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April 14, 2022

Edouard Pool
City of Adelaide
25 Pirie Street
ADELAIDE SA 5000
Via PlanSA Portal

Dear Edouard,

RE: DA 174/2021 – DEFERRAL RESPONSE

We act for The Sunshine Life Pty Ltd ('the Applicant') in relation to the development application at 266 Melbourne Street, North Adelaide ('the site').

The purpose of this letter is to respond to the resolution of the Council Assessment Panel ('CAP') at its meeting held on 28 March 2022 to defer the development application to allow the Applicant to:

1. *"Provide further information in relation to light and ventilation for the centrally located apartments*
2. *Increase amount of private open space provided for the apartments*
3. *Reconsider the front presentation including landscaping, car parking and entrance accessibility and visibility*
4. *Reconsider provision of car parking for unit 1 in respect of landscaping shortfall and to reduce visual impact to Local Heritage Place in Old Street"*

The above matters have been taken on board by the Applicant. Accordingly, please find enclosed the following documents that responds to each item for consideration.

- Amended Architectural Drawings by Dash Architects;
- Solar Study by Dash Architects; and
- SAPN Property Supply Report by Adelaide Power Design Services.

Further, we respond to each of the deferral reasons below.

Light and Ventilation to Central Apartments

With regard to light and ventilation for the centrally located apartments, the amended architectural drawings enclosed include the following additional information and design changes:

- increased access to daylight and ventilation to each of the bedrooms, living and private open space areas by:
  - converting units 3 and 8 to one (1) bedroom dwellings;
  - adding high level windows and sliding opaque glass doors to the bedrooms;
  - additional glass brick windows adjacent the side boundaries on the second and third floor levels; and
  - incorporating balcony areas adjacent the eastern boundary in replace of the light well that are accessible to central units 4, 9 and 14.

- provision of an internal north facing elevation and supporting 3D images which details the extent of glazing and openings to each of the apartments (see Drawing Numbers 11 and 31)
- provision of solar study diagrams for the winter and summer solstice.

Further to the above, we note that each apartment is equipped with ceiling heights of 2.9 metres to 3.2 metres that are in excess of the recommended height of 2.7 metres in *Design Technique 52.1* (see Figure 1 below) which is acknowledged as an appropriate design solution to maximise opportunities to facilitate natural daylight to dwellings with limited light access and deep interiors.

Figure 1 *Design Solution, Council Wide, PDC 52 Daylight, Sunlight and Ventilation*

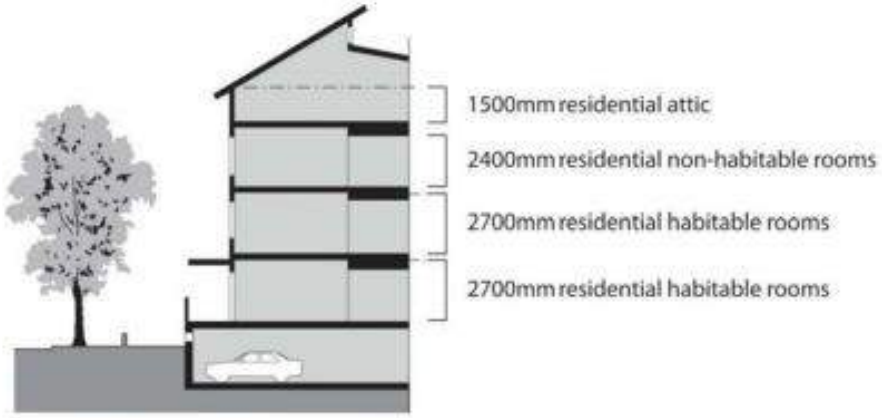


Figure 52.2 - appropriate ceiling heights for medium to high scale residential or serviced apartment development.

In addition, the six-metre separation distance between the central apartments exceeds that required by Council Wide PDC 74 and in fact meets the minimum horizontal distance for high density residential towers. The proposed apartment layouts and additional brick windows will also ensure that all habitable rooms such as living, dining and bedrooms will not be less than 8 metres from a source of natural light (Council Wide PDC 54).

Dash Architects have also produced a solar study for both the winter and summer solstice to assist in portraying the proposed development's access to direct sunlight. In this regard, Council Wide PDC 57 provides particular guidance in respect to direct sunlight accessibility, stating that (our emphasis added):

PDC 57 *Medium to high scale residential or serviced apartment development should locate living areas, private open space and communal open space, where such communal open space provides the primary area of private open space, where they will receive sunlight and, <u>where possible</u>, should maintain at least two hours of direct sunlight solar time on 22 June to:*

(a) at least one habitable room window (excluding bathroom, toilet, laundry or storage room windows);

(b) to at least 20 percent of the private open space; and

(c) communal open space, where such communal open space provides the primary private open space for any adjacent residential development.

The solar study diagrams make clear that the proposed development allows at least two hours of direct sunlight at the winter solstice to:

- at least one habitable room window and 20% of the private open space areas of 13 of the 15 apartments apart from units 3 and 8. Units 3 and 8 are constrained by the adjoining three storey Ronald McDonald House to the west where it is not possible to receive direct sunlight.
- the communal open space area that serves units 3 and 4.

The above is reflected in the below solar study diagrams between the hours of 10 am to 12pm.

Figure 2 *Direct Sunlight Access at 10am, 21/6/22*

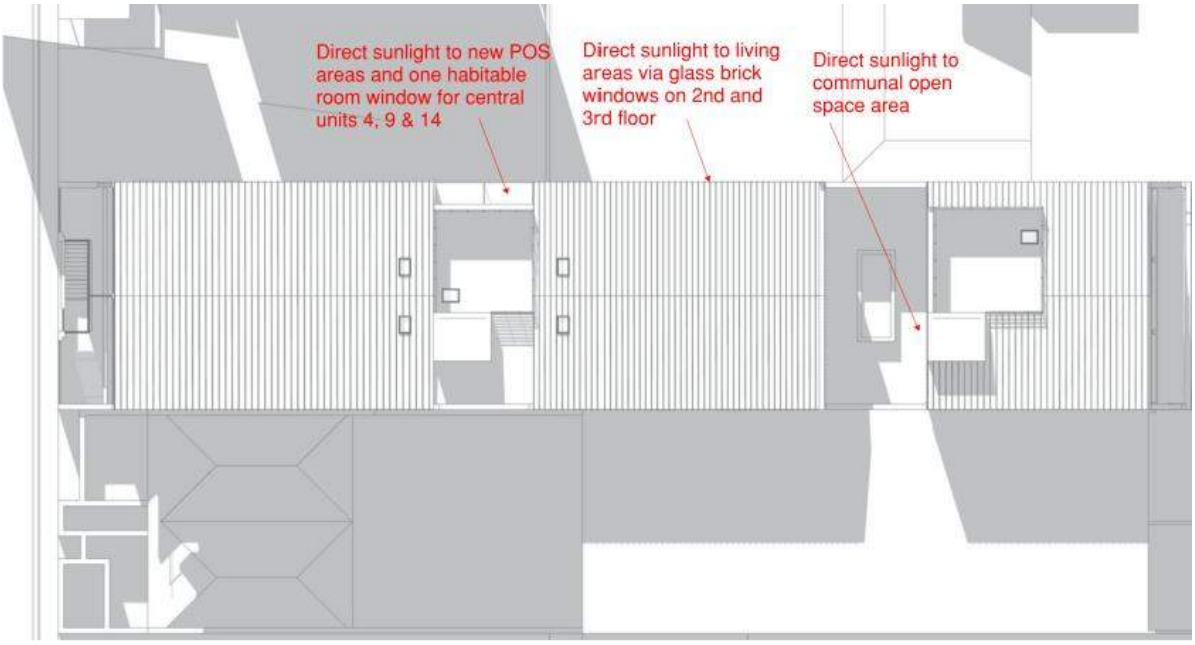
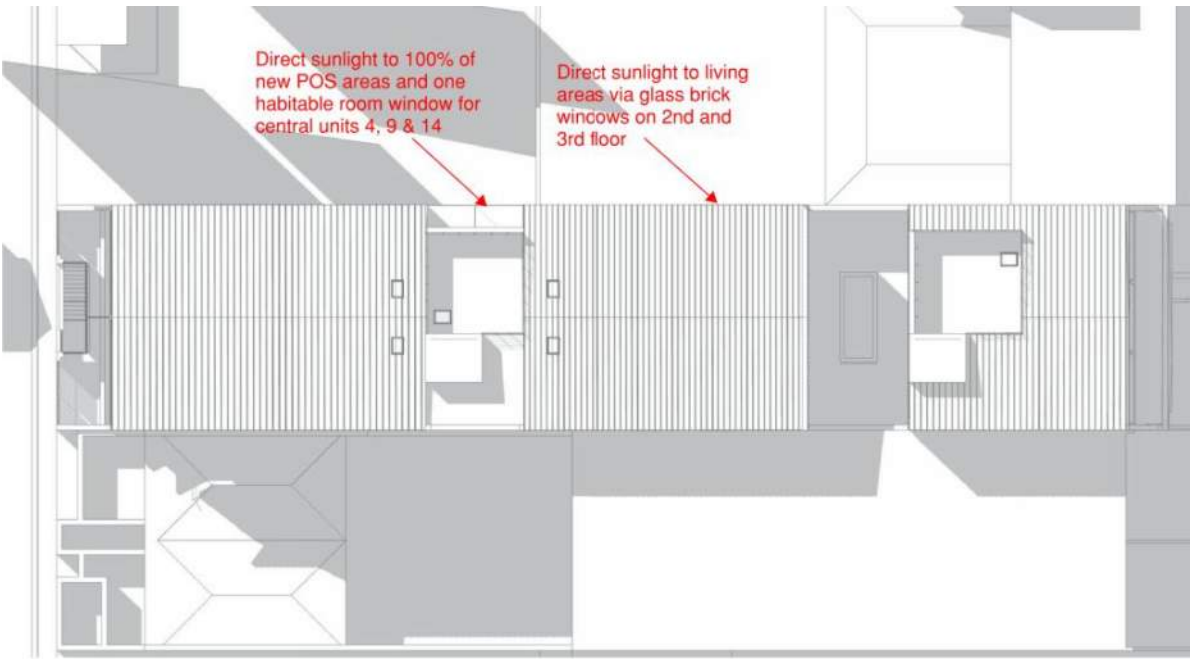


Figure 3 *Direct Sunlight Access at 12pm, 21/6/22*



Further to the above, the solar study diagrams for the summer solstice demonstrate ample access to natural daylight is provided to the proposed apartments and the communal open space area throughout daylight hours.

It is noted that two of the fifteen apartments (units 3 and 8) do not receive two hours of direct sunlight to a habitable room window or their private open space area at the winter solstice. This is a direct result of external built form conditions at the lower levels where it as not possible to achieve the desired minimum (as acknowledged in Council Wide PDC 57 by our underlining above).

Notwithstanding this, we consider on balance that the overall development meets the intent of the policy to maximise natural daylight and ventilation to each dwelling when considering the ceiling heights, separation between apartments, floor layouts and extent of changes outlined above thus according with Council Wide PDC 50.

Increased Amount of Private Open Space

Nine of the fifteen apartments have been amended to provide an increased level of private open space available to future occupants.

Considering the conversion of units 3 and 3 to one bedroom (which the Development Plan demands a lesser area of private open space of 8 square metres), each apartment is now equipped with more than the minimum area of private open space as specified in Council Wide PDC 59 and shown in Table 1 overleaf.

The proposed adjustments also include increased areas of private open space comprising a minimum dimension of two metres so as to improve the functionality and outdoor/indoor living as sought by Council Wide PDC 61.

When considering only the private open space areas with a minimum dimension of two metres in the total calculation, only proposed unit 13 contains a shortfall of approximately 3 square metres. This shortfall is not detrimental to the amenity of this apartment given that the private open space area for this unit is directly accessible from internal living areas and being located at the upper level will have all year-round access to natural daylight for the amenity of future occupants.

By way of comparison, Table 1 below indicates the change to the total private open space areas for each apartment as part of the amended proposal.

Table 1 *Private Open Space, Amended Design vs. Previous Design*

Unit No.	POS Amended Design	POS Previous Design
Unit 1	41m^2	20m^2
Unit 2	38m^2	24m^2
Unit 3	14m^2	14m^2
Unit 4	17m^2	10m^2
Unit 5	13m^2	13m^2
Unit 6	18m^2	17m^2
Unit 7	23m^2	20m^2
Unit 8	14m^2	14m^2
Unit 9	17m^2	10m^2
Unit 10	13m^2	13m^2
Unit 11	26m^2	17m^2
Unit 12	23m^2	20m^2
Unit 13	14m^2	14m^2
Unit 14	18m^2	10m^2
Unit 15	28m^2	30m^2

Front Presentation

The Melbourne Street presentation has been further enhanced and includes the following design to improve the legibility of the residential lobby space:

- removal of one car parking space to make way for an expanded residential foyer area and an increased sense of residential address;
- a dedicated pedestrian path from Melbourne Street to each foyer that is separately distinguished by incorporating a red brick paver treatment;
- shifting the letter box closer to Melbourne Street, fully glazed foyers for visual permeability and enhanced surveillance, and a lighter finish incorporated to the western side wall to further enhance line of sight as shown on Drawing No. 25;
- removal of the taller shrubs within the front landscaped area to enhance the line of sight to the foyer and surveillance;
- the provision of one dedicated visitor/loading area that is easily visible and accessible to accommodate deliveries or guests needing to enter the site.

The above amendments to the Melbourne Street presentation are also considered to meet the criteria specified in Council Wide PDCs 48 and 49 insofar that the building entrance is:

(a) orientated towards the street;

(b) will have a clear line of sight to the expanded glass foyer entry from Melbourne Street;

(c) is sheltered with an increased sense of personal address and transitional space around the entry; and

(d) is located close to the lift and stairwell to minimise the need for long access corridors.

Whilst the proposed expansion of the foyer entry will result in a shortfall of one car parking space for the overall development (15 spaces required by TABLE Adel/7, 14 proposed) the shortfall in parking is appropriate in this instance given that:

- only the one-bedroom apartments will not have access to an onsite parking space which are considered to have lesser car parking demand than the two-bedroom apartments; and
- the proposal is within convenient proximity to the Adelaide CBD where prospective residents will have access to sustainable transport modes such as cycling and the high frequency public transport route along Melbourne Street.

Unit 1 Car Parking and Landscaping

The amended architectural drawings indicate removal of the onsite car parking space for Unit 1 adjacent Old Street. The transformer has also been removed from the rear yard of Unit 2.

These two areas have been subsequently replaced with tree plantings and landscaped open space area which in turn, satisfies the following provisions:

- an overall landscaped open space area of 20.6% for the site meeting Zone PDC 10; and
- additional tree plantings contributing to the envisaged landscape buffer at the Old Street interface as sought by Zone PDC 9 and further mitigating any perceived visual impact the building may have on the adjoining local heritage place.

Furthermore, the planter bed within the communal open space area has been enhanced by:

- increasing the soil area to approximately 12m^2 and a minimum dimension of 1.8 metres;
- providing a minimum depth of 1m; and
- replacing the two trees with one “small” tree species that is part-shade tolerant.

We note the proposed soil area for the planter bed exceeds the minimum soil area requirements specified within the Urban Tree Canopy Overlay of the new Planning and Design Code for a “small” tree. Whilst the Planning and Design Code is not a relevant assessment tool for this application (being submitted under the Development Act), it nonetheless informs that the proposed plant selection can succeed in this environment and in turn, offer enhanced landscaped amenity to the central apartments.

In relation to the removal of the transformer, advice is enclosed from Adelaide Power Design Services confirming, in their opinion, that an onsite pad mount transformer is not required for this development due to a sufficient power supply and infrastructure being available within proximity to the site. SAPN will determine final supply arrangements during detail design.

Should you require any further information please do not hesitate to contact our office.

Please be advised that we will be available at the upcoming CAP meeting should the Panel ask any questions or require any further explanation of any of the matters raised in this correspondence.

Yours sincerely,

Christopher Webber
Senior Consultant

10 20 50 100 200 300
scale bar units in mm

APPLICATION FOR DEVELOPMENT PLAN CONSENT

For

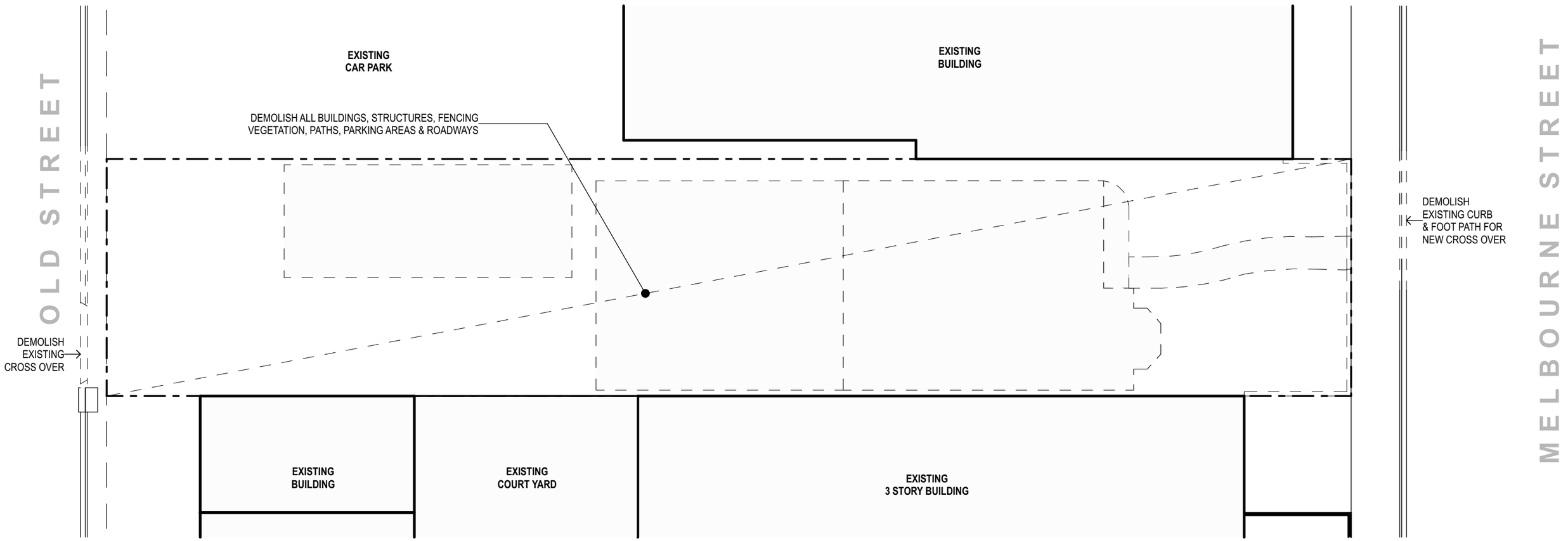
Proposed Residential Development at 266 Melbourne St, North Adelaide

Location Plan

#	Title	Size	Rev
01	Cover	A3	D
02	Demolition Plan	A3	B
03	Ground Floor (Melbourne Street Level)	A3	E
04	Ground Floor (Melbourne Street Level) RCP	A3	A
05	First Floor (Old Street Level)	A3	D
06	Second Floor	A3	D
07	Third Floor	A3	D
08	Roof Plan	A3	C
09	3D Image Melbourne Street Frontage	A3	D
10	3D Image Old Street Frontage	A3	D
11	Internal Courtyard Elevations	A3	C
12	North & South Elevation	A3	C
13	East Elevation	A3	C
14	West Elevation	A3	D
15	Streetscape Elevation	A3	B
16	Streetscape Elevation	A3	C
17	Section	A3	E
18	Unit Floor Plans (Typical)	A3	E
19	Unit Floor Plans (Typical)	A3	C
20	Unit Floor Plans (Typical)	A3	C
21	Unit Floor Plans (Typical)	A3	C
22	Unit Floor Plans (Typical)	A3	C
23	Indicative Planting Plan	A3	B
24	Indicative Storm Water Management Plan	A3	B
25	3D Images	A3	B
26	3D Images	A3	C
27	3D Images	A3	D
28	3D Images	A3	D
29	3D Images	A3	D
30	3D Images	A3	D
31	3D Images	A3	D

Revised Following Initial CAP Meeting 14/4/22

10 20 50 100 200 300
scale bar units in mm



Demolition Plan
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

Demolition Plan

REVISION: B
PROJECT: DA213966

02

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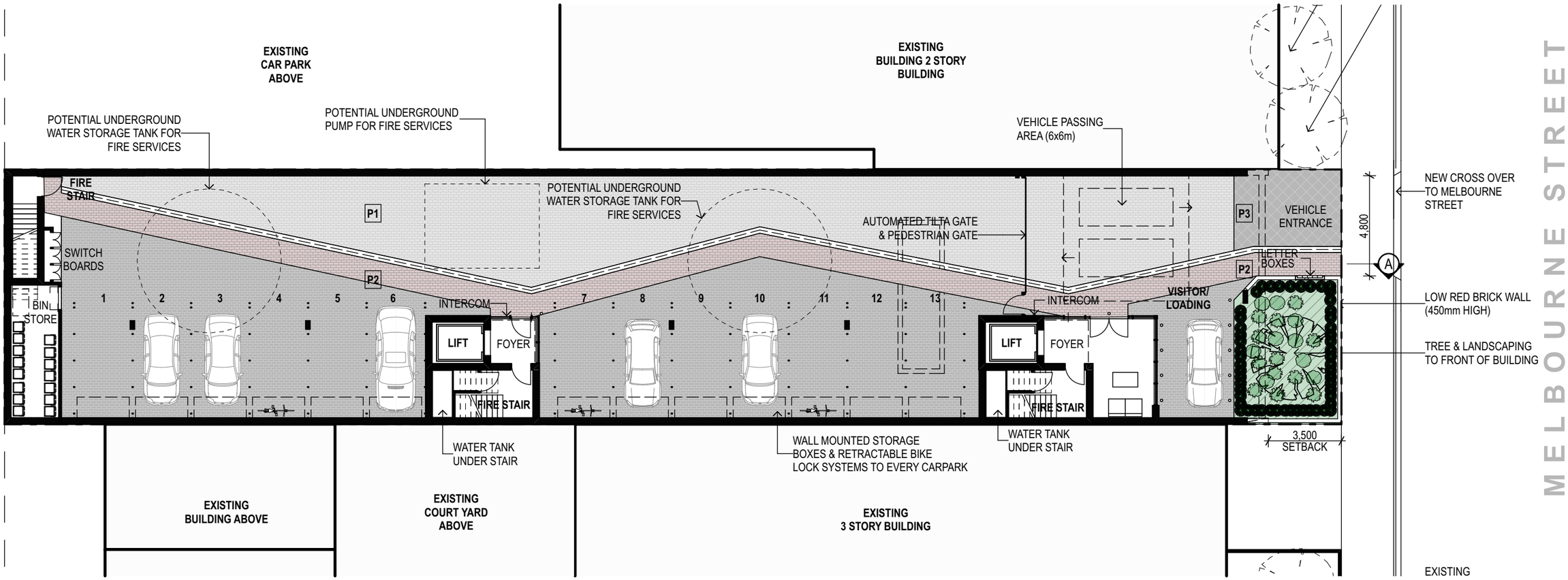
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



Ground Floor

Scale 1:200

LEGEND

FW	FULL HEIGHT FROSTED WINDOWS
	LANDSCAPED OPEN SPACE
	PRIVATE OUTDOOR SPACE / BALCONY
	COMMUNAL CIRCULATION SPACE
	RED BRICK FLAG PAVER
	LIGHT GREY FLAG PAVER
	MID GREY FLAG PAVER
	MID GREY PERMEABLE PAVER

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

Ground Floor (Melbourne Street Level)

REVISION: E
PROJECT: DA213966

03

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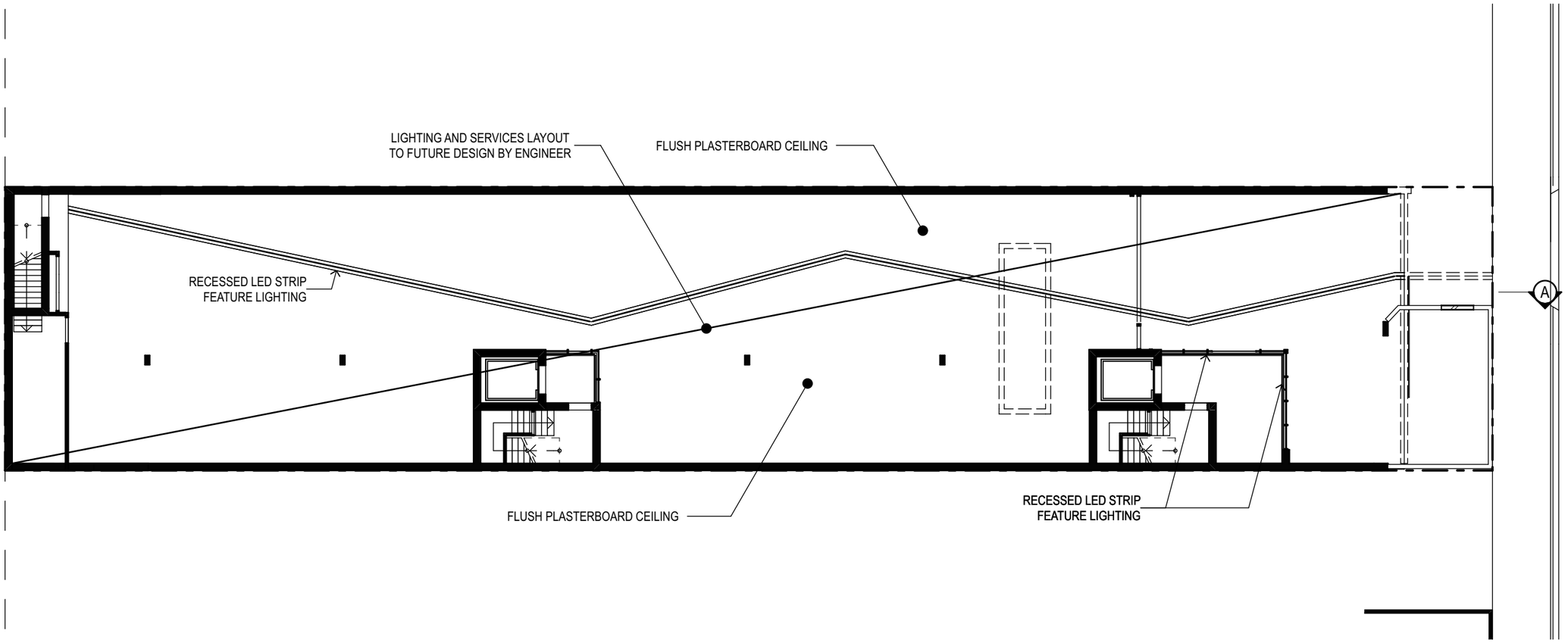
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



Ground Floor RCP
Scale 1:200

Revised Following Initial CAP Meeting 14/4/22

Ground Floor (Melbourne Street Level) RCP

REVISION: A
PROJECT: DA213966

04

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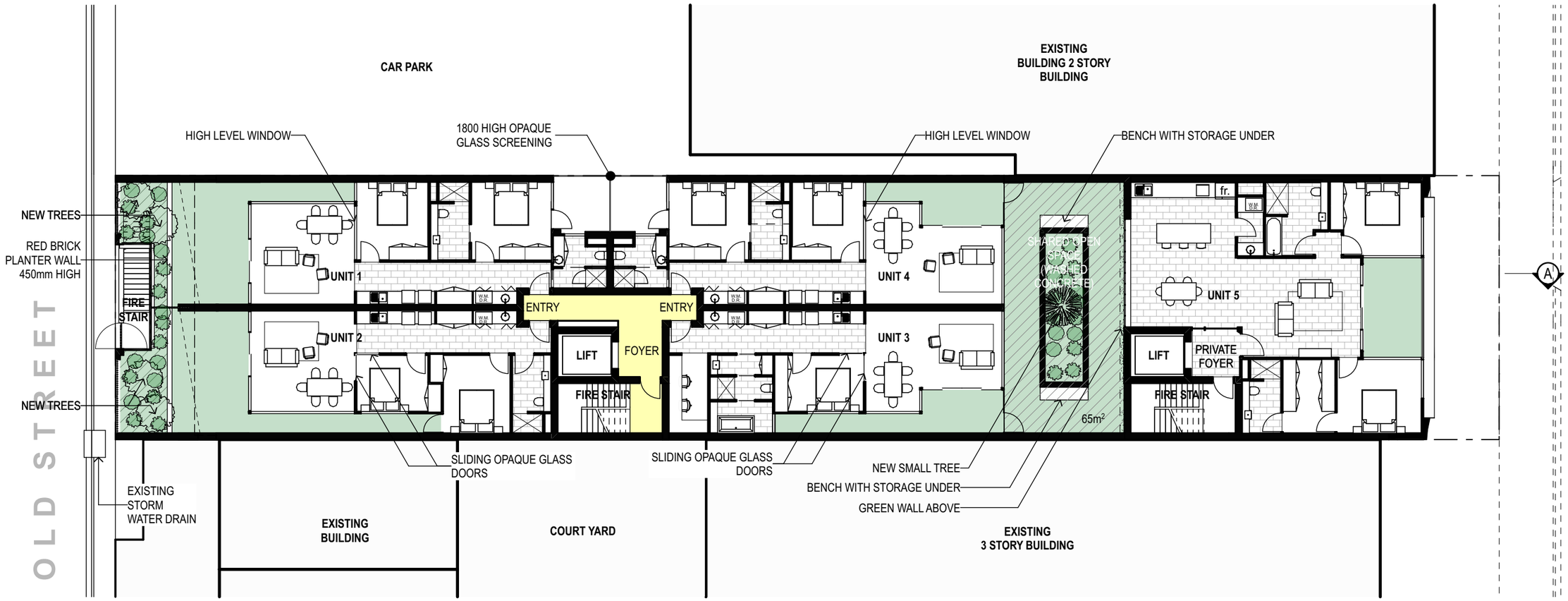
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



First Floor

Scale 1:200

LEGEND

FW	FULL HEIGHT FROSTED WINDOWS
	LANDSCAPED OPEN SPACE
	PRIVATE OUTDOOR SPACE / BALCONY
	COMMUNAL CIRCULATION SPACE

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

First Floor (Old Street Level)

REVISION: D
PROJECT: DA213966

05

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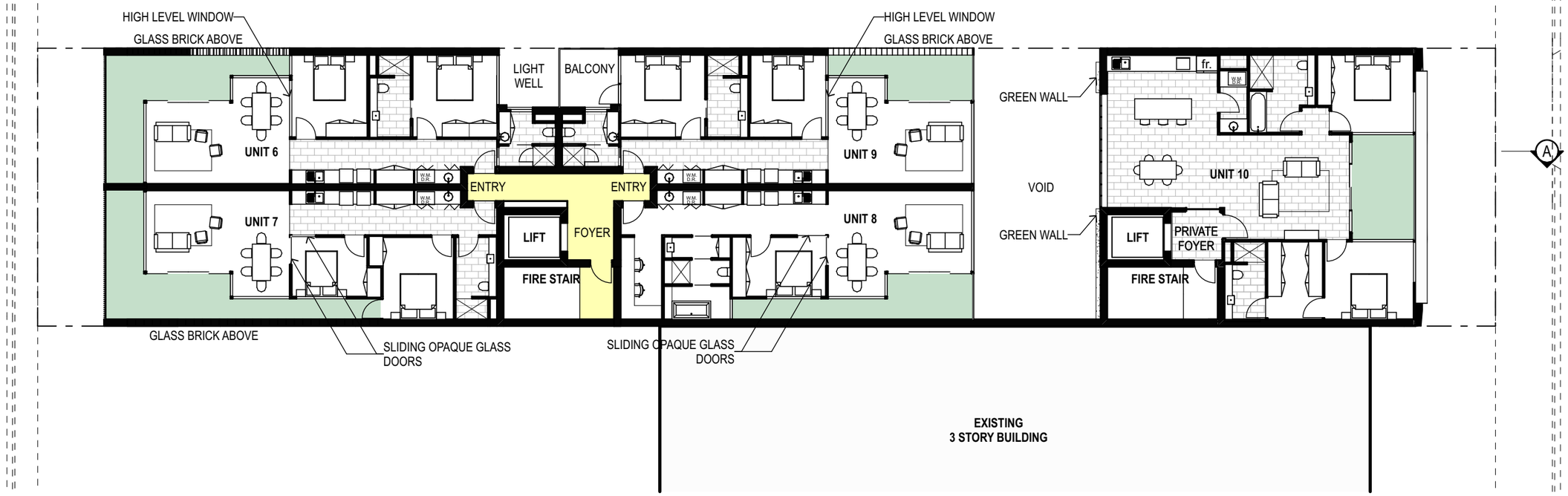
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



Second Floor
Scale 1:200

LEGEND

FW	FULL HEIGHT FROSTED WINDOWS
	LANDSCAPED OPEN SPACE
	PRIVATE OUTDOOR SPACE / BALCONY
	COMMUNAL CIRCULATION SPACE

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

Second Floor
REVISION: D
PROJECT: DA213966

06

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Proposed Residential Development at 266 Melbourne St, North Adelaide

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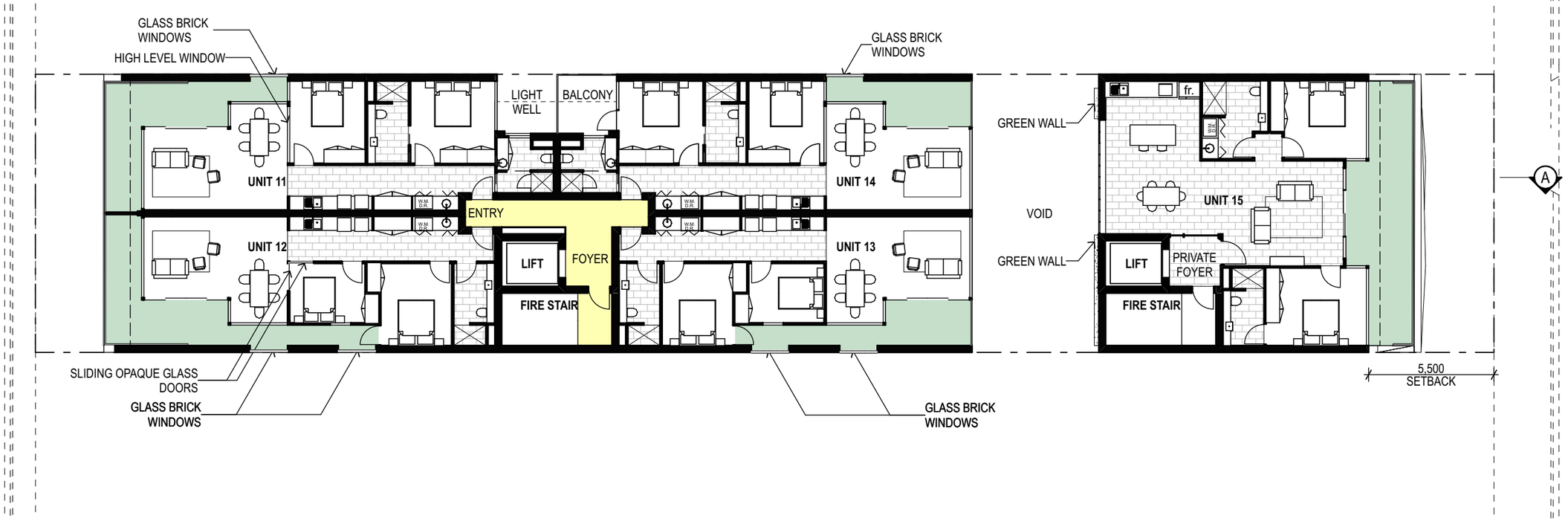
scale bar units in mm



