODUCTION	4
2.0	SITE DESCRIPTION.....	4
2.1	Location	4
2.2	Proposed development.....	5
3.0	NOISE ASSESSMENT CRITERIA	5
3.1	Overview	5
3.2	Environmental noise limits	5
4.0	NOISE ASSESSMENT	6
4.1	Internal noise levels.....	6
4.2	Measured noise levels.....	6
4.3	Recommendations	7
4.4	Calculated noise levels	7
5.0	SUMMARY.....	7
APPENDIX A GLOSSARY OF TERMINOLOGY		
APPENDIX B SITE LOCATIONS AND SURROUNDS		
APPENDIX C EXISTING SITE LAYOUT		
APPENDIX D ADELAIDE (CITY) DEVELOPMENT PLAN		

1.0 INTRODUCTION

A new studio space fitout is proposed to be developed (DA/458/2020) at 263 Gilbert Street Adelaide, an existing commercial building.

Bianca Rugari has engaged Marshall Day Acoustics (MDA) to prepare an acoustic report suitable for submission to council.

The City of Adelaide (COA) have requested the following additional information:

- *Application letter provided upon lodgement notes that “sound proofing will be inbuilt where directed and sound levels to be of a domestic nature and kept to a low and practical limit before 8am and after 8pm.” An acoustic report by a qualified acoustic consultant is required to ascertain any noise attenuation measures that may be required to ensure compliance with*

Council Wide Objective 26 and Principle of Development Control 89 (see below).

Objective 26:

Development that does not unreasonably interfere with the desired character of the locality by generating unduly annoying or disturbing noise.

Principle of Development Control 89:

Development with potential to emit significant noise (including licensed entertainment premises and licensed premises) should incorporate appropriate noise attenuation measures in to their design to prevent noise from causing unreasonable interference with the amenity and desired character of the locality, as contemplated in the relevant Zone and Policy Area.

This report provides details of the proposal, relevant environmental noise guidelines, and an assessment based on site noise measurements.

A glossary of terminology used in this report is presented in Appendix A.

2.0 SITE DESCRIPTION

This section presents the following:

- A general description of the site and surrounds
- A general description of the proposed use and operating hours

2.1 Location

The proposed site is located at 263 Gilbert Street, Adelaide and the nearest noise-affected premises are detailed in Table 1. A map showing the relevant site location and nearest noise-affected premises is provided in Appendix B.

Table 1: Nearest noise-affected premises

Reference	Address	Location
R1	6 Vinrace St	Approximately 13 m, south of studio
R2	8 Vinrace St	Approximately 13 m, south of studio
R3	260 Gilbert St	Approximately 24 m, north of studio, across Gilbert street

The existing building is of brick veneer construction with sheet metal roof.

2.2 Proposed development

The studio space has been proposed to include provisions for indoor recreation centre, gallery and studio. The existing site layout has been provided in Appendix C.

The site is divided into two sections, the showroom and warehouse:

- The warehouse which is located at the rear of the development which is used for storage and toilet/change room facilities.
- The showroom at the front which consists of a number of rooms which are proposed to be used for the proposed future use.

The proposed operating hours for this development are 6:30 am to 10:00 pm 7 days a week.

Since the development is proposed to be multi-use, the proposed use as a dance space is likely to produce the most noise and has been used for this assessment.

3.0 NOISE ASSESSMENT CRITERIA

3.1 Overview

The site and surrounding environment are located in the Adelaide Council. With regards to the Adelaide (City) Development Plan, consolidated 30 April 2020, the project site and immediate surrounds are located within the 'City Living Zone,' specifically the 'South West Policy Area 33.'

The Council Objectives and Wide Principle of Development Control, Appendix D, generally requires development that emits noise to be consistent with the relevant *Environment Protection (Noise) Policy*.

The relevant policy is the *Environment Protection (Noise) Policy 2007* (EPP). The EPP provides a methodology and objective noise criteria, relevant for the assessment of new proposed or existing premises. This is a broad policy designed to secure the noise objectives of the *Environment Protection Act 1993*.

3.2 Environmental noise limits

The EPP separates the day into two different time periods – day (7 am – 10 pm) and night (10 pm – 7 am). Indicative noise factors are determined, with consideration of the land use category principally promoted by the relevant Council Development Plan, for both the noise source and nearest existing noise-affected premises falling within the same category. The indicative noise factors are detailed in Table 2.

Table 2: EPP indicative noise factors

Item	Land Zoning	Land Use Category (EPP)	Indicative noise factor, dB	
			Day	Night
Noise source	City Living Zone, South west policy area 33	Residential	52	45
Noise-affected premises	City Living Zone, South west policy area 33	Residential	52	45

Clause 5.4 of the EPP states the following:

[...] If the land uses principally promoted by the relevant Development Plan provisions for the noise source and those principally promoted by the relevant Development Plan provisions for the noise-affected premises all fall within a single land use category, the indicative noise level for the noise source is the indicative noise factor for that land use category. [...]

Further, for new development, Clause 20.3 of the EPP states:

[...] A predicted noise level (continuous) for the development should not exceed the relevant indicative noise level less 5 dB (A).

Therefore, the EPP environmental noise requirements for the site, when assessed at the nearest noise-affected premises, are detailed in Table 3.

Table 3: Indicative noise level, dB L_{Aeq}, 15 min

Land Zoning of Noise-Affected Premises	Day (7am – 10pm)	Night (10pm – 7am)
Residential	47	40

As the site proposes to operate during the shoulder period, from 6:30am, demonstrating compliance with the indicative night noise level infers compliance at all times of proposed operation.

4.0 NOISE ASSESSMENT

This section details the site noise level measurements and the assessed noise levels associated with the proposed development at the nearest noise-affected premises.

4.1 Internal noise levels

MDA in the past have measured internal reverberant noise level of similar dance studio spaces, and these previous noise measurements has been used as part of this assessment. The calculated noise level of the showroom space is based on a design noise level as detailed in Table 4.

Table 4: Design reverberant level, dB L_p

Dance Studio	Overall		Octave band centre frequency (Hz)					
	A	63	125	250	500	1000	2000	4000
Design level	77	81	83	80	72	71	70	66

4.2 Measured noise levels

A site inspection was conducted on Monday 9 November, 2020. During the inspection, noise measurements were conducted using a Brüel & Kjær Type 2250 Class 1 NATA certified sound level meter (serial number 2693807). A calibration check of the meter was conducted prior to and after the measurement survey, using a portable reference sound source Casella CEL-110/1 (serial number 211359). The existing noise reduction performance of the building envelope at the adjacent site boundaries was measured and used as the basis of this assessment.

4.3 Recommendations

Based on the predicted noise levels, the following is recommended as indicated in Appendix C:

- Rear door remains open (dividing warehouse and showroom)
- Existing wall dividing warehouse and showroom to remain
- South and east roller door to remain closed
- Front door and windows to remain closed
- Acoustic grade seals to be provided and maintained on all external doors and windows

4.4 Calculated noise levels

The measured noise reduction of the existing building has been used to predict noise levels at all noise-affected premises is provided in Table 5.

Table 5: Predicted noise levels at nearest noise-affected premises

Reference	Predicted noise level dB, L _{Aeq}	EPP Noise Criteria	Complies (✓/×)
R1	38	40	✓
R2	38	40	✓
R3	30	40	✓

Based on the above results, the predicted level at all noise-affected premises meets the EPP defined night-time indicative level.

We note that there are no changes proposed to the existing building HVAC located roof plant, nor the 3 car carpark space on the southern end of the building.

5.0 SUMMARY

Bianca Rugari proposes to develop the existing building and fitout located at 263 Gilbert Street, Adelaide to a multi-purpose studio space.

An environmental noise assessment of the proposed use has been carried out in accordance with the relevant Council Development Plan and South Australian EPA legislation.

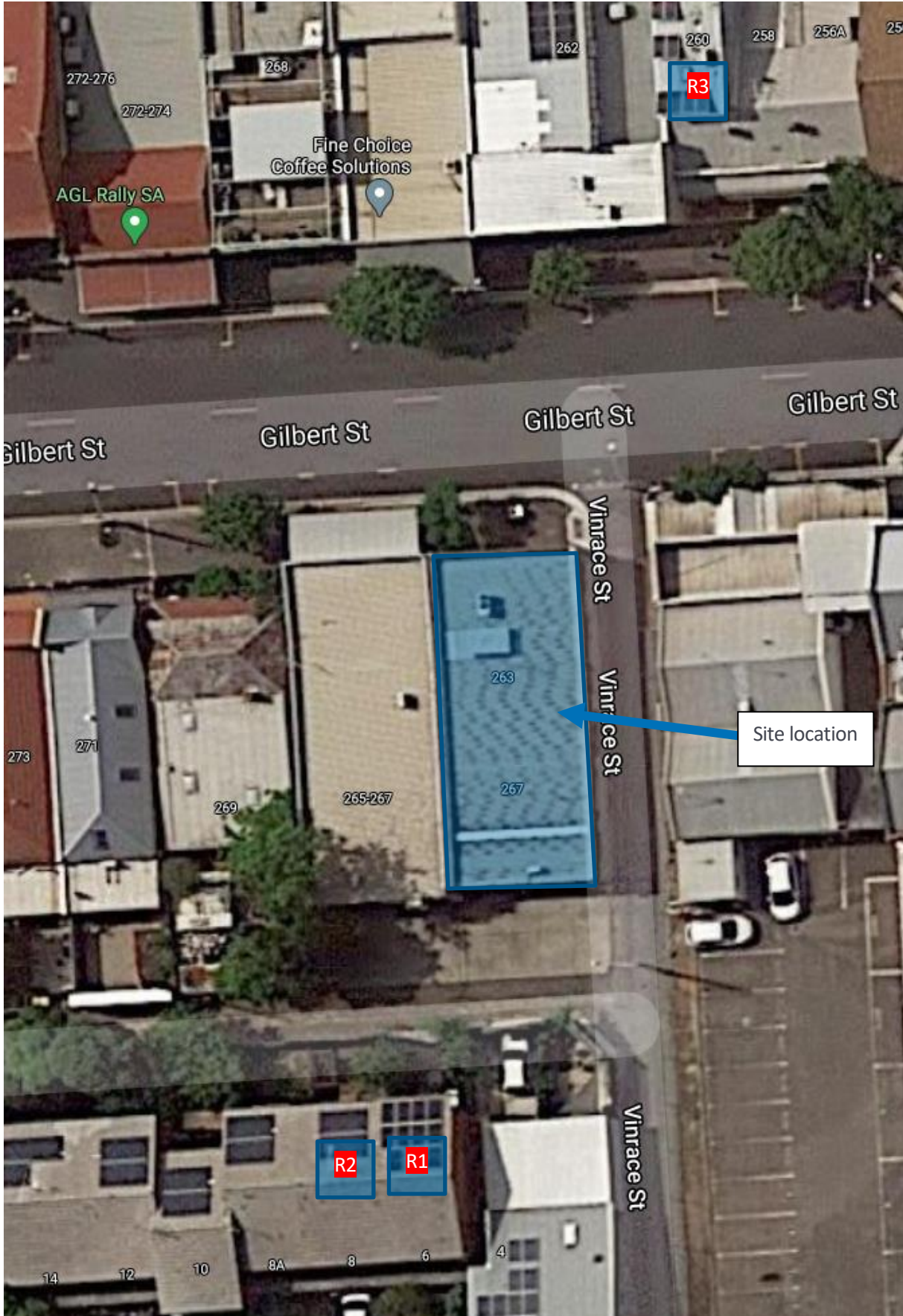
This assessment has considered:

- An assessment of noise levels determined in accordance with the Adelaide (City) Council Development Plan and *Environment Protection (Noise) Policy 2007*;
- Measurement of the existing sound insulation performance of the building
- Noise emanating from the premises to the nearest noise-affected premises
- and recommended some minor treatment to existing doors and windows.

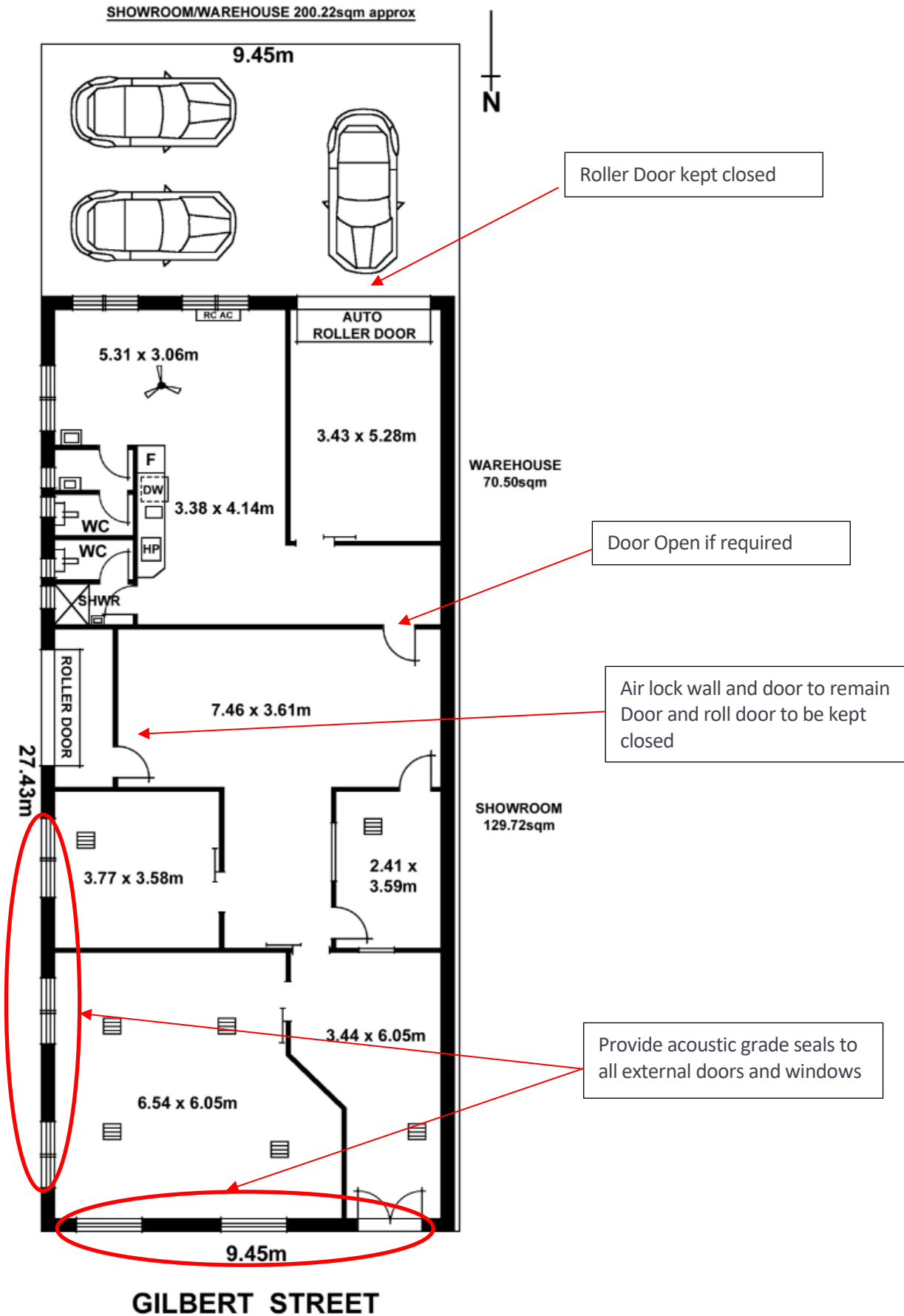
APPENDIX A GLOSSARY OF TERMINOLOGY

Ambient	The ambient noise level is the noise level measured in the absence of the intrusive noise or the noise requiring control. Ambient noise levels are frequently measured to determine the situation prior to the addition of a new noise source.
A-weighting	The process by which noise levels are corrected to account for the non-linear frequency response of the human ear.
dB	Decibel: The unit of sound level. Expressed as a logarithmic ratio of sound pressure P relative to a reference pressure of $P_r=20 \mu\text{Pa}$ i.e. $\text{dB} = 20 \times \log(P/P_r)$
Frequency	The number of pressure fluctuation cycles per second of a sound wave. Measured in units of Hertz (Hz).
Hertz (Hz)	Hertz is the unit of frequency. One hertz is one cycle per second. One thousand hertz is a kilohertz (kHz).
L_p	<u>Sound Pressure Level</u> A logarithmic ratio of a sound pressure measured at distance, relative to the threshold of hearing ($20 \mu\text{Pa}$ RMS) and expressed in decibels.
$L_{Aeq}(t)$	The equivalent continuous (time-averaged) A-weighted sound level. This is commonly referred to as the average noise level. The suffix "t" represents the time period to which the noise level relates, e.g. (8 h) would represent a period of 8 hours, (15 min) would represent a period of 15 minutes and (2200-0700) would represent a measurement time between 10 pm and 7 am.

APPENDIX B SITE LOCATIONS AND SURROUNDS



APPENDIX C EXISTING SITE LAYOUT



APPENDIX D ADELAIDE (CITY) DEVELOPMENT PLAN

Noise Emissions

OBJECTIVES

Objective 26: Development that does not unreasonably interfere with the desired character of the locality by generating unduly annoying or disturbing noise.

Objective 27: Noise sensitive development designed to protect its occupants from existing noise sources and from noise sources contemplated within the relevant Zone or Policy Area and that does not unreasonably interfere with the operation of non-residential uses contemplated within the relevant Zone or Policy Area.

PRINCIPLES OF DEVELOPMENT CONTROL

Noise Sources

89 Development with potential to emit significant noise (including licensed entertainment premises and licensed premises) should incorporate appropriate noise attenuation measures in to their design to prevent noise from causing unreasonable interference with the amenity and desired character of the locality, as contemplated in the relevant Zone and Policy Area.

90 Development of licensed premises or licensed entertainment premises or similar in or adjacent to a City Living Zone, the Adelaide Historic (Conservation) Zone or the North Adelaide Historic (Conservation) Zone should include noise attenuation measures to achieve the following when assessed at the nearest existing or envisaged future noise sensitive development:

92 Speakers should not be placed on the fascias of premises or on the pavement adjacent to the premises to ensure development does not diminish the enjoyment of other land in the locality.

93 Mechanical plant or equipment should be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site should not exceed

(a) 55 dB(A) during daytime (7.00am to 10.00pm) and 45 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

(b) 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) in or adjacent to a City Living Zone, the Adelaide Historic (Conservation) Zone, the North Adelaide Historic (Conservation) Zone or the Park Lands Zone when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

94 To ensure minimal disturbance to residents:

(a) ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like should not occur:

(i) after 10.00pm; and

(ii) before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.

(b) typical activity within any car park area including vehicles being started, doors closing and vehicles moving away from the premises should not result in sleep disturbance when proposed for use after 10.00pm as defined by the limits recommended by the World Health Organisation.

South West Policy Area 33

The Policy Area will continue as a primarily low scale residential environment with an eclectic mix of non-residential land uses interspersed that maintain the area's residential amenity. Development will comprise residential buildings that reinforce the current character, including detached, semi-detached and row dwellings. Residential flat buildings may be appropriate where they are developed on larger sites to provide an increase in dwelling density. Sturt Street will continue as the focus for nonresidential activities which serve the needs of the local community.

The Policy Area contains a number of land parcels occupied by non-residential activities that provide the opportunity for integrated developments and opportunities to increase the residential population with contextual and exemplary contemporary design.

Residential development in the form of dwellings will maintain a low scale at street level and will be designed to complement the existing character established by the original, historic dwelling stock. Dwellings will be varied but will be consistent with the prevailing rhythm of buildings and space. Infill development will take particular reference from the siting, form and key elements of existing buildings to ensure a highly attractive and compatible streetscape.



Product	Register Search (CT 5405/886)
Date/Time	13/03/2019 01:19PM
Customer Reference	55922721:87049472
Order ID	20190313006423

REAL PROPERTY ACT, 1886



South Australia

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



Certificate of Title - Volume 5405 Folio 886

Parent Title(s)	CT 4067/327		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	20/03/1997	Edition 5	Edition Issued 13/03/2019

Estate Type

FEE SIMPLE

Registered Proprietor

V RUGARI ENTERPRISES PTY. LTD. (ACN: 625 619 785)
OF 1 GLADSTONE ROAD PROSPECT SA 5082

Description of Land

ALLOTMENT 1 DEPOSITED PLAN 448
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

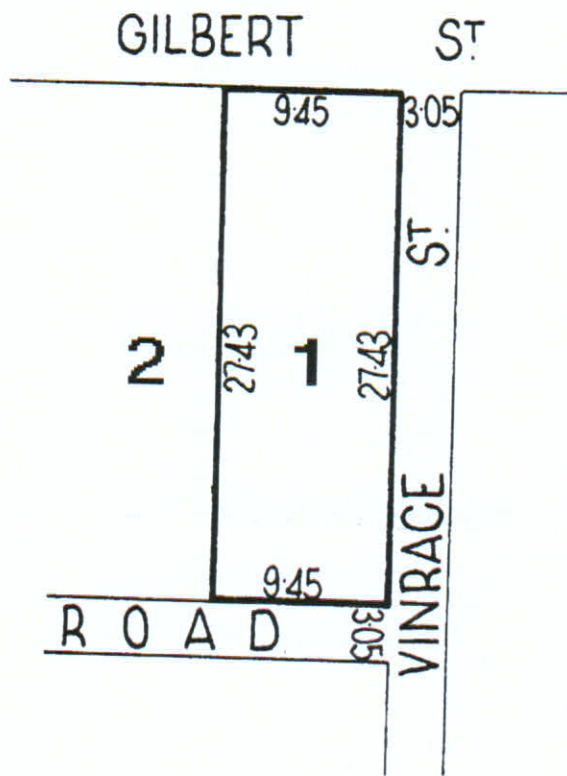
Notations

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



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5405/886)
13/03/2019 01:19PM
55922721:87049472
20190313006423



P D & S Kennedy Superannuation Fund**To: The City of Adelaide****Attention: Mr Phil Chrysostomou****Reference: DA/458/2020****Dear Sir,**

I act as Trustee for the property at 265 Gilbert St and write to express my considered reasons for objection to the application DA/458/2020 for change of use at 263 Gilbert St.

The reasons for objection are based on the following:**1. Potential increase in traffic and demand for on-street parking**

- Current regulations stipulate a number of carpark spaces be provided on site for commercial activities with additional parking requirements for a business's staff and clients/ visitors met using street parking which are already in short supply.
- Given the nature of the change of usage, groups of people will attend and stay in occupation for extended periods - not dissimilar to a restaurant - diminishing the quantity of available parks for existing users during these times.

2. Potential noise disturbance with type of business activity, i.e., dance studio

- The acoustic report considers several residential properties in the vicinity but makes nil reference in regards any potential effects on the neighbour immediately next door.
- The acoustic Report makes no reference to any potential sound transmission via the suspended ceiling/iron roof of 263.
- Considering the entry doors of 263/265 are immediately adjacent each other any loud noise when the door to 263 is opened will potentially result in an annoying ongoing problem to the neighbour.

3. Lack of cohesive tenant mix

- The requested change to an 'indoor recreation centre' catering to groups of people is out of kilter with the immediate areas usage and will create issues.

4. Day to day activities and responsibility of control of a hired space

- The application states that the preference is to hire the building out to dance teachers and others which may be seen in essence as similar to the nature of a hall. We believe this will lead to various groups without a direct sense of onsite 'ownership' or responsibility to the area, other than their monetary obligations to the Hirer.

5. Effects on Liberator - the immediately adjacent occupant at 265 Gilbert Street

- The tenant of 265 Gilbert, who has occupied the property since the beginning of 2017, has expressed alarm at the proposal. Liberator specialises in the field of disability voice-output communication. Their activities involve client support for many people with disabilities who find it hard to focus on information via a phone line, even with no background noise, due to audio processing problems. Liberator has onsite technicians whose work includes hardware problem analysis, repairs/precision soldering etc, and electronic parts assembly under high magnification.
- The tenant has noted that “On the 15th March Liberator will start a new speech pathologist to work with non-verbal children at 265. In order to encourage & develop natural speech through the stimulation of our own voice-output devices, there does need to be a calm, quiet environment. Any disturbance from next door is the worst possible intrusion into the childrens already distorted sensory world”.
- They also noted “it would be favourable if the proposal stated that any dance activities were to only start from 5pm on weekdays, but that 3.30 pm is not acceptable and would negatively affect their operations”.
- Their concern is also over “the reference to ‘intensive dance workshops’ in the proposal, which, without any time stipulations, is far too loose and effectively prevents regulation, since any dance class could be claimed to be a workshop as opposed to a class”.

<https://liberator.net.au/liberator/contact-liberator>

The tenant, Nigel Duckett, stated he would welcome the opportunity to discuss their concerns directly with the council if an officer were willing to contact them.









In summary we commend our comments and concerns to the Councils Development panel.

If the proposal is accepted in its current form it will detrimentally affect immediate neighbours.

From a landlord’s point of view, we have real concerns what this would mean to our tenant and the operation of their business, and the prospect for us in any future leasing negotiations and subsequent income.

Yours Faithfully

Paul Kennedy

Respondent	PD & SL P/L 
Respondent Address	c/- Lin Andrews Real Estate, GPO Box 1245, ADELAIDE SA 5001  
Response Type	PNNO Representor Does Not Wish To Be He 
Response Date	8/03/2021  
Letter Details	
Use Respondent Name	<input checked="" type="checkbox"/> PUBLIC
Summary of Response	 Surname: Kennedy Given Names: Paul Address Line 1: 25 Peel Street Suburb: Adelaide Postcode: 5000 Email Address: paul@kennedyprivate.com.au



Phil Chrysostomou
 City of Adelaide
 25 Pirie Street
 Adelaide SA

23-03-2020

Dear Phil,

Re: DA/458/2020 - 263 Gilbert Street Change of Use - Response to Representation

On behalf of Bianca Rugari, the applicant for the change of use at 263 Gilbert Street, we provide the following information in response to the aforementioned application and representation made by the Trustee for the property at 265 Gilbert St, P D & S Kennedy Superannuation Fund.

Objection 1 - Potential increase in traffic and demand for on-street parking

With regard to the concern over the increase in traffic and demand for on-street parking, the Adelaide (City) Development Plan consolidated 30th April 2020, Table Adel/7 On-site Carparking Provisions requires non-residential developments (excluding hotel/licensed premises, offices/ancillary retail services and restaurant/café) to provide a minimum 5 spaces per 100m² of gross leasable floor area. The approximate floor area of 263 Gilbert St, according to the commercial real estate plans, is 200.22m² therefore requiring minimum 10 on-site car parking provisions. The proposed change of use does not meet the required provision with only 3 on-site parking provided however this determined by the existing site conditions and we note does not change from the previous approved use.

We note that the lack of on-site carparking provided does not differ to the majority of other tenancies currently occupying Gilbert St whereby minimum carpark provisions are also not provided, some of which require significantly higher provisions based upon their approved type of development. This includes the tenancy at 265 Gilbert St which has a floor area of 186m² and only provides 3 car spaces.

It is our opinion that the claims of increased traffic and demand for on-street parking are irrelevant as irrespective to the change of use, car parking shortfalls, both on-site and street, for this particular area of the city are unavoidable given the apparent lack of these provisions and council determined land uses.

Objection 2 - Potential noise disturbance with type of building activity.

Marshall Day Acoustics have prepared an acoustic report (RP 001 20200223, dated 30 Nov 2020) responding to the concerns identified by the City of Adelaide. The report was carried out in accordance with the relevant Development Plan and South Australian EPA legislation and have recommended minor treatment to existing doors & windows which we, as the applicants' architect, will address through the proposed future fit-out works and request these be referred as a condition of consent.

studio-gram Pty Ltd
 ABN 66 167 317 339

Shop 1
 2 Union St
 Goodwood SA 5034

hello@studio-gram.com.au



Objection 3 - Lack of cohesive tenant mix

The proposed change of use, to the best of our knowledge, does not pose any issues with the Development Plan and a lack of cohesive tenant mix is void. Gilbert St is currently occupied by a diverse mix of tenancies, ranging from single dwellings and multi residential developments, licensed premises and restaurants/cafes, car dealerships & repair shops, retail stores & fitness/wellness centres.

Objection 4 - Day to day activities and responsibility of control of a hired space

This is not a planning matter and no comments will be provided.

Objection 5 - Effects on Liberator - the immediate adjacent occupant at 265 Gilbert St

Whilst we appreciate the concerns raised by Liberator and the potential impacts the proposed change of use may pose to their day-to-day operations, we are guided by the report prepared by Marshall Day Acoustics and with their recommendations, the predicted level at all noise-affected premises meets the Environmental Protection (Noise) Policy 2007 (EPP) levels.

It is our opinion that should additional acoustic or other environmental performance treatment be required to ensure a suitably adequate working condition for the occupant & their practitioners at 265 Gilbert St, this should be undertaken by the occupant directly as the proposed change of use applications meets council & EPP requirements. It is unreasonable to expect the applicant to assume responsibility for adjacent tenancies performance requirements which exceed those outlined in state legislation.

Please do not hesitate to contact the office to discuss any of the above or application in greater details.

Regards,



Olivier Martin
Associate
Architect (SA) 3505

Marshall Day Acoustics Pty Ltd

ABN: 53 470 077 191

31 Vardon Avenue

Adelaide SA 5000

Australia

T: +618 6189 1400

www.marshallday.com

23 March 2021

My Cloud Nine Pty Ltd
 6/185 Churchill Road
 Prospect SA 5082

Attention: Ms Bianca Rugari

Dear Ms Rugari

RESPONSE TO REPRESENTATION - DA/458/2020

Marshall Day Acoustics Pty Ltd (MDA) prepared an acoustic assessment for a proposed studio space at 263 Gilbert Street, Adelaide. The assessment and findings are detailed in the report, *Rp 001 20200223 - 263 Gilbert Street, Adelaide - Multi-Purpose Studio Space*, dated 30 November 2020.

Following submission by the proponent of the report to the City of Adelaide, an independent peer review was undertaken by acoustic consulting company, Sonus Pty Ltd (Sonus). Subsequent discussions by MDA were had with both Sonus and the City of Adelaide to close out items raised in the peer review (15 February 2021).

Since this time, the City of Adelaide has received one (1) representation in relation to the development application.

The representation was received from *P D & S Kennedy Superannuation Fund*, who act as Trustee for the property at 265 Gilbert Street, Adelaide. Item 2 of the representation refers to potential for noise disturbance, which is addressed below:

2. Potential noise disturbance with type of business activity, i.e., dance studio

- *The acoustic report considers several residential properties in the vicinity but makes nil reference in regards any potential effects on the neighbour immediately next door.*
- *The acoustic Report makes no reference to any potential sound transmission via the suspended ceiling/iron roof of 263.*
- *Considering the entry doors of 263/265 are immediately adjacent each other any loud noise when the door to 263 is opened will potentially result in an annoying ongoing problem to the neighbour.*

The acoustic assessment was undertaken in accordance with the provisions of the Adelaide (City) Development Plan, that requires consideration of development to prevent noise from causing unreasonable interference with the amenity and desired character of the locality. In the absence of objective criteria to define "unreasonable interference with the amenity," reference was made to the *Environment Protection (Noise) Policy 2007 (EPP)*, which provides a methodology and objective noise criteria, relevant for the assessment of new proposed or existing premises.

The assessment was based on measuring the noise reduction from all paths (walls, roof, windows etc) of 263 Gilbert Street, to nearby residential properties to determine whether the proposed use can achieve the objective noise criteria in the EPP.

The EPP is primarily associated with controlling noise in the outdoor environment. Schedule 1 of the EPP details exclusions to the policy, including noise between tenancies, as is the case in this situation, which would be subject to proceedings under Community Titles, Strata Titles or Residential Tenancies Acts.



The EPP does not apply when assessing noise directly through walls or roof-ceiling of a tenanted building, nor is it usually addressed during a planning application, and instead appropriate internal noise levels between tenancies is generally a matter for building owners to address.

Notwithstanding the above, internal noise levels in adjacent commercial tenancies can be based on Australian/New Zealand Standard *AS/NZS 2107:2016—Acoustic Recommended Design Sound Levels and Reverberation Times for Building Interiors* (AS/NZS 2107). AS/NZS 2107 provides recommendations for acceptable internal design noise levels, for a range of building types, including offices and teaching spaces. For general office areas, quiet rooms, meeting rooms etc. AS/NZS 2107 recommends design internal noise level range 40-45 dB L_{Aeq} .

Based on the internal design level 77 dB L_{Aeq} within 263 Gilbert Street (detailed in acoustic assessment and based on actual measurements from other similar studio spaces) and the existing observed inter-tenancy wall (minimum 110 mm blockwork), it is expected the internal noise level within 265 Gilbert Street would be below the range of appropriate internal noise levels specified in AS/NZS 2107. The proposed use is therefore unlikely to cause unreasonable interference with the amenity of the adjacent premise.

We trust this information is satisfactory. If you have any further questions, please do not hesitate to contact us.

Yours faithfully

MARSHALL DAY ACOUSTICS PTY LTD



Alex Morabito

Associate

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 28/4/2021

Item	5.2
Address	62 62A 64 64A 66 Hurtle Square, Adelaide SA 5000
Proposal	Vary previous authorisation - Construction of a seven-storey residential flat building with ground floor commercial tenancy and associated car parking - VARIATION - Internal and external alterations including reduction in dwellings from 40 to 34, reconfiguration of floor plans, facade changes including widened balconies, relocation of water mains services and reduction in bicycle parking, DA/295/2020/B [DA] (EP) [CAP]
Applicant	Forme Projex
Relevant Development Plan	30 April 2020
Lodgement Date	25 Jan 2021
Zone / Policy Area	City Frame Zone
Public Notification	Category 1
Application Type	Application Assessed on Merit
Delegations Policy	Variation to previous authorisation
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information

- Plans and Elevation 1 - 19
- Planning Report 20 - 35
- Comparison Drawings 36 - 45
- Certificate of Title 46 - 57

Council Architect referral comments 58 - 59

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. **DESCRIPTION OF PROPOSAL**

1.1 Planning consent is sought for a variation to Development Application 295/2020/A.

1.2 The proposal includes the following variations:

- Reduction in number of apartments from 40 to 34.
- Reconfiguration of floor plans including increase in the number of two-bedroom apartments and reduction of one bedroom apartments.
- Introduction of a 1.5 metre deep setback to the western façade for a length 7.3 metres from level 1 to the top floor.
- Balconies on the northern façade are increased in width from 3.6 metres to 7.5 metres.
- Mains water tank relocated to the south western portion of the ground floor.
- Variation to the arrangement of windows along the western and eastern facade.
- Reduction in the number of bicycle parking spaces from 49 to 38.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area 615.7m²		
Building height - Storeys - Metres (ceiling height)	Approx. 9 29 metres (max.)	9 29 metres
Private Open Space (POS) - 1 bedroom apartment - 2 bedroom apartment	- 8 m ² - 11m ²	7.7 - 15.3 m ² 13 -15.3 m ²
Car parking and Access - Number of spaces	37 Spaces	30 Spaces
Bicycle Parking	41 Spaces	38 Spaces

3. **BACKGROUND**

- 3.1 The following table refers to previous development applications relating to the subject site:

APPLICATION NO.	DESCRIPTION OF DEVELOPMENT	DECISION
DA/295/2020	Construction of a seven-storey residential flat building (32 dwellings) with ground floor commercial tenancy and associated car parking	Approved 25-08-2020
DA/295/2020/A	Vary previous authorisation construction of a seven-storey residential flat building (32 dwellings) with ground floor office tenancy and associated car parking - VARIATION - Addition of 2 building levels (8 additional dwellings), floor plan reconfiguration, facade changes, addition of transformer and various minor alterations	Approved 23-11-2020

- 3.2 The previous application DA/295/2020A represented a significant amendment to the original design, proposing an additional 2 building levels, increasing apartments from 32 to 40, increasing car parking from 17 to 30 vehicles as well as assorted internal and external changes.
- 3.3 The applicant has consulted with Council's Architect to achieve design improvements for this application.

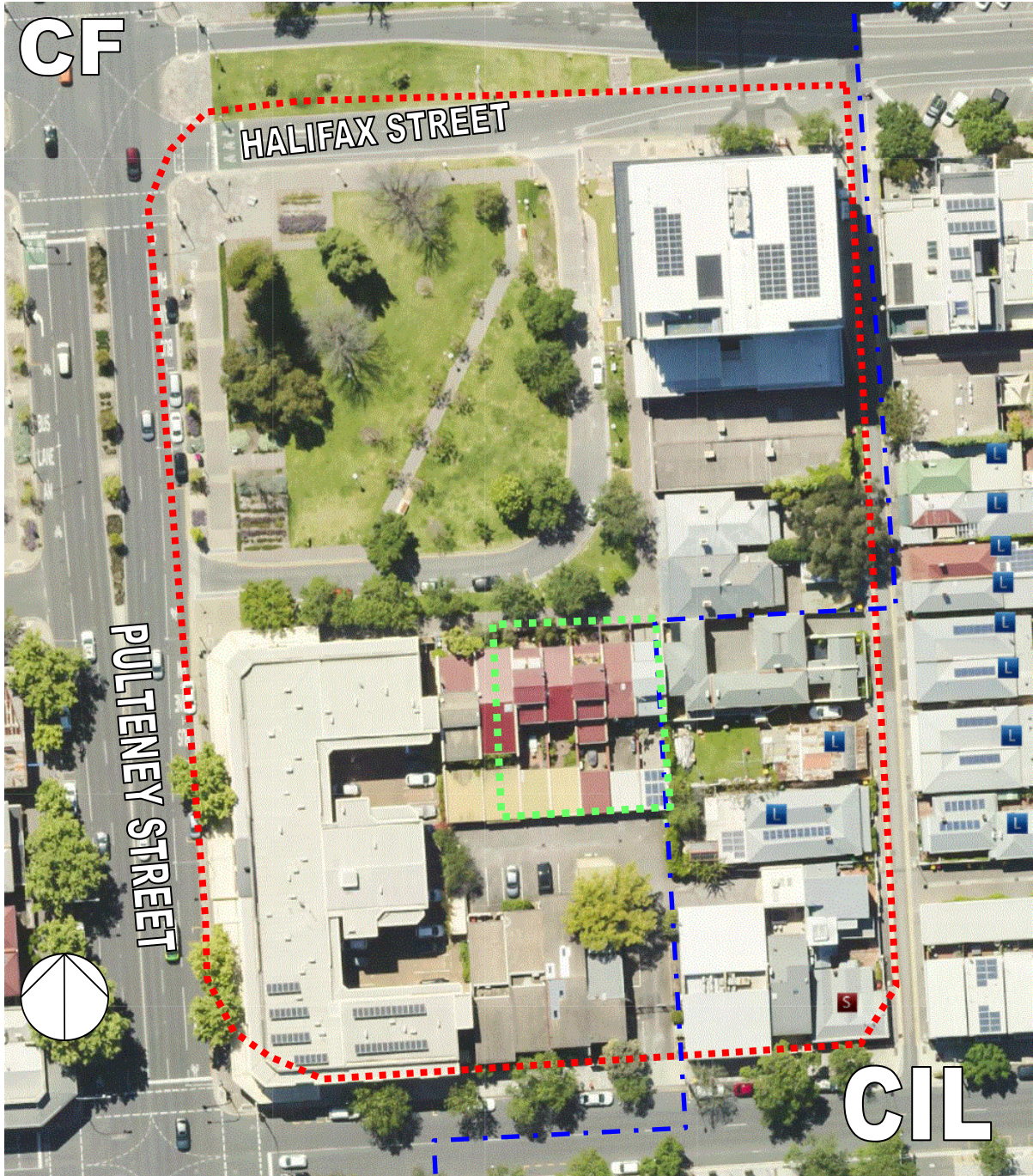
4. **SITE**

- 4.1 The subject site is comprised of five allotments having a frontage of 22.3 metres to Hurtle Square, a depth of 27.8 metres and a total site area of 615.7 metres.
- 4.2 Five two storey detached dwellings which occupy the site are proposed to be demolished.
- 4.3 The site has a right of way over allotment 12 to the south which provides access for pedestrians and vehicles to Gilles Street.

5. **LOCALITY**

- 5.1 The locality is comprised of a variety of building types and heights including 2-3 storey row dwellings fronting Hurtle Square as well as several apartment buildings ranging from 4 to 9 storeys.
- 5.2 A more coherent residential character is found towards the south and east of Hurtle Square and in the surrounding side streets, with dwellings typically of 1 to 2 storeys.
- 5.3 Several commercial premises are located at the southern end of the Square and along Halifax Street.
- 5.4 An eight level residential development by Forme Projex and designed by Locus Architecture is constructed to the north of the subject site, on the south-east corner of Hurtle Square and Halifax Street (see photo 3).

- 5.5 A nine level residential development, also by Forme Projex was completed in 2019, located on the corner of the square and Halifax Street (see photo 4).
- 5.6 Planning consent has been granted by Council for a nine level residential development with frontage to Hurtle Square and Pulteney Street located on the south west quadrant of the square (421-425 Pulteney Street), which further reinforces the creation of a consistent 7-9 storey wall of apartments around the square.








<u>KEY</u>			
	Subject Site		Local Heritage Place
CF	City Frame Zone		State Heritage Place
CIL	City Living Zone		Zone Boundary
			Locality

Photo 1 – Site



Photo 2 – Nearby sites – looking east



Photo 3 – Vehicle entrance point on Gilles 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 Architectural Commentary

- The proposed amended façade design is well-articulated and a better quality design than the approved one.
- The revised design introduces a stronger architectural expression to the northern façade, befitting its prominent siting on Hurtle Square. The architectural composition is now clear cut with strongly expressed vertical and horizontal elements. The corners of the façade are reconfigured into a pair of slender vertically proportioned elements which frame the whole façade. Glazed balustrading stretching between the two masonry frames counterbalances the vertical geometry. Windows to the projecting corner elements of the building have been enlarged, which provides a more consistent look on the façade and improves the light and ventilation to the rooms. The extended balconies will also provide some sun shading benefit to the corner rooms on Levels 1 – 6.
- The proposed balcony balustrading is tinted grey glass, similar to the apartment developments on the eastern side of Hurtle Square. The grey glazing provides good horizontal definition to the façade whilst allowing for some visual privacy for apartment residents.
- In addition to the architectural benefit of increasing the balcony width, amenity is also increased, with more open space and easier façade cleaning and maintenance for apartment residents.

8.2 Balcony Encroachment

- The proposed balconies exceed the “30 percent of street frontage” as stated in the City of Adelaide’s Encroachment Policy (version 11 February 2020). An encroachment report was tabled at the Committee on 6 April 2021 and endorsed by Council at its meeting on 13 April 2021.
- Council’s Architect supports the balcony encroachment as the revised balcony design improves the appearance of the development and its presentation to Hurtle Square. The extended balconies provide a stronger architectural expression to the front façade and enriches the Hurtle Square locality. The tinted grey glass balustrading allows transparency on the façade and avoids a heavy appearance.

8.3 Infrastructure

- As per previous comments, no objection to the proposal subject to standard conditions and standards.

8.4 Traffic

- As per previous comments, no objection to this development.

8.5 Waste Management

- As per previous comments, no waste related objections to this development.

9. **DETAILED ASSESSMENT**

9.1 **Desired Character**

This variation tweaks the previously approved building, however it remains consistent with the desired character within the City Frame Zone.

9.2 **Built Form and Design**

Height and Setbacks

The building height remains unchanged from the previously approved at 29 metres which is the maximum height sought in the City Frame Zone.

The proposal includes a building setback of 1.5m from the western boundary for a length of 7.3 metres for levels 1 to 8. This results in improved articulation and breaking up of the western façade. It will also result in a reduced sense of enclosure for the adjacent dwellings at 68 and 70 Hurtle Square.

The northern, eastern and southern building setbacks remain unchanged.

Composition, Proportion and Articulation

The building remains consistent with the scale, subdivision pattern and building forms within the locality. Large blank expanse of walling are avoided with the large frontages broken up by a mixture of articulation, windows and balconies.

The western elevation has been improved by the inclusion of a 1.5m setback for a length of 7.3 metres for levels 1-8. The main colour of the façade has been made slightly lighter than the sandstone colour of the approved version, although the colour is still stated as sandstone. This provides greater contrast with the dark tinted windows and balconies.

The northern facade facing onto Hurtle Square proposes an extension of the balcony widths from 33 per cent of the street frontage to 67 per cent of the street frontage. The difference is shown in Figure 1 and 2 below.

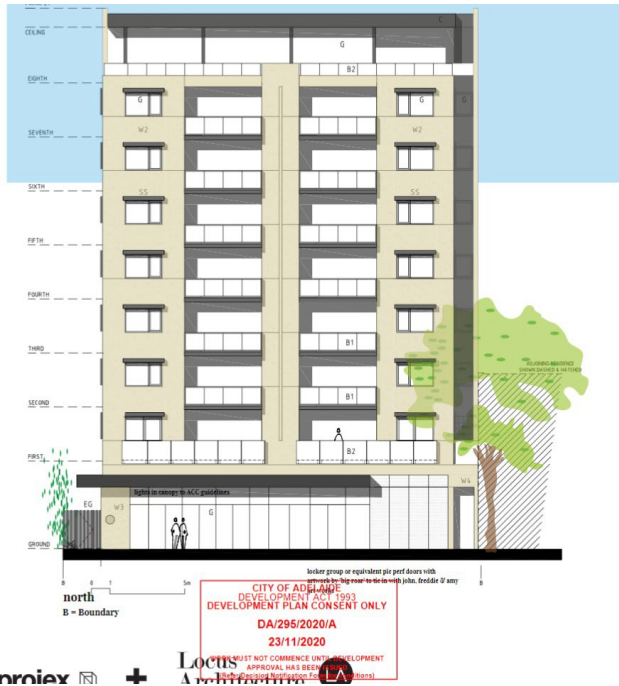


Figure 1: Approved Northern Elevation in DA/295/2020/A

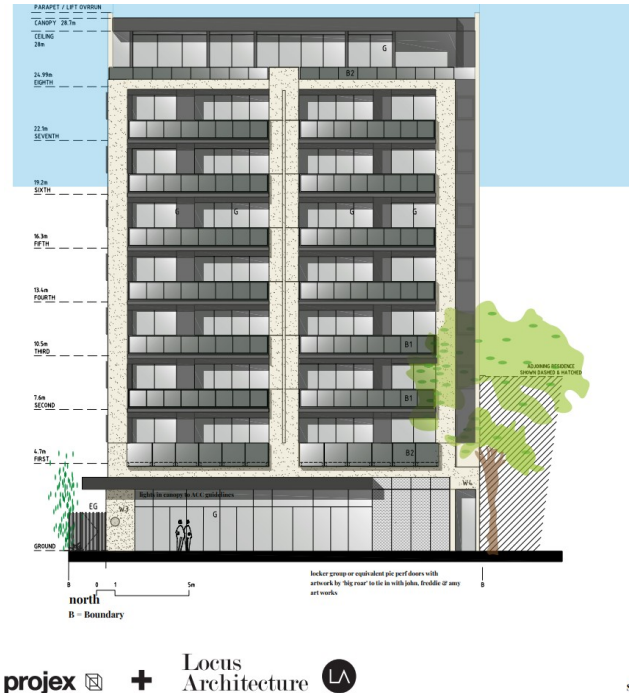


Figure 2: Proposed Varied Northern Elevation

This design change is considered to have merit as it:

- Improves the articulation and overall visual presentation of the building, confirmation of which has been provided by Council's Architect (See detailed advice in Section 8.1)
- Provides shadowing for windows below on the northern elevation.
- Provides improved residential amenity for all of the units through an increase in private open space.

Materials and Finishes

The high level of quality of the architectural design and external materials and finishes remains with the variation proposal. The wall colour remains 'sandstone' but appears to be a lighter tint on the submitted elevation plans which provides more of a contrast with the grey tint glass of the windows and balcony balustrades which is a positive aspect of the amended proposal, further breaking up the visual presentation of the building.

The materials, colours and finishes are considered appropriate within the context of the locality.

9.3 Residential Amenity

The previously approved residential amenity outcomes, as sought by the Development Plan, remain achieved with this variation. The amended proposal features less apartments with larger floorplates which provides better adaptability through choices of room usage, furniture placement, additional private open space on balconies and improved outlook to Hurtle Square with increased size of window openings.

9.4 Visual and Acoustic Privacy

The varied proposal reduces the level of incidental overlooking from balconies on the southern façade into surrounding properties as previously approved, through the elimination of the voids in the most eastern and western walls. The east and west facing windows retain a minimum sill height of 1.6m which will adequately minimise overlooking into the adjacent residential properties. Therefore, it is considered that CW PDC 66 and 67 are satisfied.

9.5 Transport, Access and Parking

Table Adel/6 and Adel/7 sets out car parking and bicycle parking rates. The approved plan provided 29 car parking spaces and 49 bicycle parking spaces for 40 apartments and the office. The reduction in apartment numbers from 40 to 34 requires the provision of 36 car parking spaces and 39 bicycle parking spaces. 30 car parking spaces and 38 bicycle parking spaces are now proposed, thus the variation reduces the shortfall in car parking from 13 spaces to 6 spaces and has a shortfall of one bicycle parking space, more closely aligning with the Development Plan requirements.