Third Floor

Scale 1:200

LEGEND

FW FULL HEIGHT FROSTED WINDOWS

LANDSCAPED OPEN SPACE

PRIVATE OUTDOOR SPACE / BALCONY

COMMUNAL CIRCULATION SPACE

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

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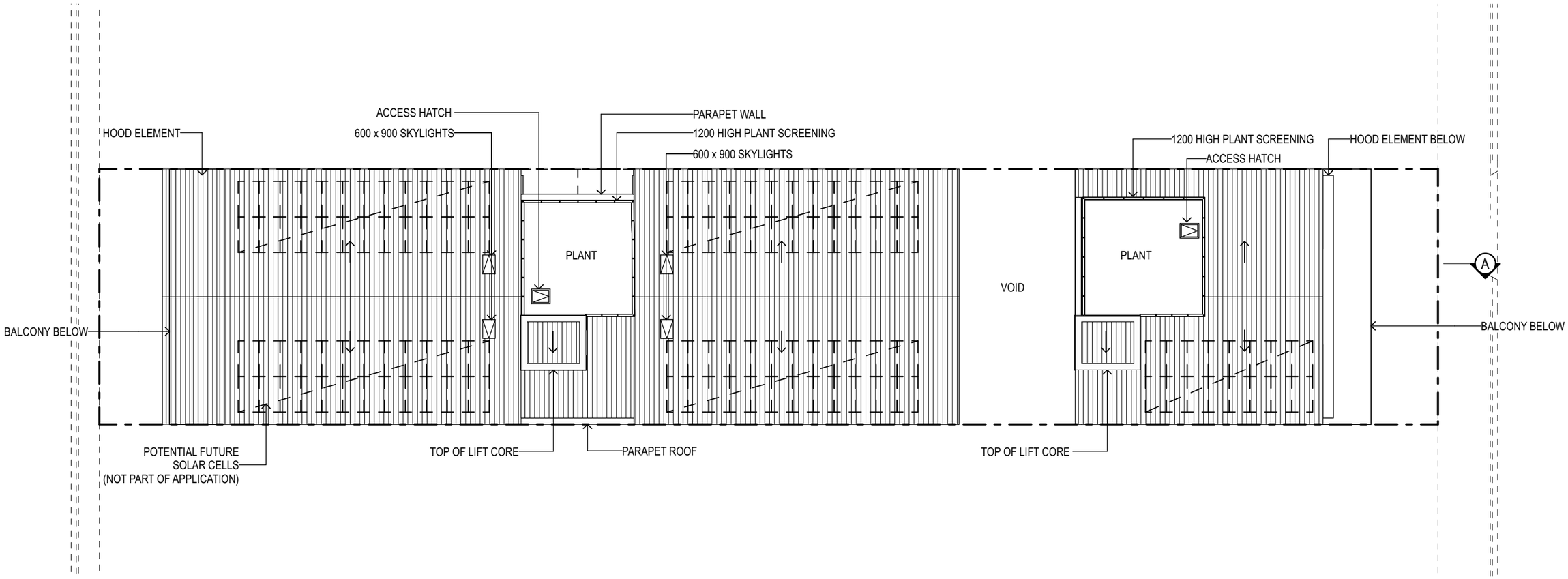
Proposed Residential Development at 266 Melbourne St, North Adelaide

Third Floor

REVISION: D
PROJECT: DA213966

07

10 20 50 100 200 300
scale bar units in mm



Roof Plan
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

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Proposed Residential Development at 266 Melbourne St, North Adelaide

Roof Plan

REVISION: C
PROJECT: DA213966

08

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

3D Image Melbourne Street Frontage

REVISION: D
PROJECT: DA213966

09

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Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

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3D Image Old Street Frontage

REVISION: D
PROJECT: DA213966

10

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Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

INTERNAL COURTYARD NORTH ELEVATION
Scale 1:100

INTERNAL COURTYARD SOUTH ELEVATION

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Revised Following Initial CAP Meeting 14/4/22

Internal Courtyard Elevations

REVISION: C
PROJECT: DA213966

11

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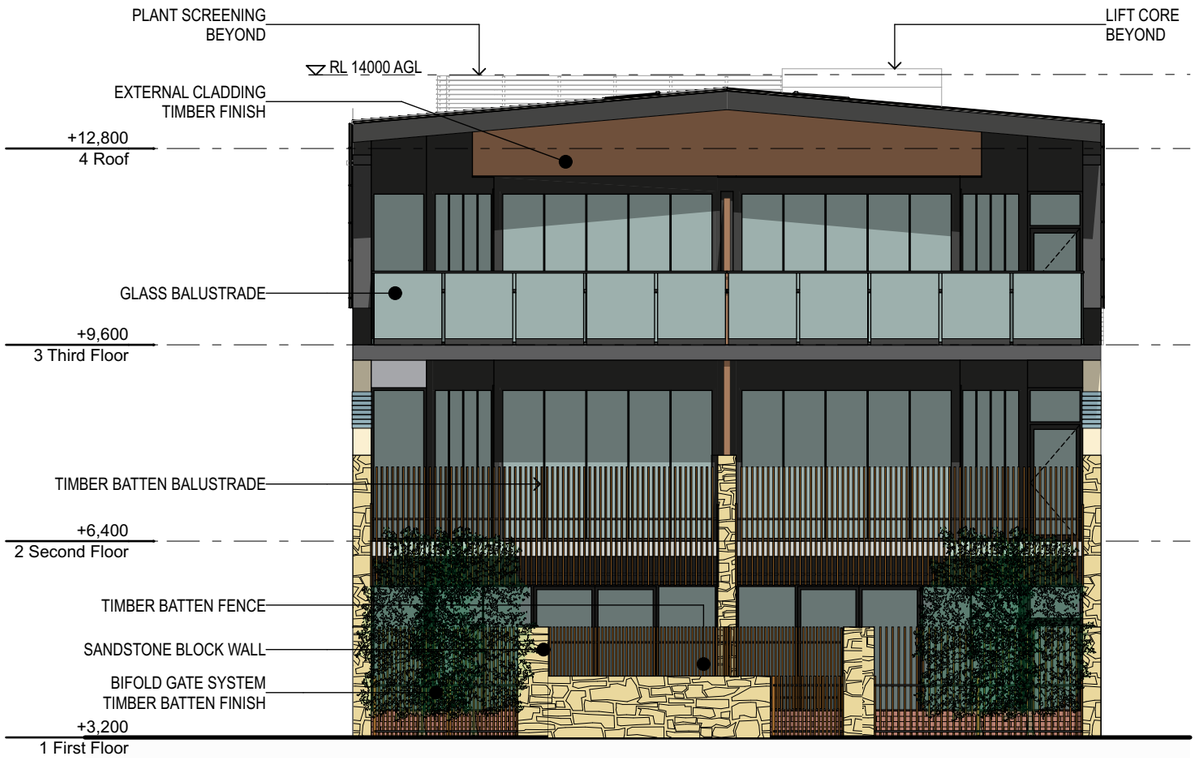
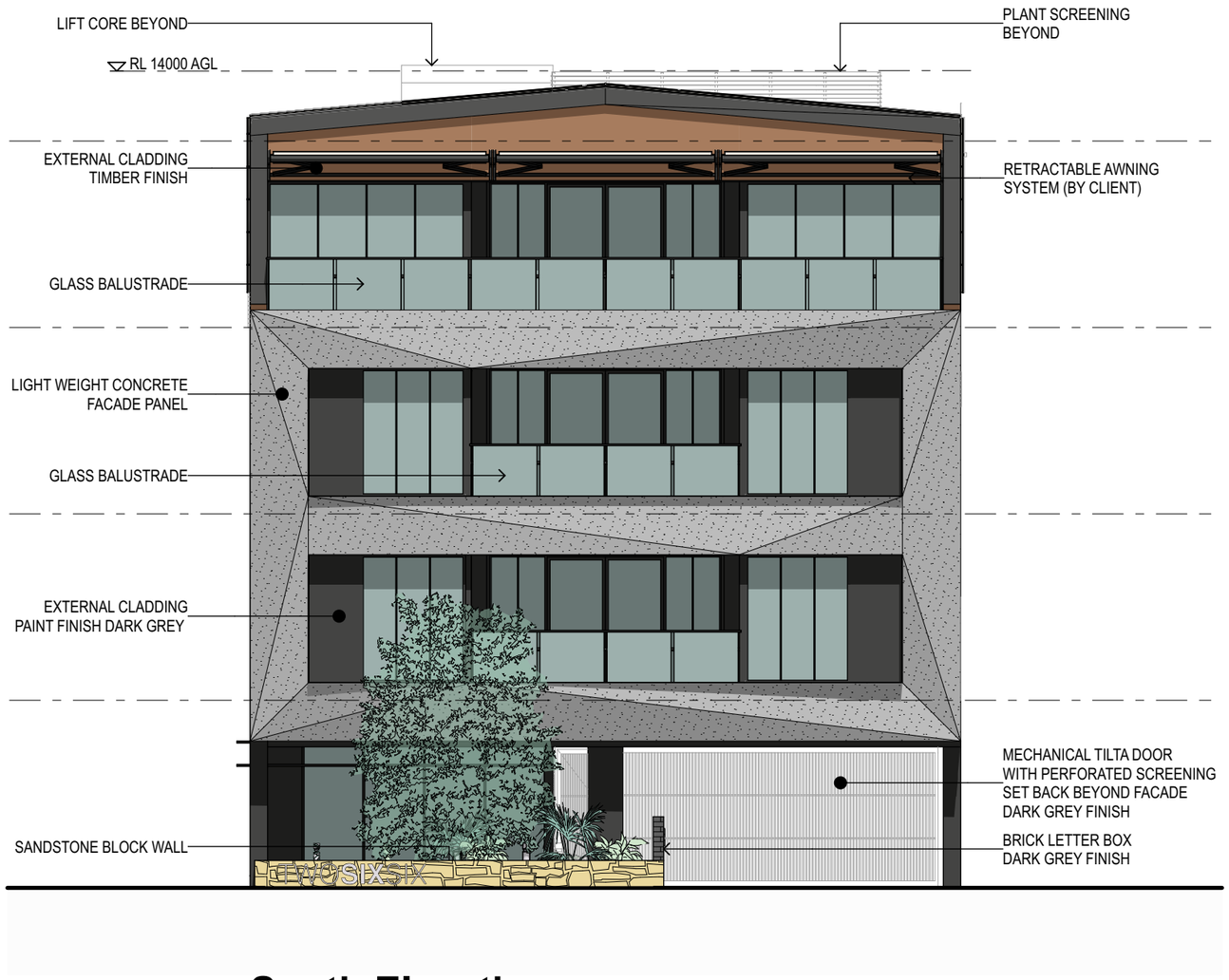
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



North Elevation
Scale 1:100



South Elevation
Scale 1:100

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Revised Following Initial CAP Meeting 14/4/22

North & South Elevation

REVISION: C
PROJECT: DA213966

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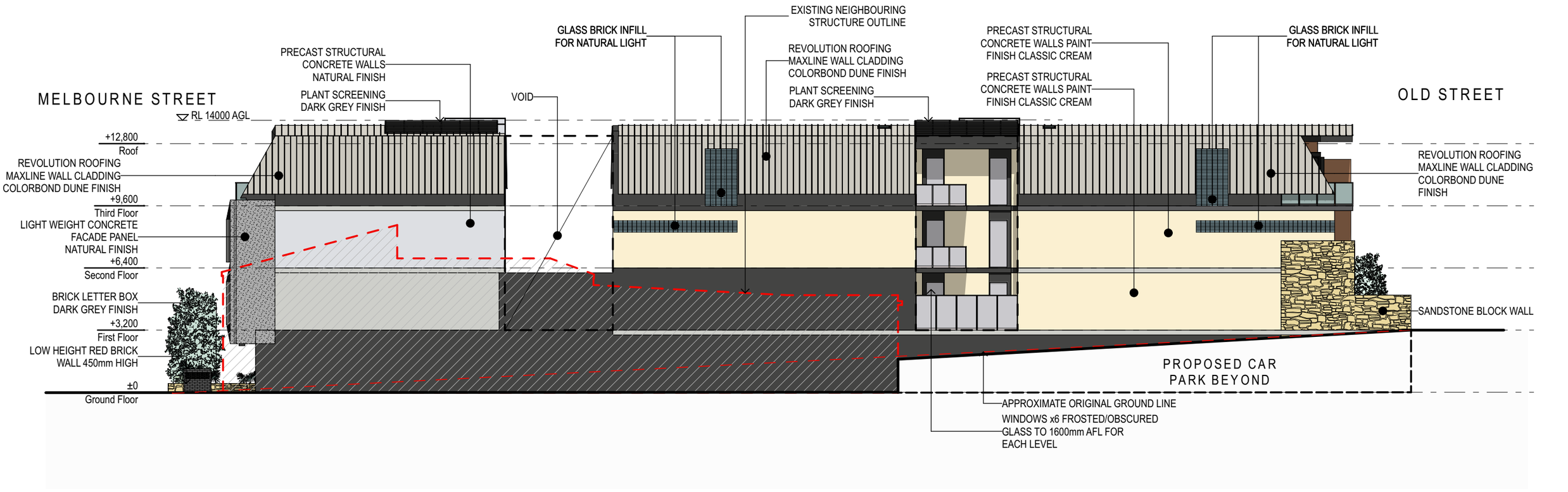
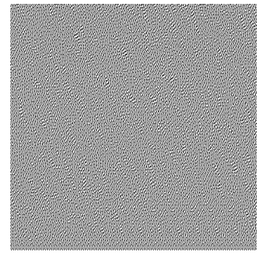
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



East Elevation
Scale 1:200



COLORBOND DUNE FINISH

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

East Elevation

REVISION: C
PROJECT: DA213966

13

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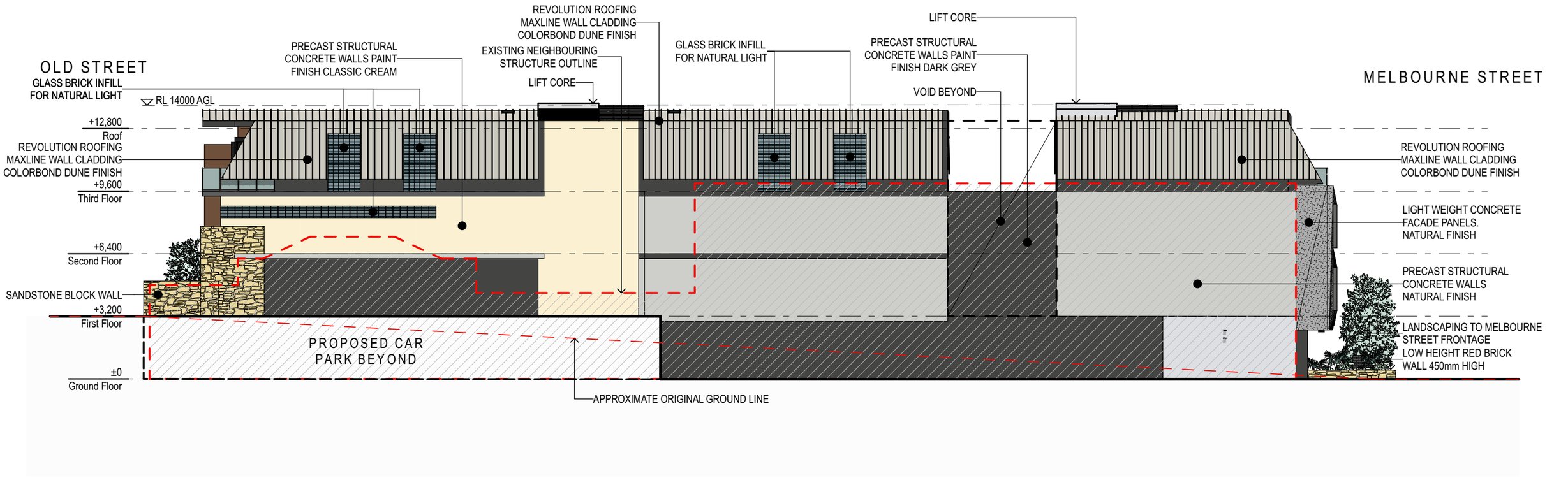
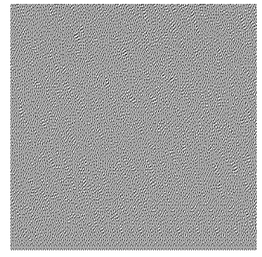
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



West Elevation
Scale 1:200



COLORBOND DUNE FINISH

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

West Elevation

REVISION: D
PROJECT: DA213966

14

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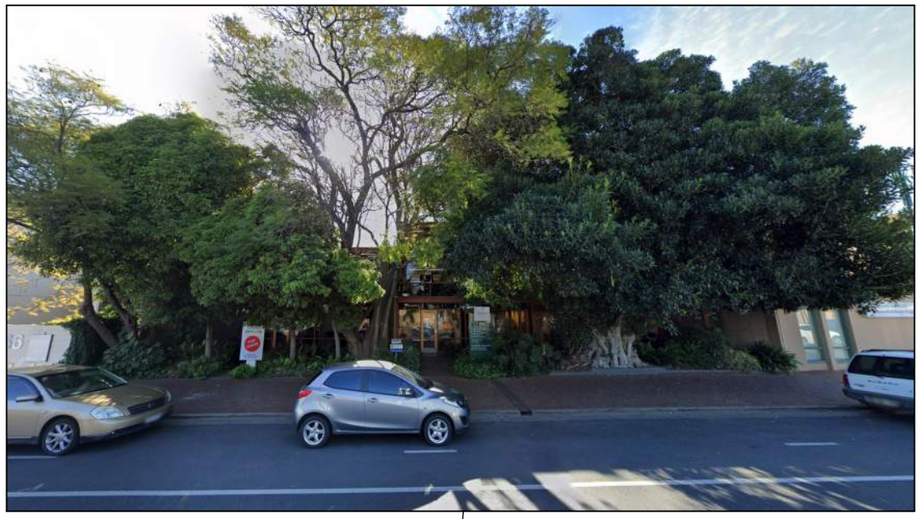
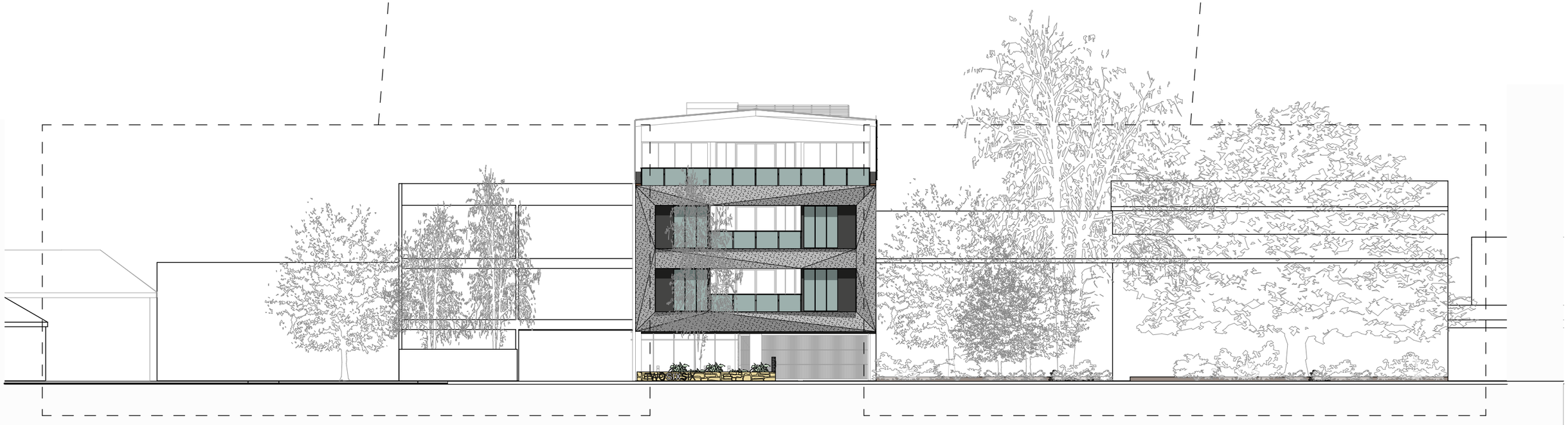
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

GOOGLE STREET IMAGE



GOOGLE STREET IMAGE



*SURROUNDING BUILDINGS ARE APPROXIMATE & SHOWN INDICATIVELY ONLY.

Melbourne Street Elevation
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

Streetscape Elevation

REVISION: B
PROJECT: DA213966

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Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

GOOGLE STREET IMAGE

GOOGLE STREET IMAGE

*SURROUNDING BUILDINGS ARE APPROXIMATE &
SHOWN INDICATIVELY ONLY.

Old Street Elevation
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

Streetscape Elevation

REVISION: C
PROJECT: DA213966

16

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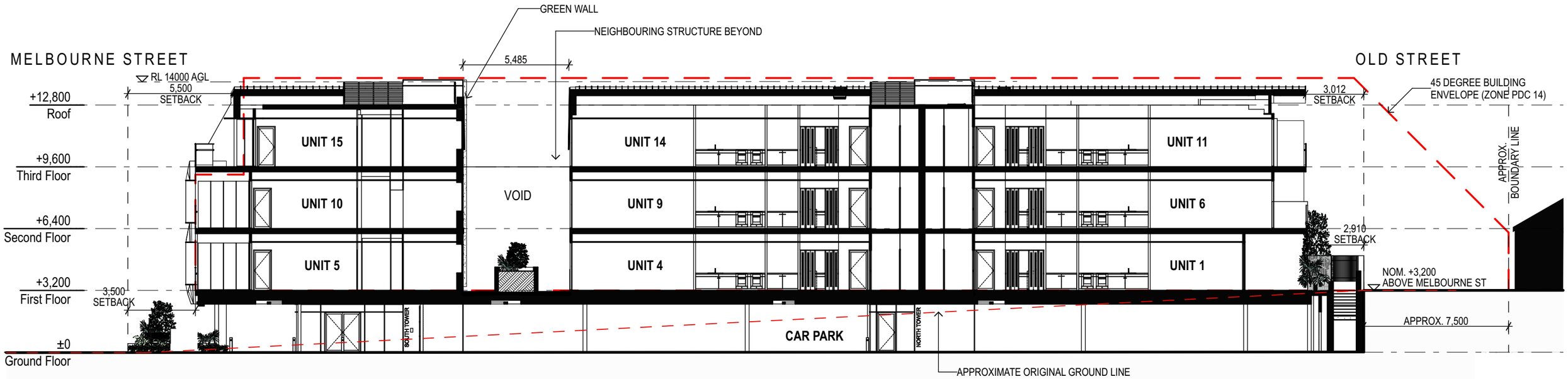
Proposed Residential Development at 266 Melbourne St, North Adelaide

scale bar units in mm



Section A
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Revised Following Initial CAP Meeting 14/4/22

Section | REVISION: E | PROJECT: DA213966 | **17**

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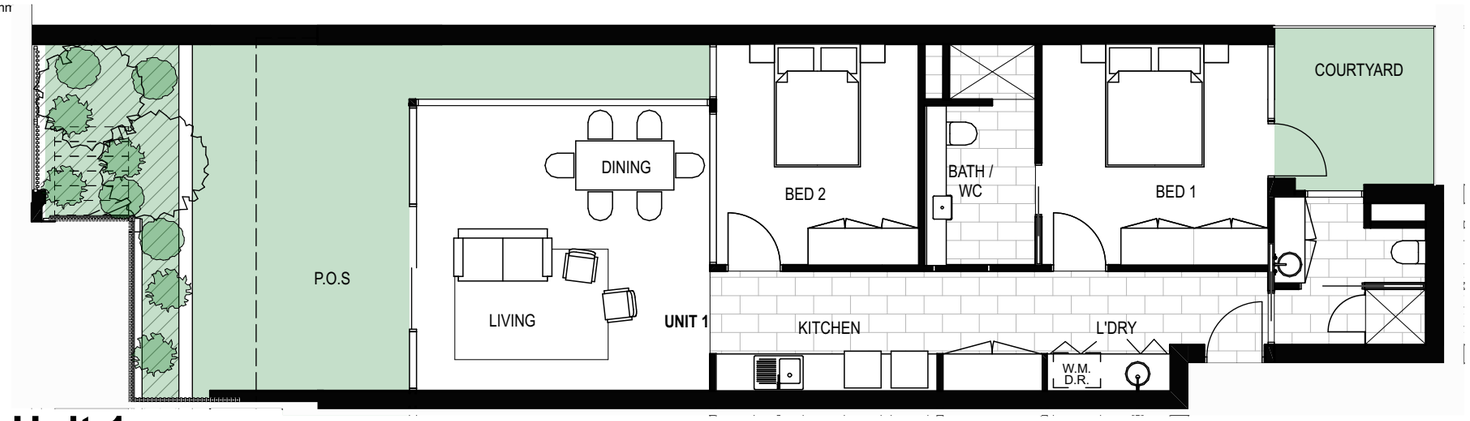
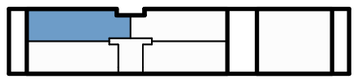
Proposed Residential Development at 266 Melbourne St, North Adelaide

scale bar units in mm

10 20 50 100 200 300



Unit 1
Scale 1:100

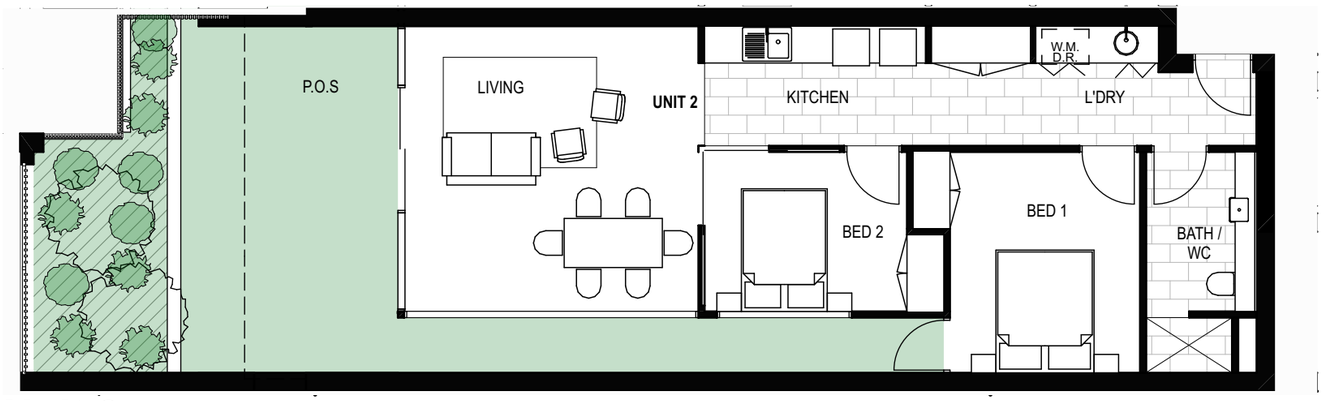


FIRST FLOOR

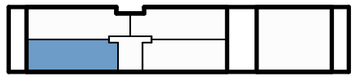
AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*	CARPARK
1	83m^2	34m^2	14.95m^3	Y
2	70m^2	38m^2	11m^3	Y
3	73m^2	14m^2	9.6m^3	N
4	86m^2	17m^2	14.95m^3	Y
5	130m^2	13m^2	14.3m^3	Y
6	86m^2	18m^2	14.95m^3	Y
7	73m^2	23m^2	11m^3	Y
8	73m^2	14m^2	9.6m^3	N
9	86m^2	17m^2	14.95m^3	Y
10	130m^2	13m^2	14.3m^3	Y
11	86m^2	19m^2	14.95m^3	Y
12	73m^2	23m^2	11m^3	Y
13	73m^2	14m^2	13.4m^3	Y
14	86m^2	18m^2	14.95m^3	Y
15	110m^2	28m^2	14.3m^3	Y

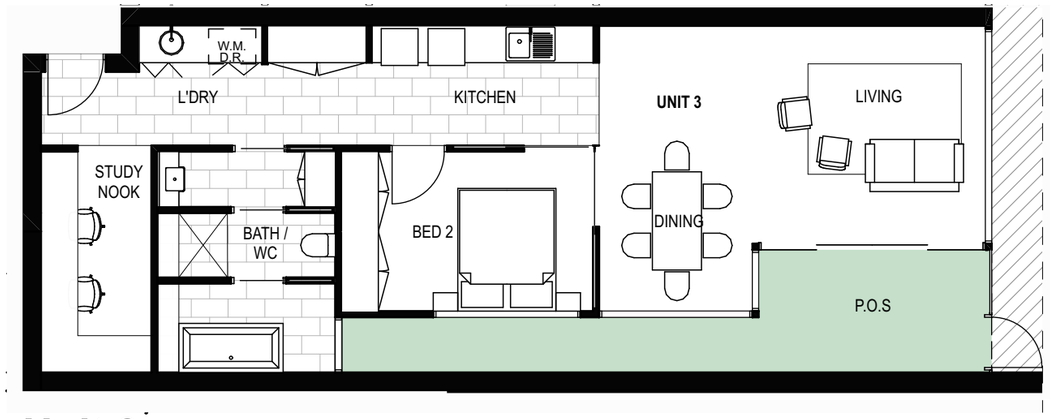
*INCLUDES STORAGE CAGE IN CARPARK



Unit 2
Scale 1:100



FIRST FLOOR



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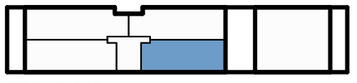

FIRST FLOOR

0 1 2 3 4 5m 10m

SCALE 1:100 @ A3

Revised Following Initial CAP Meeting 14/4/22

Unit Floor Plans (Typical)

REVISION: E
PROJECT: DA213966

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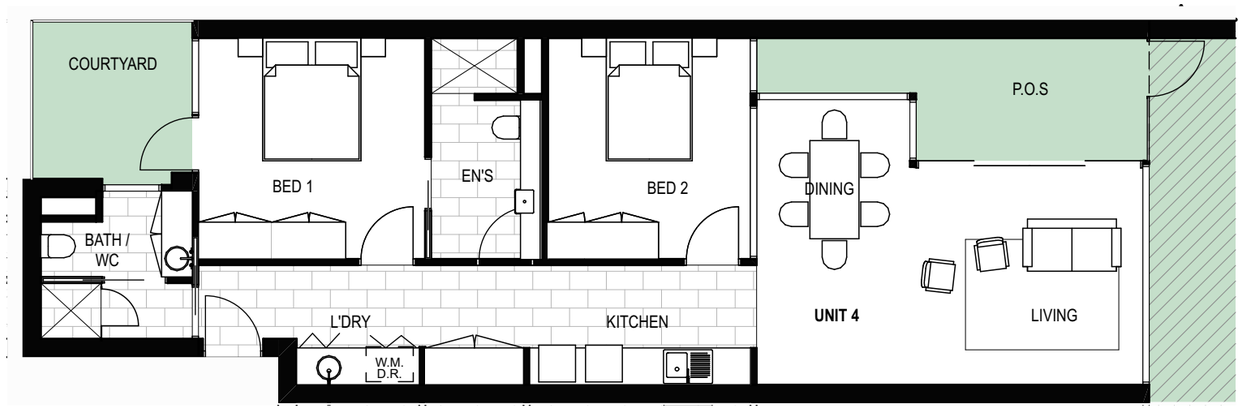
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



Unit 4
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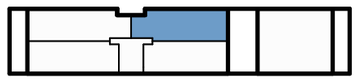
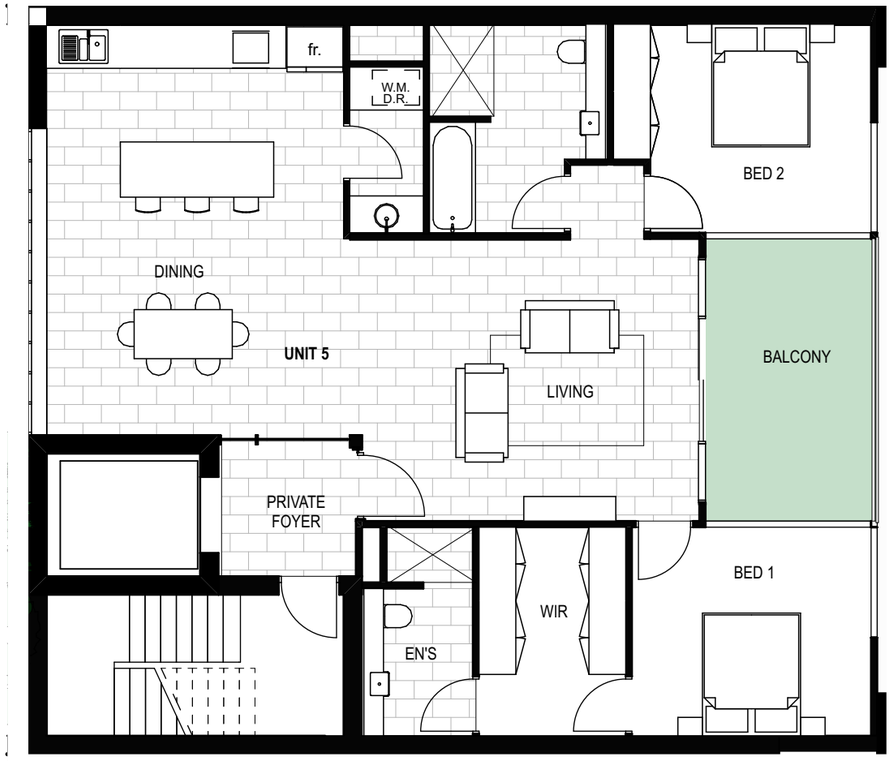


FIRST FLOOR

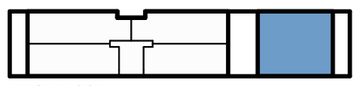
AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*	CARPARK
1	83m^2	34m^2	14.95m^3	Y
2	70m^2	38m^2	11m^3	Y
3	73m^2	14m^2	9.6m^3	N
4	86m^2	17m^2	14.95m^3	Y
5	130m^2	13m^2	14.3m^3	Y
6	86m^2	18m^2	14.95m^3	Y
7	73m^2	23m^2	11m^3	Y
8	73m^2	14m^2	9.6m^3	N
9	86m^2	17m^2	14.95m^3	Y
10	130m^2	13m^2	14.3m^3	Y
11	86m^2	19m^2	14.95m^3	Y
12	73m^2	23m^2	11m^3	Y
13	73m^2	14m^2	13.4m^3	Y
14	86m^2	18m^2	14.95m^3	Y
15	110m^2	28m^2	14.3m^3	Y