9.6 Conclusion

The variation application proposes the construction of an eight storey residential apartment building containing a total of 34 dwellings and an office on the ground level with bicycle and car parking facilities. The proposal is considered to satisfy the desired character statement and principles in that:

- The variation is consistent with the desired character of the Zone in both land use and built form aspects.
- The building height remains the same as previously approved at 29 metres.
- The increase in northern façade balcony widths has been approved under the City of Adelaide's Encroachment Policy. The increase in balcony width is considered a visual positive component of the design as it provides a balanced appearance between the vertical columns, increases private open space for the units and provides shadowing for the windows below.
- The proposed materials, finishes and design are of high quality.
- The shortfall in car parking spaces decreases from 12 spaces to 6 spaces. Although bicycle provision drops from 49 to 38 parking spaces, changing from an

excess of 6 spaces to a deficit of 1 space, overall the impact of the shortfalls is supported, as the expected impact upon parking in the locality is estimated to be reduced.

- Impacts on the locality such as overshadowing, overlooking remain satisfied with the variation.
- Residential amenity of the dwellings satisfies the energy efficiency measures required.

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.

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

10. RECOMMENDATION

That the development, the subject of the application from Forme Projex to vary previous authorisation for construction of a seven-storey residential flat building with ground floor commercial tenancy and associated car parking - VARIATION - Internal and external alterations including reduction in dwellings from 40 to 34, reconfiguration of floor plans, facade changes including widened balconies, relocation of water mains services and reduction in bicycle parking at 62 62A 64 64A 66 Hurtle Square, Adelaide SA 5000 as shown on plans designated DA/295/2020/B:

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

Reserved Matters

Pursuant to Section 33(3) of the Development Act, 1993, a decision on the following matters are reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Development Approval):

- 1. The applicant or person(s) having the benefit of this consent is requested to provide, prior to the granting of development approval, a report confirming that the development incorporates the necessary acoustic treatments and noise attenuation measure so as to achieve the minimum requirements as outlined in Council Wide Principle 98. In addition, the report will include an assessment of the noise output(s) from fixed domestic air-conditioning units located on the balconies to ensure that the development conforms with the requirements of the Environment Protection (Noise) Policy. The Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said acoustic report.**
- 2. The applicant of the person(s) having the benefit of this consent is requested to provide, prior to the granting of development approval, design details of the pic perf doors of the fire pump room. The Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said acoustic report.**

(Note: A further Decision Notification Form will be issued when the Reserved Matter has been satisfied with the provision of further information. No work can commence until these matters have been resolved and you have received Development Approval from Council).

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:**
 - Drawings prepared by Locus Architecture numbered DPC.004, DPC.005, DPC.006, DPC.007, DPC.008, DPC.009, DPC.010, DPC.011, DPC.012, DPC.013, DPC.014, DPC.018, DPC.032, DPC.033 all V1.5 dated 18 December 2020.**
 - Planning Report prepared by Masterplan Planning Consultants dated 21 January 2021.**
 - Mechanical, Electrical, Hydraulic and Fire Protection report by Bestec.**
 - Traffic and Parking report prepared by Cirqa.****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. **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.*

4. **The finished floor level of the ground floor level at the entry point to the development shall match the existing footpath unless otherwise agreed to by the Council in writing**

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

5. **The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' which is attached to this consent to the reasonable satisfaction of the Council.**

Reason: *To ensure that adequate provision is made for the collection and dispersal of stormwater*

6. **Lighting shall be installed to the awning at street level on Hurtle Square in accordance with Council's guideline entitled "Under Verandah/Awning Lighting Guidelines" (attached to this consent) at all times to the reasonable satisfaction of the Council and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of Council.**

Reason: *To ensure the Development does not create public areas with insufficient lighting.*

7. **Lighting shall be provided to the apartment entry on Hurtle Square and shall be operational during the hours of darkness at all times to the reasonable satisfaction of Council.**

Reason: *To ensure the development does not create areas with insufficient lighting.*

8. **The noise level of any air conditioning units located on the Land when assessed at the nearest existing or envisaged future noise sensitive location in or adjacent to the Land shall not exceed 55dB(A) during daytime (7am to 10pm) and 45dB(A) during night time (10pm to 7am) when measured and adjusted in accordance with the relevant environmental noise legislation in operation and**

applicable to the Land except where it can be demonstrated by the applicant or the person(s) having the benefit of this consent that a high background noise exists in which case such noise levels shall be to the reasonable satisfaction of the Council at all times.

Reason: To ensure that the acoustic amenity of the locality is not unduly affected by air-conditioning noise.

9. The final details of the ongoing waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent, shall be submitted to and approved by the Council prior to the granting of development approval to the Development.

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 the use of the Development.

10. 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.

11. This consent will lapse at the expiration of 24 months from the operative date of this consent

Reason: To facilitate the preparation of building documentation.

Advisory Notes

1. Street Numbering

Any street numbering which may have been indicated on this application has neither been approved nor denied. To avoid any potential confusion regarding the addressing of your development, it is recommended that you contact the Rates and Valuation Section to confirm the correct address prior to the commencement of marketing. The Rates and Valuation Section can be contacted on 8203 7128 or 8203 7129.

2. Commencement and Completion

Pursuant to Regulation 74, the Council must be given one business days' notice of the commencement and the completion of the building work on the site and any other relevant stages as specified in the attached "Notice to Council." To notify Council, contact City Planning via d.planner@cityofadelaide.com.au or phone 8203 7185.

3. 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.

4. Building and Encroachment Consent for Approval

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

5. Encroachment Permit

An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted. In particular your attention is drawn to the following:

- An annual fee may be charged in line with the Encroachment Policy.
- Permit renewals are issued on an annual basis for those encroachments that attract a fee.
- Unauthorised encroachments will be required to be removed.

Please contact the Approvals Section on 8203 7421 for further information.

6. Building Site Management Plan

A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:

- | | |
|----------------------------|-----------------------------------|
| - Work in the Public Realm | - Traffic Requirements |
| - Street Occupation | - Servicing Site |
| - Hoarding | - Adjoining Buildings |
| - Site Amenities | - Reinstatement of Infrastructure |
-

7. Site Theft

Unsecured building sites have been identified as a soft target for vandalism and theft of general building materials. The Eastern District Police and the City of Adelaide are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters, copper piping and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised access and establishes clear ownership. If you have any further enquiries about ways to reduce building site theft, please contact the Eastern District Crime Prevention Section on 8463 7024 or visit www.police.sa.gov.au for further security advice.

Alternatively, you can contact the City of Adelaide for further assistance and information by calling Jen West on 8203 7390.

8. 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

9. Residential Parking Permits

No on-street residential parking permits will be issued for use by occupants of, or visitors to, the development herein approved (unless the subject site meets the relevant criteria).

Please contact the City of Adelaide Customer Centre on 8203 7203 for further information.

10. Boundaries

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

11. Public Utilities

The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

In addition you are advised that the installation of an SA Power Networks transformer within the building may require the submission of a variation application. Furthermore, any proposal to install electricity infrastructure including a transformer or switching

cubicle within the public realm will require the consent of Council and may not be forthcoming.

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

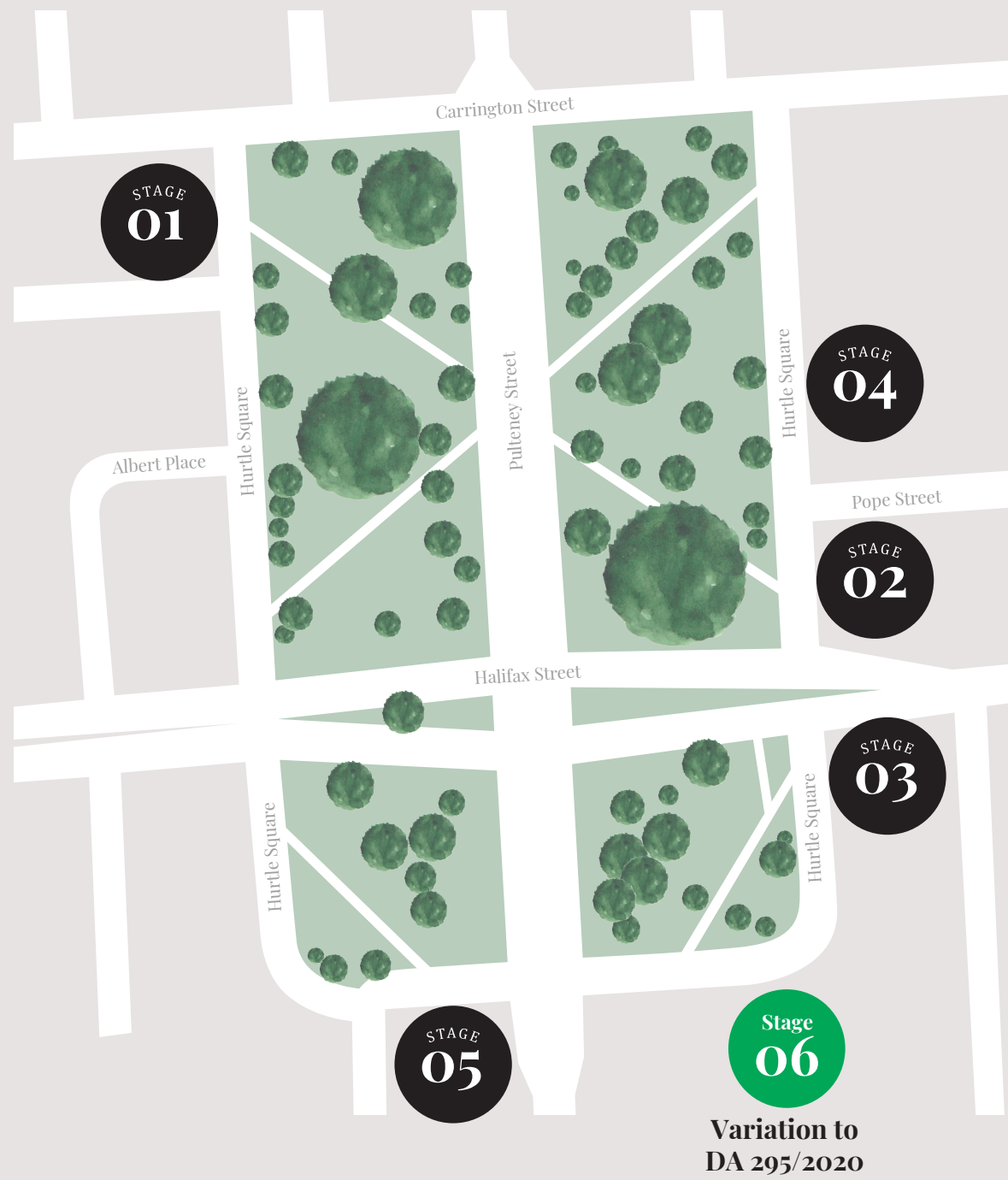
Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.

**Beautifully
crafted luxury
apartments on
Hurtle Square.
A collaboration
between
Formeproject
and Locus
Architecture**

The logo for Hurtle & Co. is a white circle containing the text "Hurtle & Co." in a white, serif font. The text is centered within the circle.

**Hurtle
& Co.**

location plan



Completed



Completed



Nearing completion



Under construction



Commencing soon



Variation to DA 295/2020

DPC.001 v1.4@ 2020.12.18





auto gates note

developer to upgrade the automation of exg. gates to high cycle heavy duty equipment to cater to the traffic volumes anticipated following construction of the proposed building



context



looking south / east - across Hurtle Square, from Pulteney Street



looking south / east, across Hurtle Square - junction of Pulteney & Halifax Streets



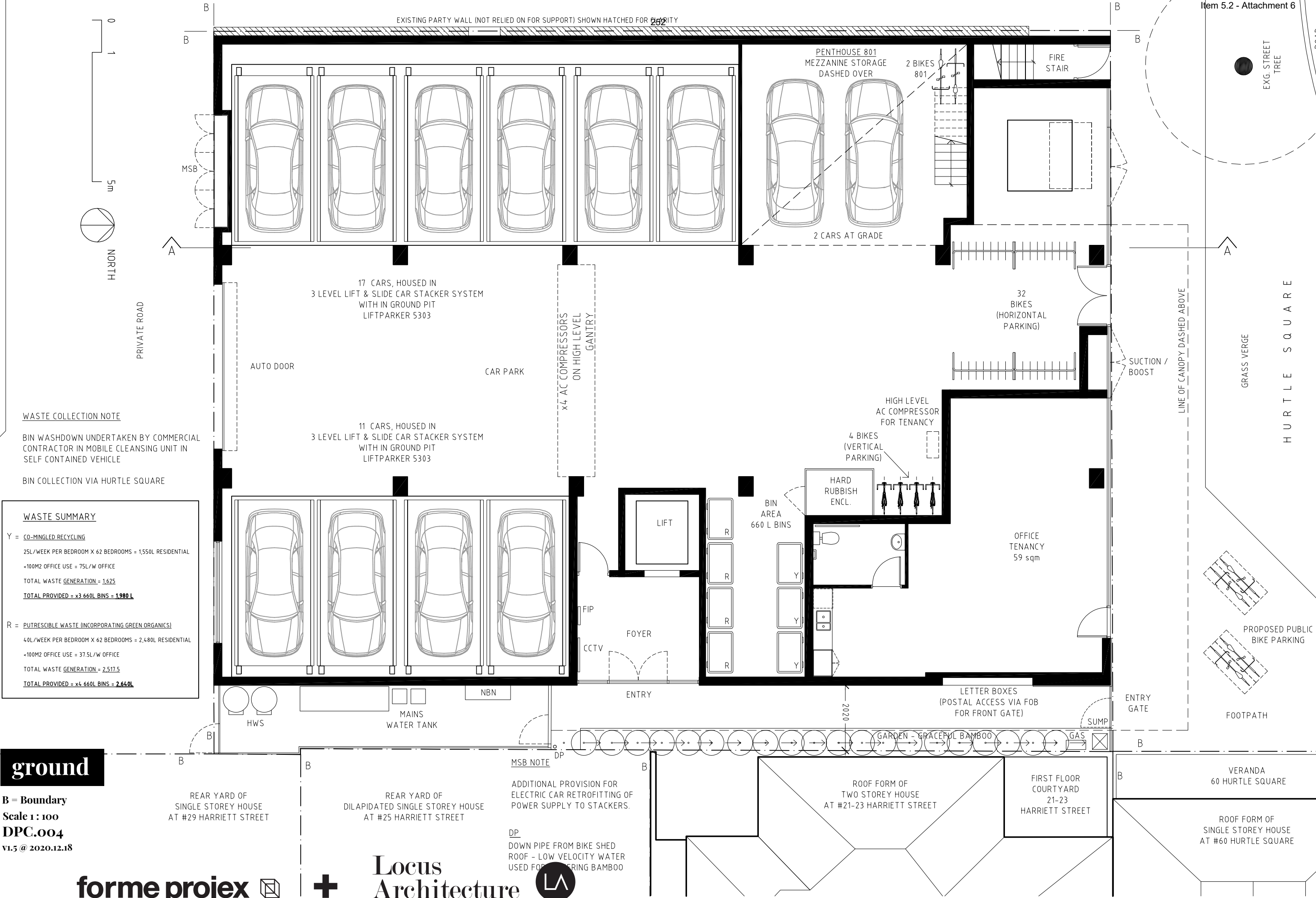
looking north / east - at intersection of Gilles & Pulteney Streets



looking north / west - Gilles Street



looking north / west - Harriett Street



WASTE COLLECTION NOTE

BIN WASHDOWN UNDERTAKEN BY COMMERCIAL CONTRACTOR IN MOBILE CLEANSING UNIT IN SELF CONTAINED VEHICLE

BIN COLLECTION VIA HURTLE SQUARE

WASTE SUMMARY

Y = CO-MINGLED RECYCLING
 25L/WEEK PER BEDROOM X 62 BEDROOMS = 1,550L RESIDENTIAL
 <100M2 OFFICE USE = 75L/W OFFICE
 TOTAL WASTE GENERATION = 1,625
 TOTAL PROVIDED = x3 660L BINS = **1,980 L**

R = PUTRESCIBLE WASTE (INCORPORATING GREEN ORGANICS)
 40L/WEEK PER BEDROOM X 62 BEDROOMS = 2,480L RESIDENTIAL
 <100M2 OFFICE USE = 37.5L/W OFFICE
 TOTAL WASTE GENERATION = 2,517.5
 TOTAL PROVIDED = x4 660L BINS = **2,640L**

ground

B = Boundary
 Scale 1 : 100
 DPC.004
 v1.5 @ 2020.12.18



MSB NOTE
 ADDITIONAL PROVISION FOR ELECTRIC CAR RETROFITTING OF POWER SUPPLY TO STACKERS.
 DP
 DOWN PIPE FROM BIKE SHED ROOF - LOW VELOCITY WATER USED FOR WATERING BAMBOO

REAR YARD OF SINGLE STOREY HOUSE AT #29 HARRIETT STREET

REAR YARD OF DILAPIDATED SINGLE STOREY HOUSE AT #25 HARRIETT STREET

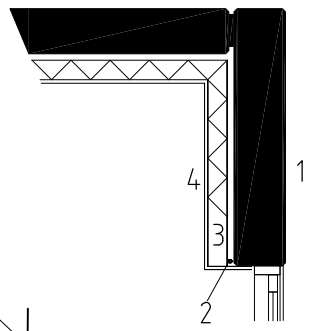
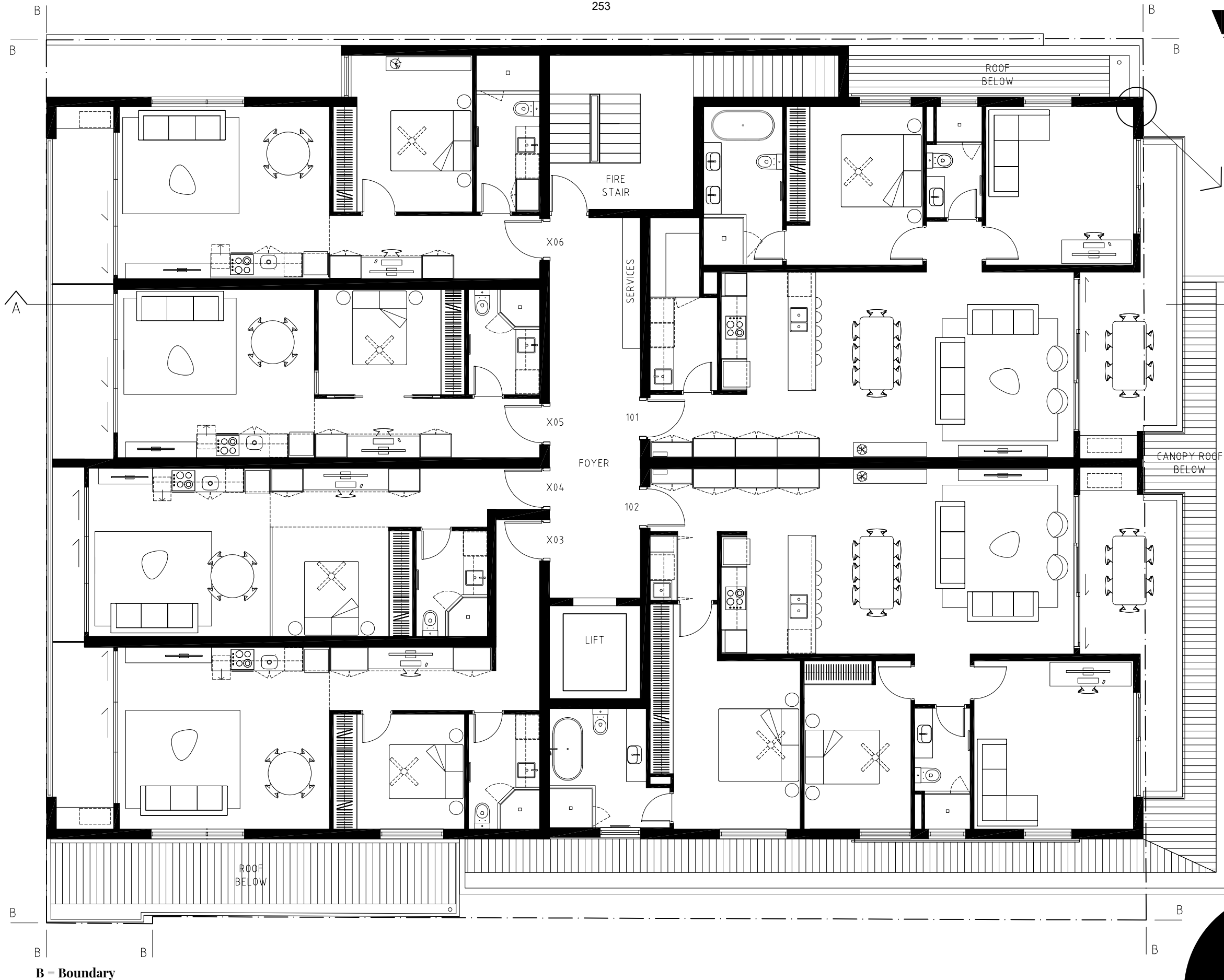
ROOF FORM OF TWO STOREY HOUSE AT #21-23 HARRIETT STREET

FIRST FLOOR COURTYARD 21-23 HARRIETT STREET

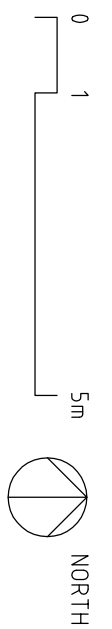
VERANDA 60 HURTLE SQUARE

ROOF FORM OF SINGLE STOREY HOUSE AT #60 HURTLE SQUARE

253



- TYPICAL EXTERNAL WALL CONSTRUCTION
1. PRECAST TYP. 200 THICK - R0.3
 2. AIR GAP TYP. 20mm - R0.9
 3. R3.0 WALL BATT IN STUD WALL
 4. 13mm PLASTERBOARD - R0.5
- TOTAL EXTERNAL WALL R VALUE = R4.7



B = Boundary

forme projex



Locus Architecture



level - 01

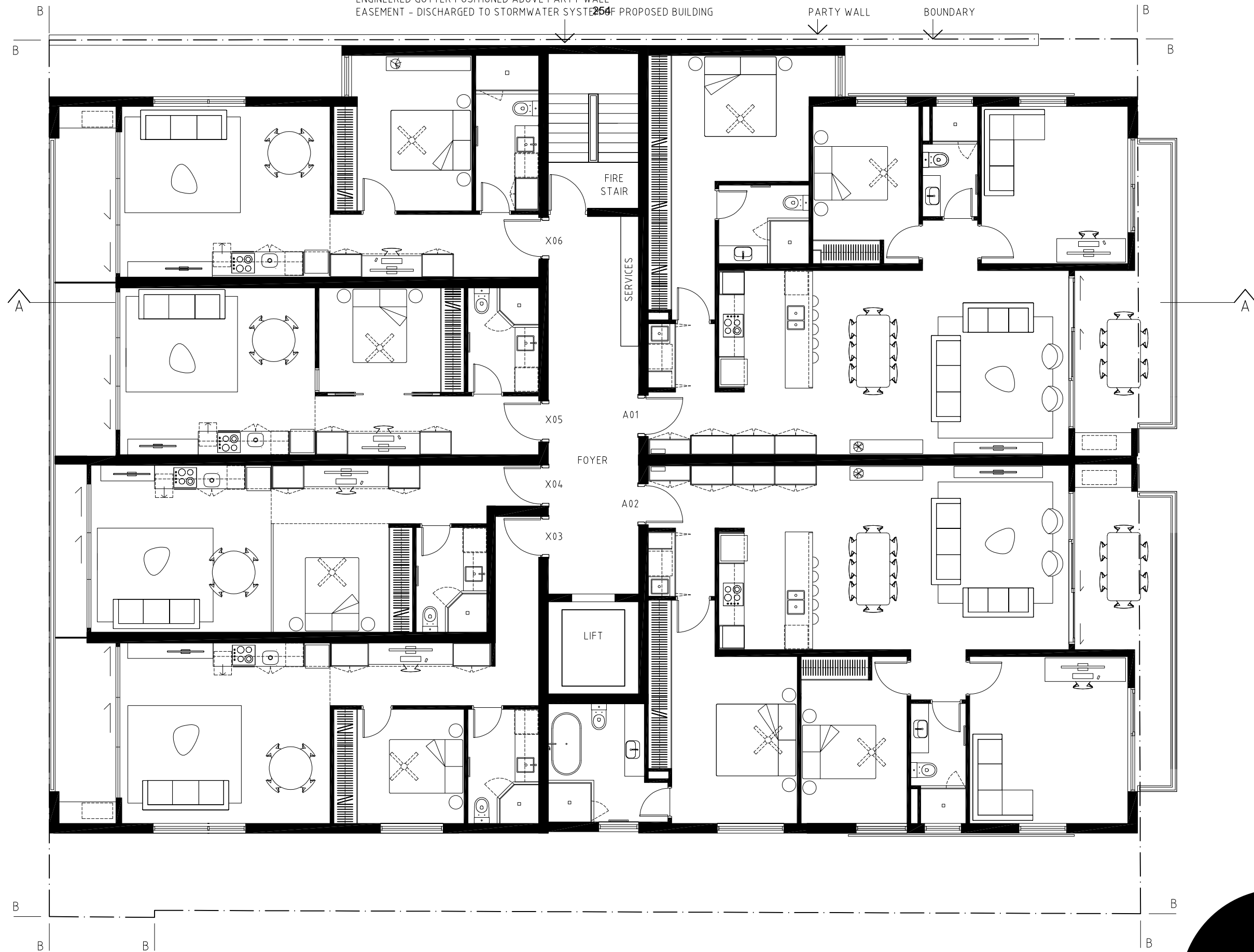
Scale 1:100 DPC.005 v1.5@ 2020.12.18



ENGINEERED GUTTER POSITIONED ABOVE PARTY WALL
EASEMENT - DISCHARGED TO STORMWATER SYSTEM OF PROPOSED BUILDING

PARTY WALL

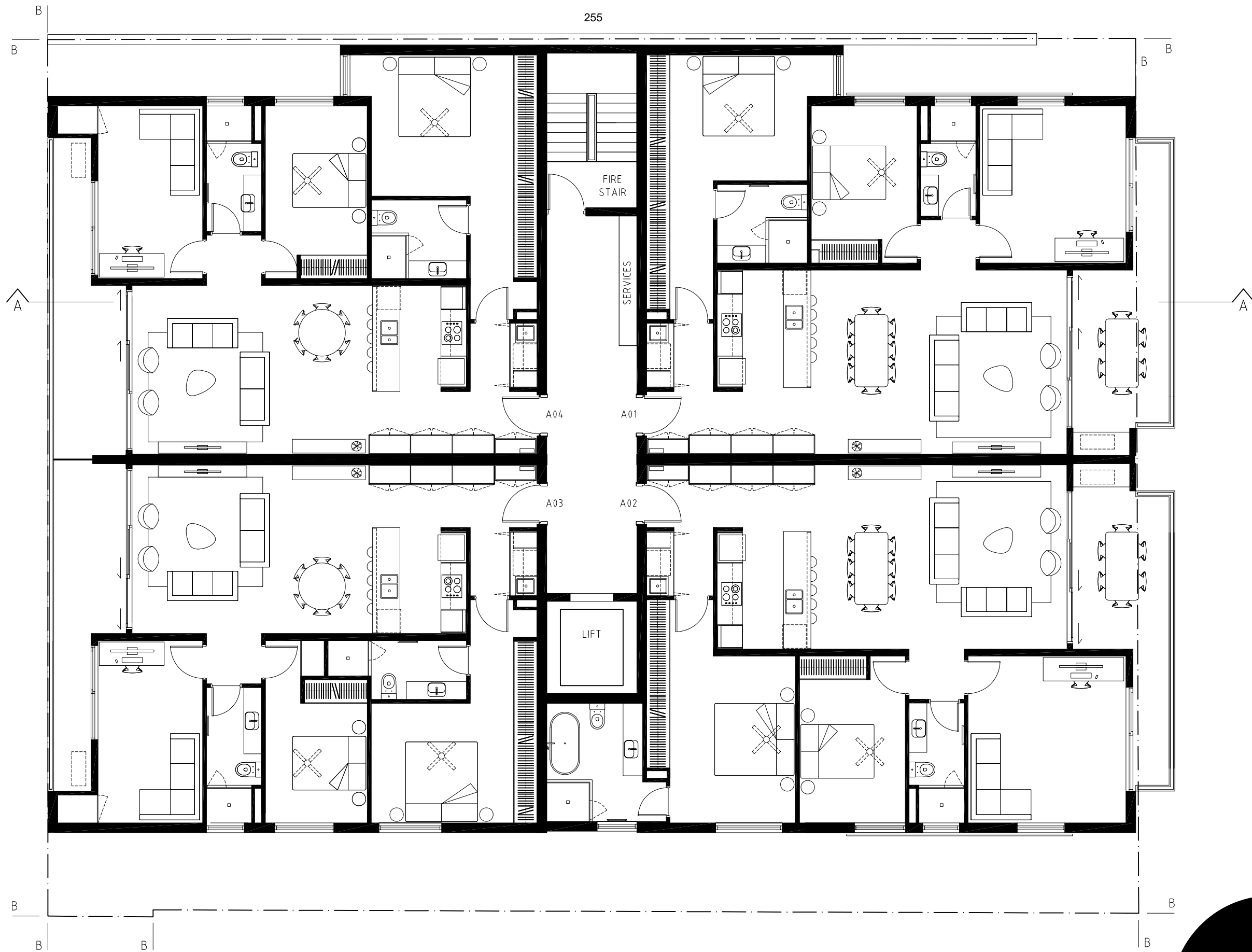
BOUNDARY



B = Boundary



255



B = Boundary

forme projex



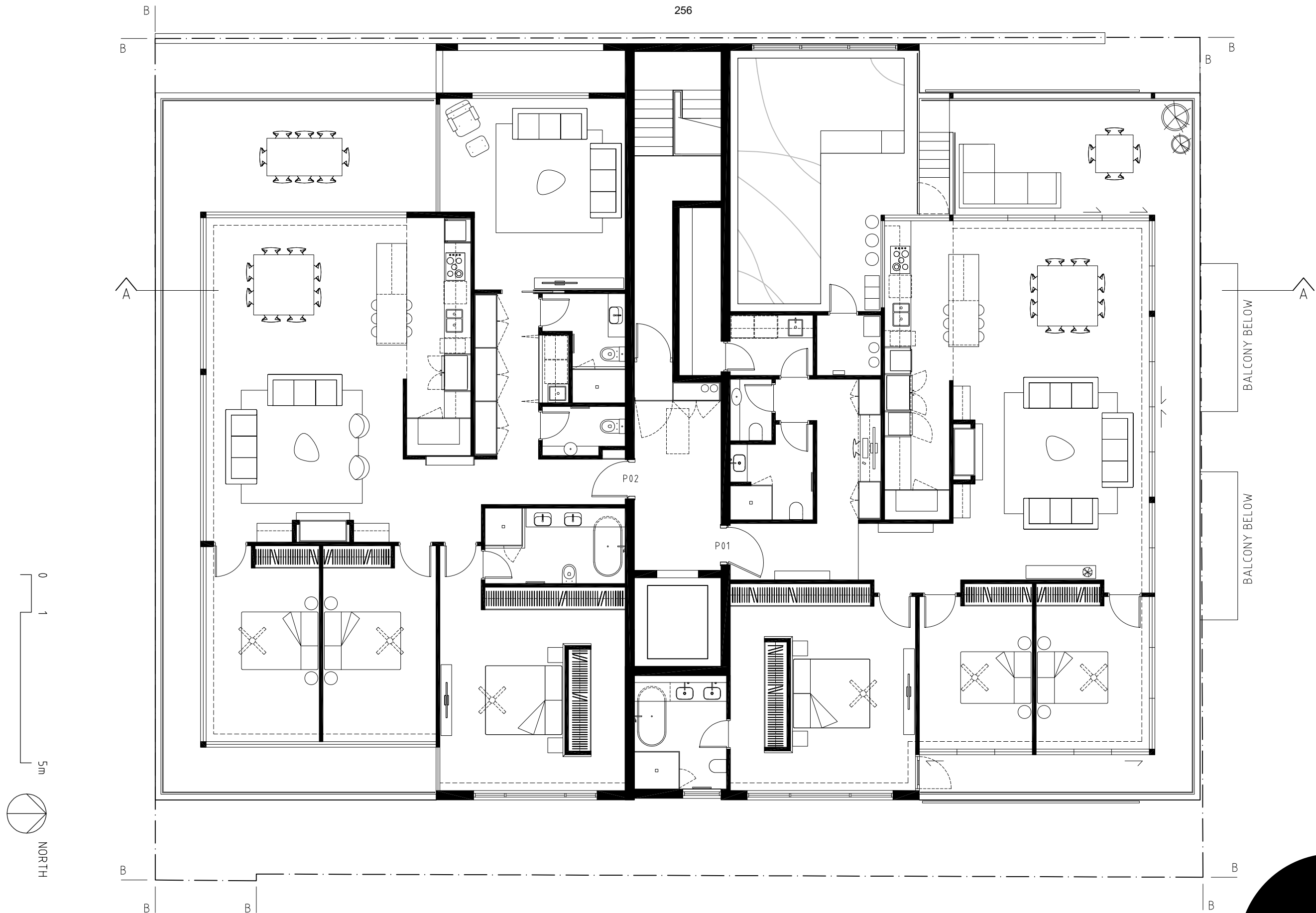
Locus Architecture



levels 03-07

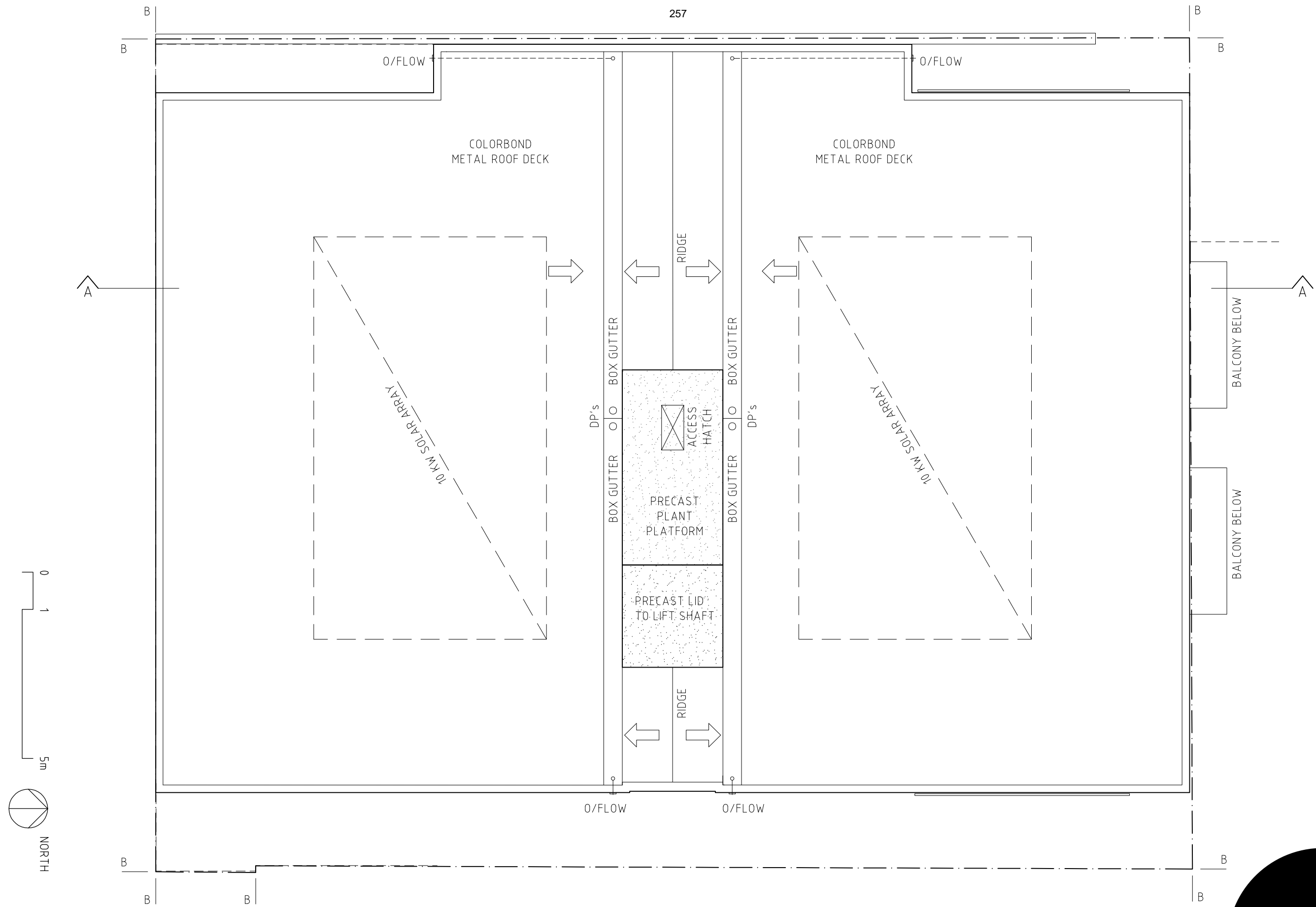
Scale 1:100 DPC.007 v1.5@ 2020.12.18





B = Boundary

257



B = Boundary



Locus Architecture



roof plan

Scale 1:100 DPC.009 v1.5 @ 2020.12.18







legend

- b1** black aluminum framed super grey glass infill balustrade
- b2** frameless grey tint glass balustrade
- g** black aluminum framed super grey vision glass to doors & windows
- l** black aluminum louvers
- w1** precast 'sandstone' - off-form
- w2** precast 'sandstone' - acid etch
- w3** precast 'sandstone' - honed
- w4** precast - Dulux 'night sky' finished in Dulux AcraShield
- c** canopy finished in solid 3mm thick folded 'black' mondo clad
- gd** garage door - black powdercoat finish
- eg** entry fence & gate - vertical aluminum slats



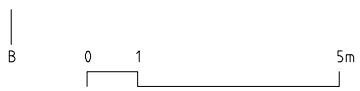
open slatted aluminium entry gate



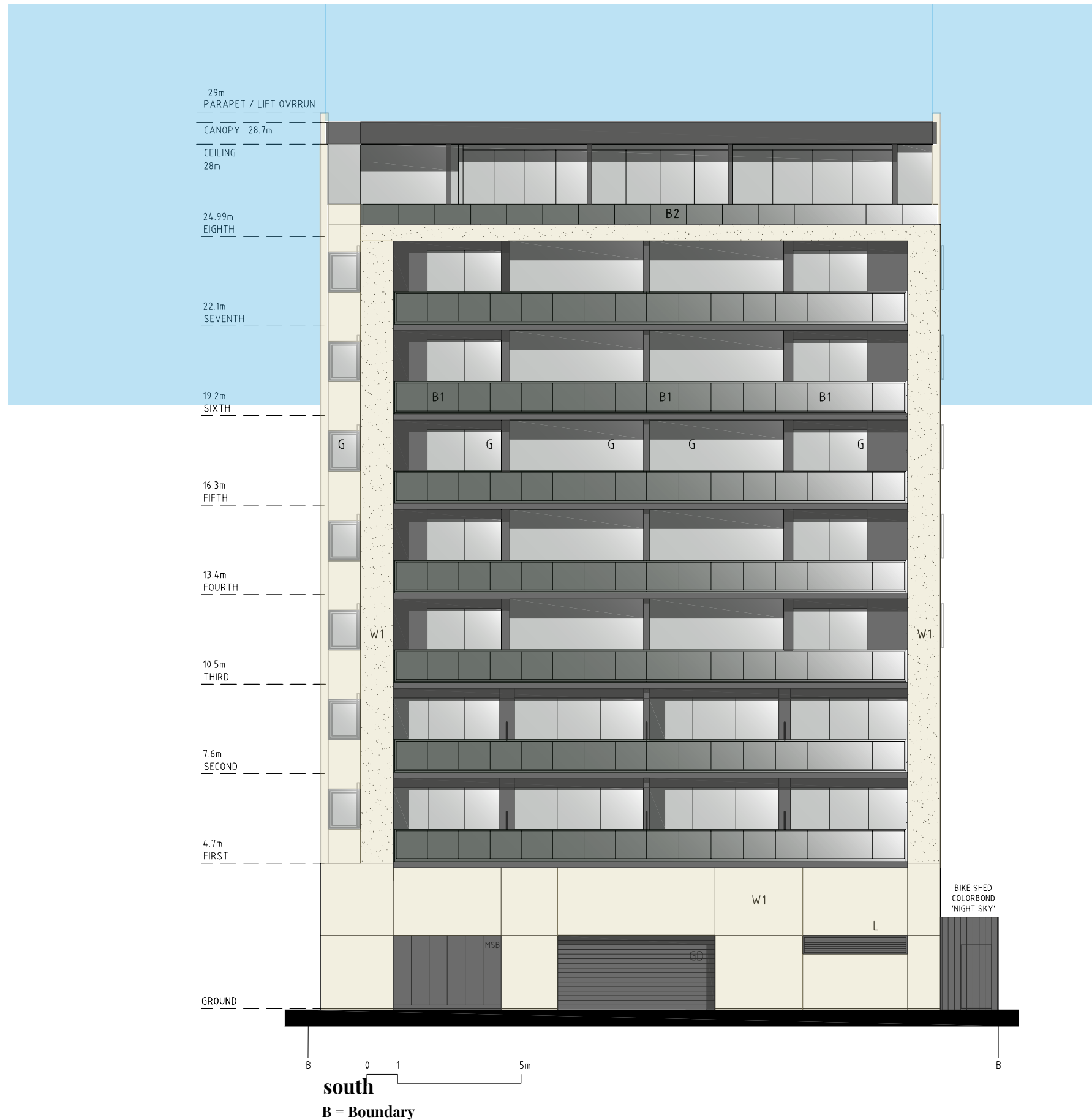


legend

- b1** black aluminum framed super grey glass infill balustrade
- b2** frameless grey tint glass balustrade
- g** black aluminum framed super grey vision glass to doors & windows
- l** black aluminum louvers
- w1** precast 'sandstone' – off-form
- w2** precast 'sandstone' – acid etch
- w3** precast 'sandstone' – honed
- w4** precast – Dulux 'night sky' finished in Dulux AcraShield
- c** canopy finished in solid 3mm thick folded 'black' mondo clad
- gd** garage door – black powdercoat finish
- eg** entry fence & gate – vertical aluminum slats



east
B = Boundary



legend

- b1** black aluminum framed super grey glass infill balustrade
- b2** frameless grey tint glass balustrade
- g** black aluminum framed super grey vision glass to doors & windows
- l** black aluminum louvers
- w1** precast 'sandstone' – off-form
- w2** precast 'sandstone' – acid etch
- w3** precast 'sandstone' – honed
- w4** precast – Dulux 'night sky' finished in Dulux AcraShield
- c** canopy finished in solid 3mm thick folded 'black' mondo clad
- gd** garage door – black powdercoat finish
- eg** entry fence & gate – vertical aluminum slats