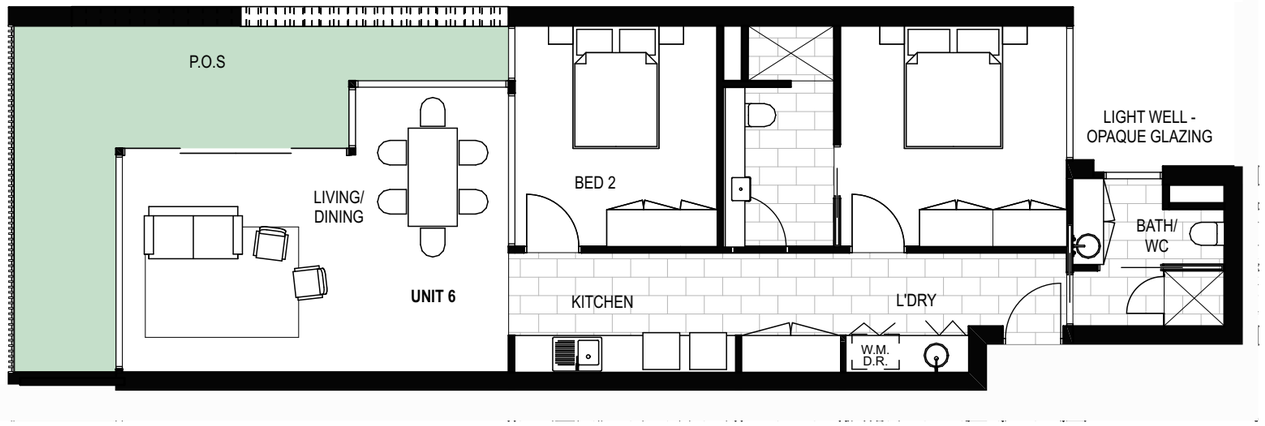
*INCLUDES STORAGE CAGE IN CARPARK



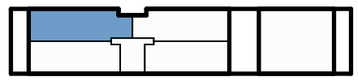
Unit 5
Scale 1:100



FIRST FLOOR



Unit 6
Scale 1:100



SECOND FLOOR

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Revised Following Initial CAP Meeting 14/4/22

Unit Floor Plans (Typical)

REVISION: C
PROJECT: DA213966

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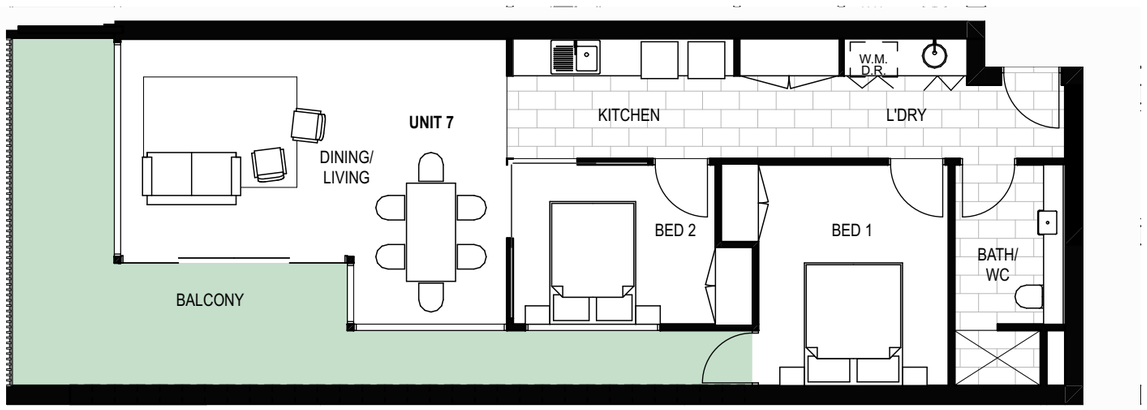
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



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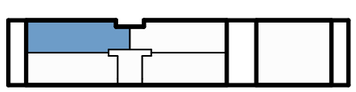
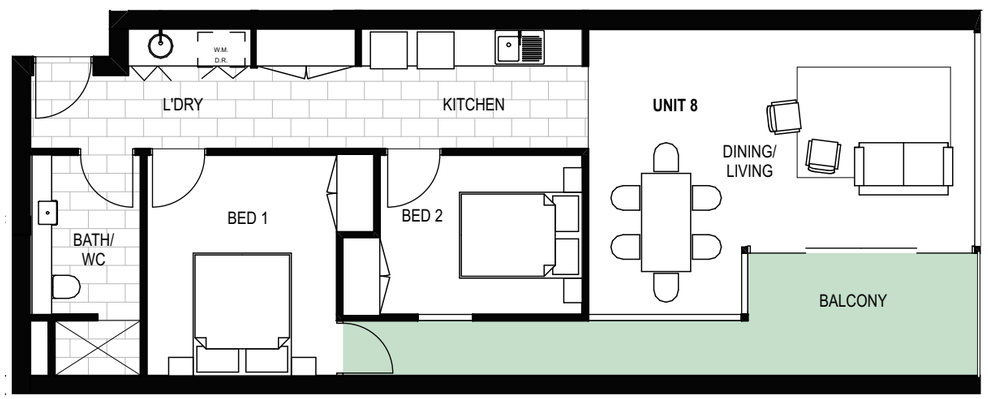
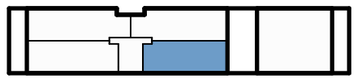


SECOND FLOOR

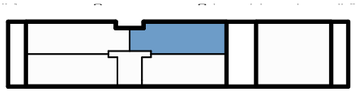


Unit 8
Scale 1:100



SECOND FLOOR

Unit 9
Scale 1:100



SECOND FLOOR

AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*	CARPARK
1	83m^2	34m^2	14.95m^3	Y
2	70m^2	38m^2	11m^3	Y
3	73m^2	14m^2	9.6m^3	N
4	86m^2	17m^2	14.95m^3	Y
5	130m^2	13m^2	14.3m^3	Y
6	86m^2	18m^2	14.95m^3	Y
7	73m^2	23m^2	11m^3	Y
8	73m^2	14m^2	9.6m^3	N
9	86m^2	17m^2	14.95m^3	Y
10	130m^2	13m^2	14.3m^3	Y
11	86m^2	19m^2	14.95m^3	Y
12	73m^2	23m^2	11m^3	Y
13	73m^2	14m^2	13.4m^3	Y
14	86m^2	18m^2	14.95m^3	Y
15	110m^2	28m^2	14.3m^3	Y

*INCLUDES STORAGE CAGE IN CARPARK

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Revised Following Initial CAP Meeting 14/4/22

Unit Floor Plans (Typical)

REVISION: C
PROJECT: DA213966

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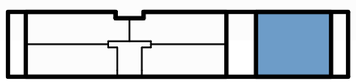
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Unit 10
Scale 1:100

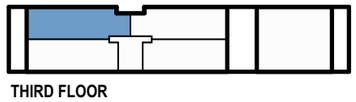


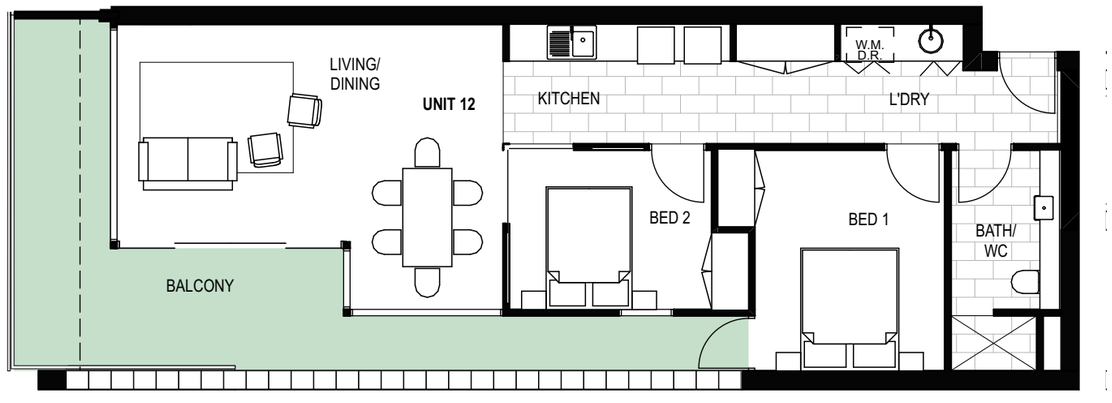
AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*	CARPARK
1	83m^2	34m^2	14.95m^3	Y
2	70m^2	38m^2	11m^3	Y
3	73m^2	14m^2	9.6m^3	N
4	86m^2	17m^2	14.95m^3	Y
5	130m^2	13m^2	14.3m^3	Y
6	86m^2	18m^2	14.95m^3	Y
7	73m^2	23m^2	11m^3	Y
8	73m^2	14m^2	9.6m^3	N
9	86m^2	17m^2	14.95m^3	Y
10	130m^2	13m^2	14.3m^3	Y
11	86m^2	19m^2	14.95m^3	Y
12	73m^2	23m^2	11m^3	Y
13	73m^2	14m^2	13.4m^3	Y
14	86m^2	18m^2	14.95m^3	Y
15	110m^2	28m^2	14.3m^3	Y

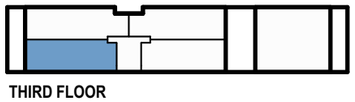
*INCLUDES STORAGE CAGE IN CARPARK

Unit 11
Scale 1:100





Unit 12
Scale 1:100



0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Revised Following Initial CAP Meeting 14/4/22

Unit Floor Plans (Typical)

REVISION: C
PROJECT: DA213966

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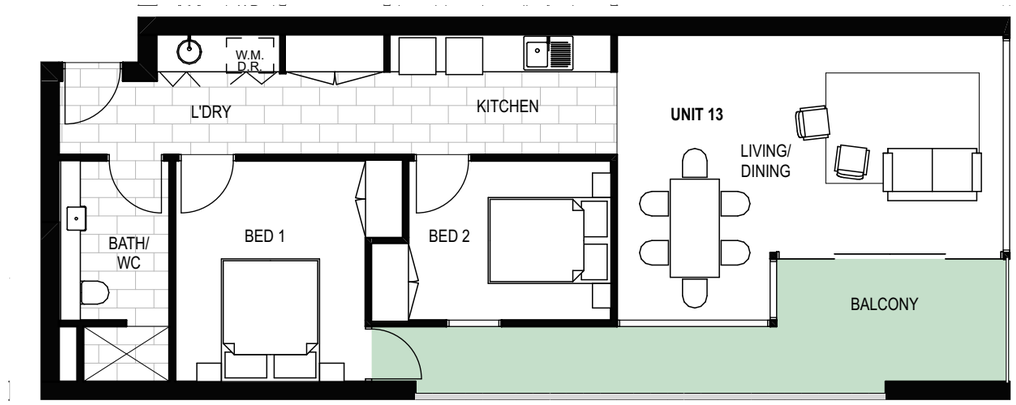
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

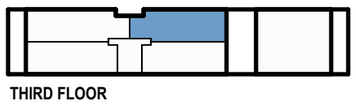
AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*	CARPARK
1	83m^2	34m^2	14.95m^3	Y
2	70m^2	38m^2	11m^3	Y
3	73m^2	14m^2	9.6m^3	N
4	86m^2	17m^2	14.95m^3	Y
5	130m^2	13m^2	14.3m^3	Y
6	86m^2	18m^2	14.95m^3	Y
7	73m^2	23m^2	11m^3	Y
8	73m^2	14m^2	9.6m^3	N
9	86m^2	17m^2	14.95m^3	Y
10	130m^2	13m^2	14.3m^3	Y
11	86m^2	19m^2	14.95m^3	Y
12	73m^2	23m^2	11m^3	Y
13	73m^2	14m^2	13.4m^3	Y
14	86m^2	18m^2	14.95m^3	Y
15	110m^2	28m^2	14.3m^3	Y

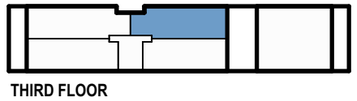
*INCLUDES STORAGE CAGE IN CARPARK

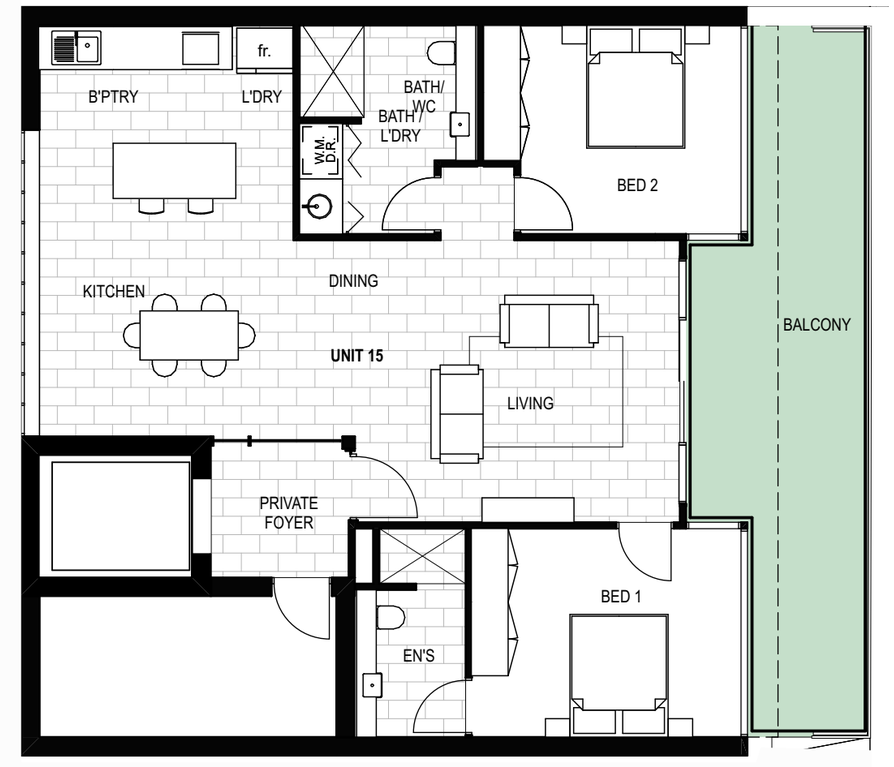


Unit 13
Scale 1:100



Unit 14
Scale 1:100





Unit 15
Scale 1:100

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Revised Following Initial CAP Meeting 14/4/22

Unit Floor Plans (Typical)

REVISION: C
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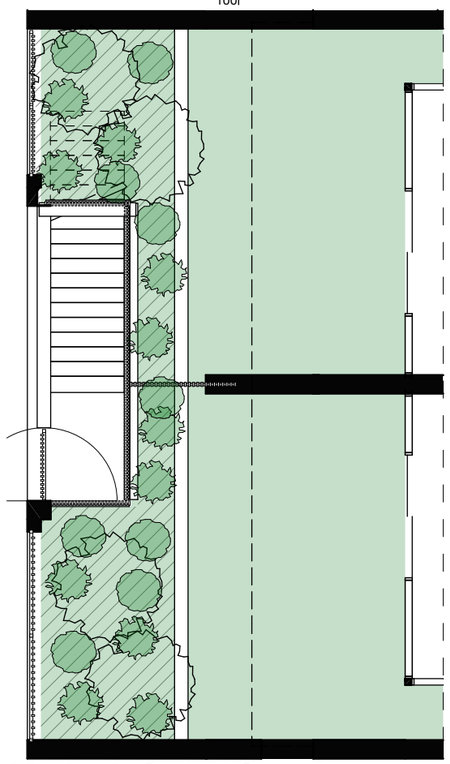
Proposed Residential Development at 266 Melbourne St, North Adelaide

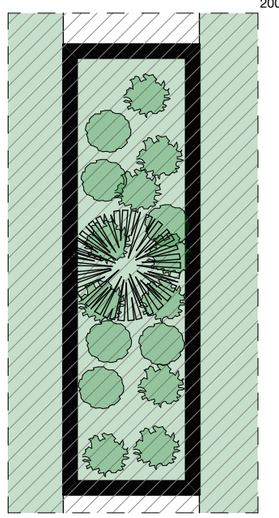
10 20 50 100 200 300
scale bar units in mm

PLANTING LEGEND

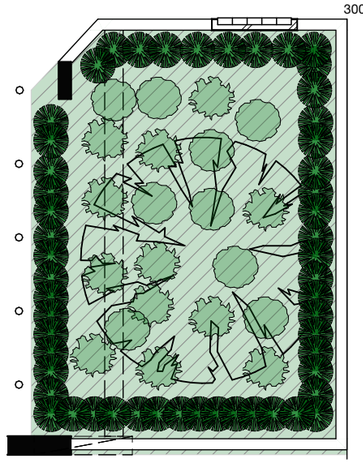
- GOLDEN WATTLE (TREE)
- SWAMP WATTLE (TREE)
- NEALIE (TREE)
- KNOBBY CLUB-RUSH
- TWIGGY DAISY BUSH
- ROUND LEAF WATTLE
- COMMON EVERLASTING
- RUBY SALTBUSH



Unit 1 & 2 Planting
Scale 1:100



Shared Open Space Planting
Scale 1:100

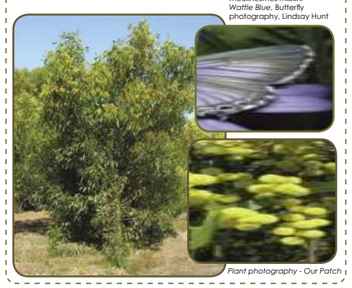


Melbourne Street Frontage Planting
Scale 1:100

Acacia rigens
Nealie

Canopy Shape
Domed
Height
2-4 m
Spread
2-4 m
Position
Full Sun
Part Shade

Golden Wattle
Acacia pycnantha
Description: A small to medium sized upright tree. It is reasonably fast growing, but can be short-lived 10 – 15 yrs. Large attractive glossy leaves especially in the earlier years of growth. Fast growth provides good coverage for a new garden. A non-invasive species suitable for small gardens, and allows for under planting of small shrubs and groundcover species
Height & width: Height 5-8m x Width 2-3m
Preferred Position: Prefers an open sunny position, & suits most well drained soils.
Flowers: Attractive golden yellow flowers in late winter to early spring
Maintenance: Low water use once established. Fast growing small tree beneficial as part of a screen with more compact shrub species planted in between.
Habitat Value: Nectar provides food for birds. Naturally occurs throughout a wide range of habitats throughout the Adelaide Hills & Plains.



Theclinesthes miskini Wattle Blue. Butterfly photography, Lindsay Hunt

Plant photography - Our Patch

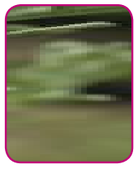
Swamp Wattle
Acacia retinodes
Description: A small open tree. As the name suggest this small tree prefers swampy or boggy conditions. It is a fast growing small tree with long dull green leaves. May be short-lived 10 – 15 yrs. Fast growth provides good coverage for a new garden. A non-invasive species suitable for small gardens, and allows for under planting of small shrubs and groundcover species
Height & width: Height 5-8m x Width 2-3m
Preferred Position: Prefers a semi shady - open sunny position, & suits most boggy soils.
Flowers: Attractive pale yellow globular flowers in spring to early summer
Maintenance: Low water use once established and will tolerate extended dry periods during summer months if boggy conditions exist during the winter months. Fast growing small tree beneficial as part of a screen with more compact shrub species planted in between.
Habitat Value: Flowers and seed pods attract both birds and insects. Naturally occurs along the riparian zone and wetter areas of the Adelaide Plains and Hills.

Plant photography - Our Patch

Round-leaf Wattle
Acacia acinacea
Description: A small to medium attractive fast growing shrub. Has an open branching appearance, with small round leaves along the branching stems. A non-invasive species that is suitable for small gardens.
Height & width: Height 2m x Width 2m
Preferred Position: Prefers an open sunny position, & suits most well drained soils.
Flowers: Attractive yellow flowers along the length of the stems in late winter to early spring. Flowers can cover the entire plant producing a spectacular display.
Maintenance: Low water use once established. Can be pruned after flowering to maintain a more compact form. Suitable to be under-planted with smaller shrubs or ground cover such as Hardenbergia violacea.
Habitat Value: Provides good shelter & nectar for small birds.

Plant photography - Our Patch

Twiggy Daisy Bush
Olearia ramulosa
Description: Hardy low maintenance medium sized open shrub with blue-grey to green foliage. Reasonably fast growing, but can be short-lived if not maintained
Height & width: Height 1-2m x Width 1-2m
Preferred Position: Prefers an open full sun to semi shaded position, & suits most soil conditions.
Flowers: Small white daisy flowers appear from late autumn to early winter
Maintenance: Can be a low maintenance plant but does respond well to regular light pruning to maintain a compact form. This will prevent the more common straggly appearance of naturally occurring plants.
Habitat Value: Naturally occurred along the terrestrial zones of the Adelaide plains and hills face.



Plant photography - Our Patch

Knobby Club-rush
Isolepis nodosa
Description: Hardy low maintenance clump forming rush. Excellent for mass plantings in a landscape type project or for use around ponds or as a low border plant.
Height & width: Height 50– 100cm x Width 30-50cm
Preferred Position: Prefers an open full sun – semi shaded position, & suits most soils. Prefers a moist position, but will grow fine in a well draining situation.
Flowers: Attractive round brown fruit at the end of tall spikes make this an attractive landscaping plant.
Maintenance: Very low maintenance & low water use plant
Habitat Value: Naturally occurs along the riparian zones and throughout semi boggy area of the Adelaide plains.

Plant photography - Our Patch

Common Everlasting
Chrysocephalum apiculatum
Description: Very hardy fast growing ground cover. Has attractive grey to silver foliage. This non-invasive species suitable for small gardens and rockeries or difficult to establish steep slopes.
Height & width: Height 20 – 40 cm x Width 0.5 – 1m
Preferred Position: Prefers an open full-sun position, & requires well-drained soils. Will not tolerate boggy conditions or over watering, and will not grow as vigorously if planted in the shade.
Flowers: Long lasting golden yellow flowers appear from late spring through to early autumn.
Maintenance: Very low water use hardy groundcover. Can be clipped back after flowering or in early spring to encourage new growth and maintain a compact condition. Light pruning of dead flowers during summer months will encourage new flowers and a longer flowering season.
Habitat Value: Naturally occurred within the grassy woodlands of the Adelaide plains and hills face.

Vanessa kershawi Australian Painted Lady Butterfly photography, Lindsay Hunt

Plant photography - Our Patch

Ruby Saltbush
Enchylaena tomentosa
Description: Attractive blue-grey foliaged groundcover. Very hardy, fast growing and suits a range of conditions. Excellent for planting under trees and shrubs and suits difficult to establish steep slopes and rockeries.
Height & width: Height 20-50cm x Width 1-2m
Preferred Position: Prefers an open full sun or semi-shaded position, & suits most well drained soils.
Flowers: Flowers are in insignificant, although an attractive display of yellow or red berries appear from late summer to autumn.
Maintenance: Very low maintenance low water use plant. Can be planted in clumps or long strips for landscape projects,
Habitat Value: Naturally occurs throughout the western and northern Adelaide Plains. Berries are a good food source for birds and lizards

Theclinesthes serpentata Saltbush Blue Butterfly photography, Lindsay Hunt

Plant photography - Our Patch

References
Bagust, P. & Tout-Smith, L. 2005, 'The Native Plants o□
Dashorst, G.R.M & Jessop, J.P. 1998, 'Plants of the Adelaide Plains & Hills,' The Botanic Gardens of Adelaide and State Herbarium.
Jessop J, Dashorst GRM & James FM. 2006 "Grasses of South Australia"
Kraehenbeul, D. 1996, 'Pre-Europ□

Revised Following Initial CAP Meeting 14/4/22

Indicative Planting Plan

REVISION: B
PROJECT: DA213966

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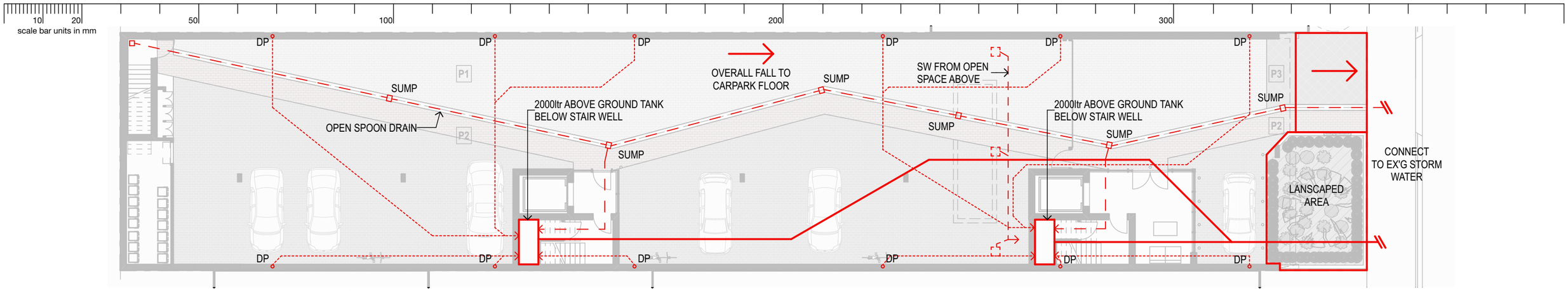
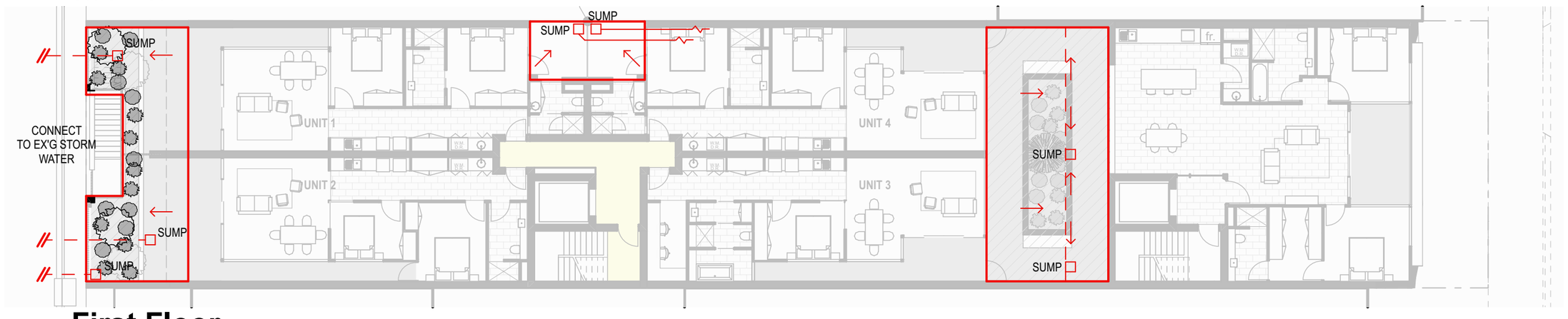
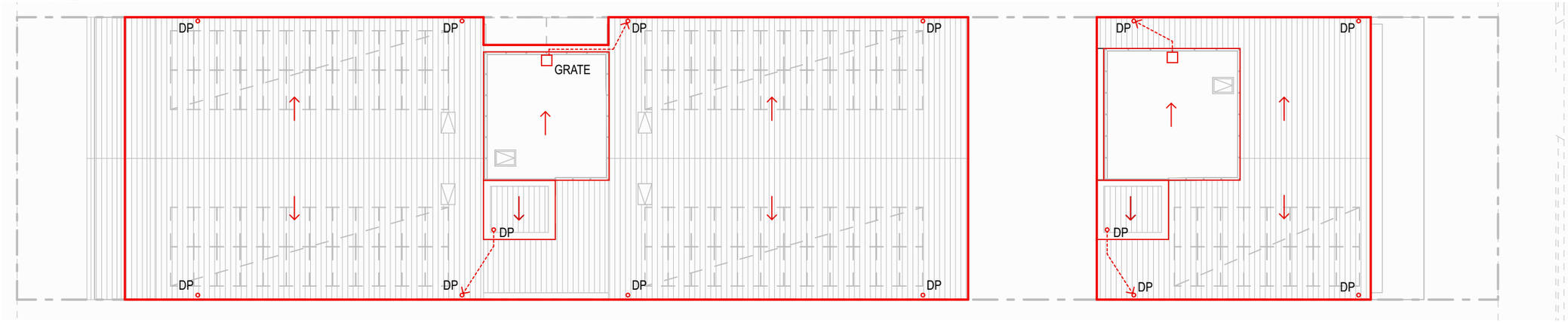
Proposed Residential Development at 266 Melbourne St, North Adelaide



Ground Floor Car Park
Scale 1:200



First Floor
Scale 1:200



Roof
Scale 1:200

Revised Following Initial CAP Meeting 14/4/22

Indicative Storm Water Management Plan

REVISION: B
PROJECT: DA213966

24

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

3D Images

REVISION: B
PROJECT: DA213966

25

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

3D Images

REVISION: C
PROJECT: DA213966

26

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

3D Images

REVISION: D
PROJECT: DA213966

27

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

3D Images

REVISION: D
PROJECT: DA213966

28

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

3D Images

REVISION: D
PROJECT: DA213966

29

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

3D Images

REVISION: D
PROJECT: DA213966

30

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Revised Following Initial CAP Meeting 14/4/22