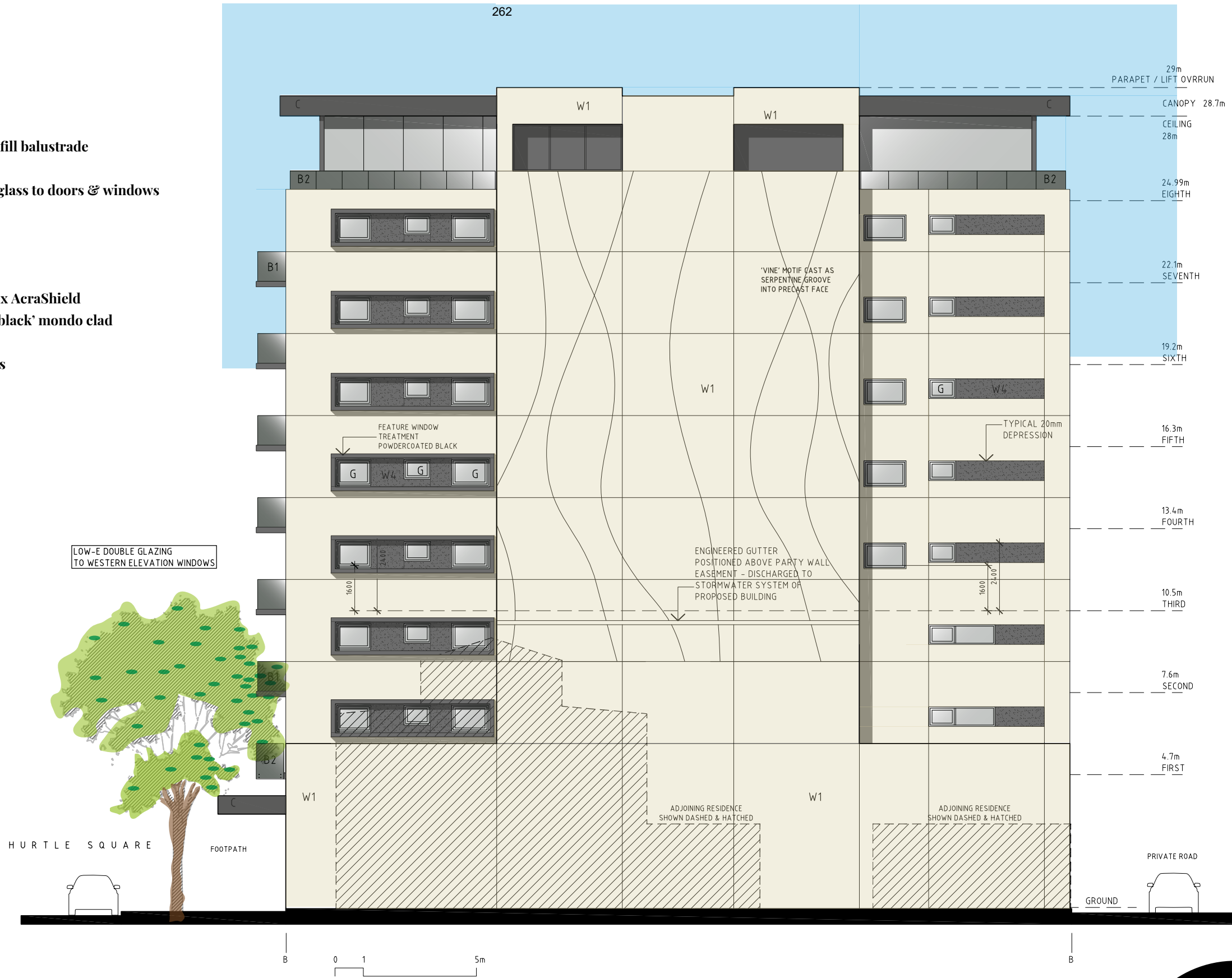


AC unit imperceptible behind super grey glass balustrade infill

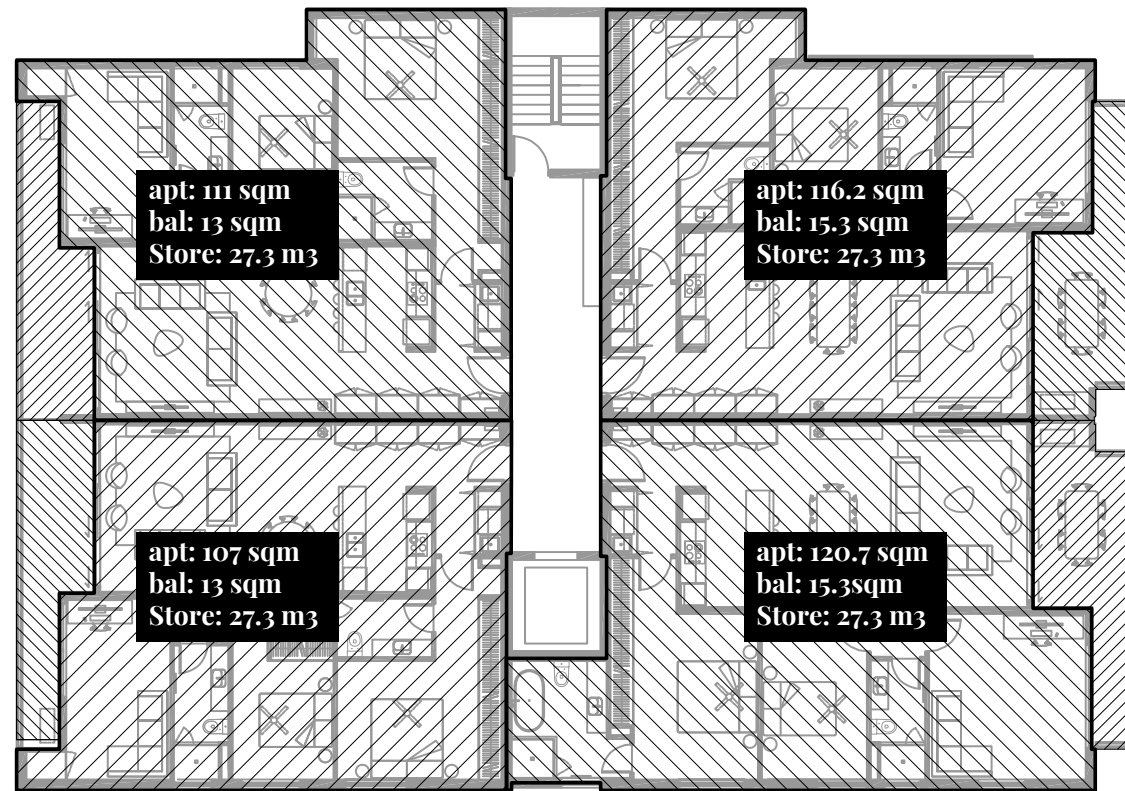


legend

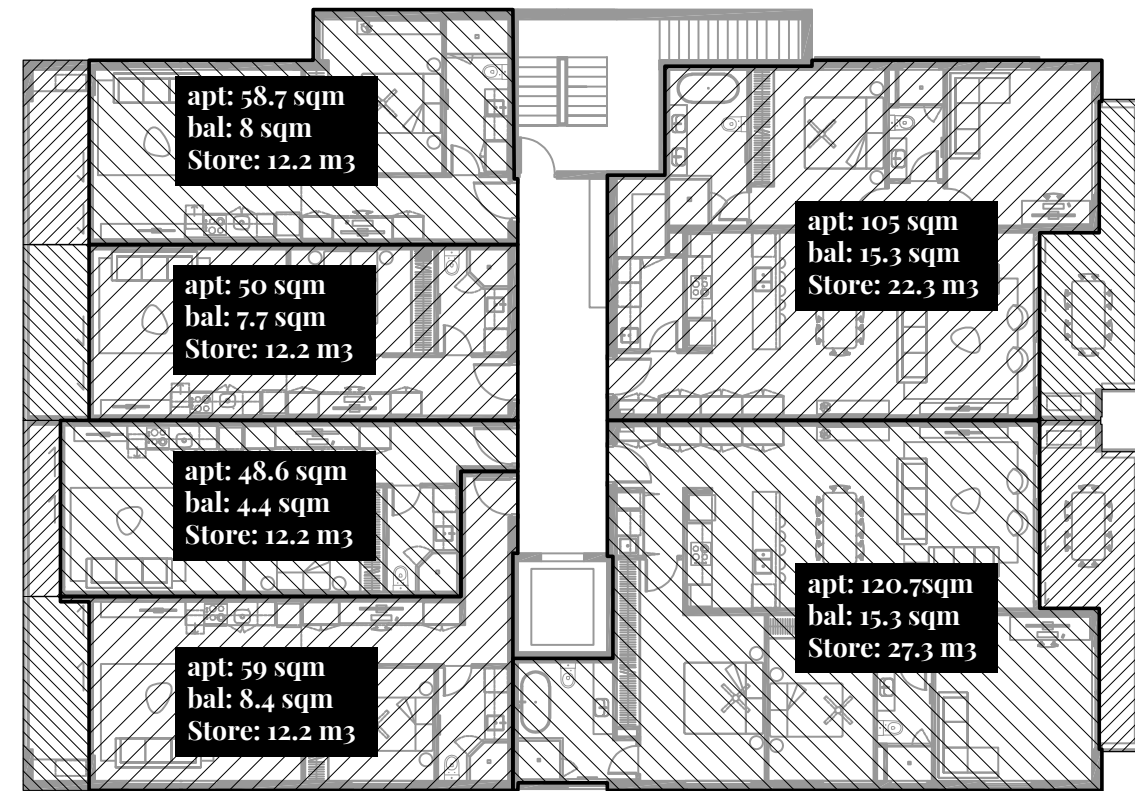
- b1** black aluminum framed super grey glass infill balustrade
- b2** frameless grey tint glass balustrade
- g** black aluminum framed super grey vision glass to doors & windows
- l** black aluminum louvers
- w1** precast 'sandstone' - off-form
- w2** precast 'sandstone' - acid etch
- w3** precast 'sandstone' - honed
- w4** precast - Dulux 'night sky' finished in Dulux AcraShield
- c** canopy finished in solid 3mm thick folded 'black' mondo clad
- gd** garage door - black powdercoat finish
- eg** entry fence & gate - vertical aluminum slats



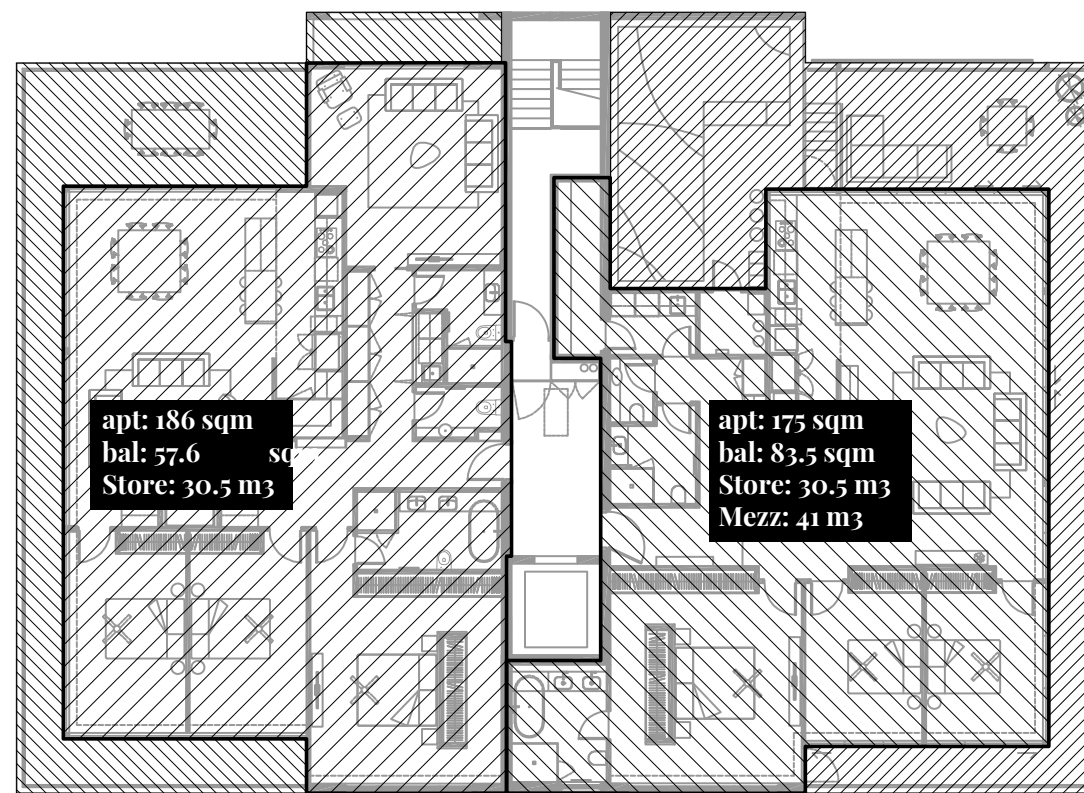
west
B = Boundary



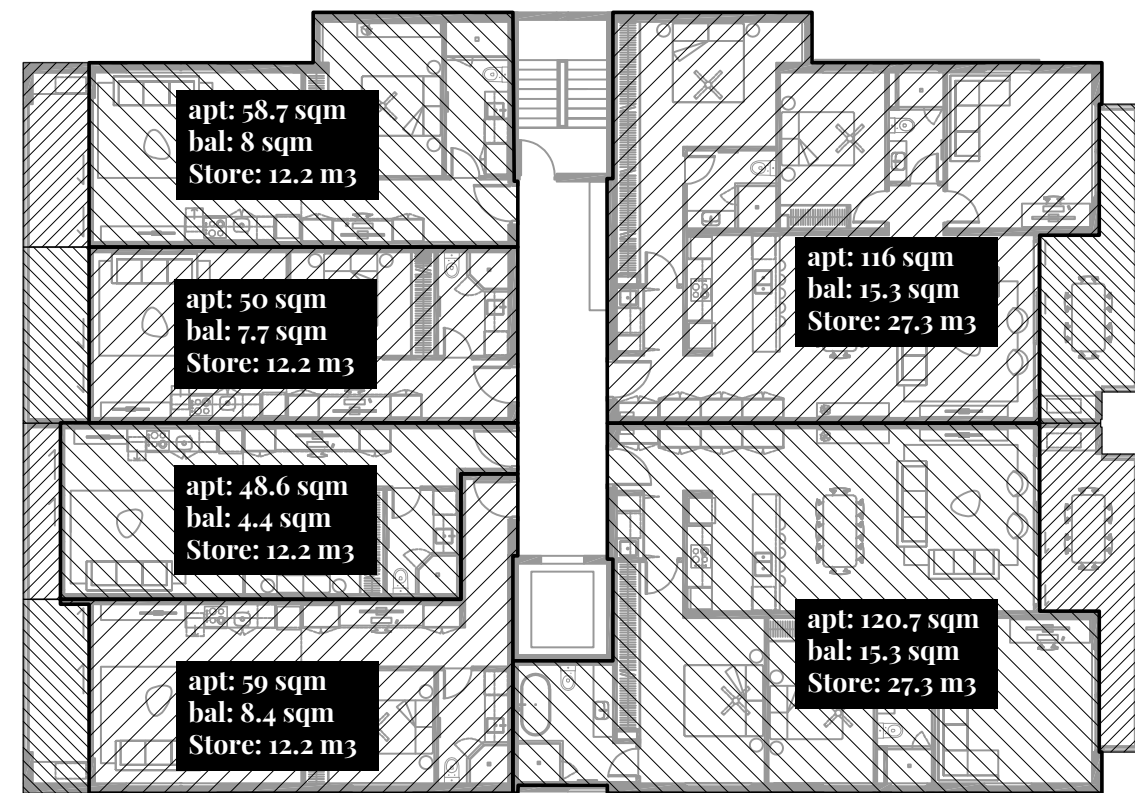
levels - 3 - 7



level - 1



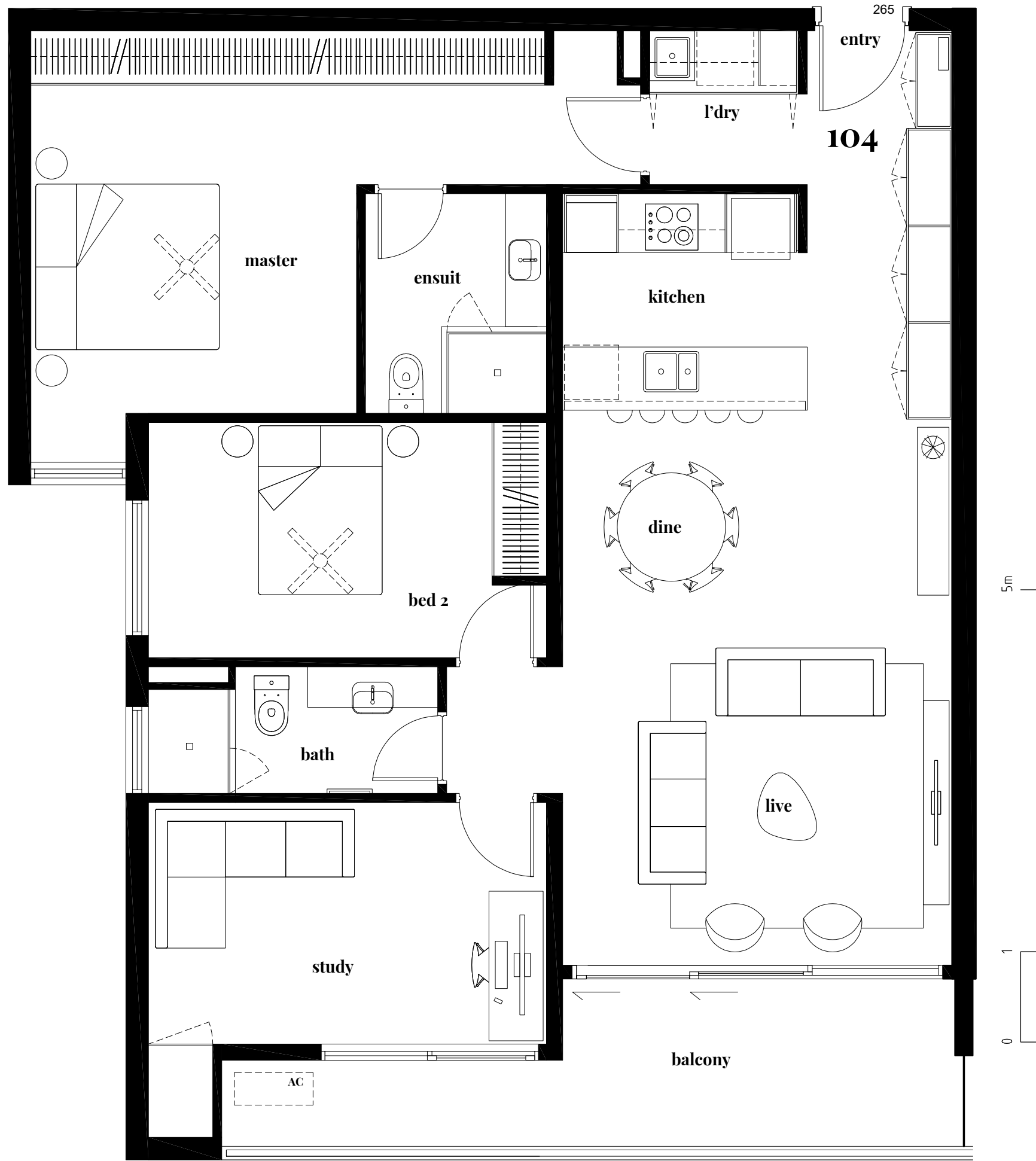
level -8



level - 2









PLANNING REPORT

Variation to Approved Development Application DA/295/2020/A

62-66 Hurtle Square
For Forme Projex



Prepared by
MasterPlan SA Pty Ltd
ABN 30 007 755 277, ISO 9001:2015 Certified
33 Carrington Street, Adelaide SA 5000
Telephone: 8193 5600, masterplan.com.au

January 2021

1.0 INTRODUCTION

This report has been prepared on behalf of the applicant (Forme Projex) for a variation to Development Application DA/295/2020/A, which received Development Plan Consent from the City of Adelaide on 25 November 2020. DA/295/2020/A was a variation to the original Development Application DA/295/2020, which received Development Plan Consent on 24 August 2020.

In preparing this planning report we have:

- inspected the site and locality;
- reviewed Certificate of Title Register Searches for the site;
- reviewed the provisions of the Adelaide (City) Council Development Plan relevant to the site; and
- provided this Report in support based on our assessment of the proposed variation against the relevant planning provisions of the Adelaide (City) Council Development Plan.

The Report is supported by the following documentation accompanying the Application:

- the relevant Certificates of Title; and
- a set of proposed Plans prepared by Locus Architecture.

We have formed the opinion that the variation proposal is an appropriate form of development and warrants Development Plan Consent.

2.0 APPLICATION VARIATION

In respect to the approved development, I note that Section 39 Sub-clause (6) of the *Development Act 1993*, provides the right for a person to seek a variation of a development authorisation previously given.

In this instance, the authorisation is still operative (Sub-clause (7)(a)).

Sub-section (7)(b) specifically confines the consideration to "*the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation).*"

- (6) *Subject to this section, a person may seek the variation of a development authorisation previously given under this Act (including by seeking the variation of a condition imposed with respect to the development authorisation).*

- (7) *An application to which subsection (6) applies—*
- (a) *may only be made if the relevant authorisation is still operative; and*
 - (b) *will, for the purposes of this part, but subject to any exclusion or modification prescribed by the regulations, to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation), be treated as a new application for development authorisation; and*
 - (c) *in a case where the development to which the development authorisation previously given was Category 3 development—must also be dealt with under Section 38 as an application for Category 3 development if any representations were made under Sub-section (7) of that section, unless the relevant authority determines that no such representation related to any aspect of the development that is now under consideration on account of the application for variation and that, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development; and*
 - (d) *unless otherwise approved by the relevant authority, cannot seek to extend the period for which the relevant authorisation remains operative.*

3.0 THE PROPOSAL

This Development Application seeks Development Plan Consent for a variation to Development Application DA/295/2020/A. The proposal is represented in the accompanying plans and diagrams prepared by Locus Architecture, as identified in the following drawing schedule:

Table 1: Drawing Schedule

DRAWING NUMBER	DESCRIPTION	VERSION	DATE
Cover			
DPC.001	Location Plan	1.3	04.09.2020
DPC.002	Site Plan	1.3	23.10.2020
DPC.003	Artistic Perspective	1.3	18.12.2020
DPC.003a	Context Perspectives	1.4	18.12.2020
DPC.004	Ground Floor Plan	1.5	18.12.2020
DPC.005	Level 01 Plan	1.5	18.12.2020
DPC.006	Levels 02 Plan	1.5	18.12.2020
DPC.007	Levels 03 - 07 Plan	1.5	18.12.2020
DPC.008	Level 08 Plan	1.5	18.12.2020

DRAWING NUMBER	DESCRIPTION	VERSION	DATE
DPC.009	Roof Plan	1.5	18.12.2020
DPC.010	Section	1.3	04.09.2020
DPC.011	North Elevation	1.5	18.12.2020
DPC.012	East Elevation	1.5	18.12.2020
DPC.013	South Elevation	1.5	18.12.2020
DPC.014	West Elevation	1.5	18.12.2020
DPC.018	Area Schedule	1.5	18.12.2020
DPC.032	South 2 Bedroom layout Plan	1.5	18.12.2020
DPC.033	South 1 Bedroom layout Plan	1.5	18.12.2020

The amendments can generally be summarised as incorporating:

- a reduction in the total number of dwellings from 40 to 34;
- a change to the dwelling mix reducing the number of one (1) bedroom dwellings and increasing the number of two (2) bedroom dwellings;
- the reconfiguration of floor plans on each level;
- building façade amendments;
- wider balconies on the northern elevation (encroaching into Hurtle Square);
- relocation of the mains water tank and services from the ground level mezzanine level to the ground level south-eastern corner; and
- a reduction in bike parking from 49 to 38.

The variation proposal is described in more detail under the following headings:

3.1 Floor Levels

The following describes the variations to each relevant floor level.

3.1.1 Proposed Ground Floor

The figures in **Appendix 1** depict the comparison of the approved ground floor plan configuration in DA/295/2020/A and the varied proposal.

The ground floor is proposed to be varied by:

- the ground level services located at mezzanine level are to be relocated outside, adjacent to the south-eastern corner of the building. This is reverting back to the location approved in the original Development Application DA/295/2020;
- removal of the mezzanine level above the indoor bike parking spaces; and
- reducing the provision of ground floor bicycle parking spaces from 49 to 38 to accommodate the service area relocation. Notably, the original Development Application DA295/2020 incorporated 40 bicycle parking spaces. As such, this represents a reduction of two (2) from that originally approved.

3.1.2 Proposed Level 1

The figures in **Appendix 2** depict the comparison of the approved first floor plan in DA/295/2020A and the varied first floor plan.

The first floor is proposed to be varied by:

- amendments to the western setbacks;
- reconfiguration of APT X06, 101 and 102 floor plans;
- the one (1) studio apartment APT 105 is proposed to be replaced by one (1), one (1) bedroom apartment X05; and
- staircase relocation back to the original approved location.

3.1.3 Proposed Level 2

The figures in **Appendix 3** depict the comparison of the approved Level 2 floor plan in DA/295/2020/A (referenced as Levels 2 and 3) and the proposed Level 2 varied floor plan.

Floor level 2 is proposed to be varied by:

- amendments to the western setback;
- staircase relocation back to the original approved location;
- reconfiguration of APT X05, X06, A01 and A02 floor plans;
- reconfiguration of APT X05, A01 and A02 balconies; and
- the one (1) studio apartment APT X05 is proposed to be replaced by one (1), one (1) bedroom apartment X05.

3.1.4 Proposed Level 3 (plan reference Levels 3 to 7)

The figures in **Appendix 4** depict the comparison of approved Level 3 floor plan (plan reference Levels 2 and 3) and the proposed Level 3 varied floor plan (plan reference Levels 2 to 7).

Floor level 3 is proposed to be varied by:

- amendments to the western setback;
- staircase relocation back to the original approved location;
- the four (4) studio apartments X03, X04, X05 and X06 are proposed to be replaced by two (2), two (2) bedroom apartments A03 and A04;
- reconfiguration of apartments A01 and A02; and
- reconfiguration of A01 and A02 balconies.

3.1.5 Proposed Levels 4 to 7 (plan reference Levels 3 to 7)

The figures in **Appendix 5** depict the comparison of approved Levels 4 to 7 floor plans and the proposed Level 4 to 7 varied floor plans (plan reference Levels 3 to 7).

Floor levels 4 to 7 are to be varied by:

- amendments to the western setback;
- staircase relocation back to the original approved location;
- the two (2), one (1) bedroom and one (1), two (2) bedroom apartments (total three (3) apartments) X03A, X04A and X05A are proposed to be replaced by two (2), two (2) bedroom apartments A03 and A04;
- reconfiguration of apartments X01 and X02; and
- reconfiguration of the balconies associated with each apartment.

3.1.6 Proposed Level 8

The figures in **Appendix 6** depict the comparison of the approved level 8 floor plan in DA/295/2020/A and the varied level 8 floor plan.

Floor level 8 is proposed to be varied by:

- amendments to the western setback;
- staircase relocation back to the original approved location;
- reconfiguration of apartment 801, including an increase in the size of the pool and reduction in the size of the balcony; and
- a reduction in the floor and balcony area of apartment 802.

3.1.7 Floor Level Summary

The types of dwellings and the number to be provided on each floor to be varied by this application are outlined in the following table:

Table 2: Land Use and Configuration

LAND USE/DWELLING CONFIGURATION		
FLOOR LEVEL/ TOTAL DWELLINGS	APPROVED DA/295/2020/A	PROPOSED VARIATION
Ground Floor	Commercial tenancy 30 car parking spaces (28 in car stacker) 49 bicycle parks Entry foyer and lift Bin storage area Service Infrastructure in mezzanine	Commercial tenancy 30 car parking spaces (28 in car stacker) 38 bicycle parks Entry foyer and lift Bin storage area Service Infrastructure at ground level
Level 1	2 x studio 2 x one bedroom 1 x two bedroom + study 1 x two bedroom	1 x studio 3 x one bedroom 1 x two bedroom + study 1 x two bedroom
Level 2	2 x studio 2 x one bedroom 2 x two bedroom + study	1 x studio 3 x one bedroom 2 x two bedroom + study
Level 3	2 x studio 2 x one bedroom 2 x two bedroom + study	4 x two bedroom + study
Level 4	2 x one bedroom + study 1 x two bedroom 2 x two bedroom + study	4 x two bedroom + study
Level 5	2 x one bedroom + study 1 x two bedroom 2 x two bedroom + study	4 x two bedroom + study
Level 6	2 x one bedroom + study 1 x two bedroom 2 x two bedroom + study	4 x two bedroom + study
Level 7	2 x one bedroom + study 1 x two bedroom 2 x two bedroom + study	4 x two bedroom + study
Level 8	2 x three bedroom penthouses	2 x three bedroom penthouses
TOTAL DWELLING CONFIGURATION	6 x studio 6 x one bedroom 8 x one bedroom + study 5 x two bedroom 13 x two bedroom + study 2 x three bedroom penthouses	2 x studio 6 x one bedroom 1 x two bedroom 23 x two bedroom + study 2 x three bedroom penthouses
TOTAL DWELLINGS	40 DWELLINGS	34 DWELLINGS

3.2 Elevations

The following describes the variations to each relevant elevation.

3.2.1 Northern Elevation

The figures in **Appendix 7** depict the comparison of the approved northern elevation in DA 295/2020/A and the varied northern elevation.

The northern elevation in DA/295/2020/A is proposed to be varied by:

- The existing balcony (with a 1.0 metre encroachment into Hurtle Square) has also increased in width from 3.6 metres to 7.5 metres for each apartment, resulting the balcony width increasing from 33.0 per cent of the site frontage to 67.0 per cent. This has enabled the elevation to provide a stronger horizontal presentation at the upper levels, with three (3) distinct pillars framing the façade, providing a more considered and elegant architectural expression.
- Given the balcony extension, the 0.5 metre window canopy (Sun shading) encroachments have been removed.

3.2.2 Southern Elevation

The figures in **Appendix 8** depicts the comparison of the approved southern elevation in DA/295/2020/A and the varied southern elevation.

The southern elevation in DA/295/2020A is proposed to be varied by:

- The approved western boundary wall has been setback 1.5 metres, reducing the southern façade width.
- The apartment reconfiguration at Levels 3 to 7 have incorporated a reduced wall thickness separating the balconies, which has also occurred at Levels 1 and 2 (with the exception of one (1) thicker central wall). This built form outcome has resulted in an increased 'framing' effect for the southern façade due to the lightweight materials utilised.
- The 'framing' effect has been further enhanced by each southern facing habitable room incorporating floor to ceiling glazed sliding doors. The width of the glazed sliding doors has been increased in numerous instances or has replaced smaller bedroom windows. This has resulted in a dominant glazing presentation within the 'frame'.
- Minor amendments have been made at the penthouse level, which retains a presentation generally consistent with the approved.

3.2.3 Western Elevation

The figures in **Appendix 9** depict the comparison of the approved western elevation in DA/295/2020/A and the varied western elevation.

The western elevation in DA/295/2020/A is proposed to be varied by:

- The southern portion of the western boundary wall is proposed to be setback 1.5 metres from the western boundary for a length of 7.3 metres. This boundary setback is reverting back to that originally approved, as this element was amended in the first variation DA/295/2020/A. This results in removal of the boundary wall 'depressions' with fenestration dimensions, and the inclusion of a combination of windows and depressions providing greater articulation. The boundary setback also results in a 'step' in the façade providing articulation, shading and depth perception.
- The central void has been removed from the elevation. This design element is also reverting back to that originally approved, with the void being associated with the first variation DA/295/2020/A.

3.2.4 Eastern Elevation

The figures in **Appendix 10** depict the comparison of the approved eastern elevation in DA/295/2020/A and the varied eastern elevation.

With no boundary setback amendments, the variations to the façade are limited to fenestration changes relevant to the floor plan amendments at each level and a greater emphasis on horizontal visual elements. The 'depressions' associated with the fenestration is generally horizontal, providing a more complete and coordinated presentation.

3.3 Built Form

3.3.1 Building Height

There is no change proposed to the building height.

3.3.2 Encroachments

The northern elevation balconies approved in DA/295/2020/A currently incorporate a 1.0 metre encroachment across 33.0 per cent of the site frontage. This variation proposes an increase in the width of the balconies to 7.5 metres and 7.2 metres, providing a cumulative total width of 14.7 metres, representing 67.0 percent of the site frontage.

3.3.3 Building Layout

There is no material impact to the ground level building layout as it relates to pedestrian access, fenestration and presentation to Hurtle Square, consistent with the approval granted for DA/295/2020/A.

3.3.4 Dwelling Configuration

Each dwelling will be provided with a balcony that is directly accessed from an open plan living and kitchen area. The floor and balcony private open space areas to be provided to each dwelling are outlined in **Table 3**.

Table 3: Floor Areas, Private Open Space and Storage Area

DWELLING TYPE	FLOOR AREA (m ²)	PRIVATE OPEN SPACE (m ²)	STORAGE AREA (m ³)
APT 101 – One Bedroom + study	105	15.3	22.3
APT 102 - Two bedroom + study	120	15.3	27.3
APT X03 – One Bedroom	59	8.4	12.2
APT X04 – Studio	48.6	4.4	12.2
APT X05 – One Bedroom	50	7.7	12.2
APT X06 – One Bedroom	58.7	8	12.2
APT A01 – Two Bedroom + study	116	15.3	27.3
APT A02 – Two Bedroom + study	120.7	15.3	27.3
APT A03 – Two Bedroom + study	107	13	27.3
APT A04 – Two Bedroom + study	111	13	27.3
APT 801 – Three Bedroom Penthouse + pool	175	83.5	30.5
APT 802 – Three Bedroom Penthouse	186	57.6	30.5

3.3.5 Dwelling Design (Liveable Housing Design Guidelines)

All dwellings continue to be designed to the Liveable Housing Design Guidelines consistent with the approval granted for DA/295/2020/A.

3.4 Materials and Finishes

The building materials and finishes are consistent with those used with the approval granted for DA/295/2020A.

3.5 Services

The waste volumes are consistent with that of DA/295/2020/A, in that there is no change to the total number of bedrooms proposed:

Table 4: Waste Volumes

WASTE TYPE	GENERATION RATE (RESIDENTIAL)	GENERATION RATE (COMMERCIAL)	BIN STORAGE CAPACITY
Combined General Waste/ Green Organics	30 litres per bed 10 litres per bed 2,480 litres per week	37.5 litres per week 12.5 litres per week 50 litres per week	4 x 660 Litre Bins 2,640 Litres
Comingle Recyclable	25 litres per bed 1,550 litres per week	75 litres per week 75 litres per week	3 x 660 Litre Bins 1,980 Litres

Dwelling air conditioning units are proposed to be incorporated in a manner consistent with the approval granted for DA/295/2020/A.

4.0 DEVELOPMENT PLAN ASSESSMENT

The site is located within the City Frame Zone in the Adelaide (City) Council Development Plan, consolidated on 30 April 2020. Development Application DA/295/2020/A was assessed against the same Development Plan issue.

4.1 Procedural Matters

4.1.1 Development Plan Assessment

Sub-section (7)(b) specifically confines the consideration to *"the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation)."* As such, the following assessment is relevant only to the variations sort.

4.2 General Assessment

Our assessment of the proposed development identifies that the following matters meet, or are generally in accordance with, the relevant provisions of the Development Plan and therefore have not been discussed in detail, noting:

- the amendments will not have a material impact on vehicle access or on site manoeuvring;
- the amended service infrastructure locations and functions are consistent with the requirements for an apartment building of this nature, and will not result in any operational or aesthetic implications of consequence;
- the storage proposed for each dwelling exceeds the minimum storage rates outlined in Council-wide, City Living, Medium to High Scale Residential/Service Apartment PDC 81 and is generally consistent with DA/295/2020/A;
- the private open space provided to each dwelling satisfies the numerical requirements of Council-wide, City Living, Medium to High Scale Residential/Service Apartment PDC 59 and the design intent of providing a functional space with a generous amount of natural light and ventilation;
- the apartment layouts continue to maximise the opportunity for natural light and ventilation, consistent with DA/295/2020/A;
- dwelling design adaptability has been retained, consistent with DA/295/2020/A;
- the variation does not extend the opportunity for overlooking into adjacent properties beyond that of DA/295/2020/A;
- the proposed internal layouts of the dwellings retain the design intent of minimising the transmission of sound between dwellings;
- all of the dwellings have an internal floor area exceeding the minimum guideline for studio, one (1) and two (2) bedroom dwellings expressed in Council-wide PDC 70; and
- on site waste management will be consistent with the measures undertaken within DA/295/2020/A.

4.3 Built Form

4.3.1 Setbacks

The ground level setbacks are not proposed to be amended and are consistent with the approval granted for DA/295/2020/A. The upper level setbacks are generally in accordance with the originally approved design in DA/295/2020 (i.e. the amendments supported in the variation DA/295/2020/A have largely been reverted back to the original DA/295/2020). As such, the setbacks proposed are considered to be consistent with the Development Plan design intentions.

4.3.3 Balconies

Balconies are recognised within medium to high scale residential development as an important built form design element, as is evident in the following:

Council-wide – City Living – Medium to High Scale Residential/Serviced Apartment

- PDC 62** **Balconies should be integrated into the overall architectural form and detail of the development and should:**
- (a) **utilise sun screens, pergolas, shutters and openable walls to control sunlight and wind;**
 - (b) **be cantilevered, partially cantilevered and/or recessed in response to daylight, wind, acoustic and visual privacy;**
 - (c) **be of a depth that ensures sunlight can enter the dwelling below; and**
 - (d) **allow views and casual surveillance of the street while providing for safety and visual privacy.**

Council-wide – Built Form and Townscape

- PDC 183** **Balconies should be designed to give shelter to the street or public space at first floor levels.**
- PDC 184** **Balconies should:**
- (a) **respond to the street context and building orientation; and**
 - (b) **incorporate balustrade detailing to reflect the balcony type and location and the materials and detail of the building facade.**
- PDC 185** **No part of any fully enclosed building should extend over property boundaries, including streets and public spaces, whether above a balcony at a lower level or not.**

The amendments to the northern façade have resulted in an increase in the expanse of balconies. Effectively the entire frontage of each dwelling fronting the square now presents with a balcony, resulting in a more open, shaded and articulated façade than that of DA/295/2020/A. The northern façade balconies originally representing 33.0 per cent of the site frontage. The proposed amendment represents 67.0 per cent of the site frontage.

In relation to the balconies on the northern elevation, these are recessed into the building in addition to encroaching into Hurtle Square maintain in excess of 50 per cent of the balcony area within the building line providing an integrated design approach, consistent materiality and colour and scale with the

remainder of the façade elements. In particular, the black aluminium framed grey tint glass balustrades are consistent with the building's fenestration and external cladding. The use of grey tint glass throughout is also effective in providing further horizontal articulation. The balconies fit comfortably within the overall form of the building, representing an important design feature and improved architectural expression from DA/295/2020/A.

The variation proposed is considered to represent a significant design enhancement and high-level architectural feature for the northern elevation through the greater application of balconies to each dwelling. The increase in balcony width advances this outcome and is seen as an important design attribute in providing that outcome.

4.3 Design and Appearance

The design and appearance implications of the proposed variation generally relate to the visual impact of the amended detailing of the northern and southern elevations. In each instance the greater prominence of the balconies is considered to represent a far superior design outcome, with a light and open façade presentation provided.

The following provisions are considered relevant:

General Section

PDC 170 The height, scale and massing of buildings should reinforce:

- (a) the desired character, built form, public environment and scale of the streetscape as contemplated within the Zone and Policy Area, and have regard to:**
 - (i) maintaining consistent parapet lines, floor levels, height and massing with existing buildings consistent with the areas desired character;**
 - (ii) reflecting the prevailing pattern of visual sub-division of neighbouring building frontages where frontages display a character pattern of vertical and horizontal sub-divisions; and**
 - (iii) avoiding massive unbroken facades.**
- (b) a comfortable proportion of human scale at street level by:**
 - (i) building ground level to the street frontage where zero set-backs prevail;**
 - (ii) breaking up the building facade into distinct elements;**
 - (iii) incorporating art work and wall and window detailing; and**
 - (iv) including attractive planting, seating and pedestrian shelter.**

PDC 180 Development should respect the composition and proportion of architectural elements of building facades that form an important pattern which contributes to the streetscape's distinctive character in a manner consistent with the desired character of a locality by:

- (a) establishing visual links with neighbouring buildings by reflecting and reinforcing the prevailing pattern of visual sub-division in building facades where a pattern of vertical and/or horizontal sub-divisions is evident and desirable, for example, there may be strong horizontal lines of verandahs, masonry courses, podia or openings, or there may be vertical proportions in the divisions of facades or windows; and**
- (b) clearly defining ground, middle and roof top levels.**

The variation maintains a consistent palette of colours and materials across all elevations consistent with the approval granted for DA/295/2020/A providing a high design level with variation, texture, shading and robust presentation.

For the reasons discussed in relation to the balconies and encroachments within this report, the variation proposal is considered provide a high-level design outcome that is evidently superior to DA/295/2020/A, and consistent with Development Plan expectations.

4.5 Car and Bicycle Parking

Vehicle access for the variation proposal is unaltered, as is the number of car parking spaces which is retained at 30. Given the land use intensity reduction from 40 dwellings to 34 dwellings, the number of car parks provided amply supports the varied development.

The bicycle parking is reduced from 49 spaces to 38 to accommodate the relocation of services. Notably, the original Development Application DA/295/2020 incorporated 40 bicycle parking spaces. Given the reduced dwelling number, the bicycle parking is considered to amply support the demand anticipated.

4.6 Balcony Encroachments

The provision of upper level balconies is encouraged within the City Frame Zone to provide passive surveillance and articulation where residential development presents to the 'Squares'. Council-wide PDC 62 is relevant to balconies and encroachments as follows:

Council-wide

PDC 62	<p>Balconies should be integrated into the overall architectural form and detail of the development and should:</p> <ul style="list-style-type: none"> (a) utilise sun screens, pergolas, shutters and openable walls to control sunlight and wind; (b) be cantilevered, partially cantilevered and/or recessed in response to daylight, wind, acoustic and visual privacy; (c) be of a depth that ensures sunlight can enter the dwelling below; and (d) allow views and casual surveillance of the street while providing for safety and visual privacy.
---------------	---

The variation proposes an extension of the balcony widths that encroach into Hurtle Square from 33.0 per cent of the street frontage to 67.0 per cent of the street frontage. The increase will result in the aggregated width totalling beyond the prescribed "30 percent of the street frontage", as stated in the City of Adelaide's Encroachment Policy (version 11 February 2020).

We offer the following rationale on the merits of the proposed variation to the Council Encroachment Policy which we note is being assessed and considered separately at a meeting of Council, specifically:

1. The variation to the encroachment policy only relates to the extent of the width the encroachment beyond the 33.0 per cent of the façade.
2. The additional balcony width seeks to provide improved architectural expression to the main façade of the building.
3. The additional balcony area is over and above the minimum approved private open space requirements and accordingly not required to achieve the minimum private open space, but affording improved amenity.
4. The balconies continue to maintain the minimum 50.0 per cent of the area behind the property line within the subject site.
5. But for the distinction of the inclusion of the balustrade, the 1.0 metre horizontal projection from the façade would meet the encroachment policy as an architectural element providing sun shading to the windows in the northern elevation.

Image 1 displays two (2) 3D Renders of the development comparing the approved development to the proposed encroachment variations.

Approved



Proposed

projecting balcony



Image 1: Comparison 3D Renders

We consider that the additional balcony encroachment provides a considerable design benefit for the northern façade of the building in providing additional articulation, a lighter weight built form and superior streetscape presentation. The larger balconies also increase the private open space functionality, providing greater opportunity for passive surveillance. As such, we respectfully request Council's favourable consideration of the proposed variation to encroachment policy to facilitate this improved built form outcome.

5.0 CONCLUSION

We conclude that the proposed variation to DA/295/2020/A is consistent with the relevant City Frame Zone and Council-wide provisions of the Adelaide (City) Council Development Plan. In particular, the proposed development will:

- provide a mixed residential land use that is expressly contemplated and encouraged for development within the City Frame Zone;
- retain the dwelling amenity qualities for future occupants, consistent with DA/295/2020/A;
- enhances the existing high level of design through the provision of additional articulated elements and the significant increase of balconies integrated into the northern elevation (and to a lesser extent the southern elevation); and
- improve the streetscape presentation of each elevation through design detailing, glazing and balcony design, providing well-articulated, open and shaded facades.

Accordingly, the variations proposed meet the design and functional expectations of the Development Plan.

We conclude that the proposed development accords with the provisions of the Development Plan. We therefore invite the Adelaide City Council as the relevant authority to accept that the proposal meets the provisions of the Development Plan in a manner sufficient to enable the application to be approved.