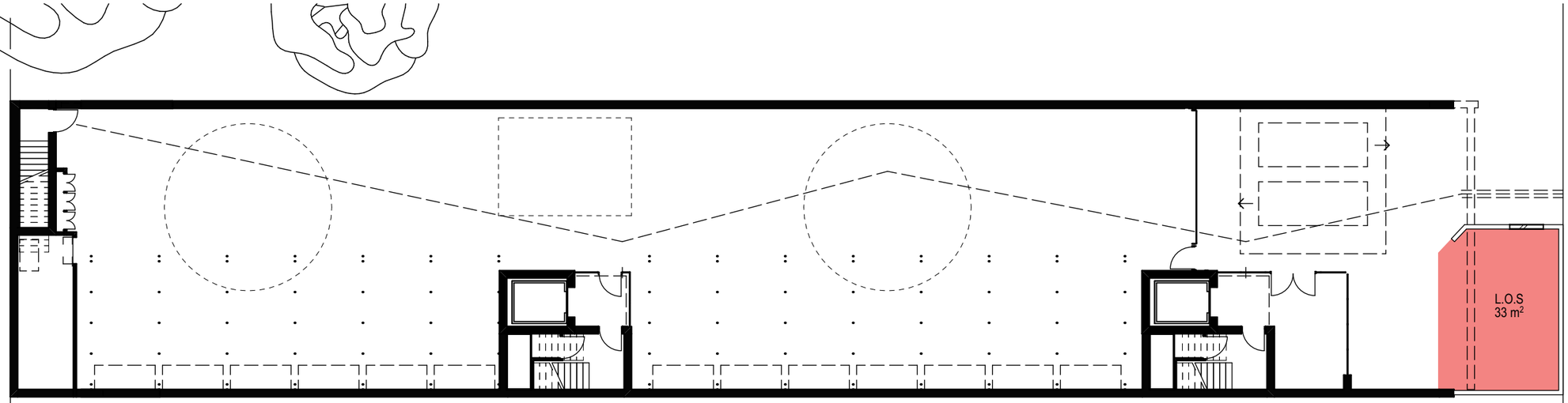
3D Images

REVISION: D
PROJECT: DA213966

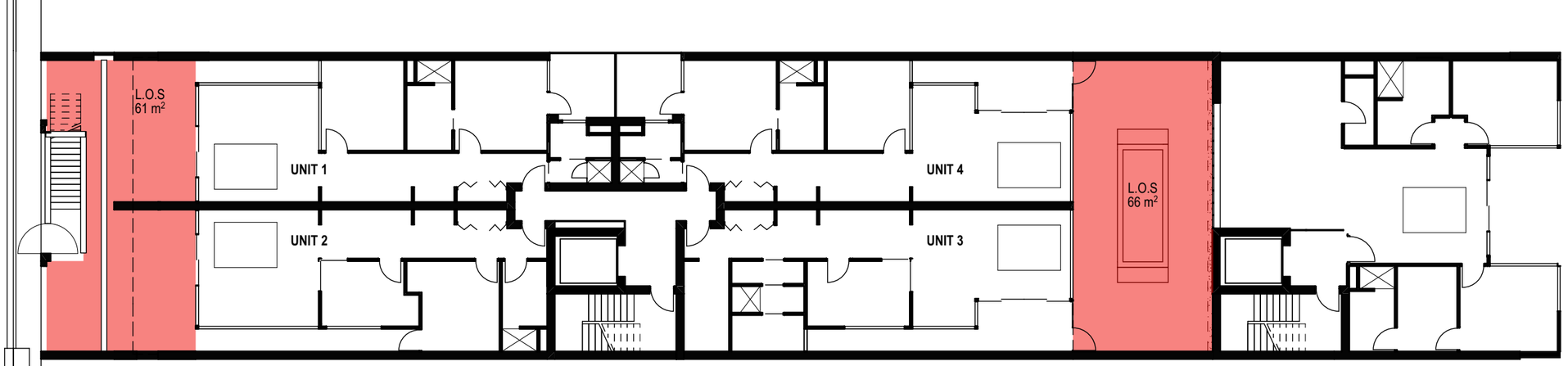
31

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

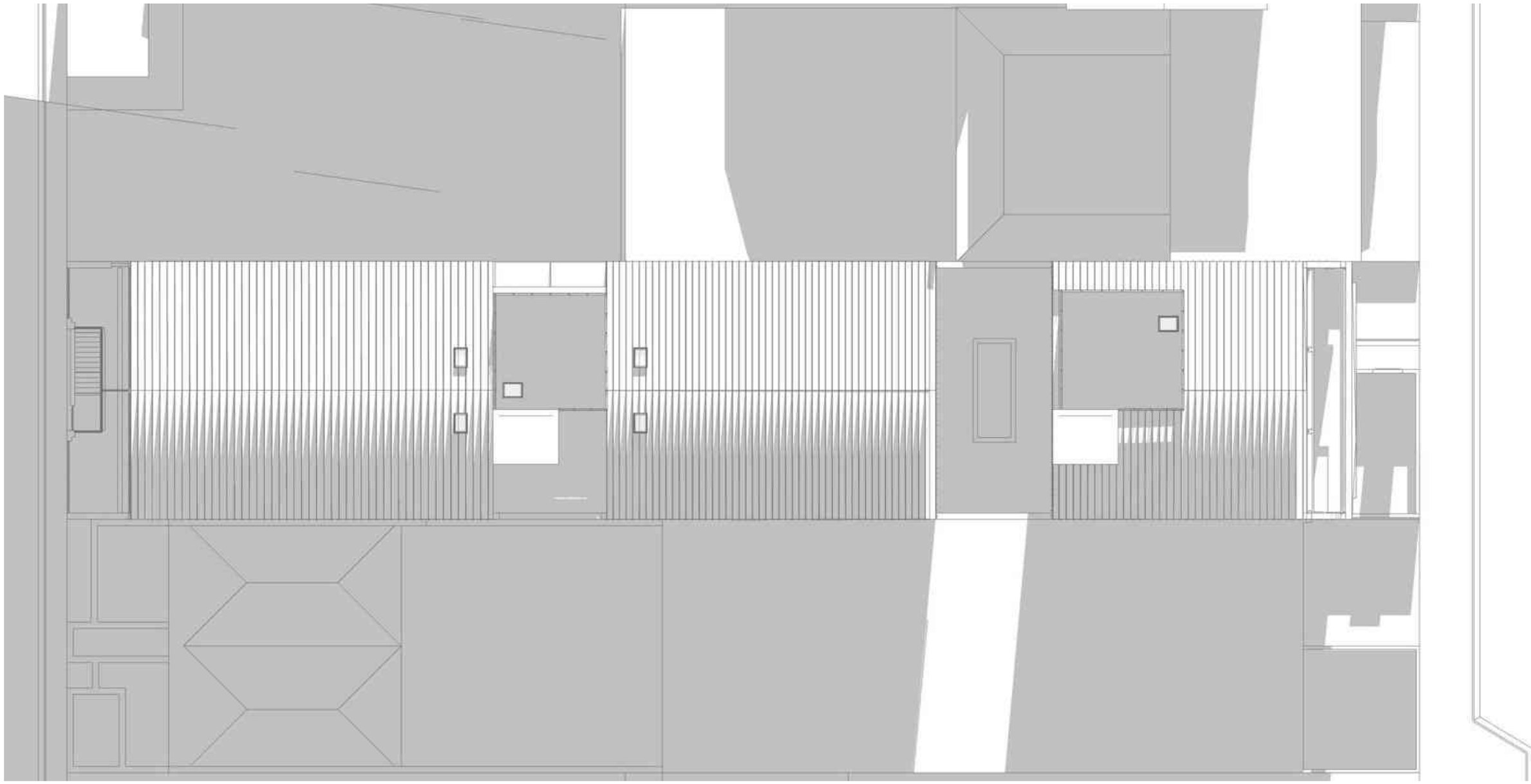


Ground Floor Landscaped Open Space Plan
Scale 1:200



First Floor Landscaped Open Space Plan
Scale 1:200

TOTAL LANDSCAPED OPEN SPACE:
160m²
BUILDING ENVELOPE AREA:
776m²
LANDSCAPED OPEN SPACE PERCENTAGE:
20.6%



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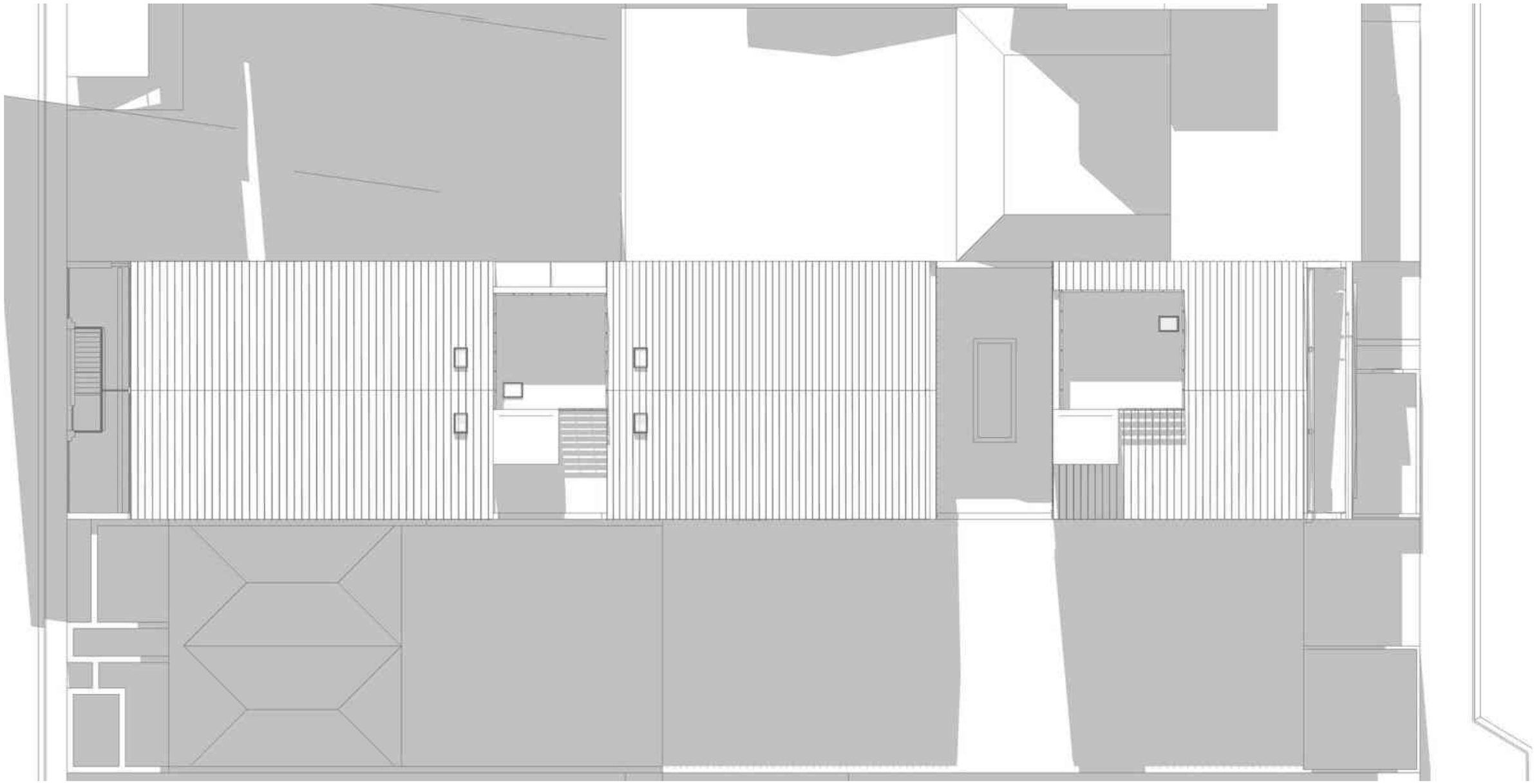

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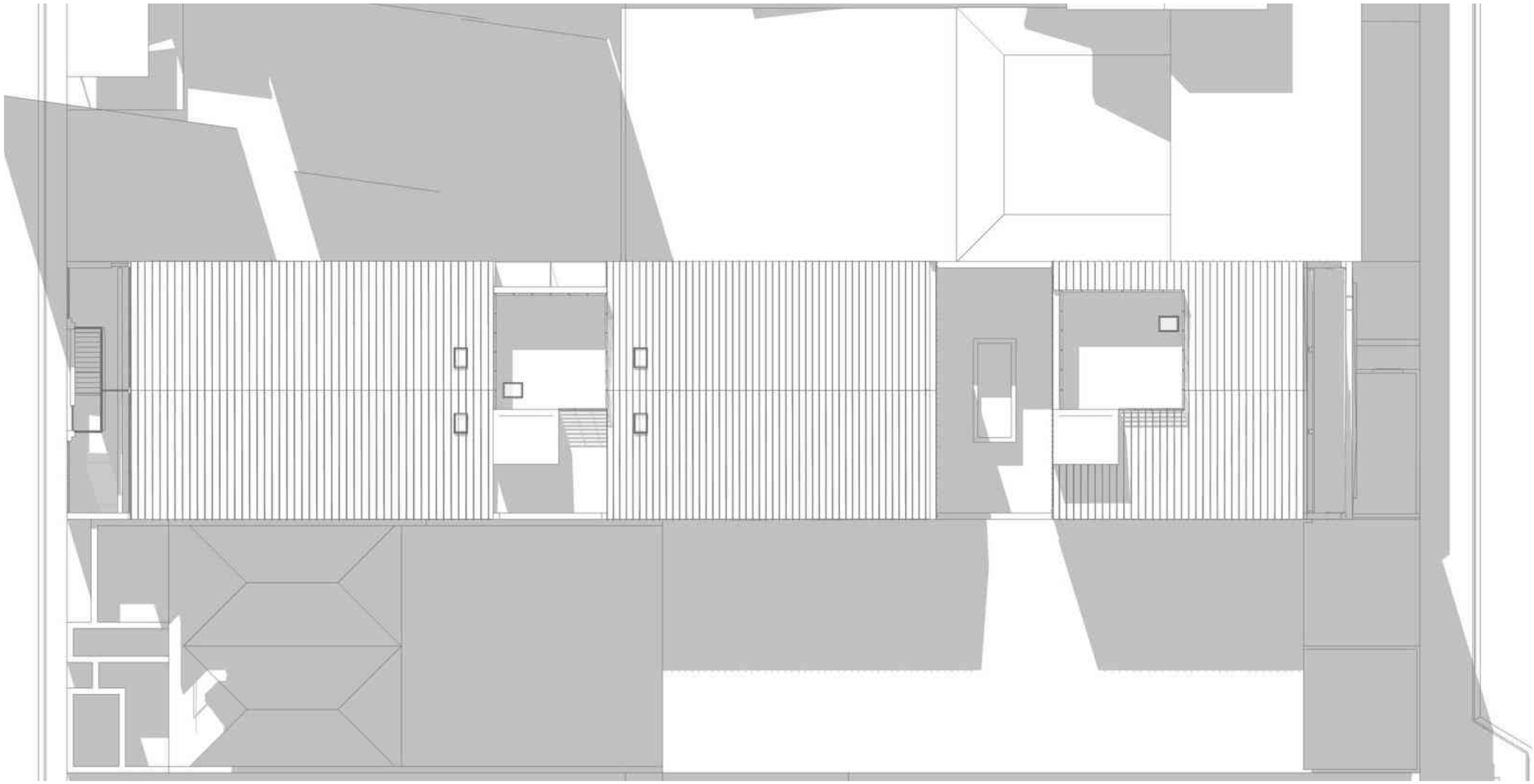

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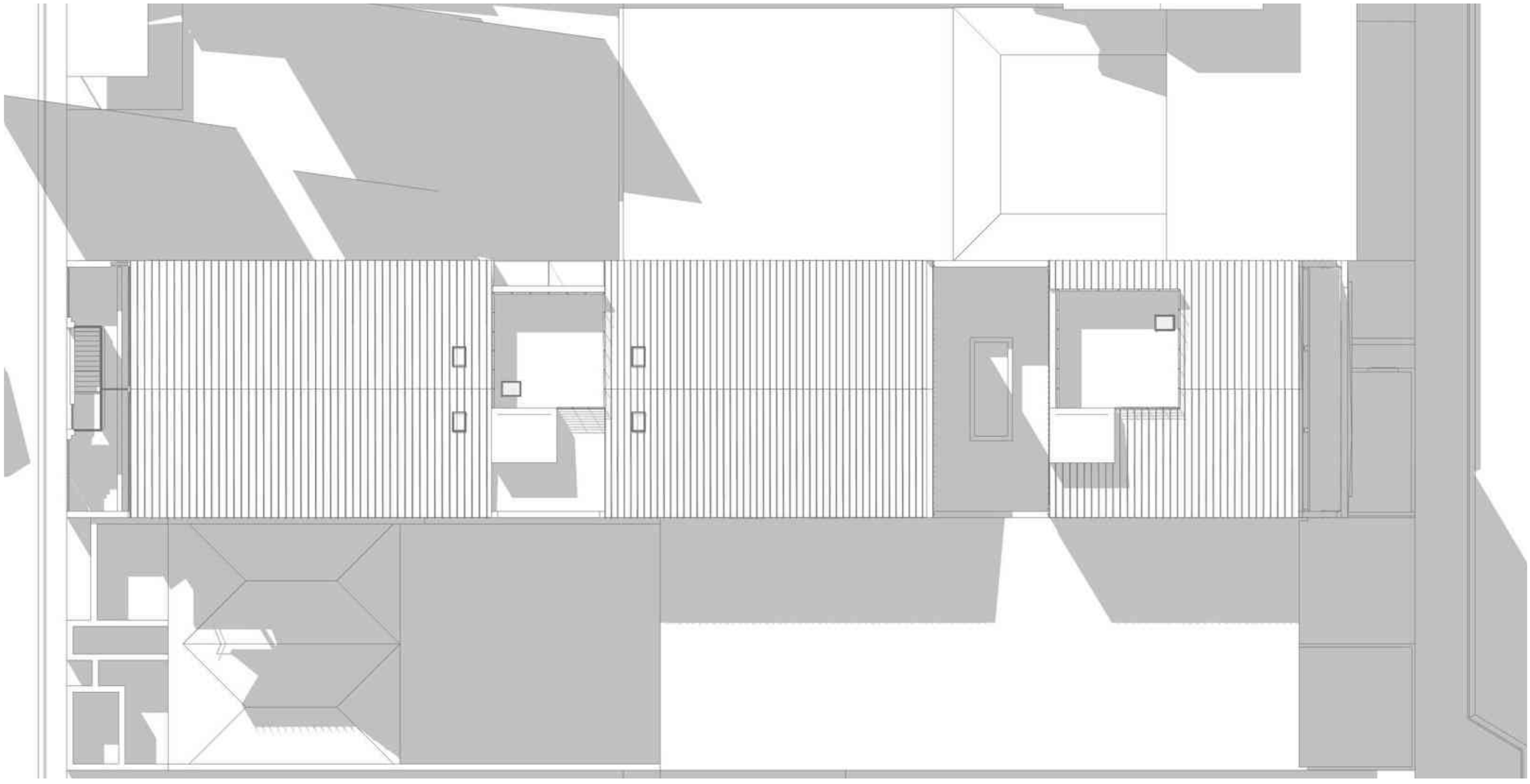

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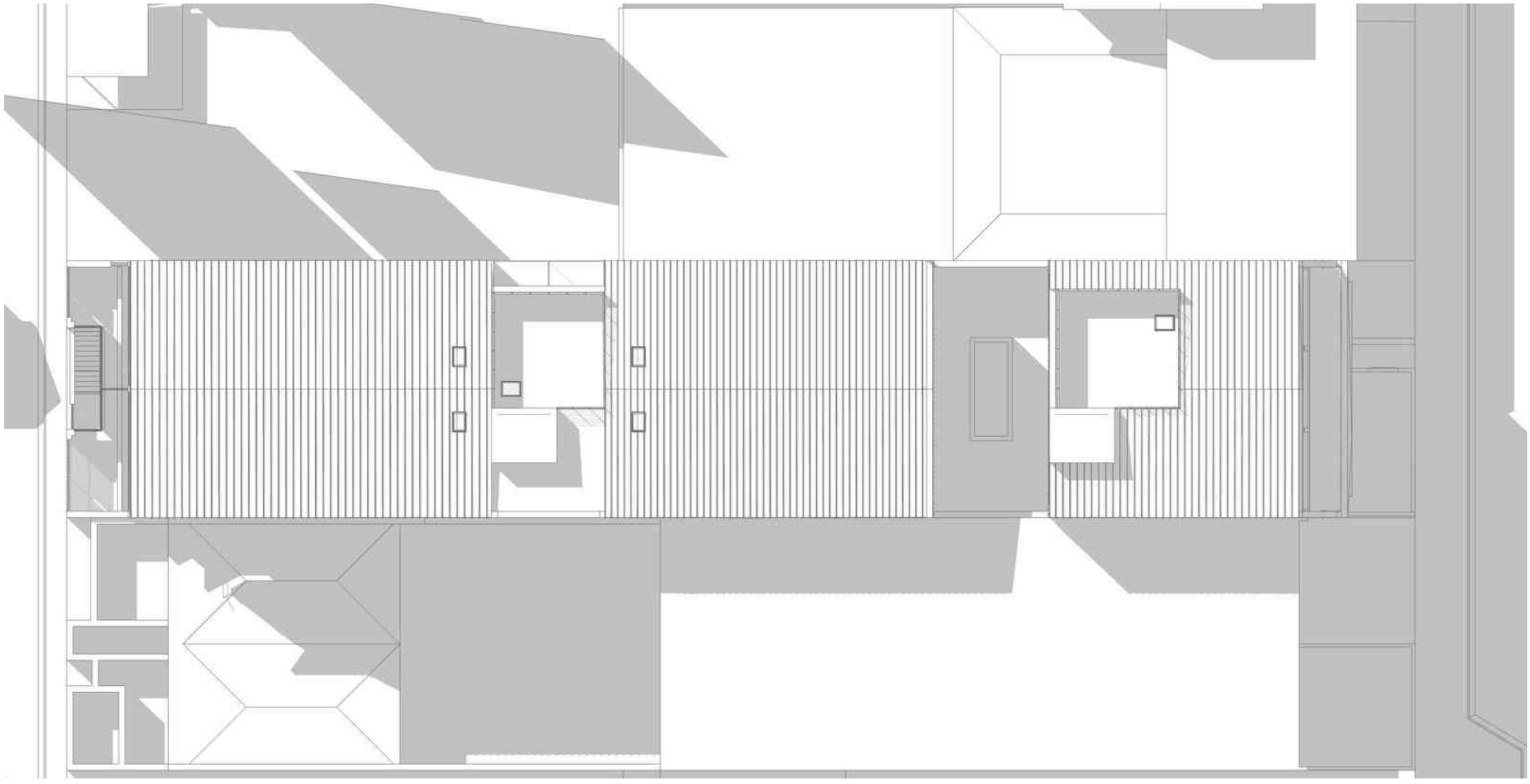

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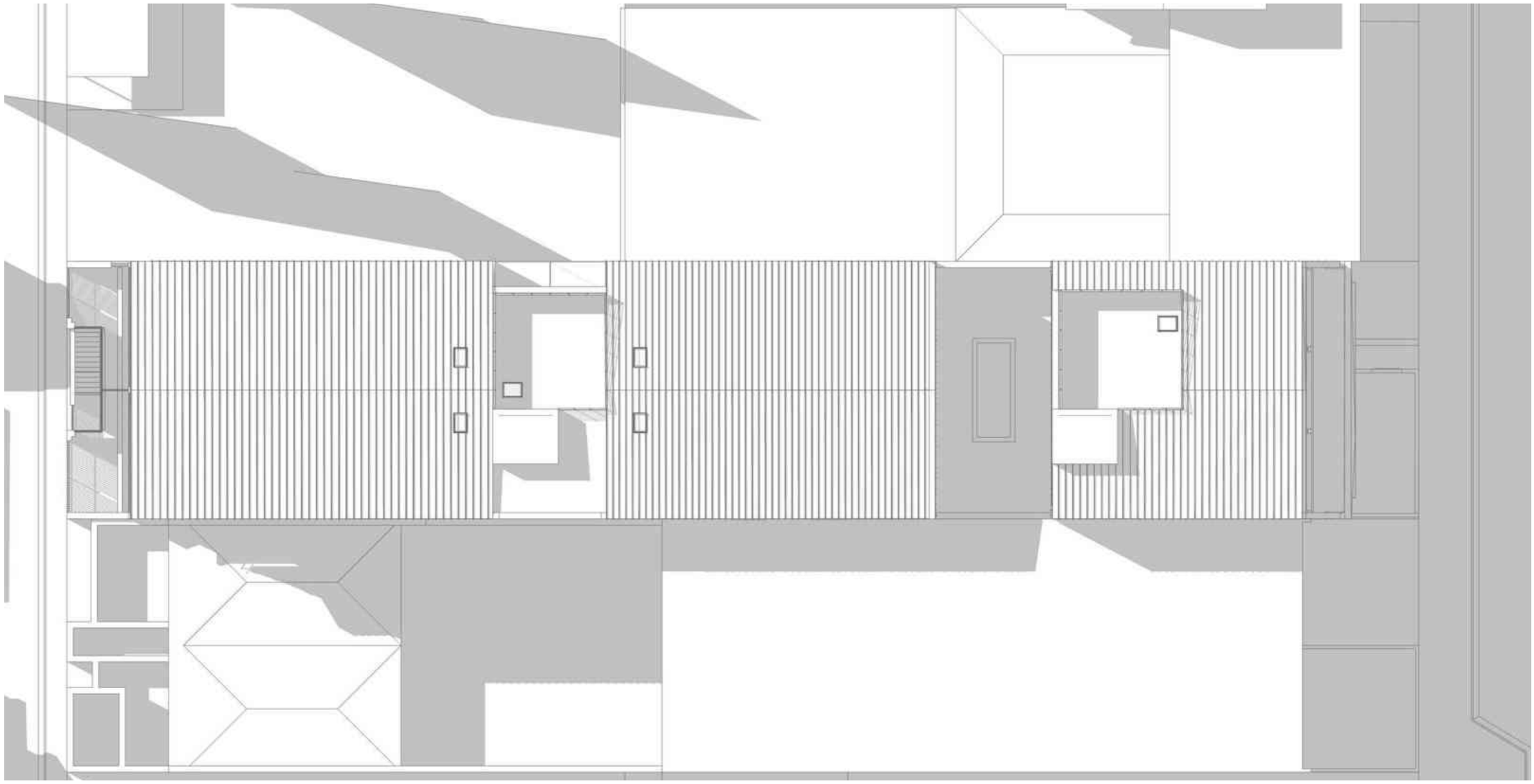

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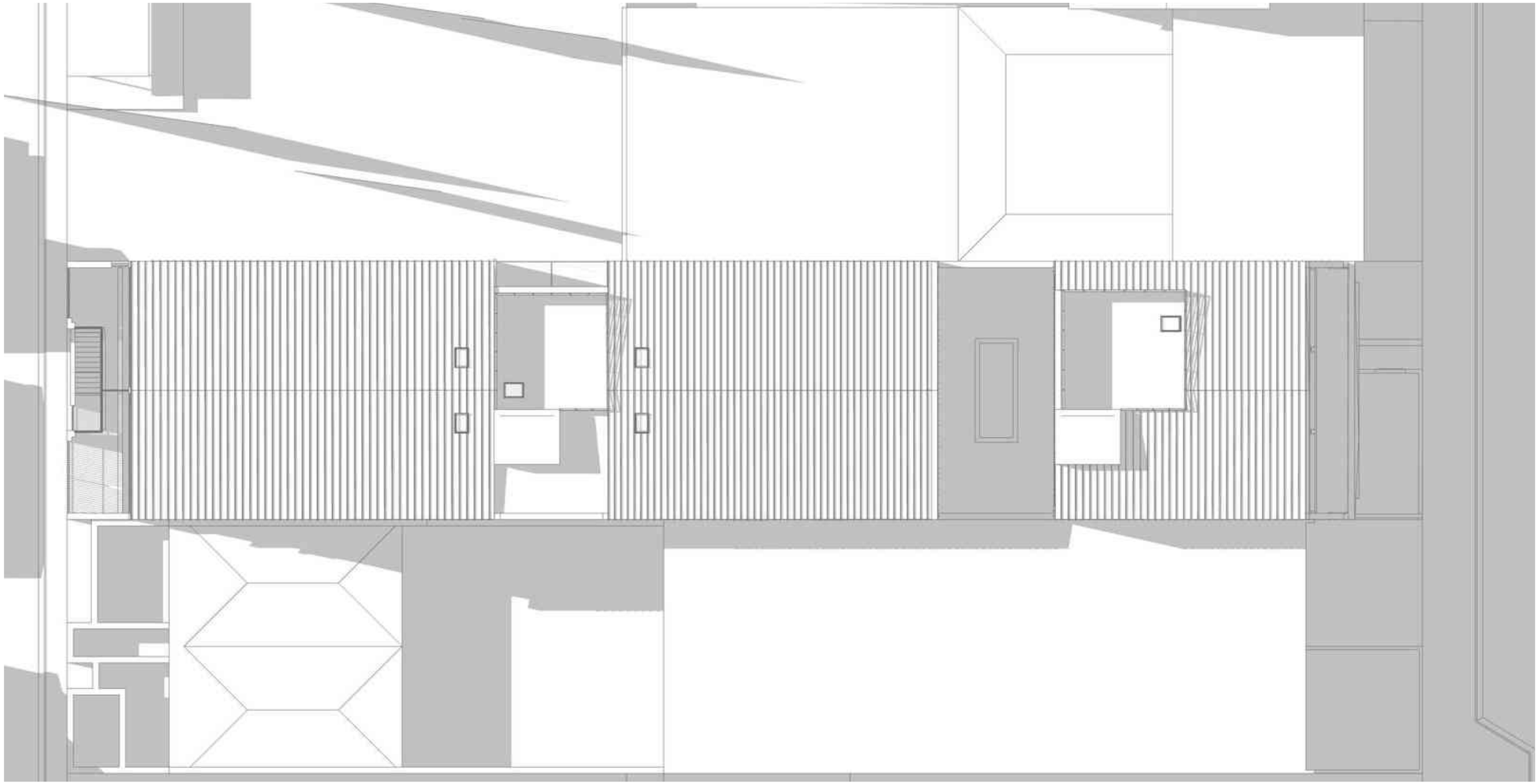

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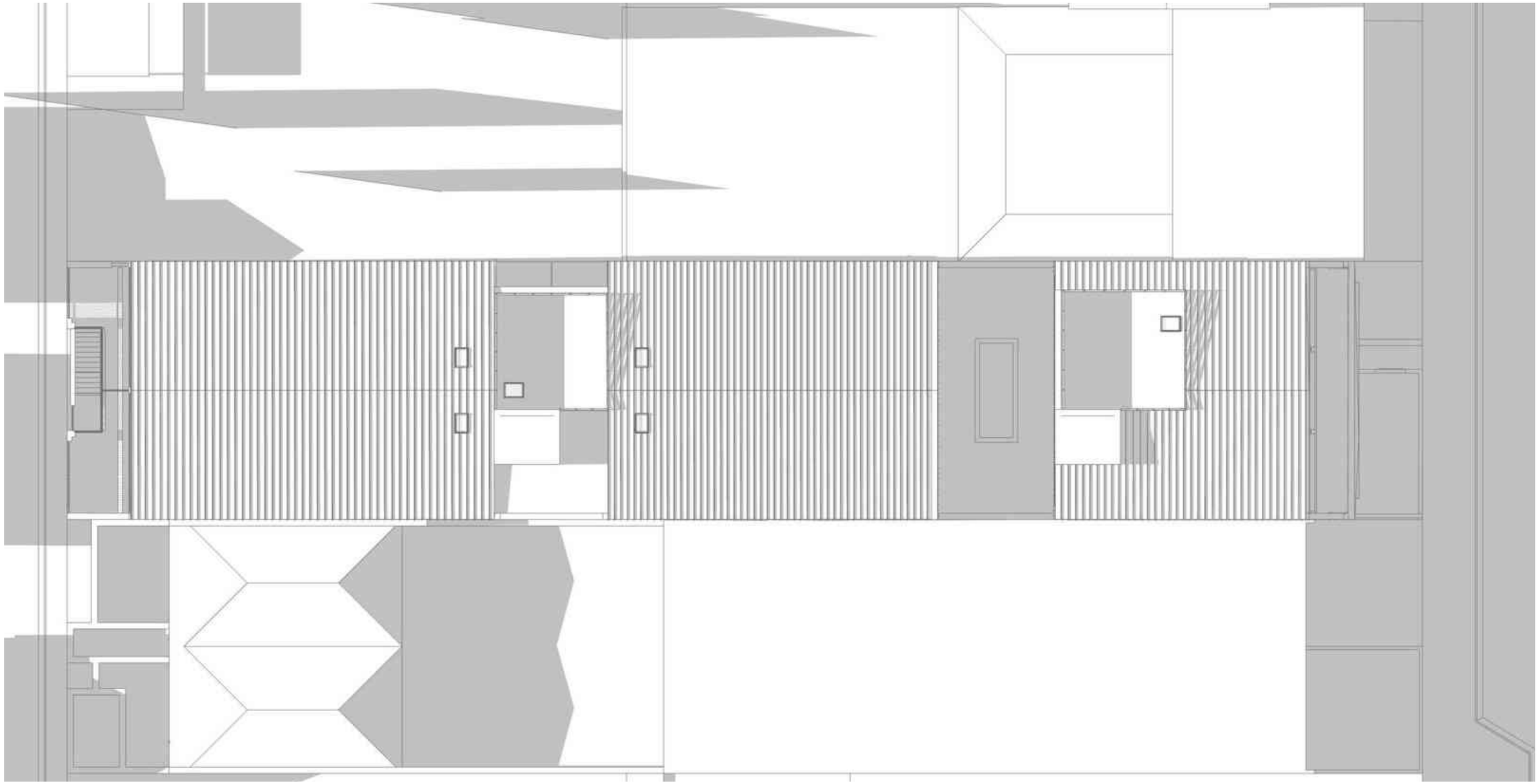

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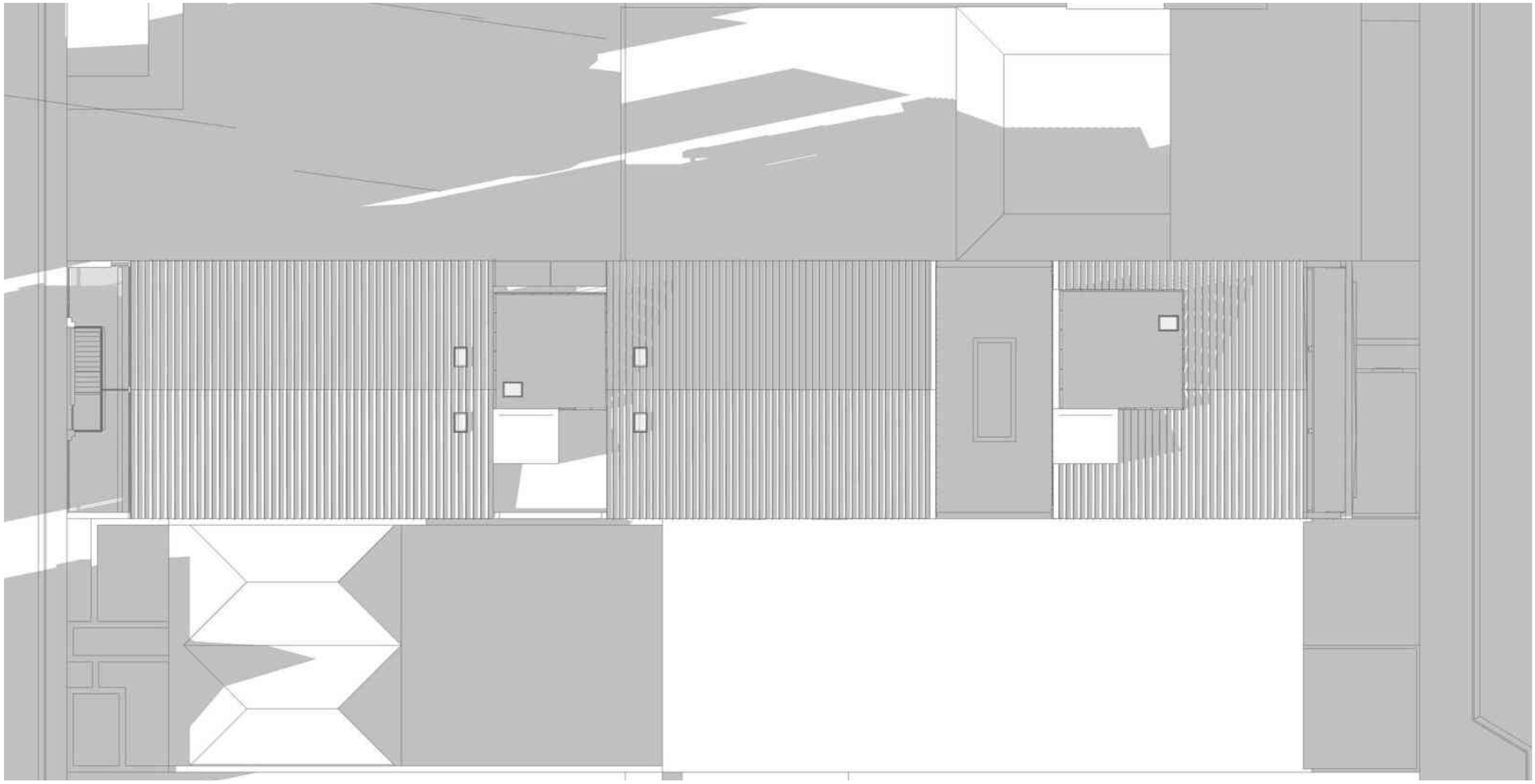

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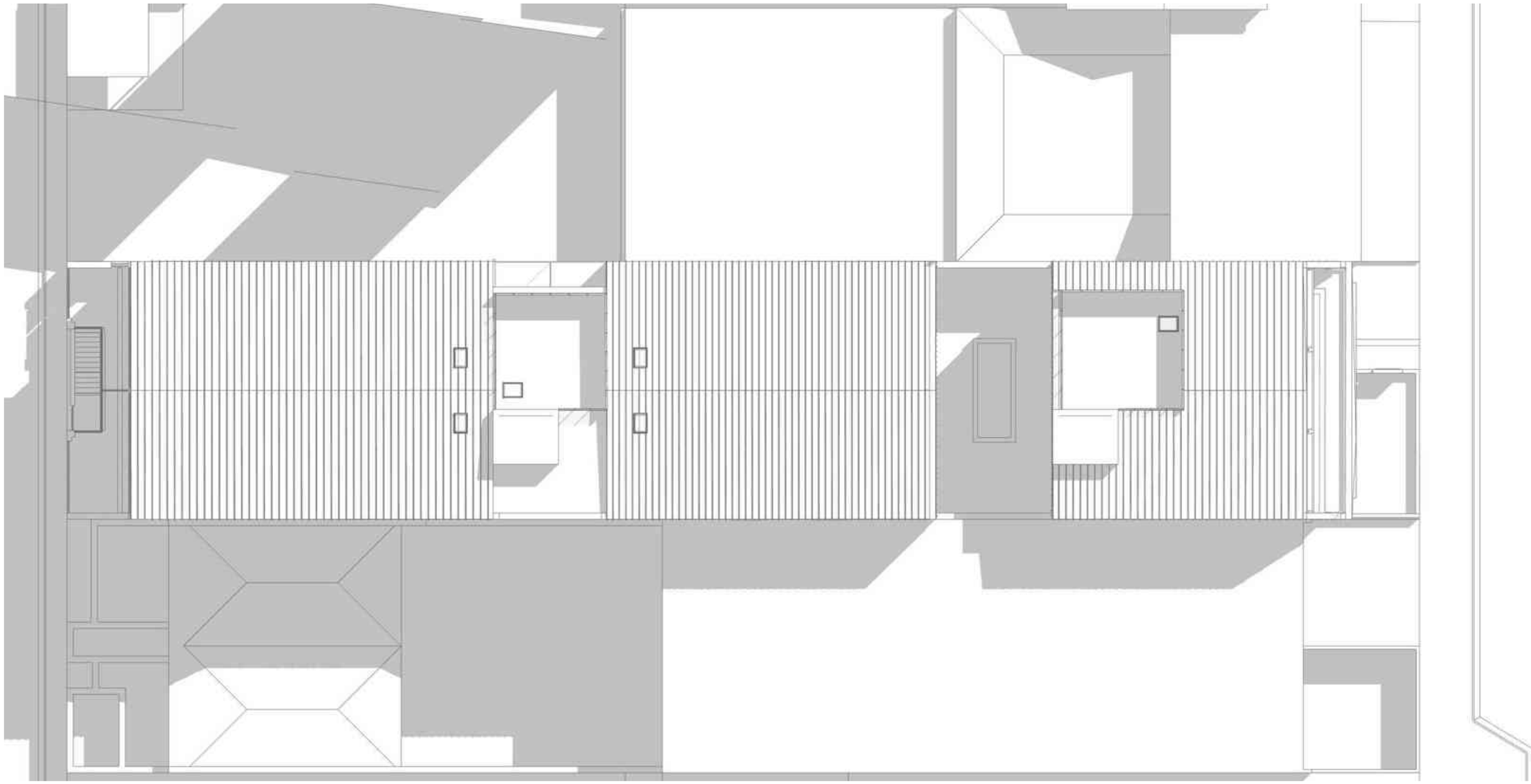
5pm Solar Study (21/6/22)