Greg Vincent MPIA
B/A in Planning

22 January 2021

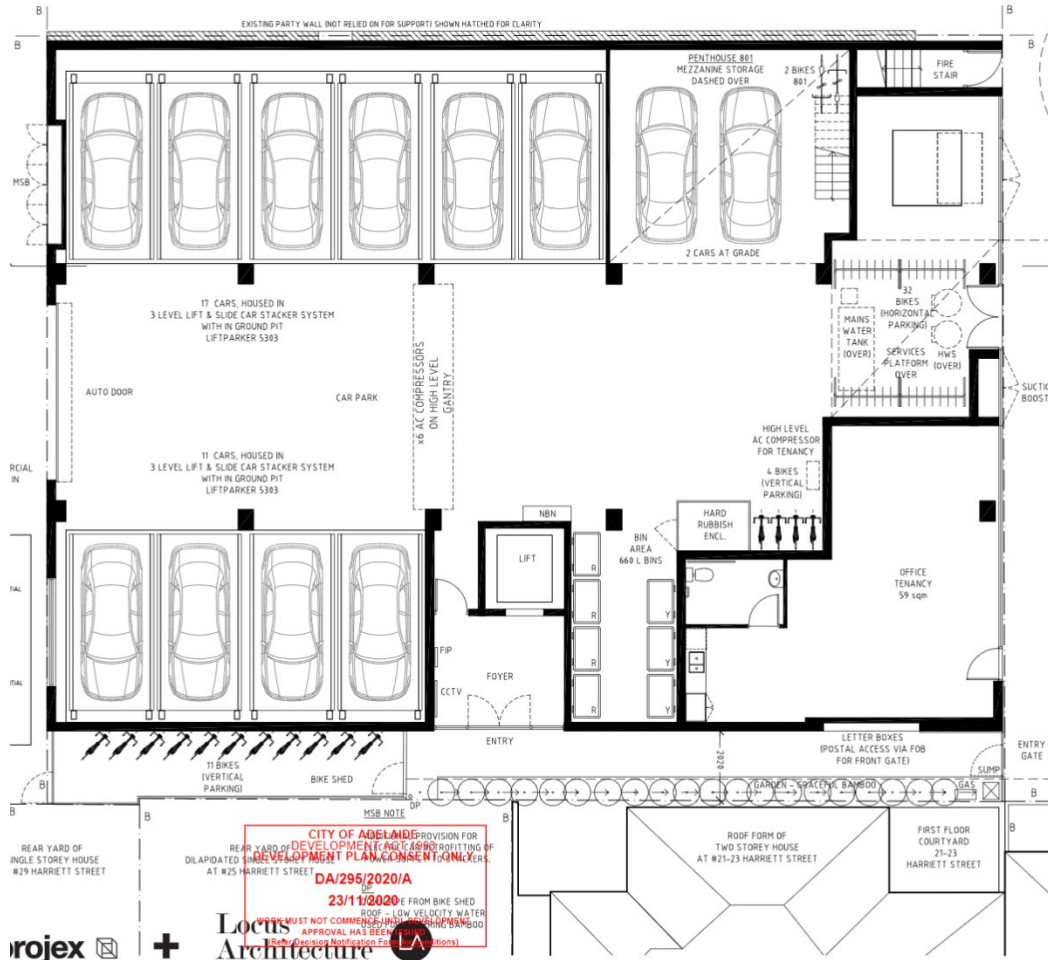


Figure 1.1: Approved Ground Floor Plan in DA/295/2020/A

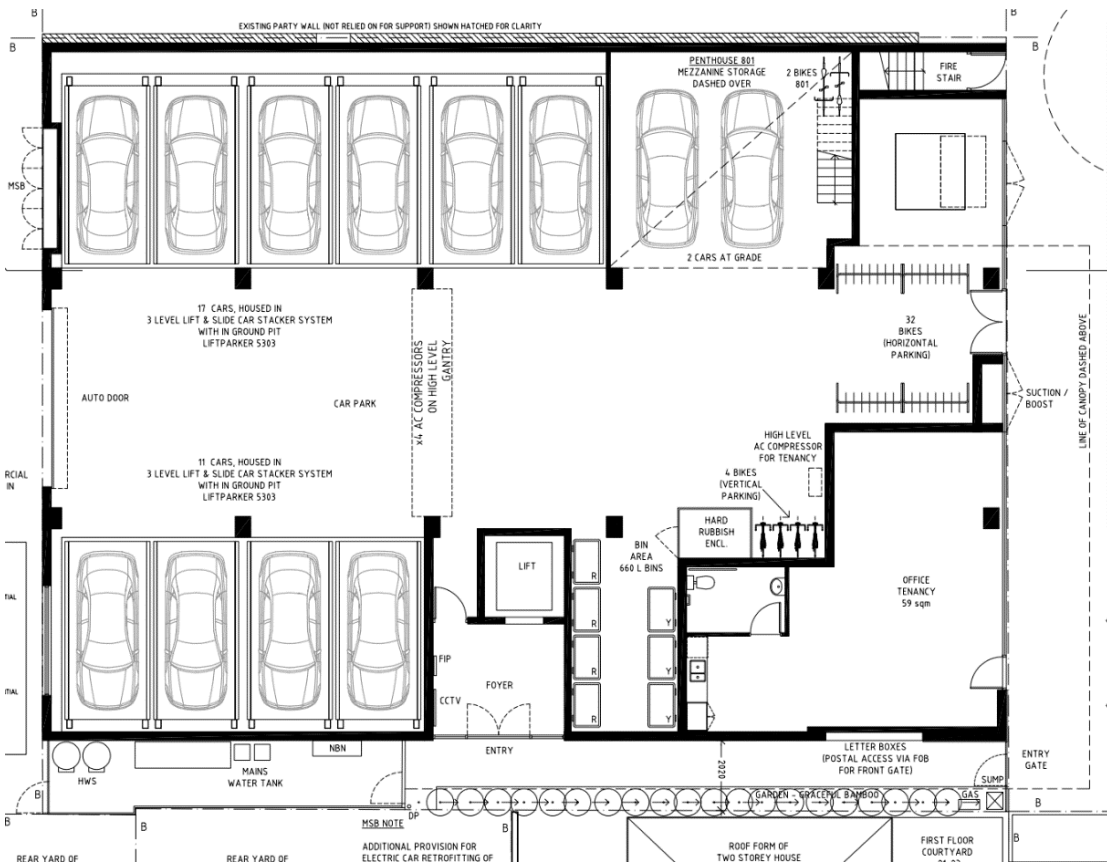


Figure 1.2: Proposed Varied Ground Floor Plan



Figure 2.1: Approved Level 1 Floor in DA/295/2020/A



Figure 2.2: Proposed Varied Level 1 Floor Plan Configuration



Figure 3.1: Approved Level 2 & 3 Floor in DA 295/2020/A



Figure 3.2: Proposed Varied Level 2 Floor plan



Figure 4.1: Approved Floor levels 2 - 3 in DA/295/2020/A



Figure 4.2: Proposed Varied Floor level 3



Figure 5.1: Approved Floor Level 4, 5, 6 & 7 in DA/295/2020/A



Figure 5.2: Proposed Varied Floor Plan Levels (3), 4, 5, 6 & 7



Figure 6.1: Approved Floor Level 8 in DA/295/2020/A

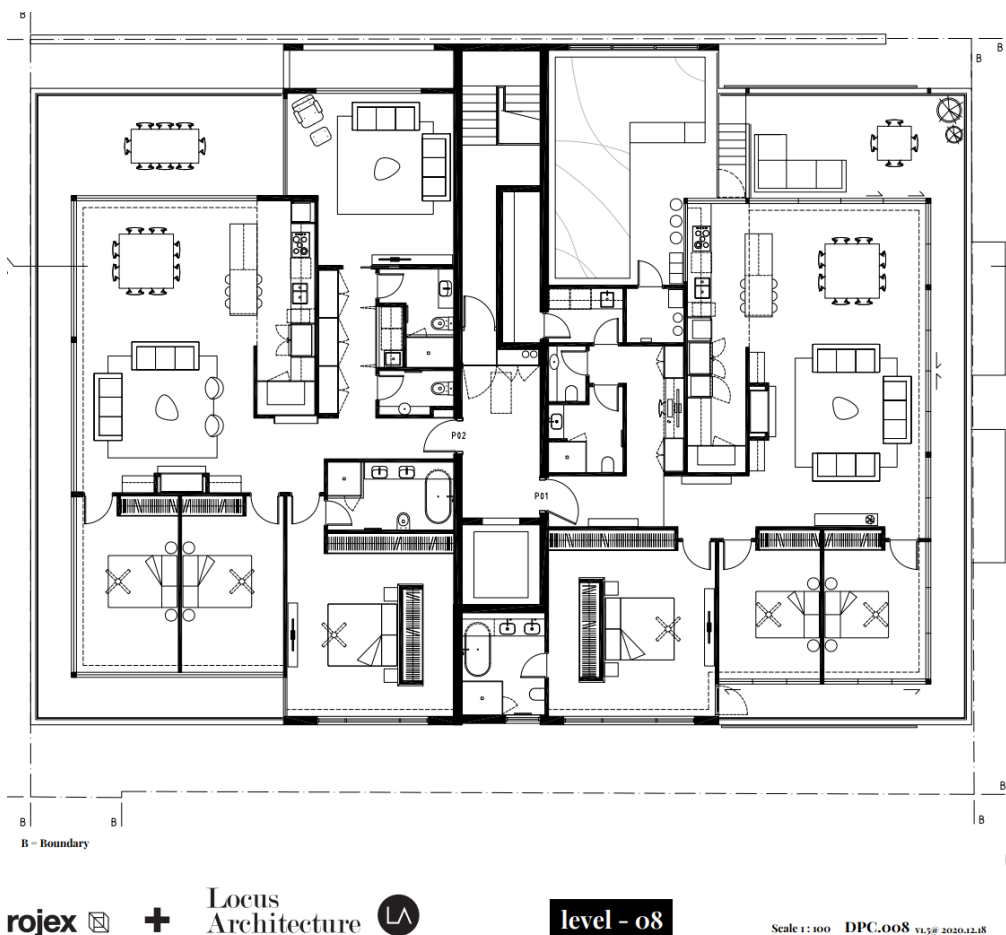


Figure 6.2: Proposed Floor Plan Level 8



Figure 7.1: Approved Northern Elevation in DA/295/2020/A

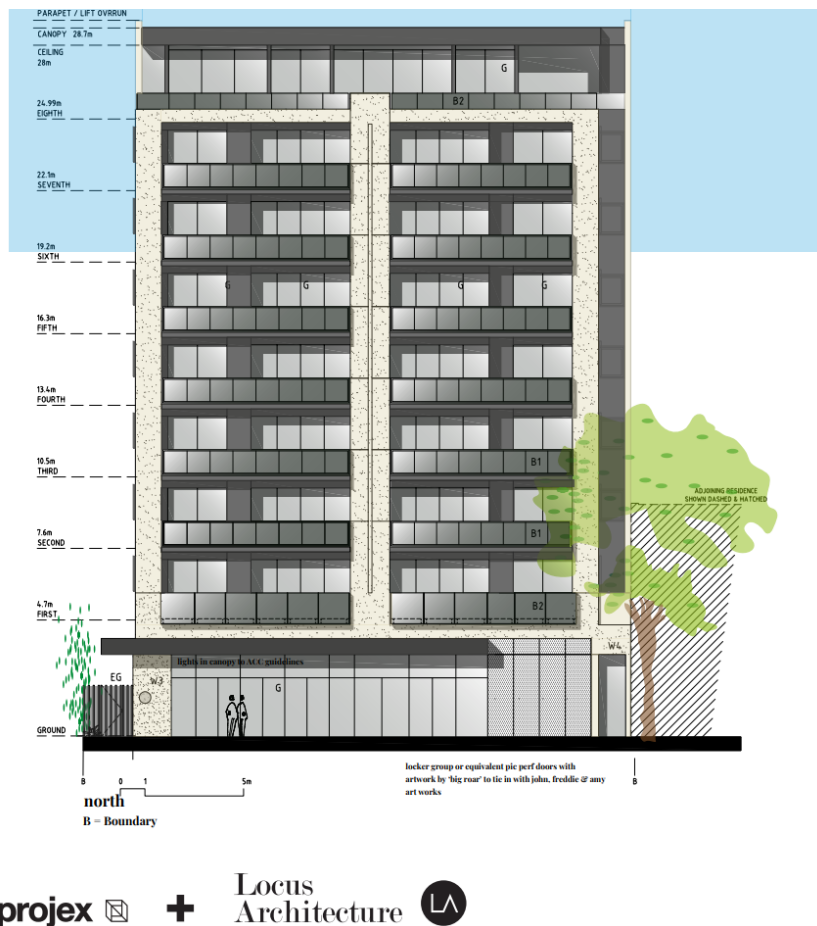


Figure 7.2: Proposed Varied Northern Elevation

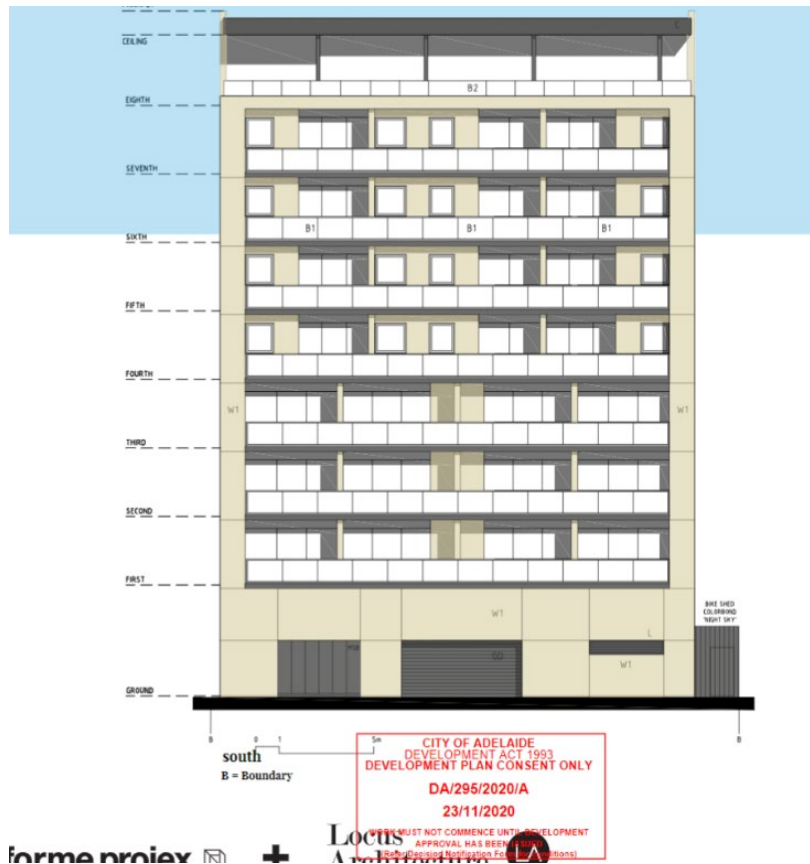


Figure 8.1: Approved Southern Elevation in DA/295/2020/A

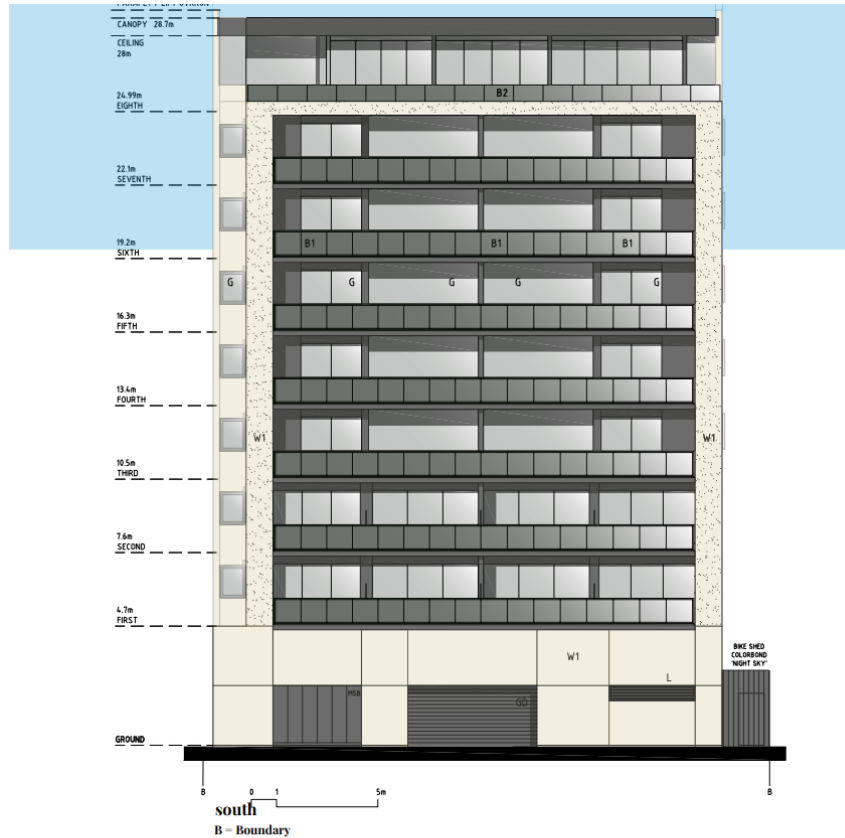


Figure 8.2: Proposed Varied Southern Elevation

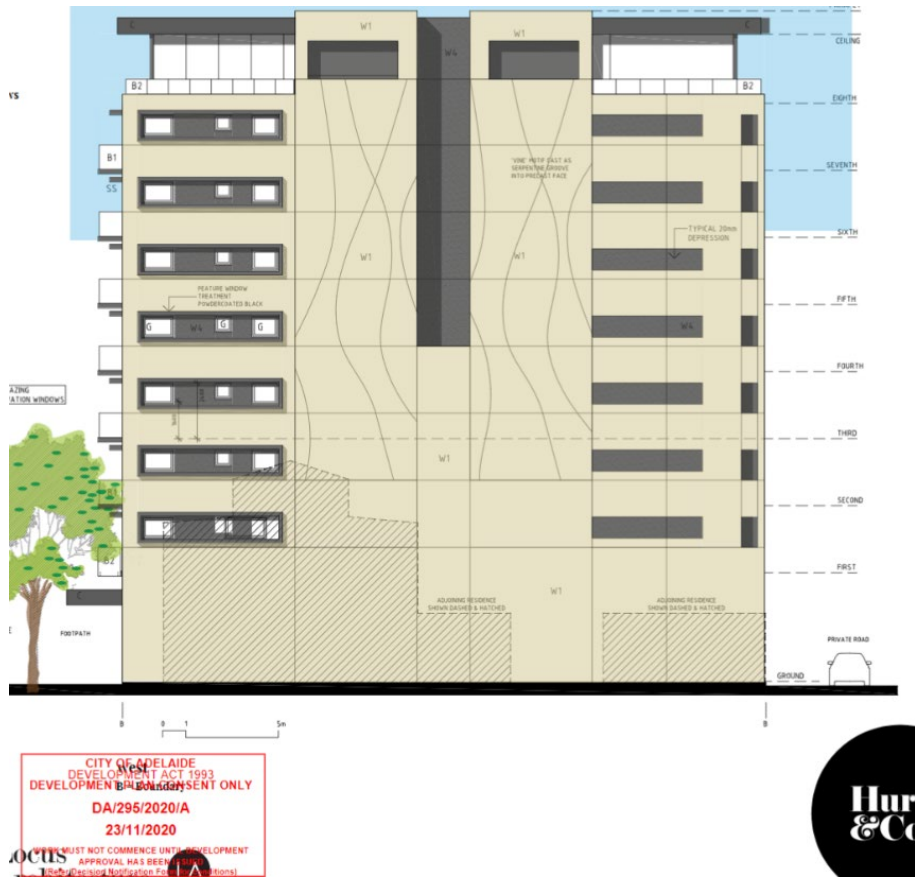


Figure 9.1: Approved Western Elevation in DA/295/2020/A

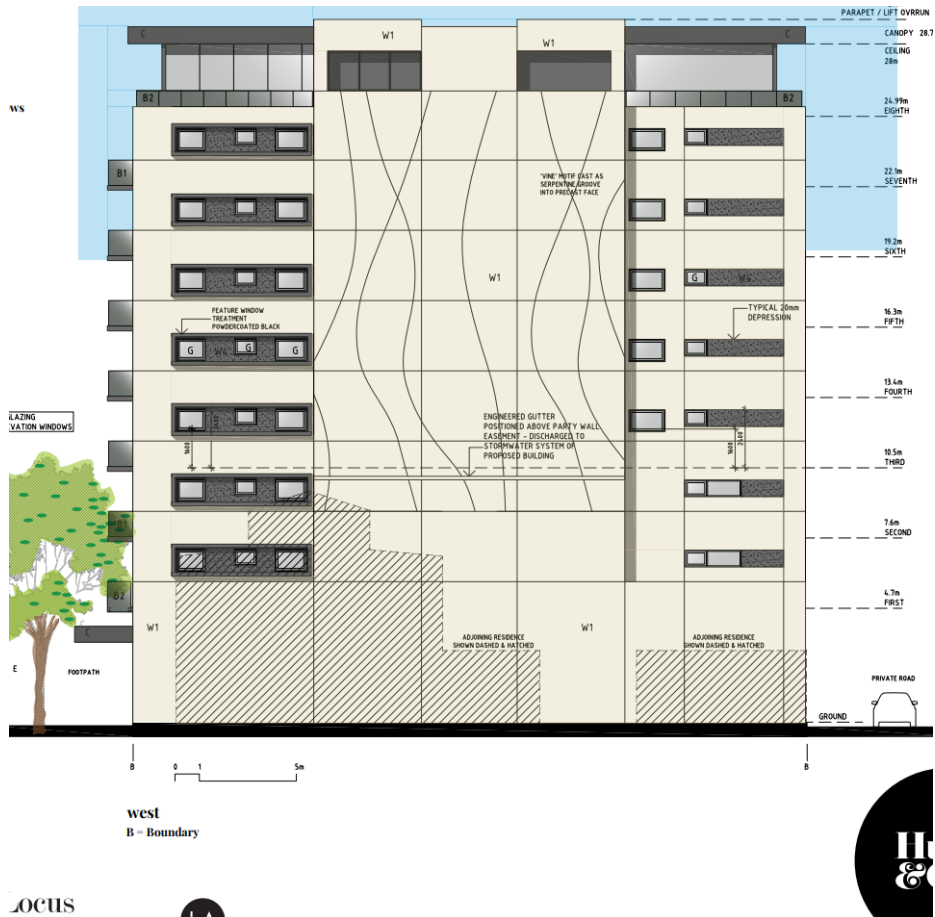


Figure 9.2: Proposed Varied Western Elevation

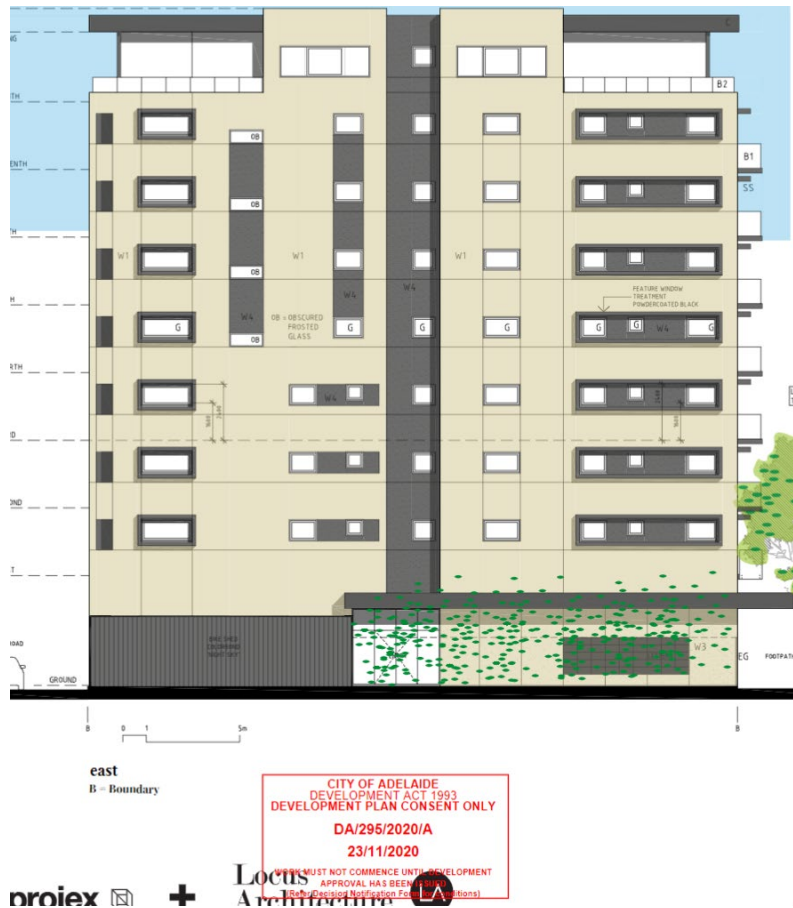


Figure 10.1: Approved Eastern Elevation in DA/295/2020/A

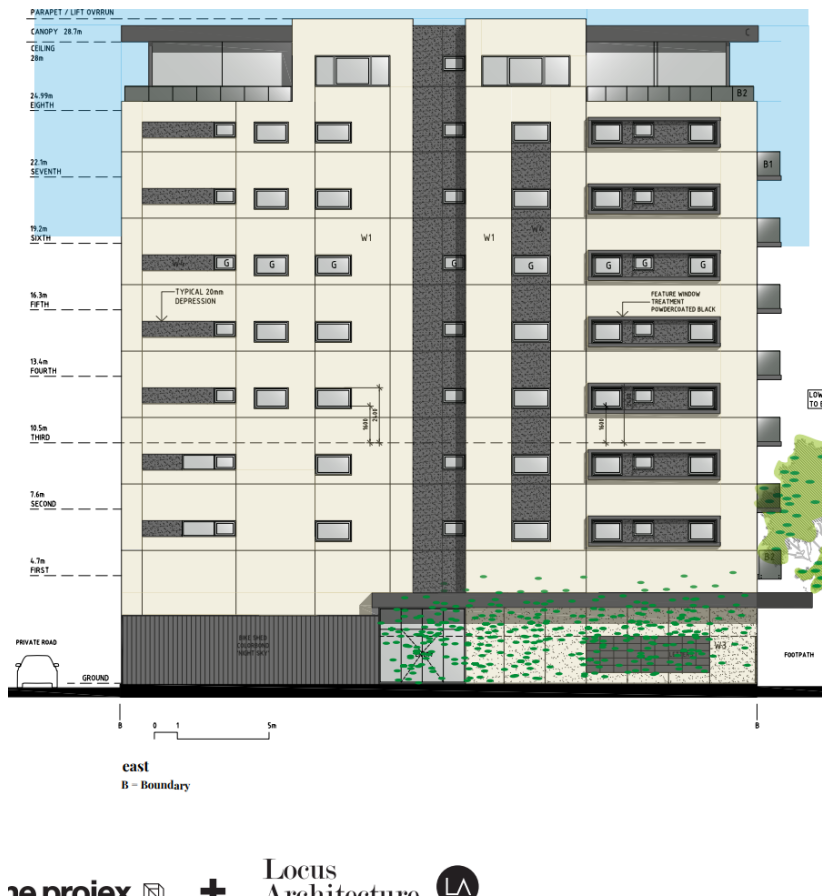


Figure 112: Proposed Varied Eastern Elevation

REAL PROPERTY ACT, 1886



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 5337 Folio 403

Parent Title(s) CT 4174/126
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 30/04/1996 Edition 5 Edition Issued 04/06/2015

Estate Type

FEE SIMPLE

Registered Proprietor

IRENE CRUICKSHANKS-BOYD
 OF 66 HURTLE SQUARE ADELAIDE SA 5000
 49 / 100 SHARE

DAVID WILLIAM CRUICKSHANKS-BOYD
 OF 22 MAIDENCOMBE DRIVE MOANA SA 5169
 51 / 100 SHARE

Description of Land

ALLOTMENT 7 FILED PLAN 9677
 IN THE AREA NAMED ADELAIDE
 HUNDRED OF ADELAIDE

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED H (T 4602884)
 SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED L (T 4609942)
 TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED G (T 4602884)
 TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED M (T 4609942)
 TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609943	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
11490426	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD.

Notations

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

REAL PROPERTY ACT, 1886



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 5138 Folio 546

Parent Title(s) CT 4174/127
Creating Dealing(s) CONVERTED TITLE
Title Issued 19/08/1993 **Edition** 6 **Edition Issued** 12/07/2018

Estate Type

FEE SIMPLE

Registered Proprietor

MAURINE TERESA PYKE
 OF 11A OWEN STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 8 FILED PLAN 9677
 IN THE AREA NAMED ADELAIDE
 HUNDRED OF ADELAIDE

Easements

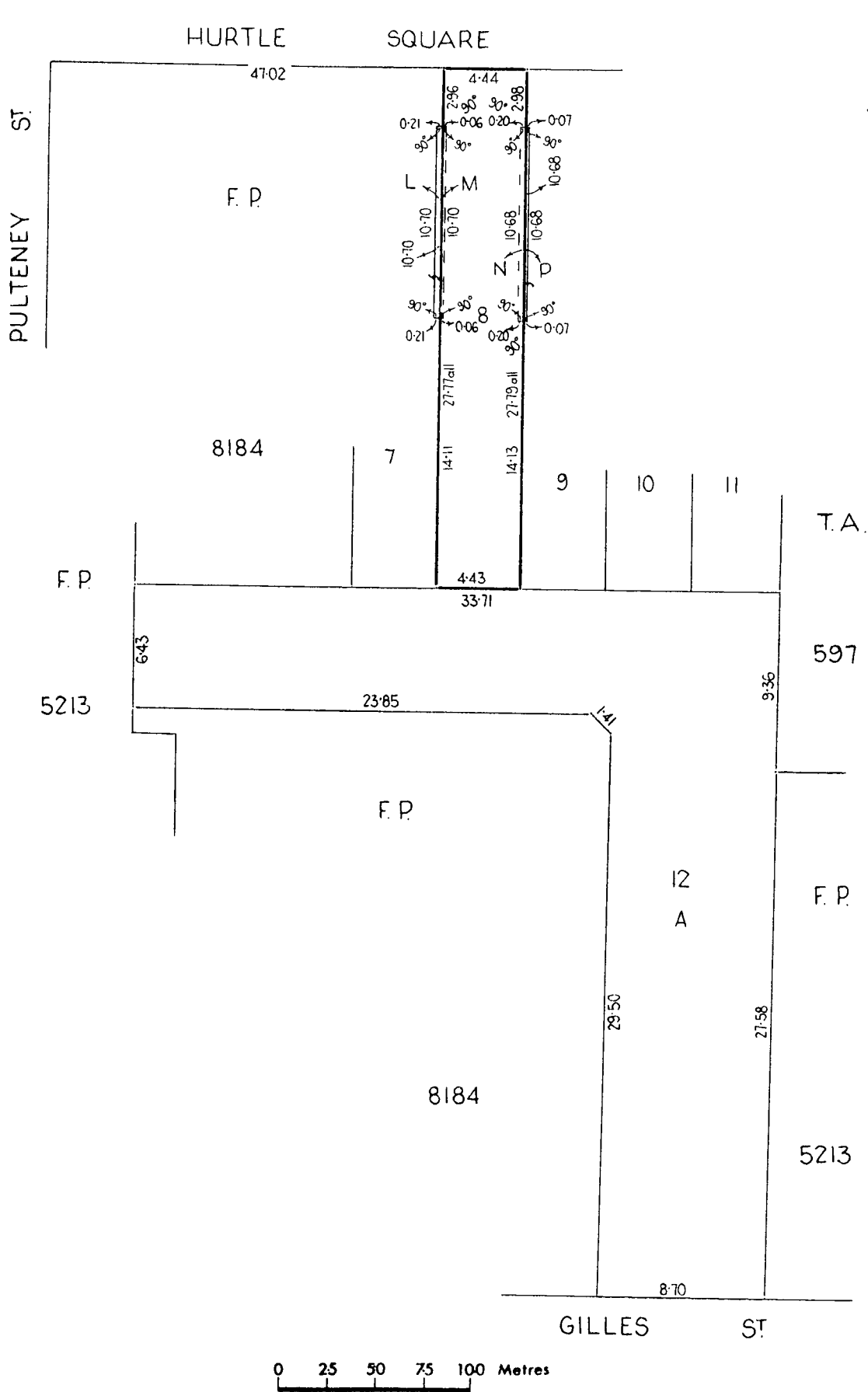
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED M (T 4609942)
 SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED N (T 4609945)
 TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED L (T 4609942)
 TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED P (T 4609945)
 TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609946	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
12952480	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



REAL PROPERTY ACT, 1886



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 5091 Folio 312

Parent Title(s) CT 4174/130
Creating Dealing(s) CONVERTED TITLE
Title Issued 30/09/1992 Edition 6 Edition Issued 11/05/2010