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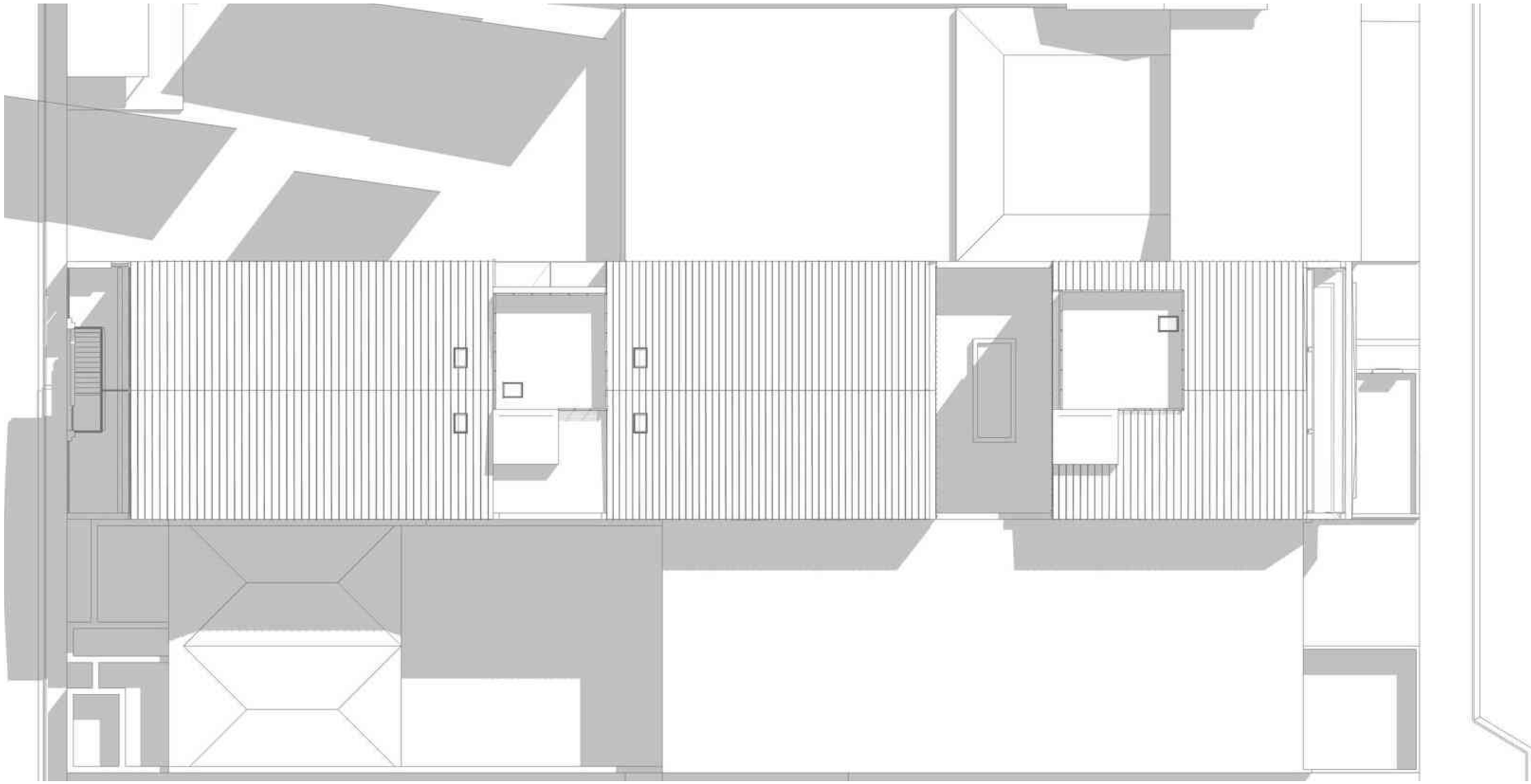

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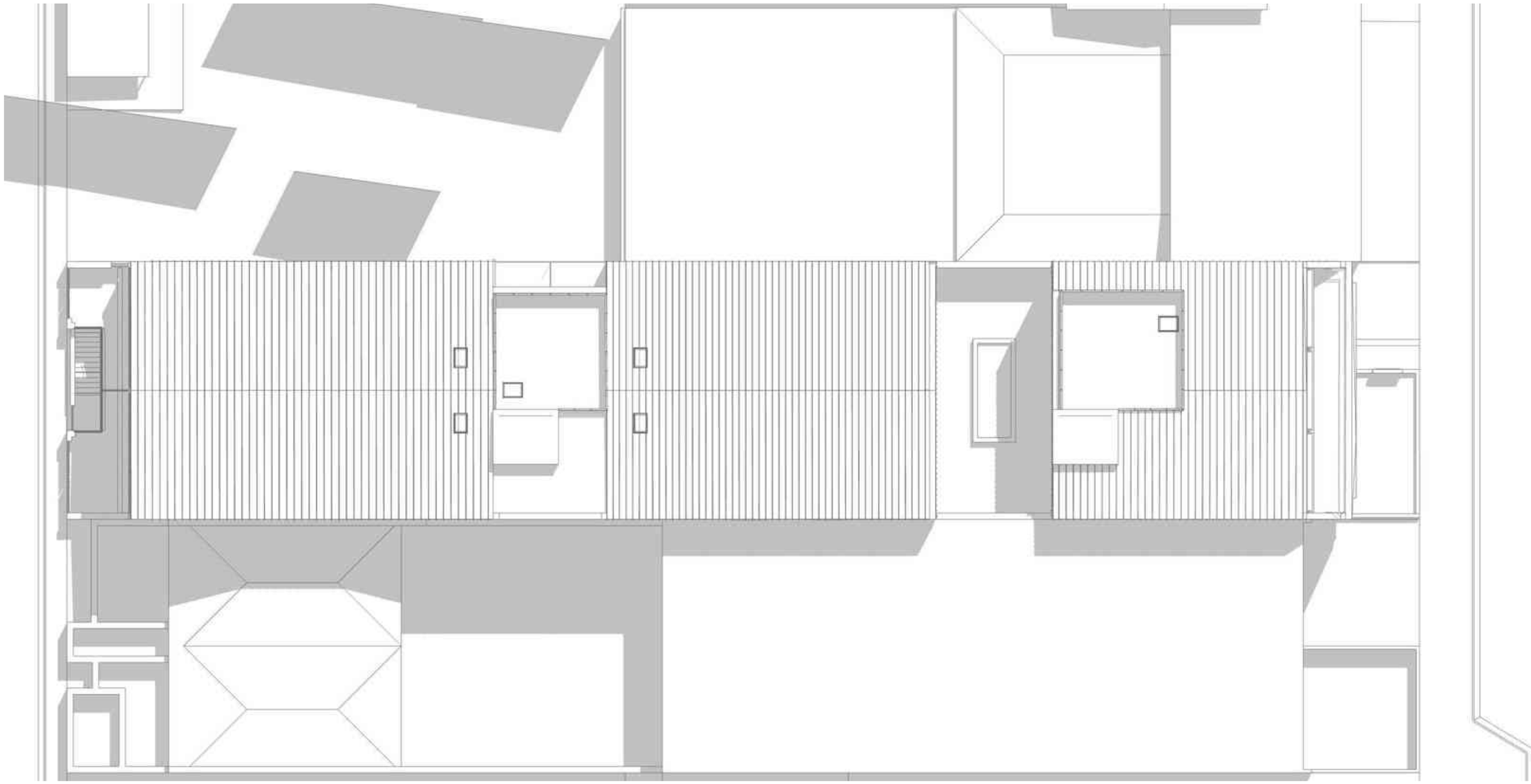

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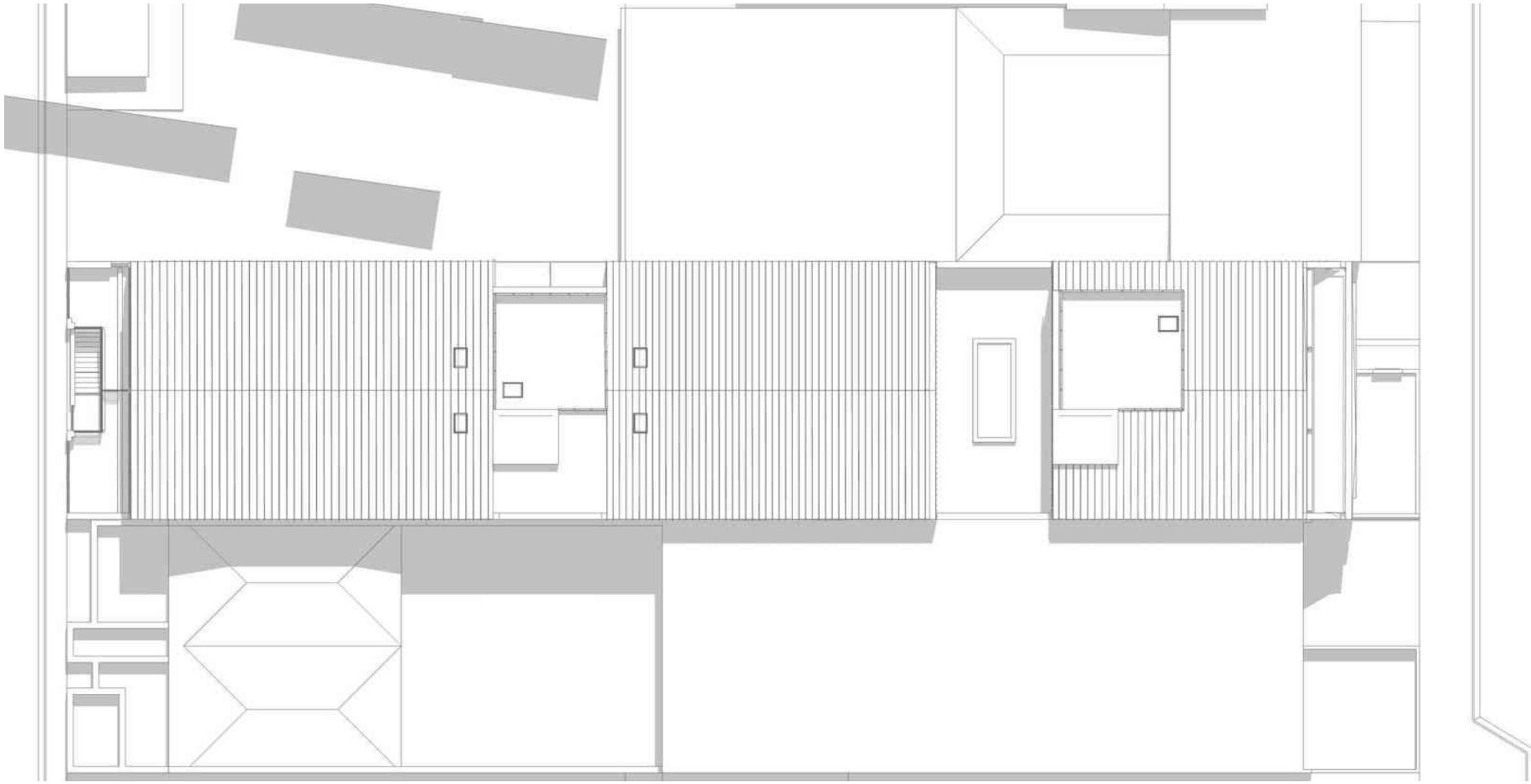

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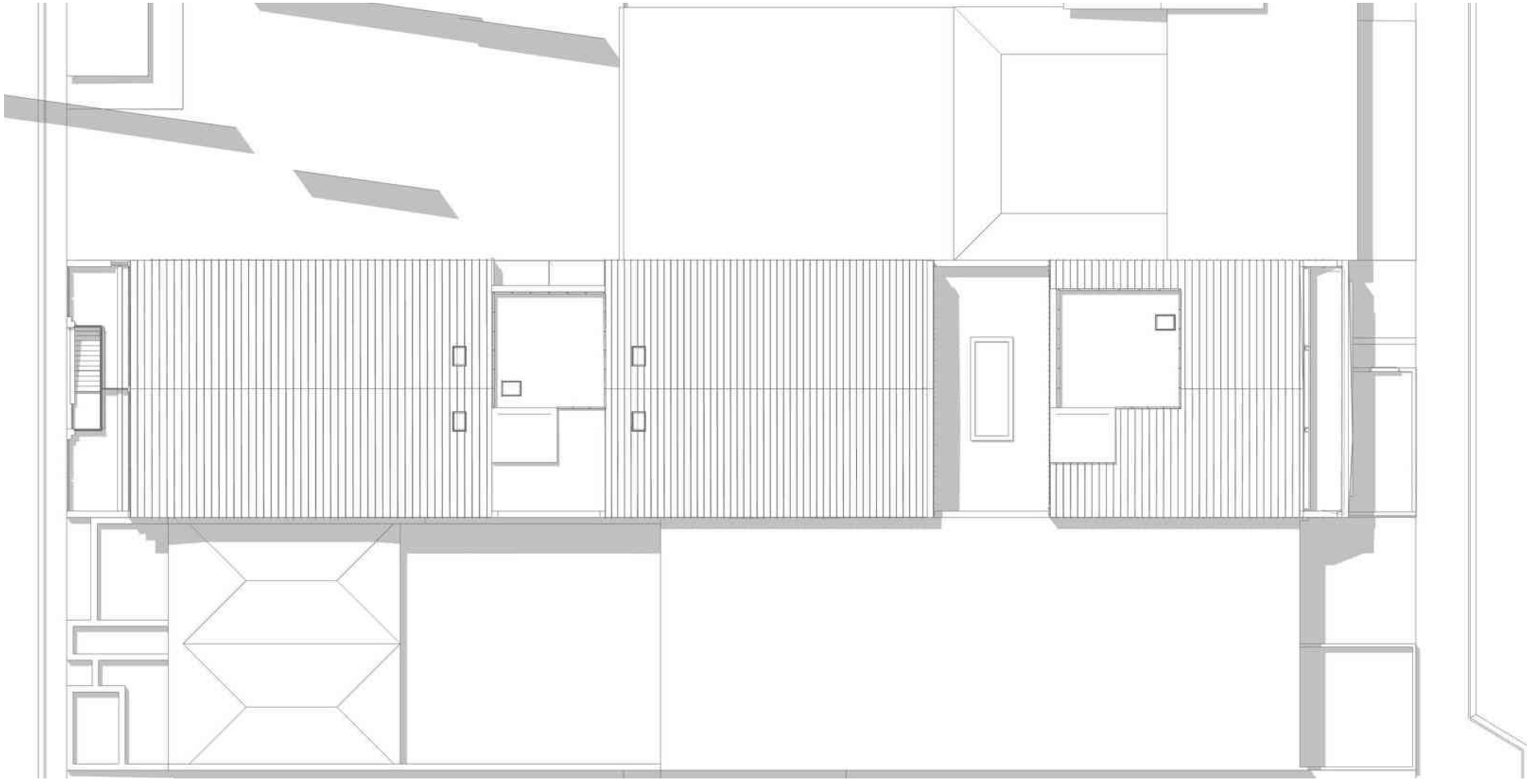

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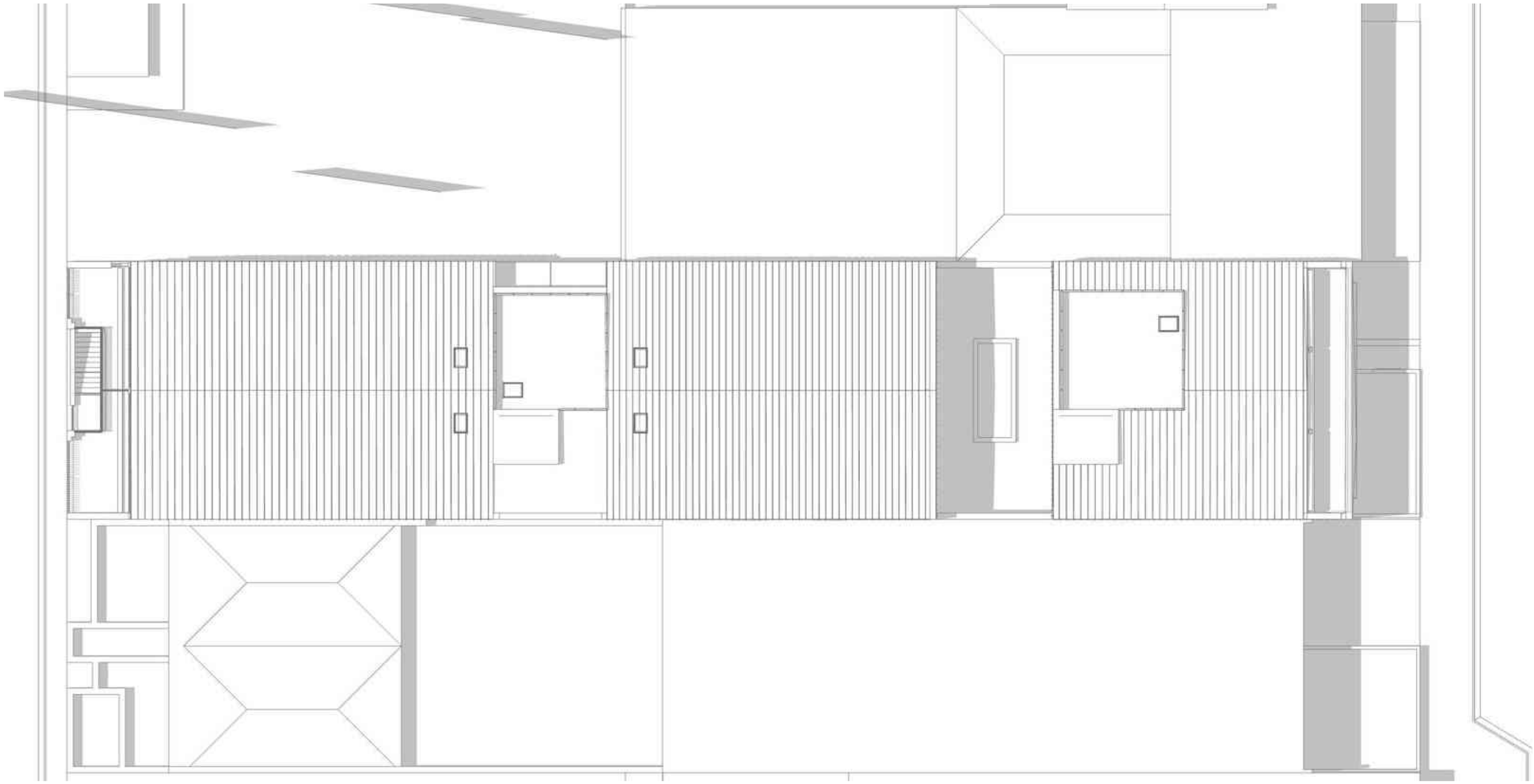

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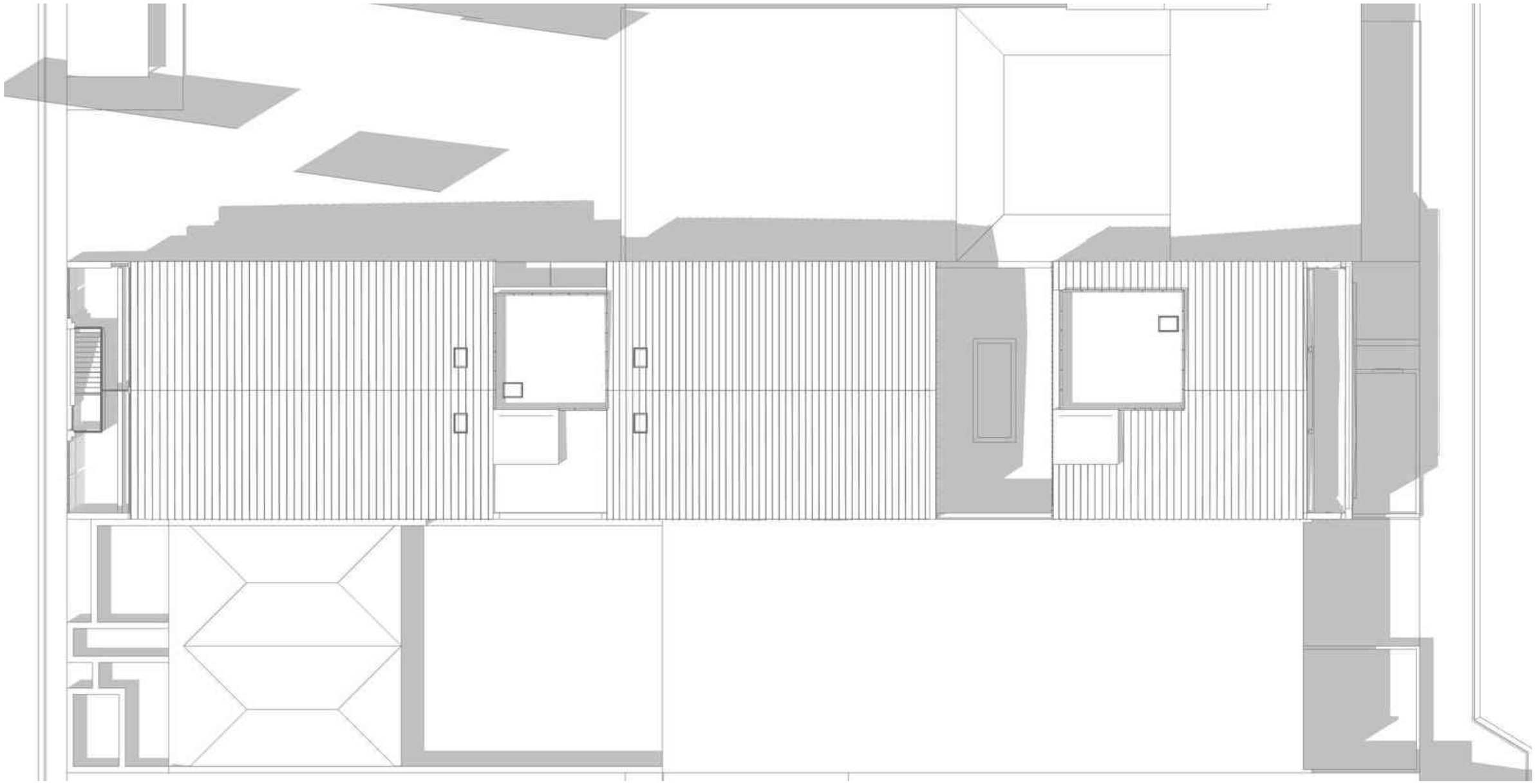

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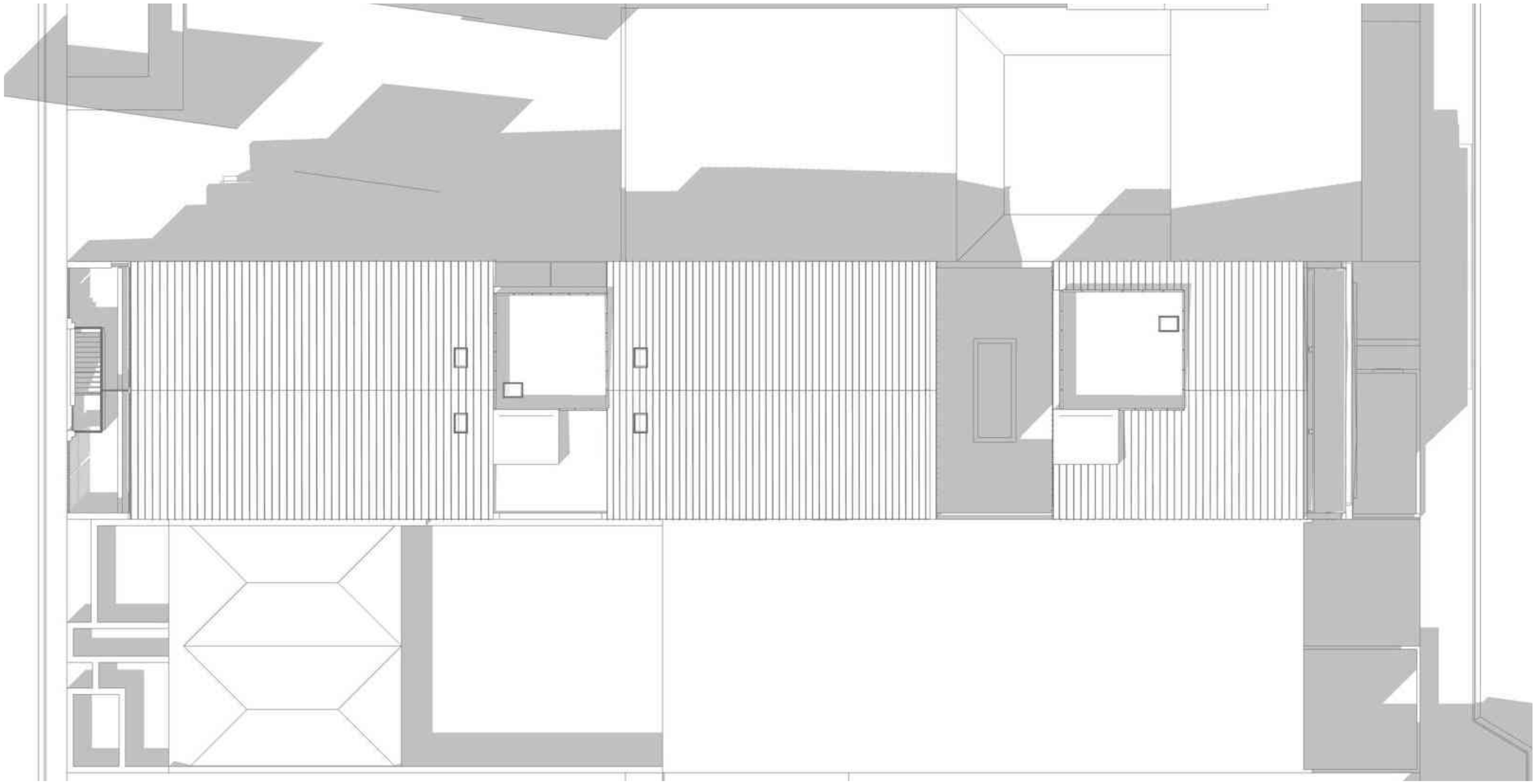

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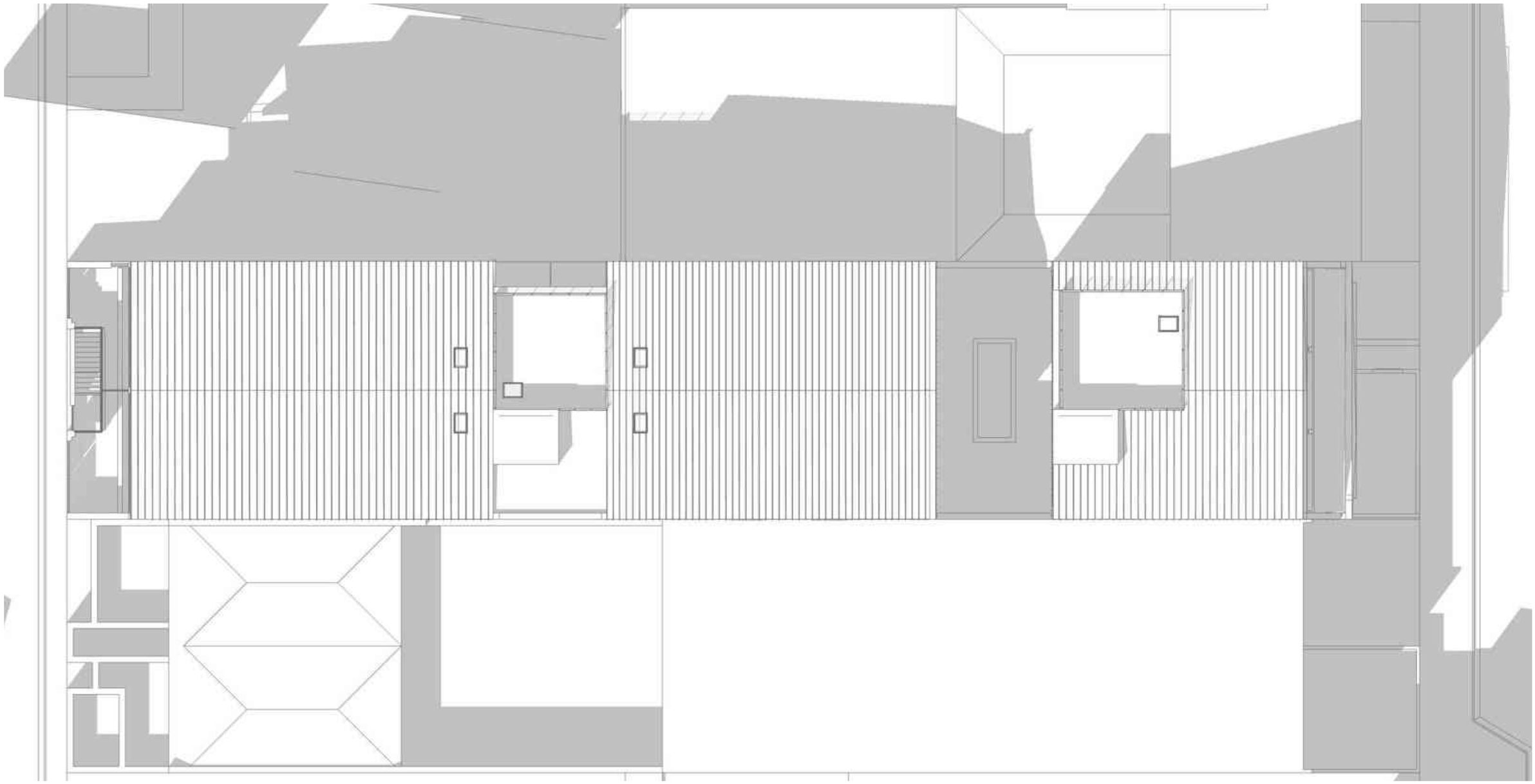

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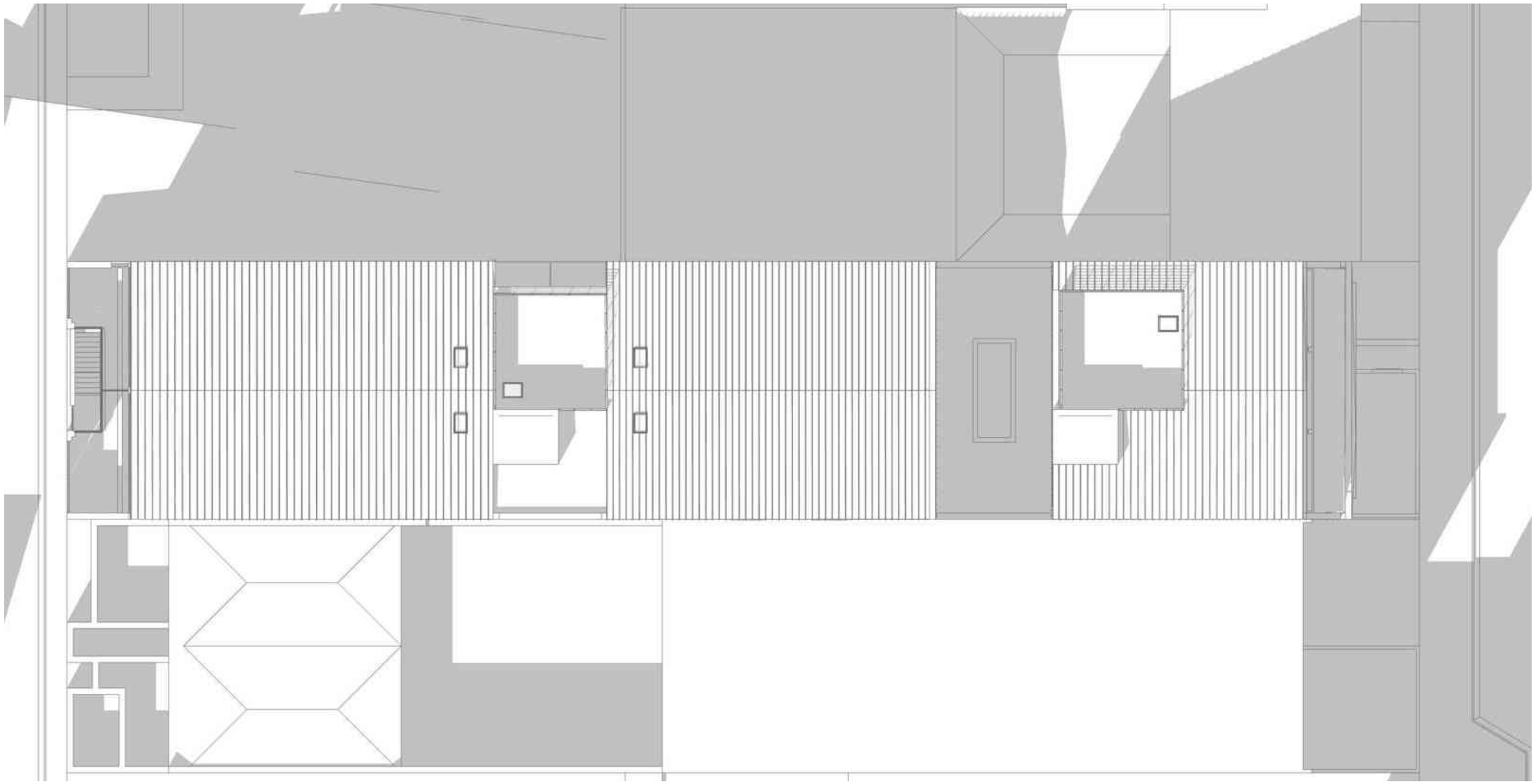


5pm Solar Study (22/12/22)

ADELAIDE
POWER DESIGN SERVICES
08 8120 0316 | 0406 000 974
3/55 Gawler Place, Adelaide SA 5000
ABN 37 613 998 600
www.adelaidepds.com.au

Monday 11th April 2022

Qattro
209 Fullarton Road,
EASTWOOD SA 5063

Attention: Mr. Bradley Jansen

SAPN PROPERTY SUPPLY REPORT FOR 266 MELBOURNE STREET, NORTH ADELAIDE

To whom it may concern.

As requested, we have undertaken an analysis for the SA Power Networks (SAPN) connection for the proposed development at 266 Melbourne Street, North Adelaide.

In conclusion of this analysis, it is our view that this property development <u>will not</u> require a padmount transformer to be installed on the site.

The reasons for this conclusion are explained below.

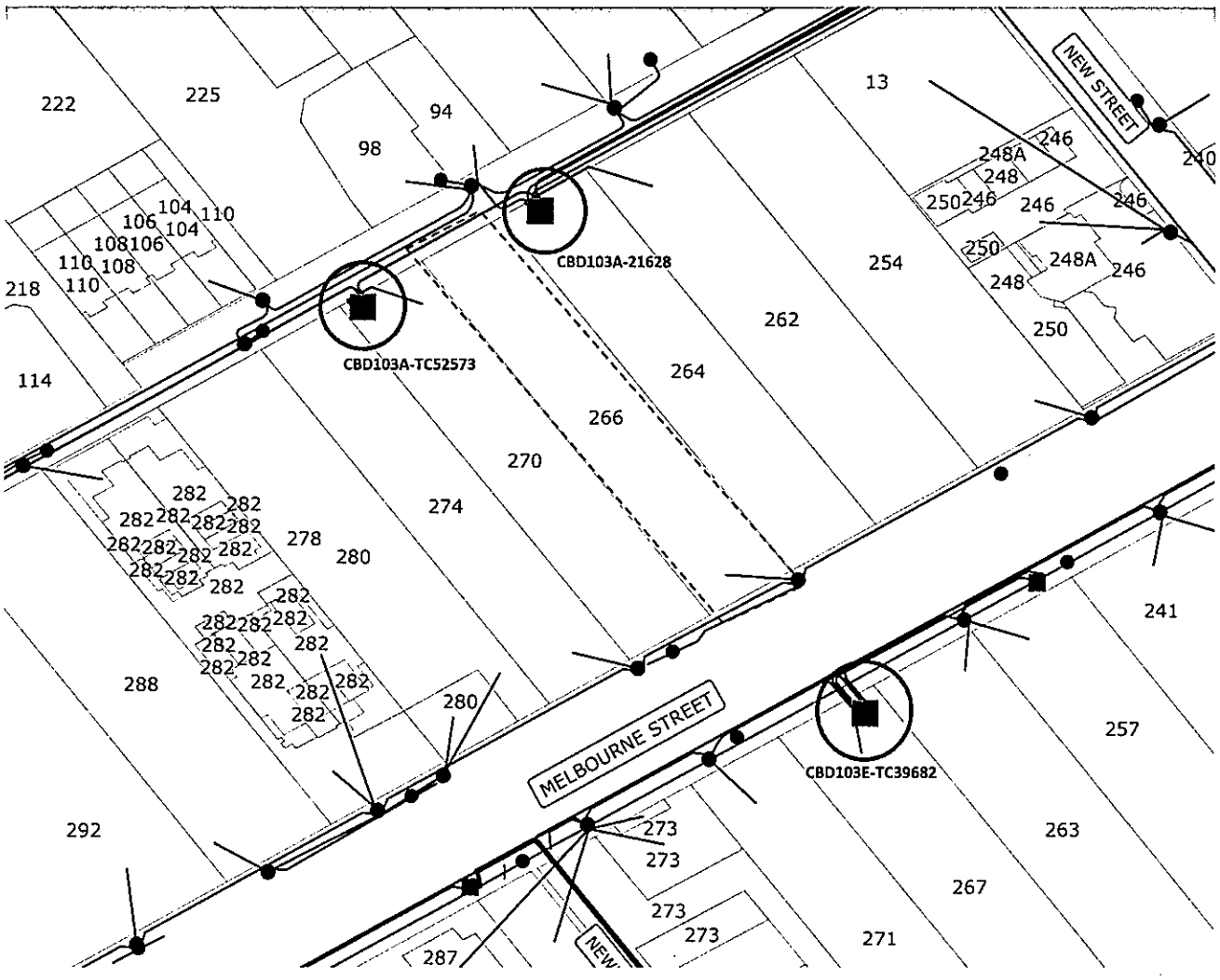
SAPN Supply Process
In determining if any upgrades are required to the SAPN network a maximum demand calculation of the proposed development is required. SAPN will then determine the necessary modifications to make that capacity available at the location of the development. In most cases SAPN will firstly determine if the existing network has capacity and, if not, will consider if a new transformer is required or if an existing transformer can be upgraded to a larger capacity to supply this additional demand.

Maximum Demand
This 15 apartment development will have a maximum demand in the order of 150 - 200A per phase spread over 3 phases. In addition, the existing office building, currently on the property, would already have a load that would offset some of the supply required by the proposed development. This reduces the additional demand to the order of 100-150A 3phase.
Please note the exact amount will need to be calculated as per AS3000 and this figure is an estimate based on similar projects.

Existing SAPN Network
The SAPN network in the immediate vicinity is shown on the Dial before you Dig extract as well as the MetroMap satellite image on the following pages.

The property is in an ideal location with 3 transformers immediately accessible on neighbouring properties 264 & 270 Melbourne Street (located at the rear of the property facing Old Street), and opposite the property at 267 Melbourne Street. Each of these transformers is on a SAPN easement and therefore no approval is required by the property owners to alter or upgrade these transformers within the easement area.

As a side note, the vast majority of properties in the area do not require their own transformer and share the capacity of one of the existing transformers.



Dial before you dig extract - April 2022.

The details of these transformers are below.

TRANSFORMER	SIZE	TOTAL USABLE CAPACITY (3PHASE)
CBD103A-TC52573	300kVA	340A
CBD103A-21628	500kVA	600A
CBD103E-TC39682	500kVA	600A

Metromap satellite image taken 13/1/22

CBD103A-TC52573

Located at 270 Melbourne Street (facing Old Street) this transformer is rated at 300kVA or an overall usable capacity of 340A 3 phase. This transformer is only supplying 270 Melbourne Street and will therefore have a reasonable chance of having enough spare capacity to supply this development. If it does not have enough capacity it can be upgraded without any adjustments to the ground level concrete pad nor to the underground cable vault on which it sits. Upgrading this transformer to a 500kVA Mk7 transformer will create an additional 260A of capacity and the option to upgrade to a 750kVA transformer if even more capacity is required.

Google Street View June 2019

CBD103A-21628

Located at 264 Melbourne Street (facing Old Street) this transformer is an older type 500kVA. This transformer currently has a street feed and overall usable capacity of 600A 3 phase. There is a reasonable chance that this transformer could have the available capacity to supply the proposed development and could also be upgraded if required.

Google Street View June 2019

CBD103E-TC39682

Located at 267 Melbourne Street, this transformer appears to be a 500kVA Mk6. This transformer currently has a street feed and overall usable capacity of 600A 3 phase. There is a reasonable chance that this transformer will have the capacity to supply the proposed development. If this is not the case, it can be upgraded without any adjustments to the ground level concrete pad nor to the underground cable vault on which it sits.

Google Street View June 2021

Conclusion

The property development is in an ideal location in terms of available power infrastructure and access to existing padmount transformers. There is a every chance that one of the existing transformers will have enough capacity and, if not, any one of these transformers has the potential to be upgraded to meet the requirement of this development. Therefore, it is our view that a padmount transformer will not be required on 266 Melbourne Street.

Experience and Expertise.
As a previous Senior Network Project Officer at SA Power Networks it was my role to determine network extensions and upgrades to supply developments similar to this project. I worked at SAPN for 9 years in many areas including the Adelaide CBD. I resigned in July of 2016 to start Adelaide Power Design Services and have continued to design SAPN (and now nbn) infrastructure projects ever since. We have been engaged by property developers, well known engineering consultants, surveyors, builders, LGA's and by SAPN directly for our SAPN network and design expertise. We are accredited SAPN external designers and are on the SAPN panel for distribution designs.

Please note that the focus of this analysis was around determining if a padmount transformer is required on the property of 266 Melbourne Street. It does not include any further SAPN works that may be required further upstream on the network nor does it include low voltage reticulation requirements from the proposed supply points.

It should also be noted that this report is our opinion only and that SAPN will determine the final supply arrangements. We will not be made liable for decisions made outside our control.

If any of this information needs further clarification please feel free to contact me on 0406 000 974 or at lindsay.marsden@adelaidepds.com.au

Kind Regards,

Lindsay Marsden
Director

ADELAIDE POWER DESIGN SERVICES PTY LTD

ADELAIDE
POWER DESIGN SERVICES
08 8120 0316 | 0406 000 974
3/55 Gawler Place, Adelaide SA 5000
ABN 37 613 998 600
www.adelaidepds.com.au

About Us:
Adelaide Power Design Services Pty Ltd was founded July 2016 as a specialist company focusing on SA Power Networks and nbn designs and consulting.

Team:
Lindsay Marsden - Founder and Principal
Daniella Raj - Administrative & Drafting assistance

Projects:
Springview Estate (Mount Gambier)
Brouwer Estate (Robe)
Limestone Estate (Mount Gambier)
Charleston Estate (Charleston)
Glenlee (Mount Barker - drafting assistance via BCA & WGA)
Boston Street (Goolwa North)
Various SAPN designs engaged directly by SAPN
Hill Sites Estate (Robe)
Calula Estate (Mount Gambier)
Centenary View Estate (Mount Gambier)
Mount View Estate (Mount Gambier)
Risdon Park South (Port Pirie)
Various other property developments
Minlaton PLEC for Yorke Peninsula LGA

In addition, Lindsay has completed over 500 SAPN designs as a SAPN employee equivalent to over $40M worth of poles, wires, transformers, cables and public lighting infrastructure. In addition to the selection of URD and UID designs Lindsay has completed numerous council undergrounding designs, 'spotload' designs, internal maintenance and distribution defects designs. At the time of his resignation to start APDS Lindsay was the Senior Networks Project Officer responsible for developments such West and the entire Port Adelaide redevelopment.

Clients:
SA Power Networks
BCA Engineering Consultants
Scott Salisbury Homes
Barossa Projects
Mount Barker District Council
Yorke Peninsula Council
Cameron Lock Surveying
Peters Property Group
Rivergum Homes
WGA
MLEI Consulting Engineers
Coober Pedy District Council
Lot One Property Group
Andrew & Associates
Pike Constructions
Grosser Engineering

Insurance:
Professional Indemnity Insurance
Provider: Dual Australia Pty Ltd
Insured Amount: $5,000,000
Policy Number: S0B/28497/000/20/L

Public Liability Insurance
Provider: QBE Insurance (Australia) Limited
Insured Amount: $20,000,000
Policy Number: 118U678892BPK

Certifications (Lindsay Marsden):
nbn trained supplier (pit and pipe designer)
SA Power Networks External Designer/Consultant
White card
Graduate Diploma of Business Administration
Bachelor of Engineering
Diploma of Project Management

Referees available upon request.

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 28/3/2022

Item No	3.1
Address	266 Melbourne Street, North Adelaide SA 5006
Proposal	Demolish existing building and construct four level residential flat building containing 15 apartments with ground level car parking, DA/174/2021 [DA], EP)
Applicant	THE SUNSHINE LIFE P/L
Relevant Development Plan	30 April 2020
Lodgement Date	17 March 2021
Zone / Policy Area	Mixed Use (Melbourne West) Zone
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representations
Recommendation	**Development Plan Consent Be GRANTED**

ATTACHMENTS

Plans and Supporting Information

• Plans and 3D Images	1 - 28
• Planning Report	29 – 57
• Design Statement	58 – 59
• Arborist Report	60 - 100
• Certificate of Title	101 - 102
Comments from Public Notification	103 - 111
Applicant Response to Representations	112 - 123

PERSONS SPEAKING BEFORE THE PANEL

Representors

- Ms Cate Cheetham, 98 Old Street, North Adelaide

Applicant

- Mr Christopher Webber, Future Urban for The Sunshine Life Pty. Ltd.

1. DESCRIPTION OF PROPOSAL

1.1 Planning consent is sought for demolition of a single storey building accommodating a medical consulting practice and construction of a four level mixed use building comprising:

- ground level (Melbourne Street) car parking for 15 resident vehicles and 2 visitor parking spaces
- ground level (Old Street) car parking for 2 resident vehicles
- 15 two bedroom apartments on three levels.

2. DEVELOPMENT DATA

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site Area: 780m^2		
Building height - Metres (ceiling height)	14 metres (max.)	14 metres
Private Open Space (POS) - m^2	2 bedroom - 11m^2	10m^2 - 30m^2
Landscaped Open Space (LOS) - % of total site area	20%	11.8%
Car parking and Access - Number of spaces	15 Spaces	15 Spaces
Bicycle Parking	15 Spaces	13 Spaces

3. BACKGROUND

3.1 A medical consulting room was established on the subject site circa 1981 and this use continues presently.

3.2 Plans and details for the development were formally lodged in March 2021 just prior to implementation of the planning reforms. Discussions with the applicant and feedback from public consultation has resulted in amendments to the proposal.

These amendments relate to:

- the architectural expression of the Old Street and Melbourne Street facades in respect of visual interest and compatibility with surrounding built form
- the separation distance between the central apartments and the rear of the apartments facing Melbourne Street
- the upper-level setback distance from Melbourne Street
- protection of views of the City from properties along Stanley Street and Brougham Place.

3.3 The applicant subsequently provided amended plans which largely addressed the matters raised. However, there is still some concern with respect to the treatment of the front forecourt area. This is discussed in further detail below in Section 9.4.

4. SITE

4.1 The site is rectangular in shape with a frontage of 12.19 metres to Melbourne Street, 12.19 metres to old Street and a depth of 64 metres. The site has an area of approximately 780m^2.

4.2 The site slopes downwards from Old Street to Melbourne Street with a fall of approximately 3 metres.

4.3 The site currently contains a single storey building which is set back 10 metres from the Melbourne Street boundary. The front yard is landscaped with lawn and small shrubs, located behind a two metre high Besser brick wall.

4.4 There is vehicular access from Old Street with nine car parking spaces available onsite. The car park surface is treated with bitumen and line marked. A carport provides shelter for five vehicles.

5. LOCALITY

5.1 The site is located adjacent Ronald McDonald House at 271 Melbourne Street.

5.2 The Melbourne Street streetscape is predominantly characterised by commercial land uses in the form of offices, medical consulting rooms and travel agencies, with some residential uses.

5.3 Built form character along Melbourne Street is varied, comprised of a mix of low scale historic built form and multi-storey contemporary buildings of two to four storeys. Contemporary buildings are typically composed of tilt-up concrete, large expanses of glazing and aluminium and steel, with the ground level comprised mostly of car parking.

5.4 Building setbacks are varied, ranging from historic buildings with generous front gardens, to smaller landscaped areas where multi-level buildings have been constructed.

5.5 Old Street at the rear has a mixed character consisting of small scale dwellings of one to two storeys, primarily on the north side of the street, with the south side of the street characterised primarily by open lot car parks associated with commercial premises on Melbourne Street.

5.6 There are a number of State and Local Heritage Places within the locality, however there is only one heritage place adjacent to the site, located directly at the rear at 96-98 Old Street.

KEY			
	Subject Site	L	Local Heritage Place
PA10	Stanley West Policy Area 10	S	State Heritage Place
MS(MW)	Main Street (Melbourne West) Zone		Policy Area Boundary
R	Representor		Locality

Photo 1 – Site viewed from Melbourne Street

Photo 2 – Site viewed from Old Street

Photo 3 – Site viewed from upper level at 228-229 Brougham Place / Stanley Street level looking south-west

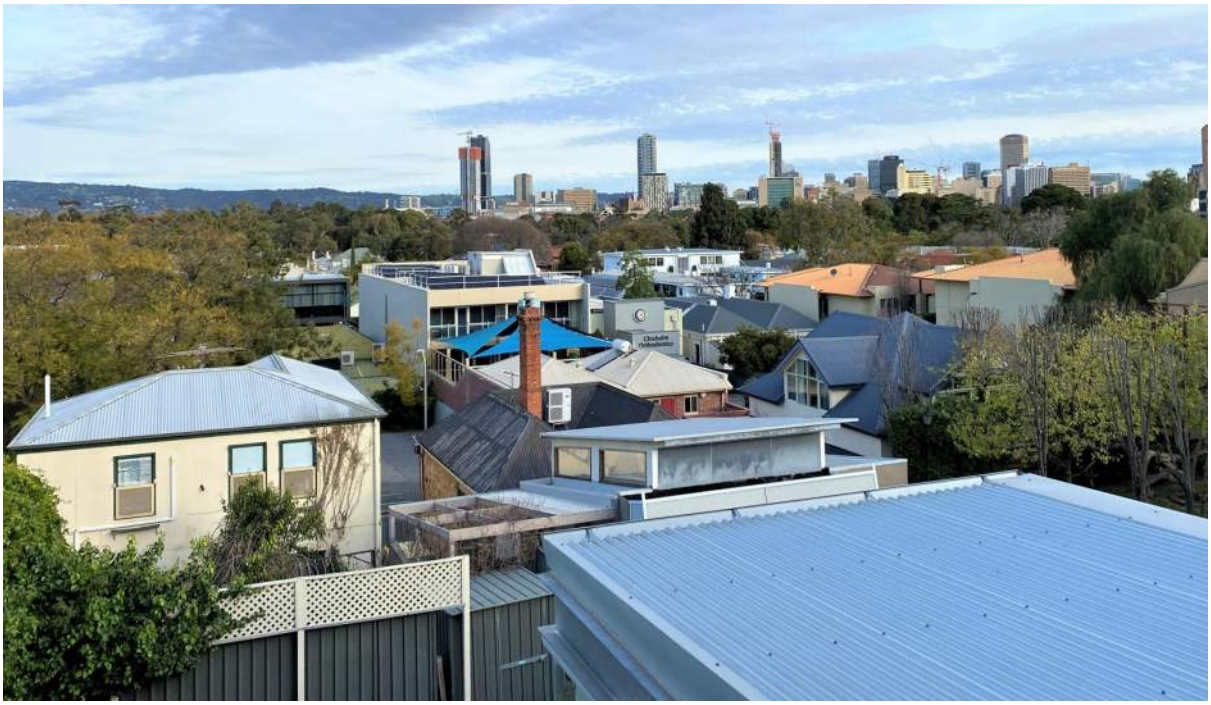


Photo 4 – Site viewed from upper level at 227 Brougham Place / Stanley Street level looking south-east

Photo 5 – South side of Melbourne Street opposite the subject site

Photo 6 – Vista of north side of Old Street opposite the subject site

6. PUBLIC NOTIFICATION

Category of Notification	Category 2

Representor's Address	*Request to be heard*
Mr D. Manuel 94 Old Street, North Adelaide SA 5006	No
Ms Cate Cheetham 98 Old Street, North Adelaide SA 5006	Yes

Summary of Representors Comments	
Concerns	**Applicant response**
• Tree damaging activity due to excavation has not been addressed	• An arborist has examined the trees in the locality • The Jacaranda tree located at 264 Melbourne Street is a regulated tree and will suffer a 25% intrusion into its critical root zone, however it is in good health, and it is expected it can tolerate the proposed encroachment without noticeable impacts • The Jacaranda tree located at the rear of 264 Melbourne Street will suffer an 8% intrusion into its critical root zone. The impact is expected to be low given the separation distance, presence of landscaped beds and low likelihood of major root growth beneath the subject site given its sealed surface • Low impact methodologies and materials are recommended to minimise impact on the trees
• Height, bulk and scale of the proposed building is at odds with the conditions in the locality and with Zone provisions PDC 4 to 7 inclusive • Overly large development in the setting of Old Street • Proximity and height of the building relative to the existing buildings on Old Street • Insufficient setback to Old Street	• The proposed building is not required to match the height of existing development in the adjacent residential zone, but to manage a gradual decrease in scale at the interface • PDC 15 of the Zone contemplates buildings over 3 storeys can be accommodated at the zone interface provided increased setbacks are incorporate

• Does not respond to the character of Old Street / Interface of the North Adelaide Historic (Conservation) Zone	
• Does not Satisfy Zone PDC 14(a) regarding setback angles	• A correct reading of Principle 14(a) locates the start of the 45 degree setback as being at the front property boundary of dwellings fronting Old Streeton the northern boundary of Old Street • The proposed development thus satisfies Zone PDC 14(a)
• The proposal represents overdevelopment of the site: - some apartments have poor amenity in terms of outlook and open space - no setbacks from side boundaries - no useable communal open space - excessive height given the local setting	• Redesign has resulted in only three apartments falling below the minimum private open requirement, the shortfall being only one square metre • Balconies have adequately sized areas for tables and chairs notwithstanding that some have narrow spaces • Balconies are directly accessible from living areas
• No loading/unloading spaces are provided on site	• Visitor parking spaces can be used by small commercial vehicles
• Insufficient car parking provided	• The proposal exceeds the minimum car parking requirement, having 16 spaces instead of 15
• Overlooking into 98 Old Street	• The apartments are setback over three metres from adjacent residential sites in compliance with Council Wide PDC 67

6.1 Seven representations were received from nearby properties however they are not abutting and are therefore invalid. The applicant has however responded to all of the matters raised by the representors. For the applicant's detailed response please refer to the attachments.

7. REQUIRED EXTERNAL REFERRALS

7.1 Nil

8. SPECIALIST ADVICE

8.1 Local Heritage

- A built form with greater setback from Old Street, particularly at the upper level, would be more appropriate given the relatively low scale residential character on the northern side of Old Street.
- Proposed landscaping is minimal and there is limited potential to soften the visual appearance of the proposed development.

8.2 Infrastructure

- The applicant will be responsible for all costs associated with the construction of the crossing, including adjustment to footpath, kerb and gutter, road pavement, stormwater drainage and service utilities.
- As the proposal includes significant excavation within the zone of influence of the adjacent road reserve and adjacent land, an integrated Structural and Geotechnical Engineering report shall be submitted and be prepared by suitably qualified engineer.

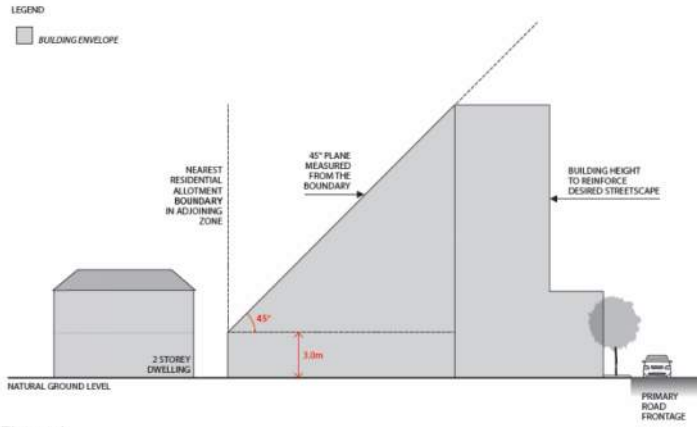
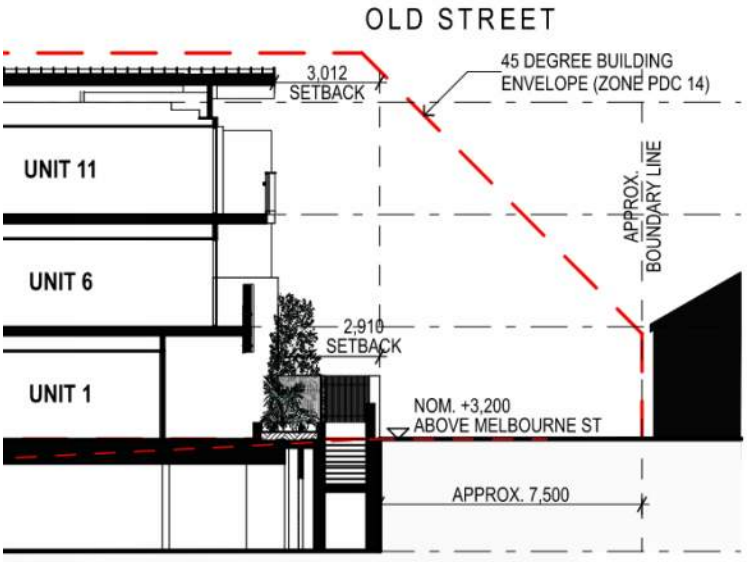
8.3 Traffic

- The crossover to Melbourne Street should be reduced to minimum width to ensure that there is no impact to the one remaining on-street parking space.
- The design of the access and car parking facilities must comply with AS/NZS 2890. 1: 2004 Parking Facilities Part 1: Off-street car parking, AS/NZS 2890.6-2009 *Off-street parking for people with disabilities* and boundary level requirements.

9. DETAILED ASSESSMENT

9.1 Summary of Zone Objectives & Principles

Subject DP Ref	**Assessment**	Achieved ✓ Not Achieved ✗
Desired Character	• The proposal is of contemporary design that contributes to an attractive streetscape sympathetic to the existing historic built form and diverse character of the precinct.	✓
Objectives O1-4	• The proposal is a desired medium-density land use, contributing to the mix of uses in the Zone. • The building is contemporary although lacking in sufficient landscaping to Melbourne Street.	✓
Land Use P11-3	• Achieved.	✓
Form and Character P4-6	• See Section 9.4.	✓
Built Form and Public Environment P7-11	• The building does not satisfy the desired setbacks from side boundaries. • The façade designs are contemporary and sufficiently interesting to contribute towards a pleasant public environment. • Balconies and windows overlook public roads, promoting safety through passive surveillance and connection to the public realm. • External materials are varied and do not include dark, reflective and brightly coloured materials. • Landscaping to Melbourne Street and Old Street is comparable to adjacent sites. • Landscaped open space comprises 11.8% of the site, below the desired minimum of 20%.	✓/✗
Building Height P11	• The building does not exceed the maximum height of 14 metres.	✓

Setbacks P12-15	• The setback at ground level is similar to existing nearby developments. • The setback of the upper levels, at 5 metres is below the 6-10 metres desired. • The setback on Old Street complies with Figure 1 below (Figure 1 is an excerpt from the Development Plan).  **Figure 1**  	✓/✗
Car Parking P24-26	• Access from Melbourne Street will not affect existing built form and landscaping. • The impact upon residential amenity on old Street is minimised by having access from Melbourne Street. • Residential parking at ground level will not be readily visible from Melbourne Street.	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	**Assessment**	Achieved ✓ Not Achieved ×
Housing Choice O6-8 P5-10	• All dwellings are two-bedroom and therefore offering limited housing choice.	×
MEDIUM TO HIGH SCALE RESIDENTIAL DEVELOPMENT		
Objectives O22	• Dwellings are functional with reasonable amenity however some apartments have poor outlook and access to natural light and ventilation.	✓/×
Building Entrances P48-49	• The entrance is not oriented towards the street and is not sufficiently visible and identifiable. • Minimal area exists around the entry to create a sense of place and arrival.	×
Daylight, Sunlight & Ventilation P50-58	• See Section 9.4.	✓/×
Private Open Space P59-65	• Achieved.	✓
Visual Privacy P66-67	• Achieved.	✓
Noise & Internal Layout P68-69	• Achieved.	✓
Minimum Unit Sizes P70-71	• Achieved.	✓
Adaptability P72	• Achieved.	✓
Outlook P73-74	• See Section 9.4.	✓/×

Onsite Parking & Fencing O23 P75-79	• Achieved.	✓
Storage P80-81	• Achieved.	✓
ENVIRONMENTAL		
Crime Prevention through Urban Design O24 P82-86	• Surveillance of the Melbourne Street entrance is adequate, with a proposed tree and low shrubs in the landscaped area providing clear lines of sight from the public realm. • The car park entry will be secured at all times by the roller door to be operated via remote control by residents.	✓
Noise Emissions O26-27 Noise Sources P89-94 Noise Receivers P95-100	• Roof mounted plant will be located centrally, minimising the potential impact to adjacent premises. • The car park will be located below ground level relative to adjacent residential land uses, therefore minimal noise emissions from this source are expected.	✓
Waste Management O28 P101-104	• Collection will be via Melbourne Street by private contractor. • Detailed information has not been supplied therefore a reserve matter is recommended requiring the provision of a Waste Management Report.	✓
Energy Efficiency O30 P106-112 Residential Development P113-114	• See Section 9.4.	✓
Micro Climate and Sunlight O33-34 P119-125	• The building will reduce sunlight access to the central courtyard playground of Ronald McDonald House and north-facing windows looking into the space, however overshadowing will cease from approximately 1pm on 22 June. • This area is already overshadowed by existing shade sails, rendering the increase in overshadowing to be minimal.	✓

Stormwater Management O35-39 P126-131	• Runoff from impervious surfaces will be detained in two 2,000 litre tanks. • On-site reuse for irrigation of landscaping areas is proposed.	✓
Infrastructure O40-41 P132-135	• Area for a potential transformer has been nominated fronting Old Street.	✓
Heritage & Conservation – North Adelaide General P149-155 Development Adjacent a Heritage Place P162-166	• See Section 9.4.	✗
Built Form & Townscape O46-48 P167	• The building is of a scale that reinforces the main street character of Melbourne Street. • The upper level is setback to provide a reasonable balance of openness and enclosure. • The palette of materials and colours together with the restrained design language results in a reasonable quality design.	✓
Height, Bulk and Scale P168-174	• The building is of a scale commensurate with the role of Melbourne Street as a main street and primary transport route. • The building maintains consistent floor to ceiling heights of neighbouring buildings on Melbourne Street. • The building maintains the subdivision pattern of neighbouring building frontages with a satisfactory level of visual interest through variation. • The interrelationship with the single storey Local Heritage Place at the rear is arguably not well executed, with additional setback from Old Street desired. • Conversely, the proposal satisfies the Main Street (Melbourne West) Zone PDC14 Figure 1 setback envelope at the zone boundary with the North Adelaide Historic (Conservation) Zone.	✓

Landscape Open Space P177	• A minimum of 20% is sought and the development provides 11.8%.	✗
Building Setbacks P178-179	• See Section 9.4.	✓/✗
Composition & Proportion P180-181	• Achieved.	✓
Articulation & Modelling P182-186	• Achieved.	✓
Materials, Colours & Finishes P187-190	• See Section 9.4.	✓
Sky & Roof Lines O49 P192-195	• The flat roof minimises bulk and scale and ensures the loss of City views for dwellings on Stanley Street / Brougham Place is minimised. • The metal cladding of the uppermost level with angled walls creates an illusion of a mansard roof which both breaks up the mass of the building and creates an appearance of a reduced height.	✓
Landscaping O55 P207-210	• Indigenous species incorporated.	✓
Access & Movement O60 P224-225	• Loss of one on-street car parking space on Melbourne Street accepted. • Access to and from the site will be in a forward manner. • Access via Melbourne Street prevents an unreasonable amount of vehicle movements in Old Street.	✓
Pedestrian Access O61-63 P226-232	• Crossover widths are minimised, reducing interruption to footpaths.	✓
Bicycle Access O64-65 P233-238	• 13 secure bicycle storage spaces are provided at ground level in cages above the residential car parks.	✓

Traffic and Vehicular Access O68-70 P241-250	• The vehicle entrance on Melbourne Street is considered safe. • The new crossover to Melbourne Street results in a loss of one on-street car park.	✓
Car Parking O71-762 P251-265	• 15 resident car parking spaces are required, however 13 spaces are provided within the garage. Two visitor spaces are located at the front of the site, although not required. These spaces will relieve on-street car parking demand to an extent and facilitate deliveries.	✓/✗

9.4 Detailed Discussion

Desired Character

The Desired Character Statement seeks the development of low to medium scale mixed use buildings with setbacks complementary to the historic siting of buildings. It also seeks a high level of pedestrian amenity and accessibility with attractive landscaped front setbacks and the achievement of a high quality residential living environment.

The proposal is considered to satisfy the desire for medium scale mixed use development with an appropriately scaled residential development proposed. Whilst the Desired Character Statement refers to the '*historic siting pattern of buildings setback from boundaries in a landscaped setting'* this is not reflected in the existing pattern of development in the locality. Adjoining developments have limited landscaping and setbacks from the front boundary and no setback from side boundaries. Within this setting the scale and siting of the building is complimentary to adjoining development and the general character of development along Melbourne Street.

The ground floor façade is located behind two visitor car parking spaces. Whilst the proposed landscaping and forecourt areas provide for a general level of pedestrian amenity, the interface with Melbourne Street is not considered to be optimal for the following reasons:

- The façade is setback too far from Melbourne Street, not contributing to the creation of a continuous built form to the street
- The residential entrance is not readily identifiable
- The landscaped area, if not maintained, could provide a space for anti-social activities and reduces safety.

Views

The Desired Character Statement of the adjoining North Adelaide Historic (Conservation) Zone and Policy Area (Stanley West) contains specific policy requiring the protection of views of the City from Stanley Street and Brougham Place properties from the uppermost levels of dwellings.

The topography of the locality sees Stanley Street slope downwards from west to east. Given the topography and height restrictions, most buildings at this western end of Stanley Street have views towards to the City from their uppermost levels.

Site inspections from adjacent residential properties on Stanley Street (see Images 9.4.1 to 9.4.3 below) show that, in this instance, views of the City and the Adelaide Hills from the upper levels (i.e. Stanley Street / Brougham Place level) will largely be maintained. Views from the dwellings at the lower levels to the City and Adelaide Hills will however be lost.

It is pertinent to refer to the decision of the ERD Court in the matter of the Appeal of St Ann's College Inc v The Corporation of the City of Adelaide where the College proposed the addition of two levels of student accommodation atop the existing Kennedy Brooks Enterprise Deck building bringing the total height to 14.3 metres above ground level.

In this Appeal the Court resolved to quash Council's refusal to grant Planning Consent, with a major issue being the loss of views from the dwellings on Stanley Street.

The Court concluded that where the Development Plan anticipates the undertaking of development, there will be some consequences of that development. Given the policy change in 2014 (Residential and Main Street DPA (Part 1)) permitted construction of buildings up to 14 metres in height, it is difficult to conclude that impacts on views would not be an expected outcome of the Plan.

In this instance, it is estimated the remaining view will be long distance towards the Adelaide Hills and the City (buildings in the square mile). The remaining views are the subject of the Stanley West Policy Area Desired Character and thus their retention indicates that the proposed development is not unreasonably high.

Image 9.4.1 – View from uppermost level of 228 Brougham Place, North Adelaide with the expected building bulk shaded

Image 9.4.2 – View from uppermost level of 227 Brougham Place, North Adelaide

Image 9.4.3 – View from lower level of 228-229 Brougham Place

Built Form and Design

Building composition along Melbourne Street is varied with a mix of low scale historic buildings and newer medium to high scale commercial and residential buildings of two to six storeys.

The new building is a contemporary design using lightweight concrete panels with angled facets to create a visually interesting façade to Melbourne Street. Application of a portal to the façade at the first and second floors serves to de-emphasize the appearance of the uppermost level from Melbourne Street. Cladding of the uppermost level in ribbed Maxline cladding with angled elements creates a reference / illusion of a mansard roof and de-emphasises the buildings four-level height.