Estate Type

FEE SIMPLE

Registered Proprietor

MICHAEL JOHN LLEWELLYN-SMITH
IDA JONASSEN LLEWELLYN-SMITH
OF 27 KATE COURT ADELAIDE SA 5000
WITH NO SURVIVORSHIP

Description of Land

ALLOTMENT 9 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

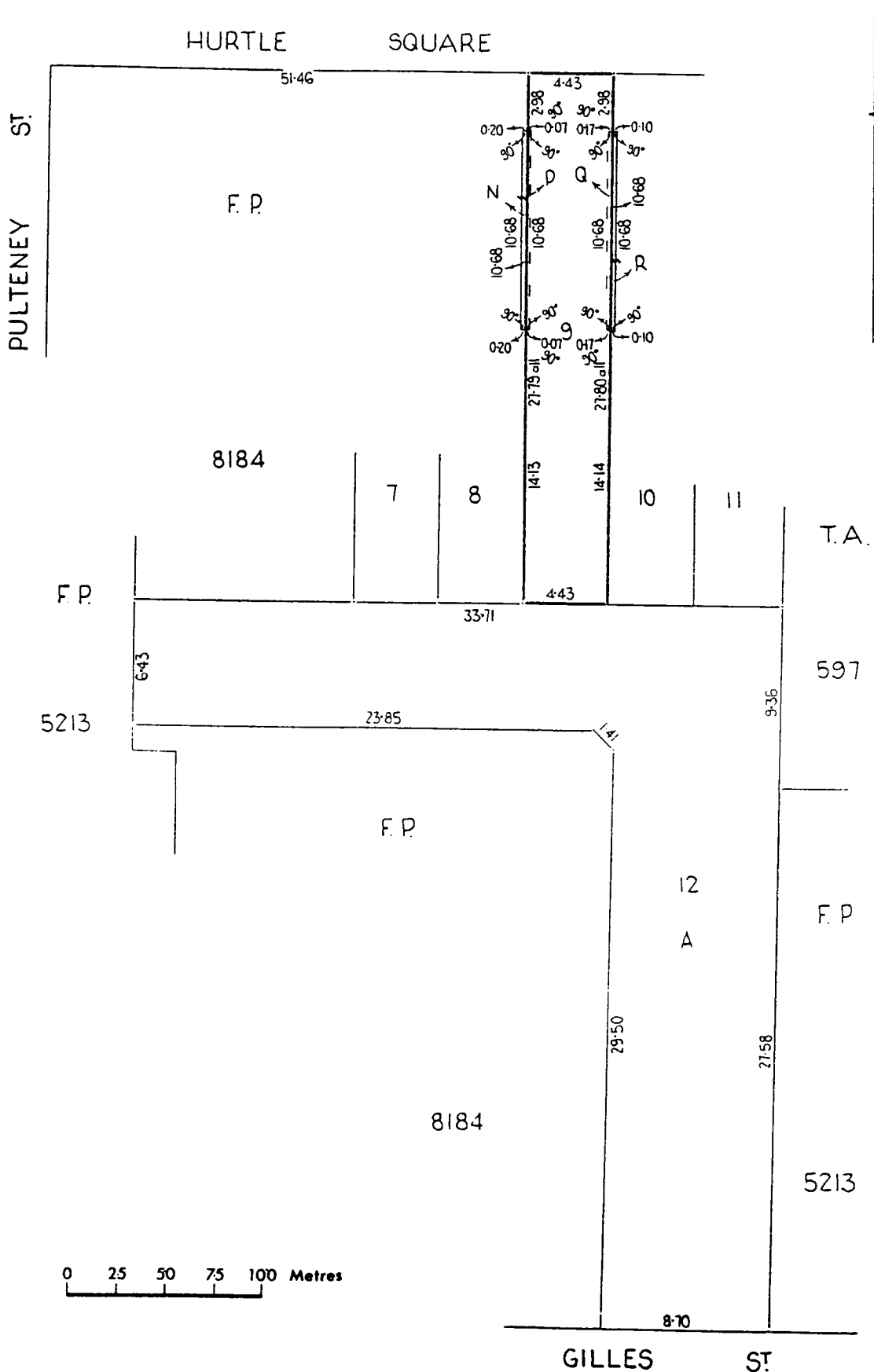
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED P (T 4609945)
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED Q (T 4609947)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED N (T 4609945)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED R (T 4609947)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609955	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)

Notations

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



REAL PROPERTY ACT, 1886



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 5486 Folio 367

Parent Title(s) CT 4174/128
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 23/12/1997 Edition 5 Edition Issued 12/10/2009

Estate Type

FEE SIMPLE

Registered Proprietor

GEORGE RAYMOND IESTYN LLEWELLYN-SMITH
 OF 9/18-20 LAYSTALL STREET LONDON EC1R4P6 UK

Description of Land

ALLOTMENT 10 FILED PLAN 9677
 IN THE AREA NAMED ADELAIDE
 HUNDRED OF ADELAIDE

Easements

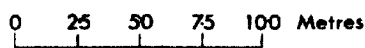
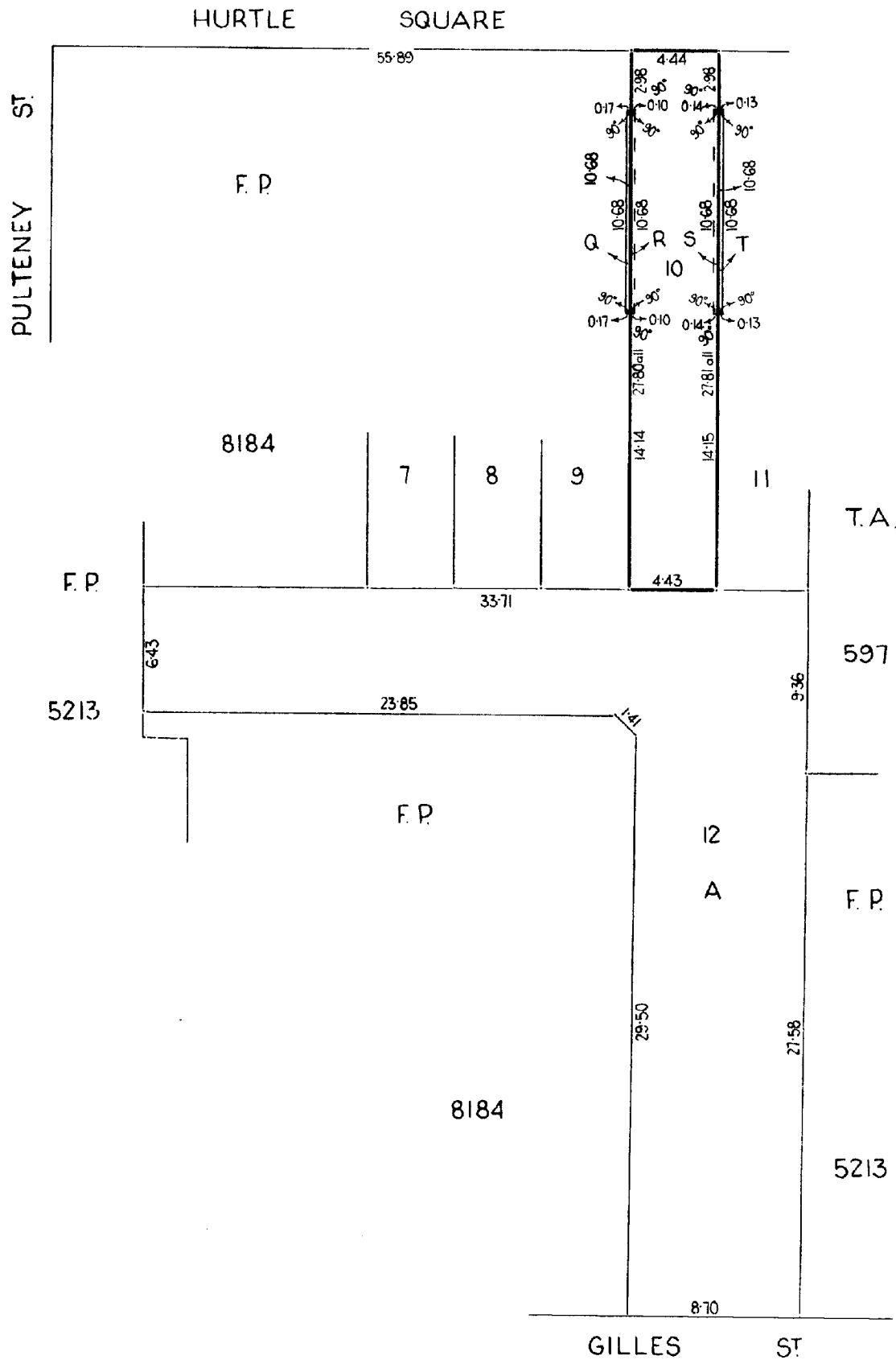
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED R AND S (T 4609947)
 TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED Q AND T (T 4609947)
 TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609949	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
11261926	MORTGAGE TO HSBC BANK AUSTRALIA LTD.

Notations

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



REAL PROPERTY ACT, 1886



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 5206 Folio 812

Parent Title(s) CT 4174/129
Creating Dealing(s) CONVERTED TITLE
Title Issued 09/08/1994 Edition 6 Edition Issued 18/02/2020

Estate Type

FEE SIMPLE

Registered Proprietor

HURTLE SOUTH EAST PTY. LTD. (ACN: 637 465 466)
OF 40 GILBERT STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 11 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

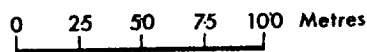
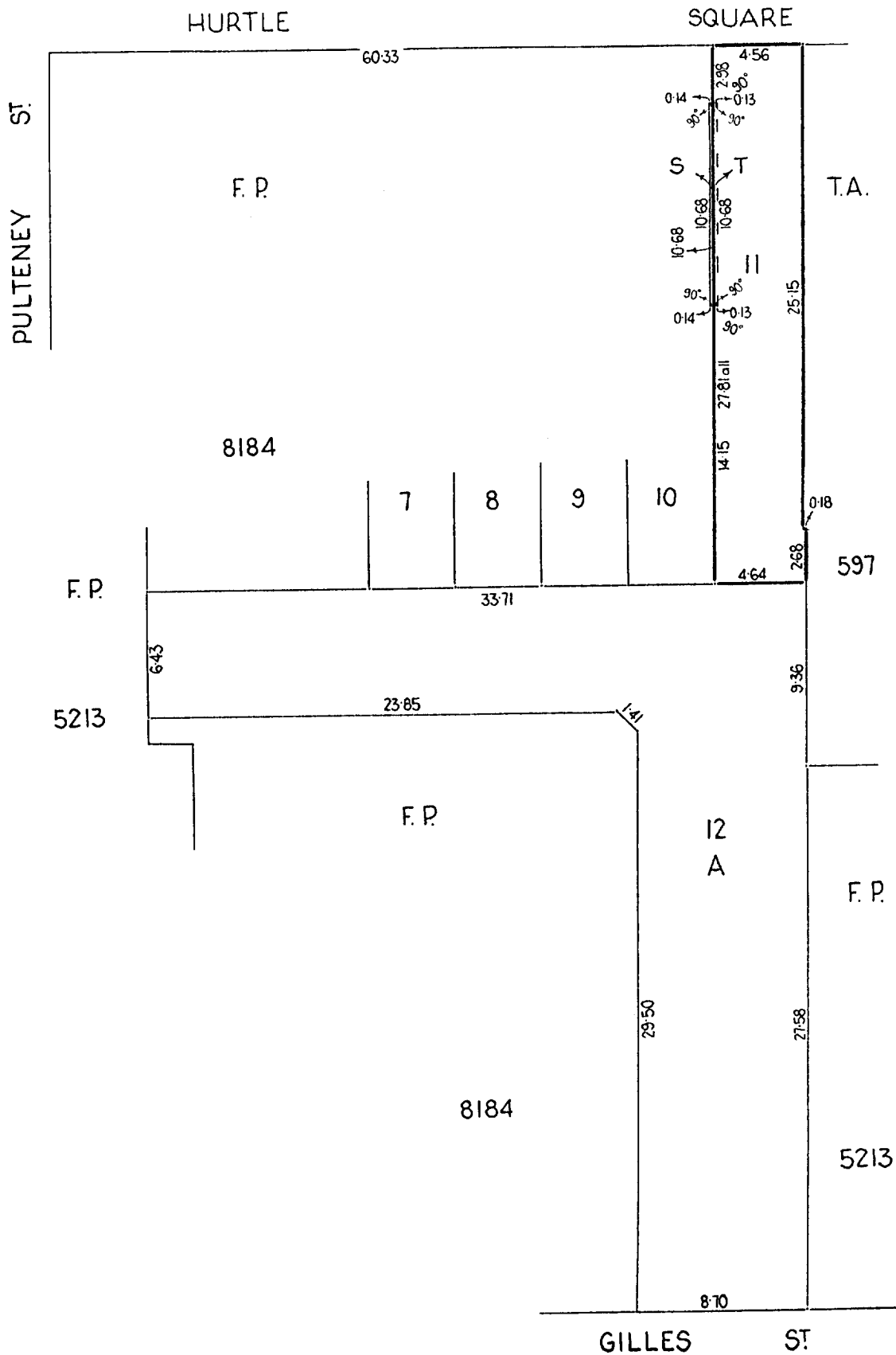
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED T (T 4609947)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED S (T 4609947)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609952	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
13249608	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



REAL PROPERTY ACT, 1886



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 5493 Folio 614

Parent Title(s) CT 4161/699
Creating Dealing(s) CONVERTED TITLE
Title Issued 20/01/1998 Edition 1 Edition Issued 20/01/1998

Estate Type

EASEMENT ONLY

Registered Proprietor

MINISTER FOR INFRASTRUCTURE
OF ADELAIDE SA 5000

Description of Land

EASEMENT(S) IN THROUGH OVER ACROSS AND ALONG

ALLOTMENT 12 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

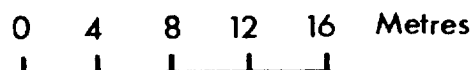
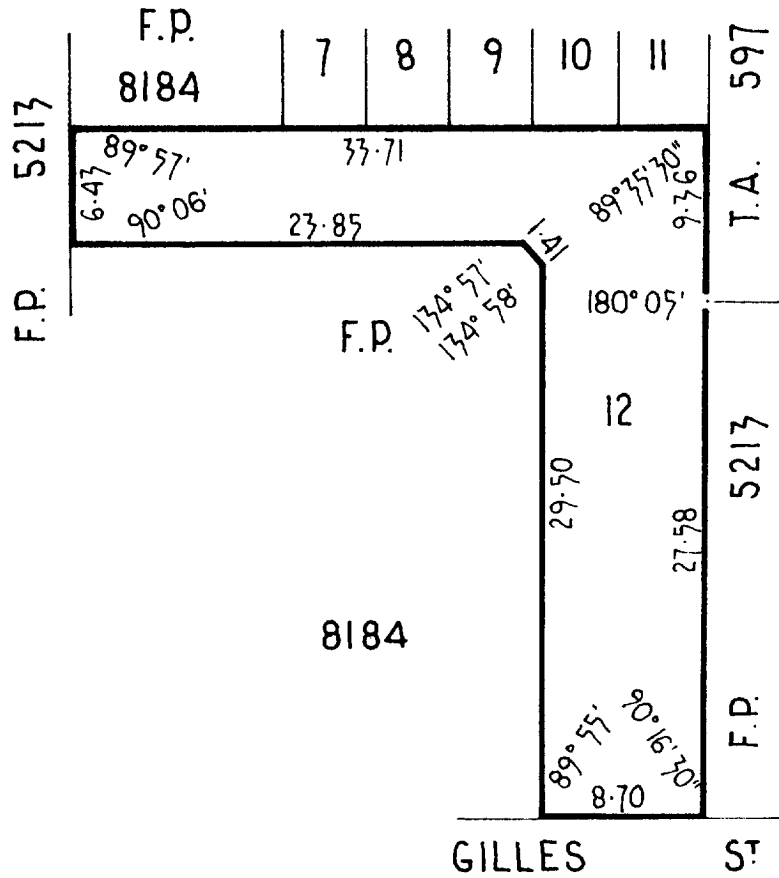
CREATED BY TRANSFER 4529402

Schedule of Dealings

NIL

Notations

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



Note. For TRIM workflow assign "Heritage Enquiries"

INTERNAL MEMO – LOCAL HERITAGE			RE-REFERRAL <input type="checkbox"/>
TO	Local Heritage Advisor	DATE	2 February 2021
ATTN	Therese Willis	RETURN BY	9 February 2021
FROM	Edouard Pool	REF (TRIM)	DA/295/2020/B
SUBJECT	Development Application Referral to Local Heritage Advisor		
APPLICATION	DA/295/2020/B	HIS	
ADDRESS	62 62A 64 64A 66 Hurtle Square, ADELAIDE SA 5000		
DESCRIPTION	Vary previous authorisation construction of a seven-storey residential flat building (32 dwellings) with ground floor commercial tenancy and associated car parking - VARIATION - Internal and external alterations including reduction in dwellings, reconfiguration of floor plans, facade changes including wider balconies, relocation of water mains services and reduction in bike parking		

PLANNER TO COMPLETE		
ASSESSING OFFICER'S COMMENT	URGENT	<input type="checkbox"/>
<p>Questions regarding this development should be directed to Edouard Pool, Ext. 771</p> <p>Comments regarding this Development would be appreciated by the 'Return By' date shown above.</p> <p>This is referred to you for architectural commentary – not heritage – as we have lost Chris Dimond</p>		

LOCAL HERITAGE ADVISOR TO COMPLETE
<p>COMMENTS emailed to Ed 11/02/2021</p> <p><u>ARCHITECTURAL MERIT</u></p> <p>I have reviewed the proposed design revisions as requested and consider that the amended façade design is well-articulated and I think a better quality design than the approved one.</p> <p>The revised design introduces a stronger architectural expression to the Northern Façade, befitting its prominent siting on Hurtle Square. The architectural composition is now clear cut with strongly expressed vertical and horizontal elements. The corners of the façade are reconfigured into a pair of slender vertically proportioned elements which frame the whole façade. Glazed balustrading stretching between the two masonry frames counterbalances the vertical geometry. Windows to the projecting corner elements of the building have been enlarged, which provides a more consistent look on the façade and improves the light and ventilation to the rooms. The extended balconies will also provide some sun shading benefit to the corner rooms on Levels 1 – 6.</p>

Note. For TRIM workflow assign "Heritage Enquiries"

The proposed balcony balustrading is tinted grey glass, similar to the apartment developments on the eastern side of Hurtle Square. The grey glazing provides good horizontal definition to the façade whilst allowing for some visual privacy for apartment residents.

In addition to the architectural benefit of increasing the balcony width, amenity is also increased, with more open space and easier façade cleaning and maintenance for apartment residents.

COMMENTS ON ENCROACHMENT

I am in support of the balcony encroachment as the revised balcony design improves the appearance of the development and its presentation to Hurtle Square. The extended balconies provide a stronger architectural expression to the front façade and enrich the Hurtle Square locality. The tinted grey glass balustrading allows transparency on the façade and avoids a heavy appearance.

Please return your comments and original plans to Development Assessment

Therese Willis

Date:

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 28/4/2021**Item: 8.1**

From: Assessment Manager

Subject: List of Recent Lodgements 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 March to 18 March 2021.

A total of 33 development applications with a total value of \$22,795,000 have been lodged for planning consent for this period.

ATTACHMENTS

Lodged Applications for Planning Consent

1 – 4

RECOMMENDATION

That the report be received.

307

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 12/03/2021 To 18/03/2021

Application Assessed on Merit

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
1	DA/136/2019/A	13 MacKinnon Parade NORTH ADELAIDE SA 5006	Vary previous authorisation construct two (2) storey building at the rear with garage at ground and studio at upper level - VARIATION - variation to the finishes, floor plans and sun shading to window	18/03/2021	TBA	Category 1
*2	DA/155/2021	62-100 O'Connell Street NORTH ADELAIDE SA 5006	Temporary installation of a pavilion for a digital art exhibition from 23 June 2021 to 29 August 2021	12/03/2021	TBA	Category 1
3	DA/156/2021	BIBLE HOUSE 133 Rundle Mall ADELAIDE SA 5000	Installation of digital third-party billboard sign to upper portion of wall facing Twin Street	12/03/2021	\$70,000	Category 1
4	DA/157/2021	157-159 Barnard Street NORTH ADELAIDE SA 5006	Construct two storey detached dwelling with basement, install new swimming pool and front fence	12/03/2021	\$1,000,000	Category 2
5	DA/158/2021	66 Ward Street NORTH ADELAIDE SA 5006	Construct 2 storey detached dwelling and carport to rear of existing dwelling	12/03/2021	\$250,000	Category 2
6	DA/159/2021	22-28 Flinders Street ADELAIDE SA 5000	Upgrade to building entry and lobby including adjacent cafe tenancy	12/03/2021	\$750,000	Category 1
7	DA/163/2021	62-100 O'Connell Street NORTH ADELAIDE SA 5006	Temporary sales centre and display suite with associated car park	15/03/2021	\$1,000,000	Category 1
*8	DA/164/2021	65-71 Grote Street ADELAIDE SA 5000	Change of use from office to shop (personal service establishment) on first floor	15/03/2021	\$10,000	Category 1
9	DA/165/2021	433 Morphett Street ADELAIDE SA 5000	Change of use to educational establishment	16/03/2021	\$1,500	Category 1

308

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 12/03/2021 To 18/03/2021

10	DA/166/2021	Bank SA - BF-8F 97 King William Street ADELAIDE SA 5000	Replace existing plant and access ladder and internal alterations	16/03/2021	\$7,000,000	Category 1
11	DA/167/2021	War Memorial Drive NORTH ADELAIDE SA 5006	Free standing roof over tennis courts	16/03/2021	\$1,500,000	Category 1
12	DA/168/2021	341-345 Angas Street ADELAIDE SA 5000	Additions and alterations to existing building to create four level building and use as residential flat building	16/03/2021	\$7,000,000	Category 2
13	DA/169/2021	121-123 Melbourne Street NORTH ADELAIDE SA 5006	Installation of verandah to eastern side of existing building	16/03/2021	\$5,000	Category 1
*14	DA/170/2021	Level 1 30/128 Hindley Street ADELAIDE SA 5000	Installation of exhaust flue and internal alterations	17/03/2021	\$150,000	Category 1
15	DA/172/2021	22 Royal Avenue ADELAIDE SA 5000	Demolition of existing rear lean-to and construction of rear single storey addition and restoration works	17/03/2021	\$250,000	Category 1
16	DA/174/2021	266 Melbourne Street NORTH ADELAIDE SA 5006	Demolish existing building and construct four level residential flat building	17/03/2021	\$2,250,000	Category 2
17	DA/175/2021	9-11 Byron Place ADELAIDE SA 5000	Change of use to office with associated internal and external alterations, including signage	17/03/2021	\$35,000	Category 1
18	DA/176/2021	9 Stamford Court ADELAIDE SA 5000	Demolish existing building and construct four storey residential flat building	17/03/2021	\$1,200,000	Category 1
*19	DA/178/2021	Rundle Mall ADELAIDE SA 5000	Installation of shipping container to be used as a flower shop	18/03/2021	\$41,000	Category 1
*20	DA/183/2021	Ground 95 Currie Street ADELAIDE SA 5000	Change of use to educational facility	18/03/2021	TBA	Category 1

309

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 12/03/2021 To 18/03/2021

21	DA/184/2021	111-129 Franklin Street ADELAIDE SA 5000	Temporary car parking ancillary to Central Market during construction of the Central Market Arcade redevelopment	18/03/2021	\$199,000	Category 1
22	DA/185/2021	Ground Tenancy 6 33 King William Street ADELAIDE SA 5000	Install under canopy sign	18/03/2021	\$3,500	Category 1
23	DA/187/2021	33-36 East Terrace ADELAIDE SA 5000	Reconstruction of damaged roof gable	18/03/2021	\$30,000	Category 1
24	DA/188/2021	189-199 Currie Street ADELAIDE SA 5000	Change of use to an ancillary car parking for University of South Australia staff with associated landscaping	18/03/2021	\$50,000	Category 1
25	DA/496/2019/A	191-194 West Terrace ADELAIDE SA 5000	Vary previous authorisation demolition of existing building and addition to existing automotive showroom including new two storey building with showroom, car servicing and reinstallation of existing above roof sign - VARIATION - Variation to access arrangements	12/03/2021	TBA	Category 1
*26	DA/614/2007/D	102-120 Wakefield Street ADELAIDE SA 5000	Vary previous authorisation demolition of existing buildings and construction of a 10 storey building consisting of a multi level car park, offices and ground floor retail - VARIATION - Variation to DA 020/0006/11 - External naming rights signage	18/03/2021	TBA	Category 1
Crown (Section 49) Development						
#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
*27	S49/18/2019/A	ST DOMINICS PRIORY, 101-159 Molesworth Street, NORTH ADELAIDE SA 5006	Vary previous authorisation redevelopment of St Dominic's Priory College undertaken in three stages - VARIATION - Variation to existing consent for and alterations and additions to an existing education establishment	16/03/2021	TBA	Category 1

310

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 12/03/2021 To 18/03/2021

Land Division						
#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
*28	LD/10/2021	48-51 Brougham Place NORTH ADELAIDE SA 5006	Land Division - Primary Community Strata	18/03/2021	Not Applicable	Category 1
29	LD/11/2021	PARAGON ON THE PARK 277-279 South Terrace ADELAIDE SA 5000	Land Division - Community Strata Development - 2 allotments into 21 lots	15/03/2021	Not Applicable	Category 1
30	LD/13/2021	52-62 King William Street ADELAIDE SA 5000	Land Division - Boundary realignment (new laneway boundary)	17/03/2021	Not Applicable	Category 1
31	LD/14/2021	12-14 Shannon Place ADELAIDE SA 5000	Land Division - Community Strata Division	18/03/2021	Not Applicable	
32	LD/8/2021	43 Stanley Street NORTH ADELAIDE SA 5006	Land Division - Divide one allotment into two allotments	15/03/2021	Not Applicable	Category 1
33	LD/9/2021	11 Kenton Street ADELAIDE SA 5000	Land Division - Boundary adjustment to straighten rear boundary	17/03/2021	Not Applicable	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**