The liberal use of stone and timber to the north façade on Old Street provides a more residential appearance, appropriate to its location.

The materials and treatments are consistent with other new buildings in the locality, particularly those located opposite on the south side of Melbourne Street.

The proposal is similar in form to adjacent premises, being built to their side boundaries, with similar small setbacks accommodating landscaped gardens. Their facades are contemporary in nature, with large expanses of glazing and ground level car parking accessed from Melbourne Street.

Presentation to Old Street is more domestic in nature. Firstly, the building is three levels, with car parking being underground relative to Old Street. The use of stone and timber at the lower level, Maxline Cladding at upper level and the 3 metre setback de-emphasises the scale of the building, satisfying Zone PDCs 15 and 16.

Setbacks

The building presents as three storeys to Old Street as the car parking level is effectively underground. The three metre setback to the edge of the balconies and six metres to the façade, satisfies Mixed Use Melbourne West Zone PDC 14, where the built form lies within a 45 degree angle (See page 21 of the report). Furthermore, this setback accommodates a garden and car parking space, satisfying Zone PDC 9.

Although the building will have an unprecedented large form on the south side of Old Street, it is noted there are many existing examples of two storey dwellings in the low-scale City Living Zone on the opposite side of Old Street that are located on or close to the street frontages.

It is noted the building opposite at 96-98 Old Street is a single storey Local Heritage Place and the proposal fails to satisfy Zone PDC13 in that it does not adequately respect the character of the low-scale established dwellings in Old Street.

On balance, whilst there is an unprecedent divergence in built form scale on Old Street between the Mixed Use Zone and residential zone, the proposal adequately satisfies the relevant criteria.

Residential Amenity

The expected level of residential amenity for residents within the proposed apartments is varied. The six apartments located centrally have adequate levels of natural light and ventilation but with no medium to long range outlook. Their central location means they all depend on the large south-facing windows opening to the central void and communal garden on level 1. At the uppermost level, access to sunlight and breezes is reasonable.

At first floor level (Old Street level) the amount of light and ventilation is significantly reduced, affecting internal amenity. This is offset to a degree by having access to the 66 square metres of communal open space shared by two apartments. The applicant has provided a six metre separation between apartments which is equivalent to the minimum possible between high-density residential towers. Given only three residential building levels are affected, the resultant access to sunlight and ventilation on levels one and two, whilst not of a high standard, are adequate.

The apartments are well dimensioned and exceed minimum unit sizes, enabling the spaces to be used flexibly. With the exception of three, which have balconies of 10 square metres (below the desired minimum of 11m^2), the apartments have balconies over the minimum size.

The design of the entrance to the residential foyer is problematic from a legibility and crime prevention perspective due to the solid nature of the front wall and landscaping bed along the Melbourne Street frontage. It is recommended, via a condition, that this area always be illuminated during the hours of darkness and that landscaping be maintained to provide clear lines of sight between the public realm and the building entrance.

Several dwellings are located to the north on the opposite side of Old Street. The proposal has the potential to impact upon the amenity of these dwellings on account of visual impact, overlooking and noise.

The potential visual impact is adequately reduced by a 6 metre rear setback and the extent of articulation and modulation provided within the façade. A level of development and subsequent building height is to be anticipated within the zone. As such, some visual impact and enclosure due to the three storey height is to be expected. In this instance, whilst the proposal will increase the scale of development upon the site, it is not considered to result in an unreasonable impact on adjoining properties.

The north facing windows and balconies on Old Street do not require any features to prevent overlooking as this aspect fronts a public road.

Overall, the level of internal residential amenity is fair, with large, flexible spaces. Of the 15 apartments, those located in the centre of the building have a generally lower degree of amenity, with the four located on levels 1 and 2 having the least favourable amenity, with reduced access to natural light, ventilation and outlook.

Environmental

The proposal incorporates a range of energy efficiency measures including:

- high performance double glazing, access to daylight and natural ventilation of the apartments to reduce energy demand
- designing and certifying the apartments and common areas to achieve an energy performance that achieves NCC/BCA Section J, JV3 methodology
- zoned air conditioning systems within the apartments with automatic and manual controls. They will be rated to the highest available Energy Star rating and include the option to operate in fan mode providing low energy air circulation
- provision of a roof mounted solar photovoltaic array. The array will provide renewable energy equivalent to 100% of the common area power needs, including car park ventilation
- daylight control to lighting systems in common areas
- use of energy efficient, LED lighting fittings
- use of light coloured external finishes (in particular roof coverings) to reflect heat, reduce solar gain, and reduce the “heat island effect”
- in areas where access to natural ventilation is not possible, the car parking will be mechanically ventilated with a carbon monoxide monitoring system utilising variable speed fans to reduce fan energy use by 80% when compared to a conventional system
- providing apartment owners with retractable clothes racks in their apartments, to minimise electric clothes drier use. These facilities will also minimise the incidence of clothes drying on exposed balconies
- reuse of retained stormwater for the irrigation of landscaped areas
- selection of landscaping species that minimise water consumption
- use of water efficient fittings of 6 Star WELS rating for taps, 4 Star for WCs and 3 Star showers

Heritage and Conservation

The zone provisions recognise the interface between the Mixed Use (Melbourne West) Zone and the North Adelaide Historic (Conservation) Zone and seek to manage the interface between the two. The subject land abuts the Historic Conservation Zone, having an impact on the Desired Character of that zone and heritage places within it.

One Local Heritage Place (cottage) is located directly opposite the rear of the site, on the northern side of Old Street. This dwelling is sited on the front boundary with no front garden and features a single storey rear addition. The heritage place and the proposed building are separated by Old Street and the front garden of the apartment building, providing a 11 metre buffer to the balconies and 12 metres to the façade.

Whilst it is acknowledged there is a juxtaposition in scale and architectural style/detailing between the proposal and the single storey heritage places, the setback between the two is considered to provide a sufficient visual buffer and separation between the two distinct elements.

Ultimately, the scale of development envisaged within the zone must be acknowledged as being significantly greater than the single storey heritage places.

The end result is a distinct and noticeable variation in bulk and scale between new and old. In this instance the proposed separation between the proposal and the heritage places is sufficient to adequately mitigate this change in scale.

Transport, Access and Parking

The proposal seeks to locate access at Melbourne Street level, effectively being underground relative to Old Street. The Development Plan seeks to minimise disruption to Melbourne Street by providing vehicular access via Old Street. In this instance, access from Melbourne Street will result in the creation of an additional vehicle crossover and loss of one on-street car parking space. Whilst this is not a desirable outcome for Melbourne Street, it has the benefit of reducing traffic movements in Old Street from 10 vehicles to one, thereby greatly improving amenity for the two dwellings which are sited directly opposite the site at 94 and 96 Old Street, located on the street frontages.

The level of on-site car parking is acceptable, with the provision of 14 spaces for 15 dwellings being a negligible shortfall. Although not required by the Development Plan, the proposal incorporates two visitor spaces located at the front of the building accessible at all times from Melbourne Street. This compensates for the loss of the single on-street parking space.

Bicycle storage is located in a cage located above each resident car parking space and together with providing purchasers with the option to install EV charging points for every parking space, the proposal promotes a transition to more sustainable movements.

Conclusion

The proposal is considered to achieve the outcomes sought by the Desired Character Statement and relevant principles as it:

- presents a desired land use
- proposes a building that will provide medium scale residential development which supports the attainment of the desired future character and the broader requirements of the Council Wide Objectives and Principles
- will be of an acceptable quality of architectural design and scale, achieving a reasonable quality urban design outcome
- will reinforce the role and image of the Zone as an attractive mixed use area of low to medium scale
- proposes floor to floor heights of 3.2 metres and floor to ceiling windows and doors to living areas to maximise internal sunlight and daylight penetration
- incorporates materials and finishes that are durable and of a high quality with the use of pre-finished materials in lieu of painted finishes
- will have landscaped areas of a sufficient size to provide landscaping at ground level resulting in acceptable impacts on Melbourne and Old Streets
- has a small shortfall in car parking, however this is considered acceptable with the presence of public transport on Melbourne Street and the availability of on-street, public and private off-street car parks.

The proposed development does not perform as well with regards to its ground level presentation to Melbourne Street and the amenity of some apartments located centrally, but this is acceptable for the following reasons:

- The entrance is recessed and not oriented to face Melbourne Street, like other recent medium density developments. This arrangement fails to create a cohesive building alignment to Melbourne Street, does not maximise an active frontage and creates a potential safety concern. It is proposed to apply conditions requiring lighting to this space during the hours of darkness and maintenance of the landscaping to ensure clear lines of sight at all times. Such measures should address these concerns.

- Four of the six apartments located centrally have reduced internal amenity. The apartments at first and second levels have reduced access to light and ventilation, facing south into the courtyard which is partially built out to the west and east. The generous six metre separation and only three building levels ensures a reasonable level of amenity.

Whilst it is acknowledged the proposal will impact upon the existing views from dwellings on Brougham Place and Stanley Street, and that it will create a dichotomy of scale at the zone interface in Old Street, it adequately satisfies the relevant provisions of the Development Plan in both respects. Long range views to the City from the upper levels of dwellings are preserved and the sense of openness/enclosure to Old Street is assessed as being reasonable.

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

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

10. RECOMMENDATION

That the development, the subject of the application from The Sunshine Life P/L to demolish the existing building and construct a four level residential flat building containing 15 apartments with ground level car parkingat 266 Melbourne Street, NORTH ADELAIDE SA 5006 as shown on plans designated DA/174/2021:

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 advices:

Reserved Matters

Pursuant to Section 33(3) of the Development Act1993, a decision on the following matters is reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Development Approval):

1. The applicant or the person(s) having the benefit of this consent is/are requested to provide a Waste Management Report from a recognised waste management company which details how waste will be stored and collected. Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said report.
2. Details of the material, colour and design of the perforated roller door shall be provided and shall be of a high quality, and incorporate decorative elements to the reasonable satisfaction of 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 Dash Architects numbered 02 (Rev A), 03 (Rev D), 04 (Rev C), 05 (Rev C), 06 (Rev C), 07 (Rev B), 10 (Rev B), 11 (Rev B), 12 (Rev B), 13 (Rev C), 16 (Rev D), 17 (Rev D), 18 (Rev B), 19 (Rev B), 20 (Rev B), 21 (Rev B), 22 (Rev A), 23 (Rev A).**
   - **Letter from Future Urban dated February 2 2022.**
   - **Design Statement from Dash Architects dated 28.01.22 Issue A**
   - **Arborman Tree Solutions Report ATS522-266MelStDIR R1 dated 2 February 2022**

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2. **A Structural and Geotechnical Engineering report shall be submitted prior to seeking Development Approval. The Report shall be prepared by a suitably qualified Engineer and shall address the excavation within the zone of influence of the adjacent road reserve and adjacent land.**

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

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4. **The finished floor level of the ground floor level at the entry points to the development including the car park entry and exit points shall match the existing footpath unless otherwise agreed to by the Council in writing.**

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5. **Clear sight lines for users of the car park entry shall be provided to ensure pedestrian safety along the Melbourne Street footpath and at all times in accordance with AS/NZS 2890.1:2004 Off-street Car Parking.**

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6. **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.**

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7. **Where stormwater disposal is required, the following requirements shall be complied with:**
   - **All car parks, driveways and vehicle manoeuvring areas shall be graded to ensure that no surface water or rubble from within the property is transported across the footpath**
   - **The applicant must ensure that storm water run-off is contained with the property boundaries, collected and discharged to either the Melbourne or Old Street road reserve**
   - **Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and/or air conditioning units shall be discharged to the sewer.**

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8. **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' to the reasonable satisfaction of the Council.**

9. **External lighting shall be provided to building entries and shall be operational during the hours of darkness at all times and/or fitted with motion detectors to the reasonable satisfaction of Council**

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10. **Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like shall not occur:**
    - I. **after 10.00pm any day; and**
    - II. **before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.**

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11. **Photovoltaic panels located on the roof shall not be elevated on tilt frames and shall only be laid flat, parallel to the roof.**

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12. **Landscaping at the Melbourne entrance and fronting Old Street shall be comprised of significant groundcover and tree species that provide shade and visual amenity for occupants and visitors to the reasonable satisfaction of Council and shall be maintained to provide visibility and safety to the residential foyer from Melbourne Street at all times.**

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.

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2. **Expiration Time of Approval**

   Pursuant to the provisions of Regulation 67 of the Planning, Development and Infrastructure (General) Regulations 2017, this consent / approval will lapse at the expiration of 2 years 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 2 years, 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.

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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.

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4. Residential Parking Permits

Residential parking permits to allow parking on-street, adjacent the proposed development will not be considered as an appropriate means of providing parking for residents staying in the apartments.

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5. Building Site Management Plan

A Building Site Management Plan is required prior to or at the time of application for Development Approval. The Building Site Management Plan should include details of such items as:

- Work in the Public Realm
- Street Occupation
- Hoarding
- Site Amenities
- Traffic Requirements
- Servicing Site
- Adjoining Buildings
- Reinstatement of Infrastructure

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6. Damage to Council 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.

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7. Vehicle Crossing Place

There is no objection to the proposed vehicle crossing place however, due to the presence of stone kerbing, the work shall be undertaken by Council and the cost of the work will be charged to the applicant. A separate application for the crossing place(s) is required and the applicant can obtain a form from Customer

Service, 25 Pirie Street, Adelaide, telephone 8203 7236. A quotation for the work will be provided by Council prior to the work being undertaken.

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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.adelaidecitycouncil.com

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 received by Council via the following:

Email: cityworks@adelaidecitycouncil.com

Fax: 8203 7674

In Person: 25 Pirie Street, Adelaide

APPLICATION FOR DEVELOPMENT PLAN CONSENT

For

Proposed Residential Development at 266 Melbourne St, North Adelaide

Location Plan

#	Title	Size	Rev
01	Cover	A3	C
02	Demolition Plan	A3	A
03	Ground Floor (Melbourne Street Level)	A3	D
04	First Floor (Old Street Level)	A3	C
05	Second Floor	A3	C
06	Third Floor	A3	C
07	Roof Plan	A3	B
08	3D Image Melbourne Street Frontage	A3	C
09	3D Image Old Street Frontage	A3	C
10	North & Green Wall Elevation	A3	B
11	South Elevation	A3	B
12	East Elevation	A3	B
13	West Elevation	A3	C
14	Streetscape Elevation	A3	A
15	Streetscape Elevation	A3	B
16	Section	A3	D
17	Unit Floor Plans (Typical)	A3	D
18	Unit Floor Plans (Typical)	A3	B
19	Unit Floor Plans (Typical)	A3	B
20	Unit Floor Plans (Typical)	A3	B
21	Unit Floor Plans (Typical)	A3	B
22	Indicative Planting Plan	A3	A
23	Indicative Storm Water Management Plan	A3	A
24	3D Images	A3	A
25	3D Images	A3	B
26	3D Images	A3	C
27	3D Images	A3	C
28	3D Images	A3	
29	3D Images	A3	C

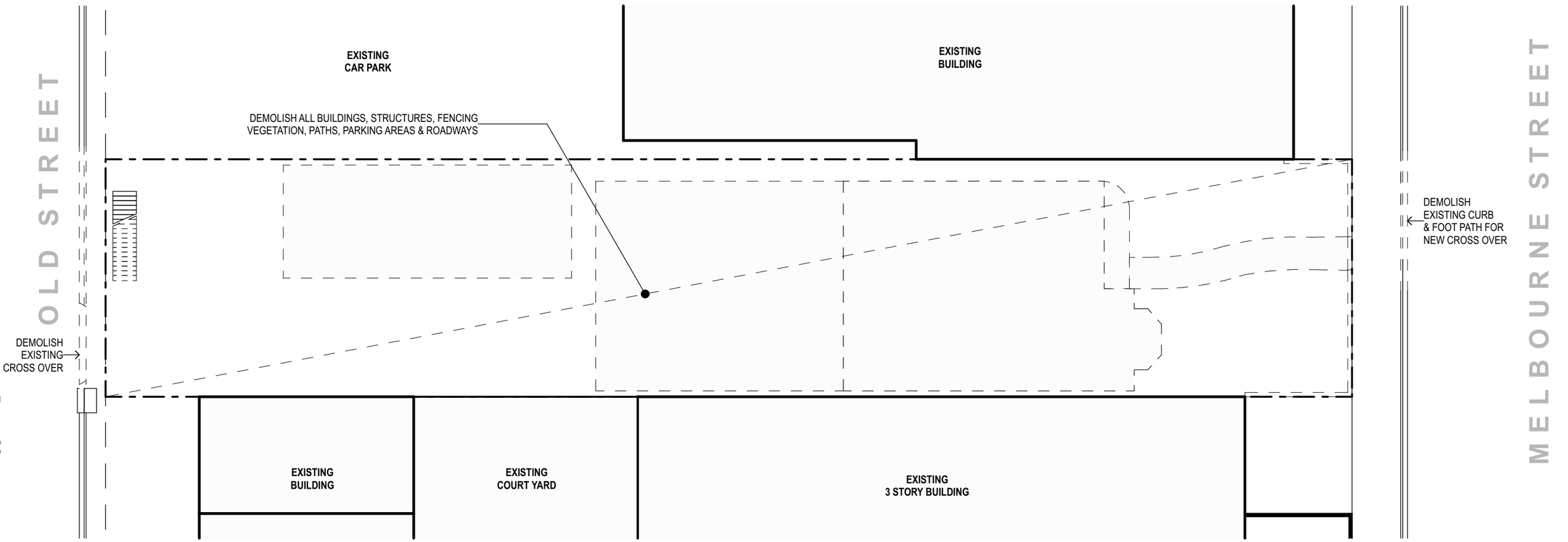
Issue for DPC 10/3/22

Cover | REVISION: C | PROJECT: DA213966 | **01**

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



Demolition Plan
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

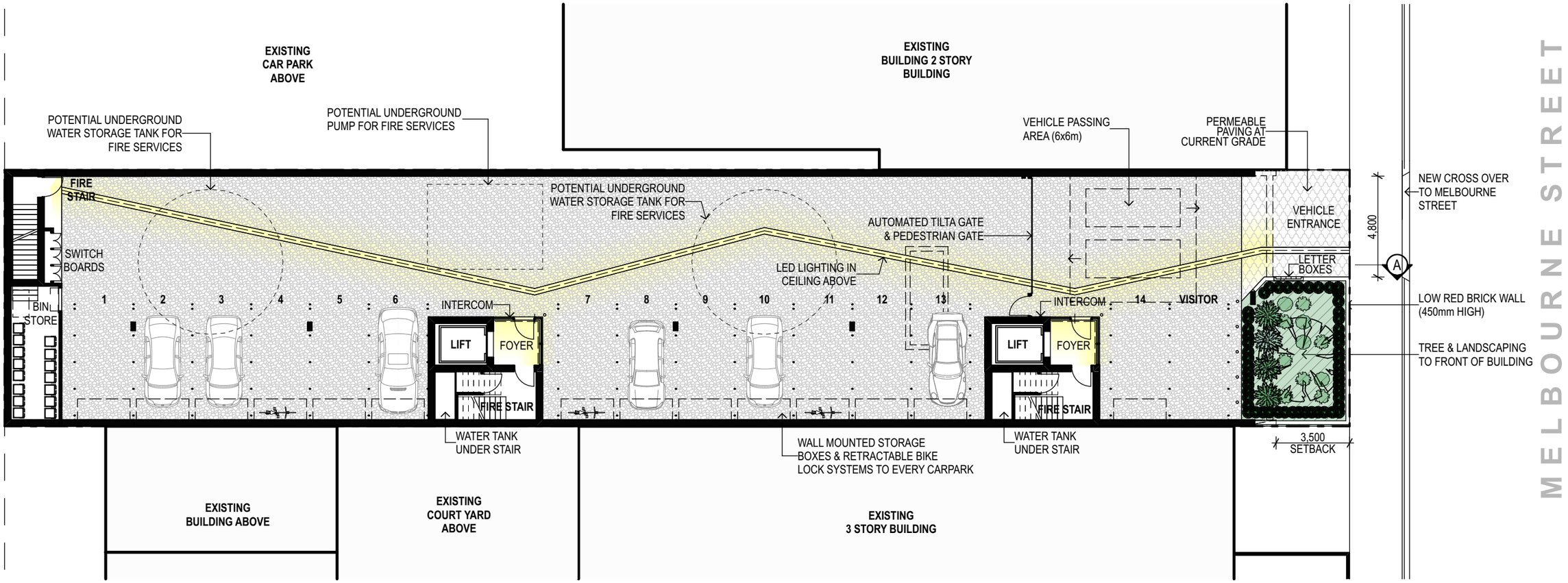
Issue for DPC 10/3/22

Demolition Plan
REVISION: A
PROJECT: DA213966
02

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

scale bar units in mm: 10 20 50 100 200 300



Ground Floor

Scale 1:200

LEGEND

FW	FULL HEIGHT FROSTED WINDOWS
	LANDSCAPED OPEN SPACE
	PRIVATE OUTDOOR SPACE / BALCONY
	COMMUNAL CIRCULATION SPACE

0 2 4 6 8 10m 20m

SCALE 1:200 @ A3

Issue for DPC 10/3/22

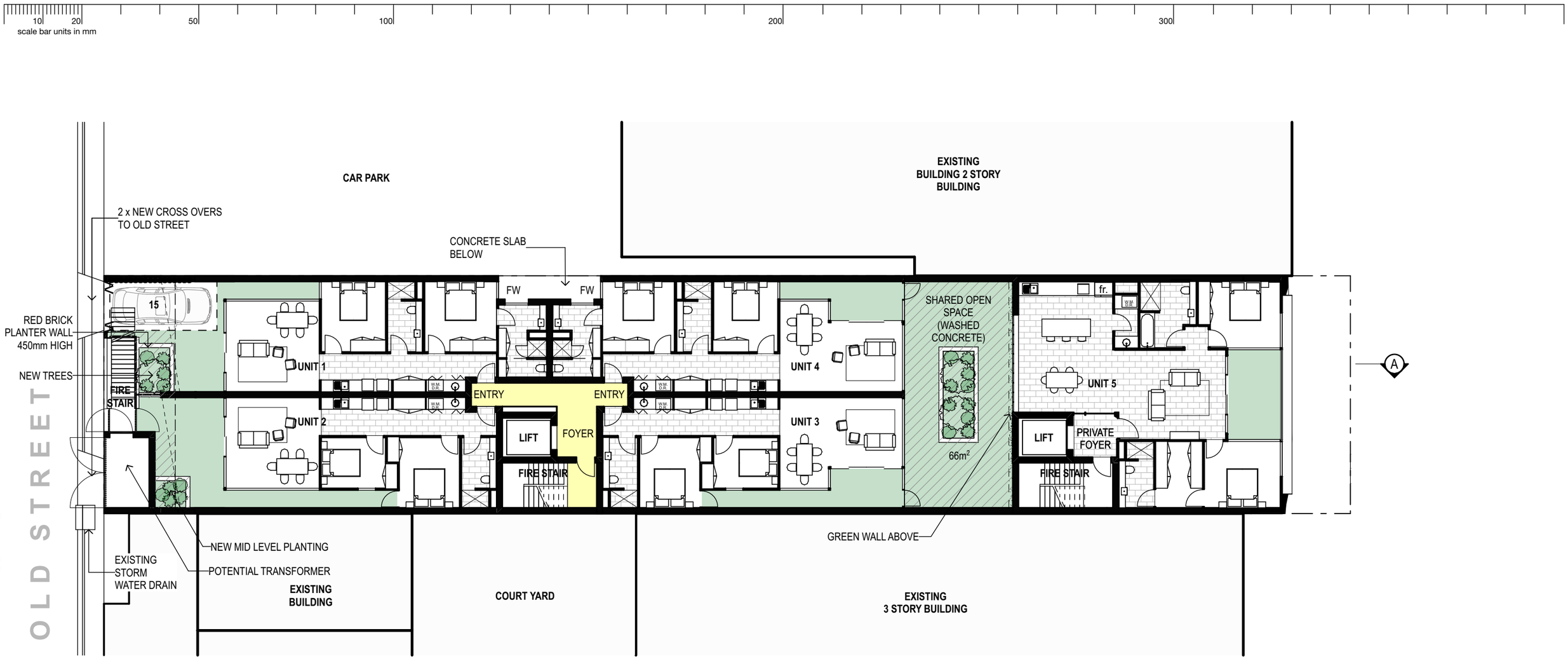
Ground Floor (Melbourne Street Level)

REVISION: D
PROJECT: DA213966

03

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide



First Floor

Scale 1:200

LEGEND

FW	FULL HEIGHT FROSTED WINDOWS
	LANDSCAPED OPEN SPACE
	PRIVATE OUTDOOR SPACE / BALCONY
	COMMUNAL CIRCULATION SPACE

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Issue for DPC 10/3/22

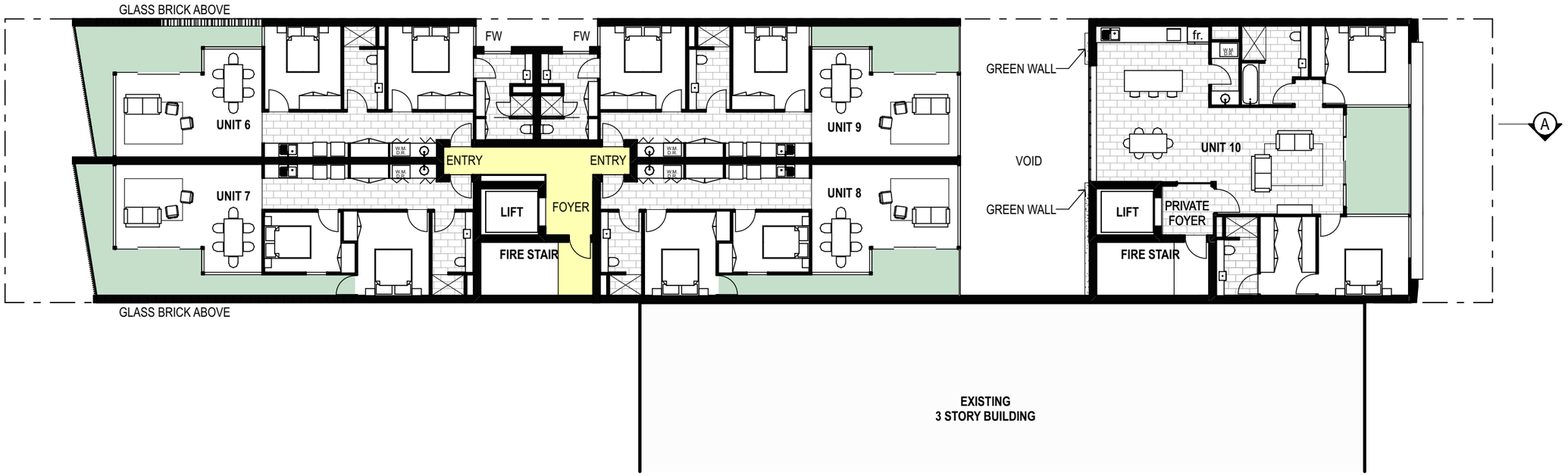
First Floor (Old Street Level)

REVISION: C
PROJECT: DA213966

04

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide



Second Floor
Scale 1:200

LEGEND

FW	FULL HEIGHT FROSTED WINDOWS
	LANDSCAPED OPEN SPACE
	PRIVATE OUTDOOR SPACE / BALCONY
	COMMUNAL CIRCULATION SPACE

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

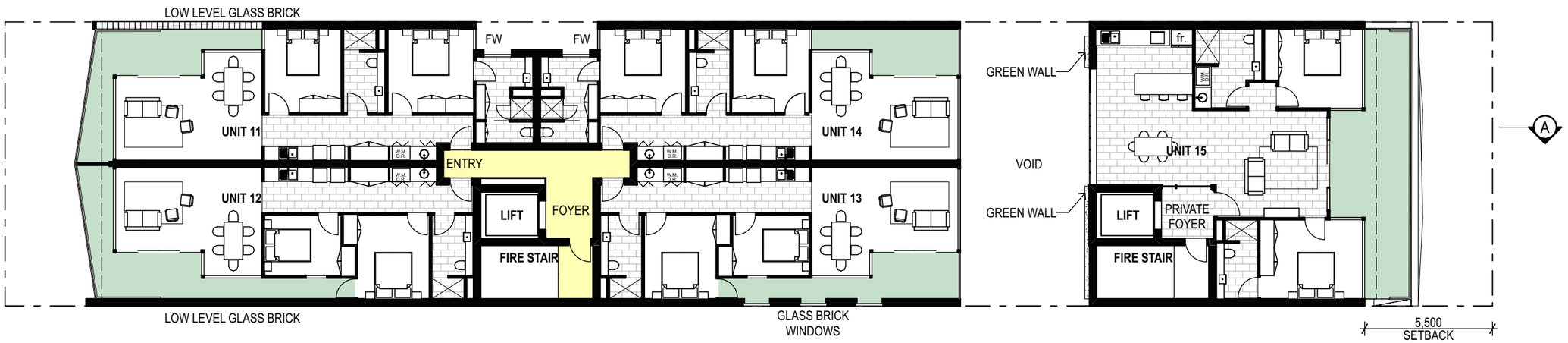
Issue for DPC 10/3/22

Second Floor | REVISION: C | PROJECT: DA213966 | **05**

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



Third Floor
Scale 1:200

LEGEND

FW FULL HEIGHT FROSTED WINDOWS

LANDSCAPED OPEN SPACE

PRIVATE OUTDOOR SPACE / BALCONY

COMMUNAL CIRCULATION SPACE

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

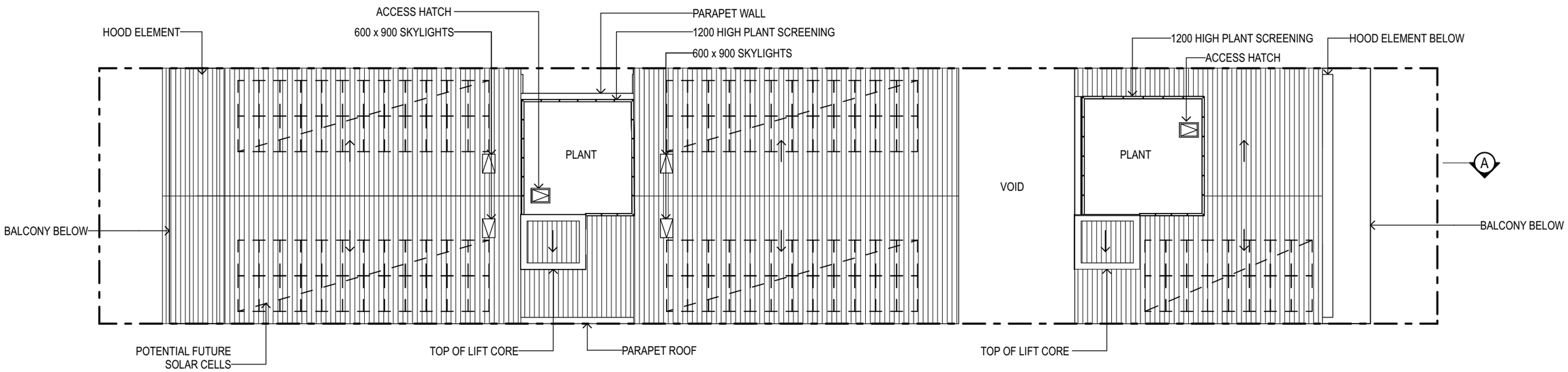
Issue for DPC 10/3/22

Third Floor | REVISION: C | PROJECT: DA213966 | **06**

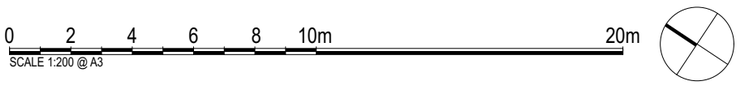
dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

Page 40



Roof Plan
Scale 1:200



Issue for DPC 10/3/22

Roof Plan | REVISION: B | PROJECT: DA213966 | **07**

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Issue for DPC 10/3/22

3D Image Melbourne Street Frontage

REVISION: C
PROJECT: DA213966

08

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Issue for DPC 10/3/22

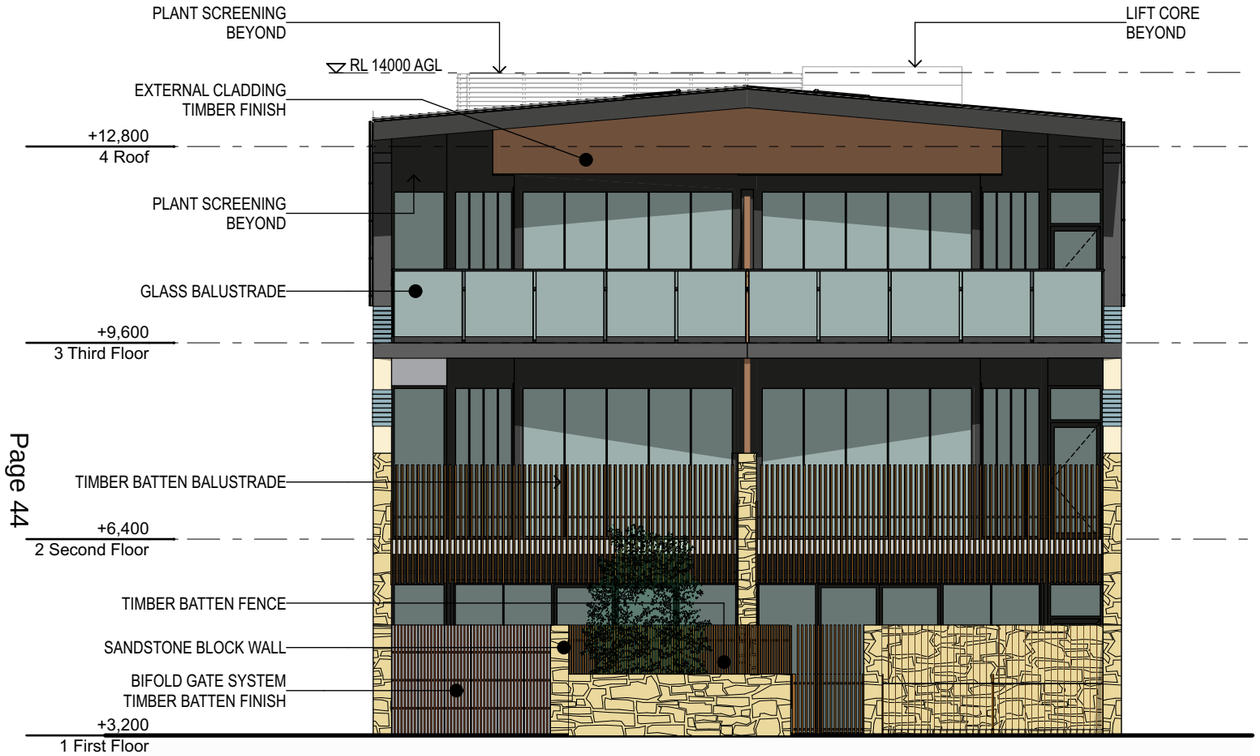
3D Image Old Street Frontage

REVISION: C
PROJECT: DA213966

09

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide



North Elevation
Scale 1:100

Green Wall Elevation

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Issue for DPC 10/3/22

dasharchitects

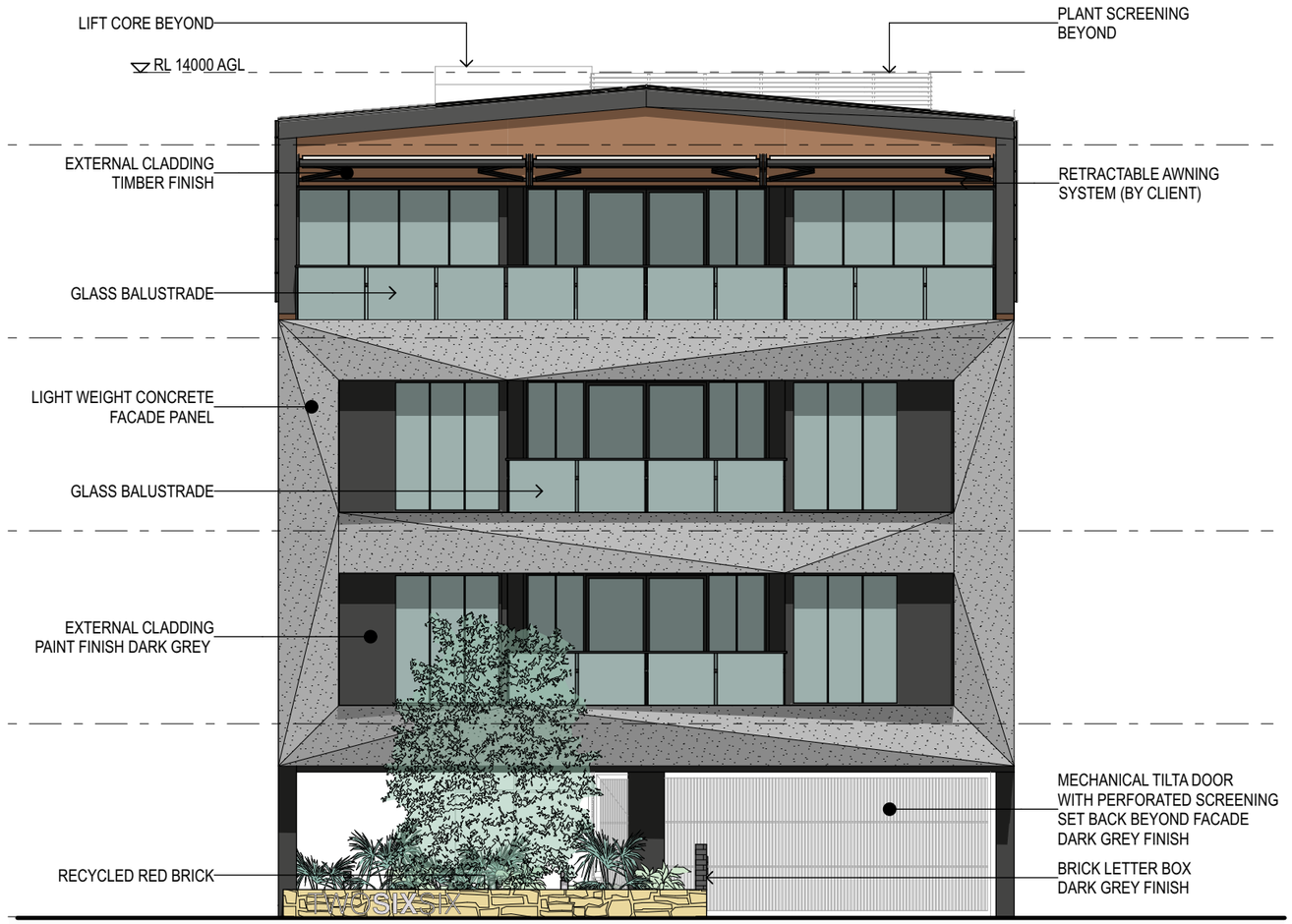
North & Green Wall Elevation

REVISION: B
PROJECT: DA213966

10

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



South Elevation
Scale 1:100

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Issue for DPC 10/3/22

South Elevation

REVISION: B
PROJECT: DA213966

11

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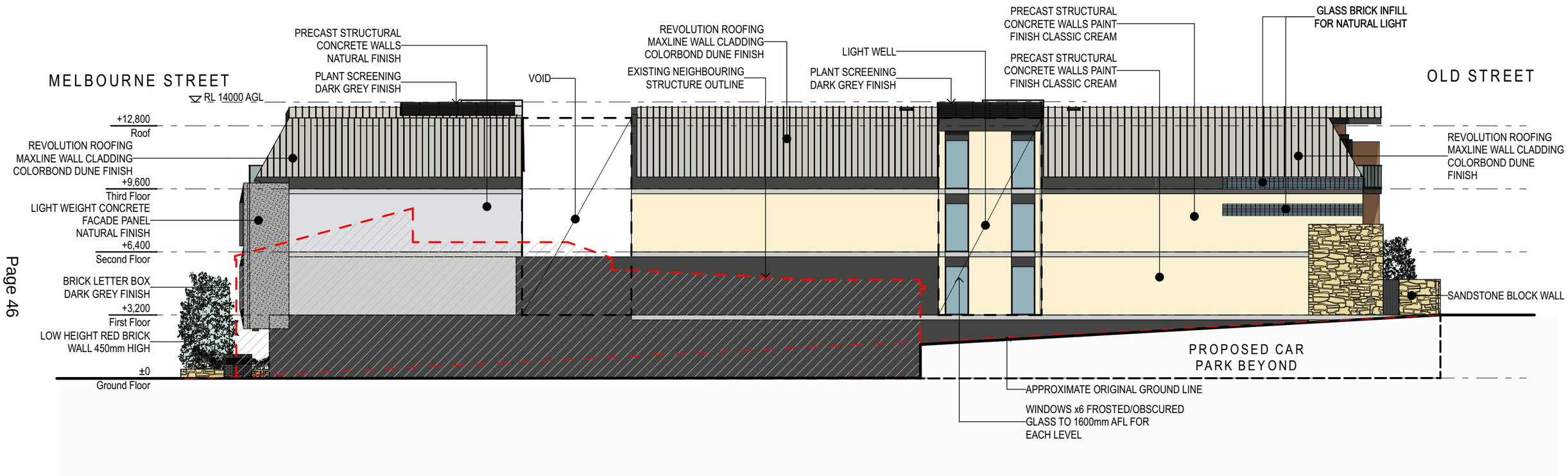
Proposed Residential Development at 266 Melbourne St, North Adelaide

scale bar units in mm



East Elevation
Scale 1:200

COLORBOND DUNE FINISH

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Issue for DPC 10/3/22

East Elevation

REVISION: B
PROJECT: DA213966

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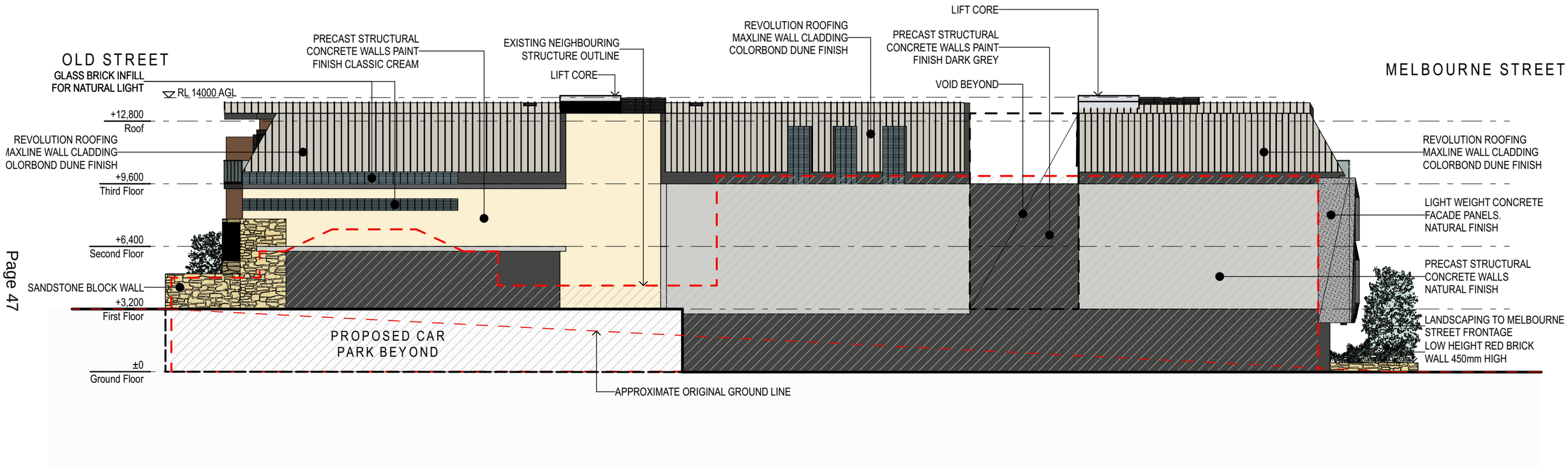
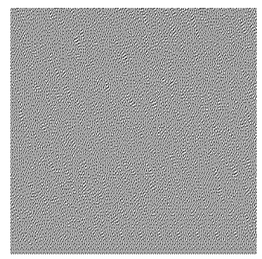
dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



West Elevation
Scale 1:200



COLORBOND DUNE FINISH

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Issue for DPC 10/3/22

West Elevation

REVISION: C
PROJECT: DA213966

13

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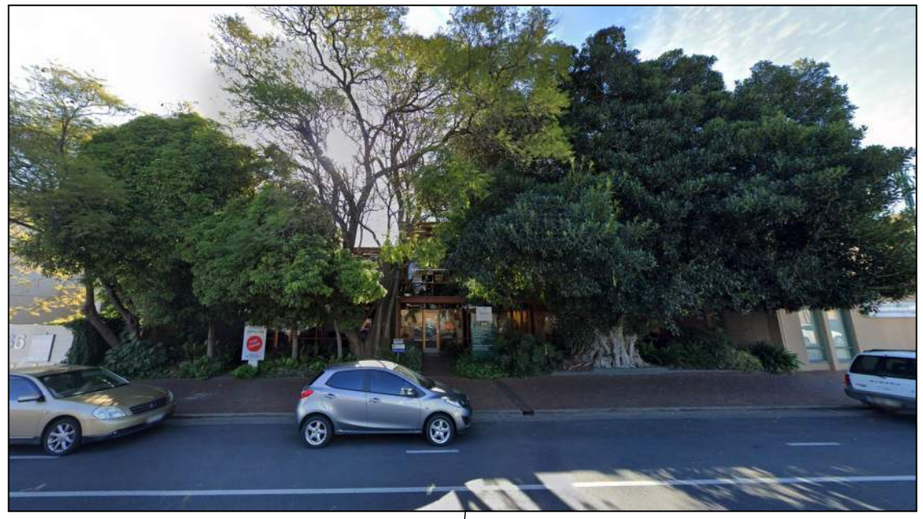
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

GOOGLE STREET IMAGE



GOOGLE STREET IMAGE

*SURROUNDING BUILDINGS ARE APPROXIMATE &
SHOWN INDICATIVELY ONLY.

Melbourne Street Elevation
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Issue for DPC 10/3/22

Streetscape Elevation

REVISION: A
PROJECT: DA213966

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Proposed Residential Development at 266 Melbourne St, North Adelaide

GOOGLE STREET IMAGE

GOOGLE STREET IMAGE

*SURROUNDING BUILDINGS ARE APPROXIMATE & SHOWN INDICATIVELY ONLY.

Old Street Elevation
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Issue for DPC 10/3/22

Streetscape Elevation

REVISION: B
PROJECT: DA213966

15

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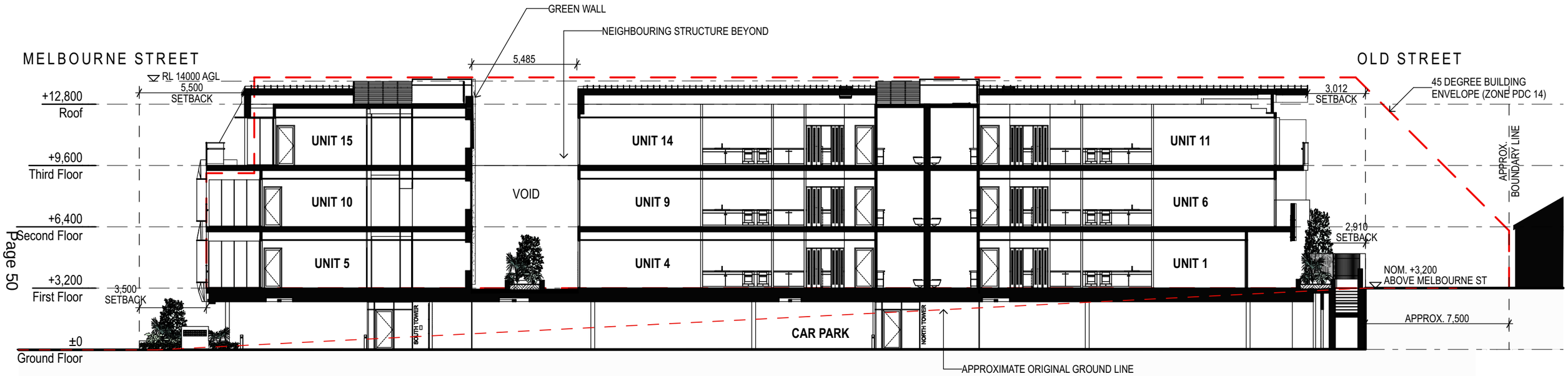
Proposed Residential Development at 266 Melbourne St, North Adelaide

scale bar units in mm



Section A
Scale 1:200

0 2 4 6 8 10m 20m
SCALE 1:200 @ A3

Issue for DPC 10/3/22

Section | REVISION: D | PROJECT: DA213966 | **16**

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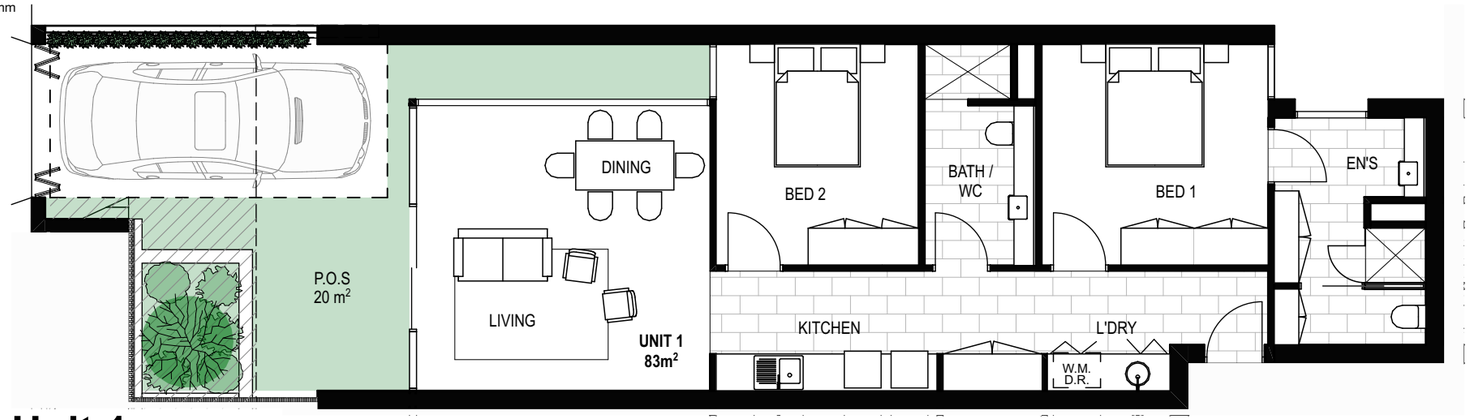
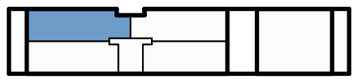
Proposed Residential Development at 266 Melbourne St, North Adelaide



Unit 1
Scale 1:100

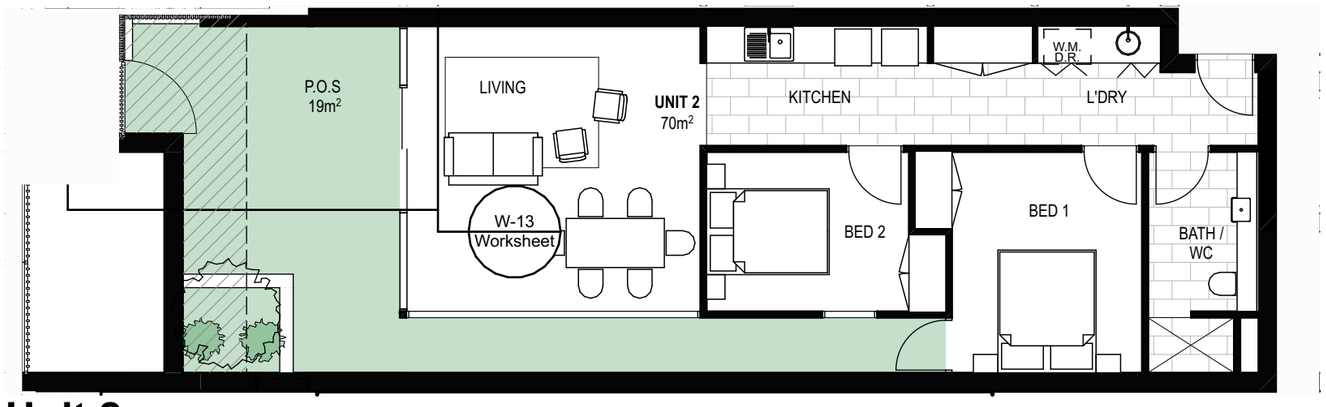


FIRST FLOOR

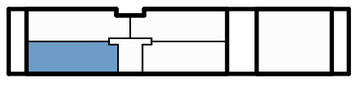
AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*
1	83m^2	20m^2	13.7m^3
2	70m^2	24m^2	11.4m^3
3	73m^2	14m^2	13.7m^3
4	86m^2	10m^2	11.4m^3
5	130m^2	13m^2	14.3m^3
6	86m^2	17m^2	11.4m^3
7	73m^2	20m^2	13.7m^3
8	73m^2	14m^2	13.7m^3
9	86m^2	10m^2	11.4m^3
10	130m^2	13m^2	14.3m^3
11	86m^2	17m^2	11.4m^3
12	73m^2	20m^2	13.7m^3
13	73m^2	14m^2	13.7m^3
14	86m^2	10m^2	11.4m^3
15	110m^2	30m^2	14.3m^3

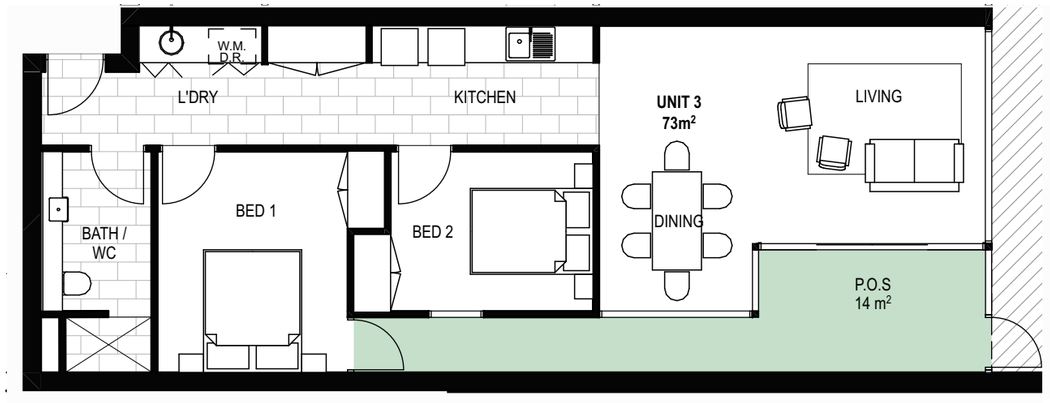
*INCLUDES STORAGE CAGE IN CARPARK



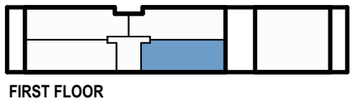
Unit 2
Scale 1:100



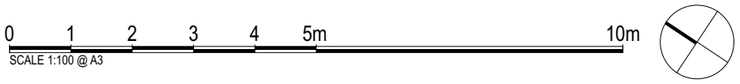
FIRST FLOOR



Unit 3
Scale 1:100



FIRST FLOOR



Issue for DPC 10/3/22

Unit Floor Plans (Typical)

REVISION: D
PROJECT: DA213966

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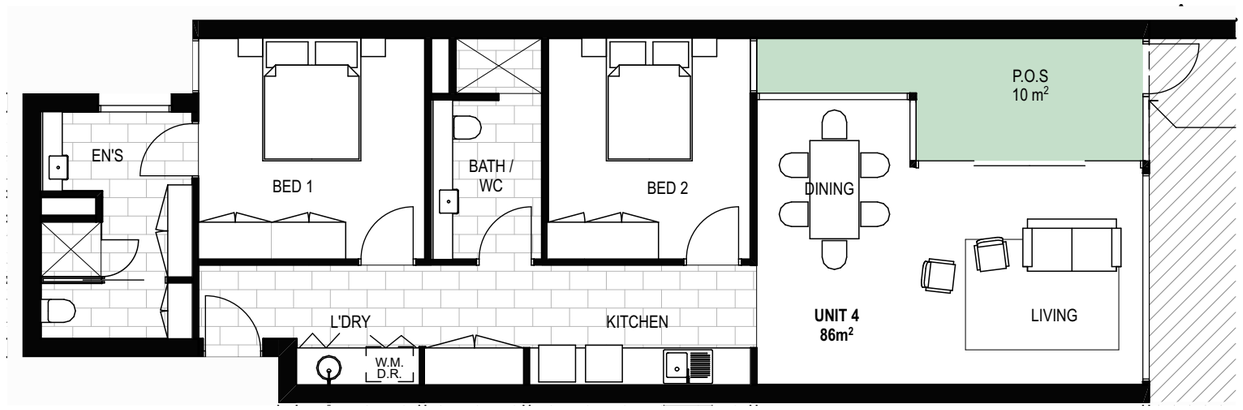
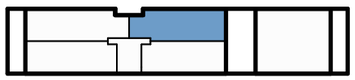
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm



Unit 4
Scale 1:100

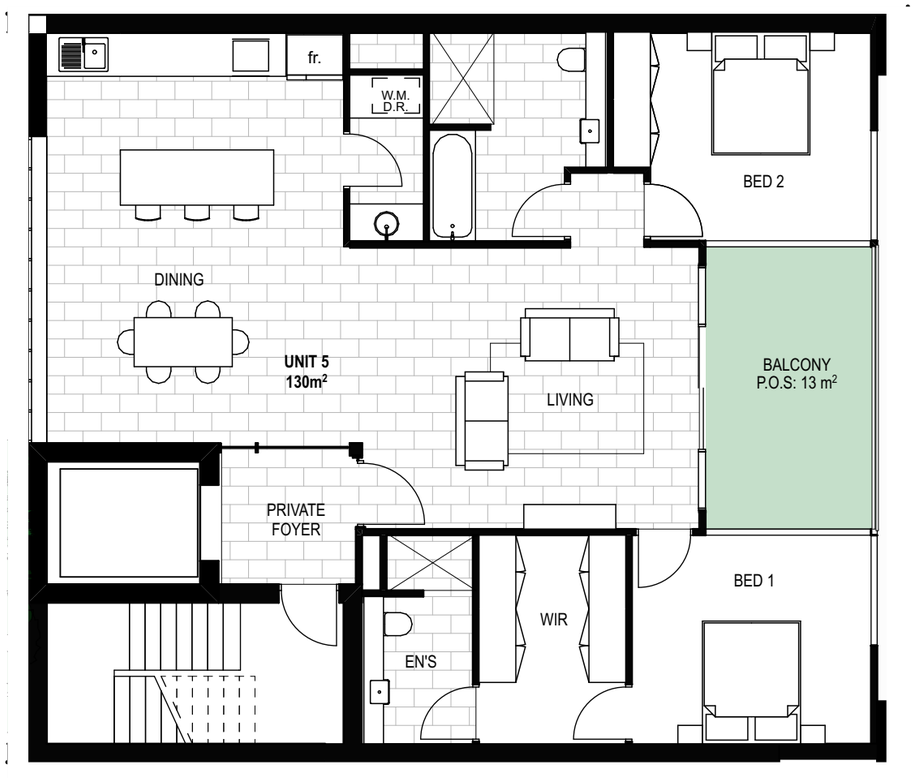


FIRST FLOOR

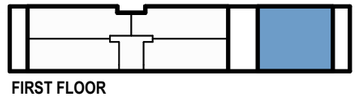
AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*
1	83m²	20m²	13.7m³
2	70m²	24m²	11.4m³
3	73m²	14m²	13.7m³
4	86m²	10m²	11.4m³
5	130m²	13m²	14.3m³
6	86m²	17m²	11.4m³
7	73m²	20m²	13.7m³
8	73m²	14m²	13.7m³
9	86m²	10m²	11.4m³
10	130m²	13m²	14.3m³
11	86m²	17m²	11.4m³
12	73m²	20m²	13.7m³
13	73m²	14m²	13.7m³
14	86m²	10m²	11.4m³
15	110m²	30m²	14.3m³

*INCLUDES STORAGE CAGE IN CARPARK

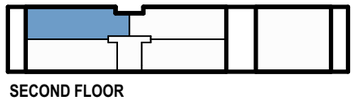


Unit 5
Scale 1:100



FIRST FLOOR

Unit 6
Scale 1:100



SECOND FLOOR

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Issue for DPC 10/3/22

Unit Floor Plans (Typical)

REVISION: B
PROJECT: DA213966

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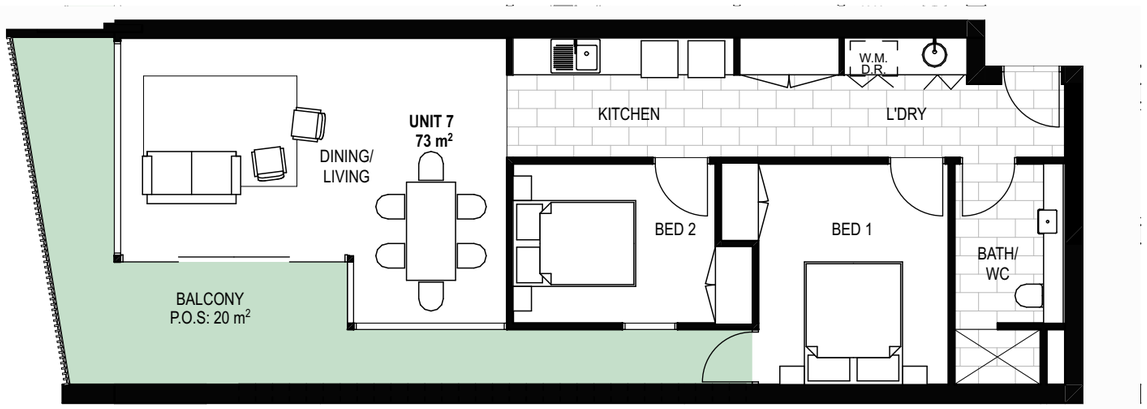
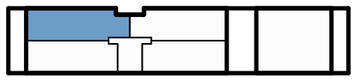
Proposed Residential Development at 266 Melbourne St, North Adelaide

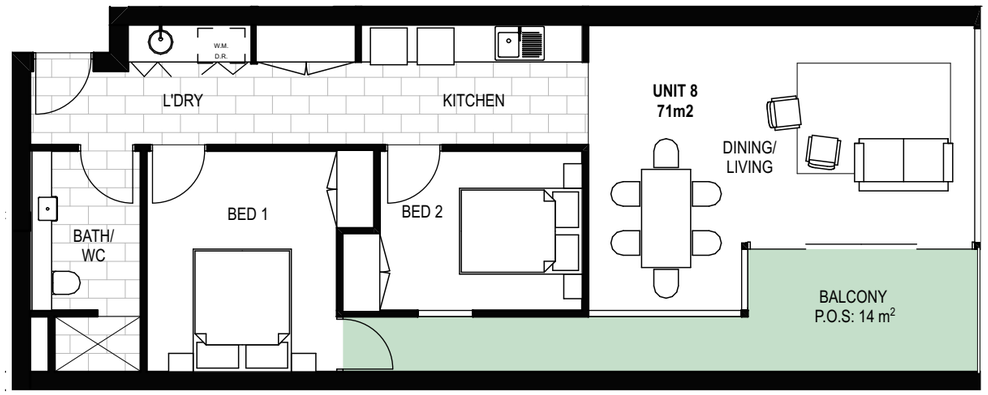
10 20 50 100 200 300
scale bar units in mm



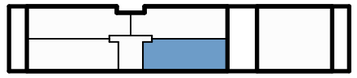
Unit 7
Scale 1:100



SECOND FLOOR

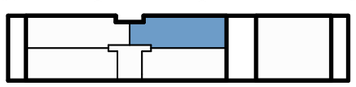


Unit 8
Scale 1:100



SECOND FLOOR

Unit 9
Scale 1:100



SECOND FLOOR

AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*
1	83m²	20m²	13.7m³
2	70m²	24m²	11.4m³
3	73m²	14m²	13.7m³
4	86m²	10m²	11.4m³
5	130m²	13m²	14.3m³
6	86m²	17m²	11.4m³
7	73m²	20m²	13.7m³
8	73m²	14m²	13.7m³
9	86m²	10m²	11.4m³
10	130m²	13m²	14.3m³
11	86m²	17m²	11.4m³
12	73m²	20m²	13.7m³
13	73m²	14m²	13.7m³
14	86m²	10m²	11.4m³
15	110m²	30m²	14.3m³

*INCLUDES STORAGE CAGE IN CARPARK

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Issue for DPC 10/3/22

Unit Floor Plans (Typical)

REVISION: B
PROJECT: DA213966

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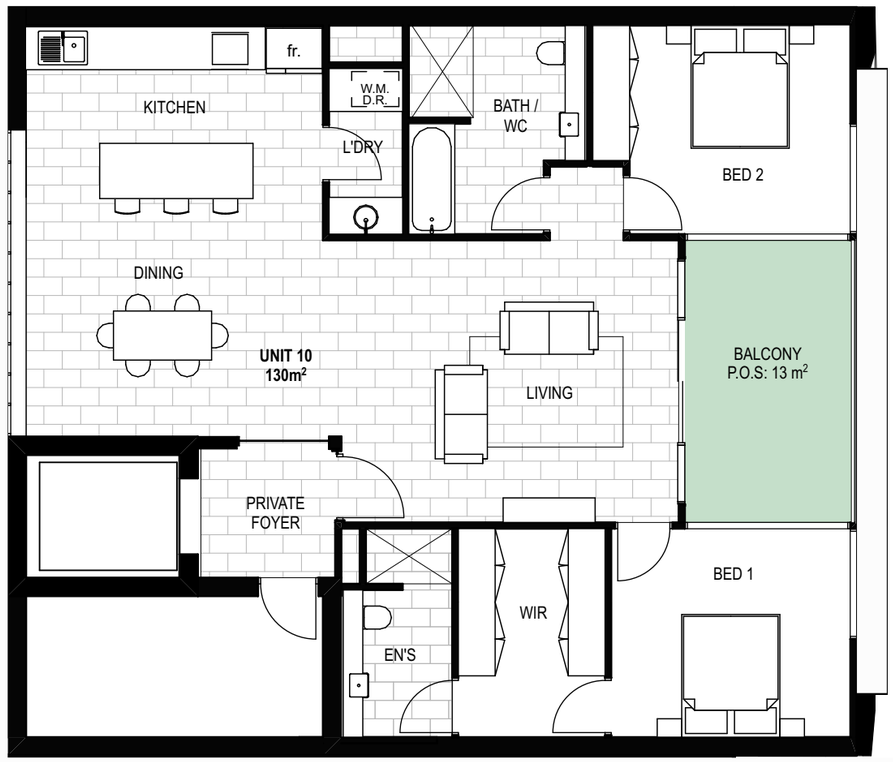
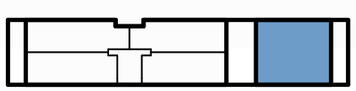
dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

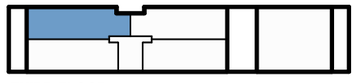


Unit 10
Scale 1:100

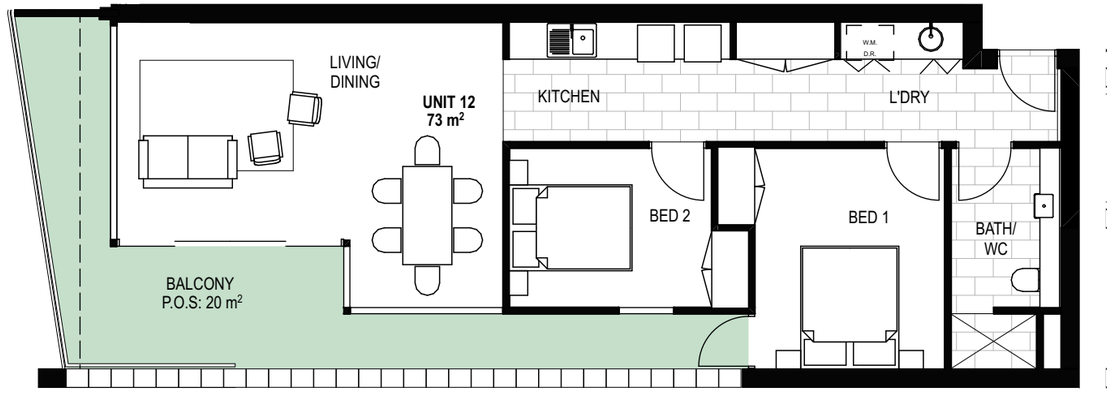


SECOND FLOOR

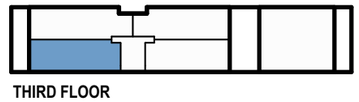
Unit 11
Scale 1:100



THIRD FLOOR



Unit 12
Scale 1:100



THIRD FLOOR

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*
1	83m²	20m²	13.7m³
2	70m²	24m²	11.4m³
3	73m²	14m²	13.7m³
4	86m²	10m²	11.4m³
5	130m²	13m²	14.3m³
6	86m²	17m²	11.4m³
7	73m²	20m²	13.7m³
8	73m²	14m²	13.7m³
9	86m²	10m²	11.4m³
10	130m²	13m²	14.3m³
11	86m²	17m²	11.4m³
12	73m²	20m²	13.7m³
13	73m²	14m²	13.7m³
14	86m²	10m²	11.4m³
15	110m²	30m²	14.3m³

*INCLUDES STORAGE CAGE IN CARPARK

Issue for DPC 10/3/22

Unit Floor Plans (Typical)

REVISION: B
PROJECT: DA213966

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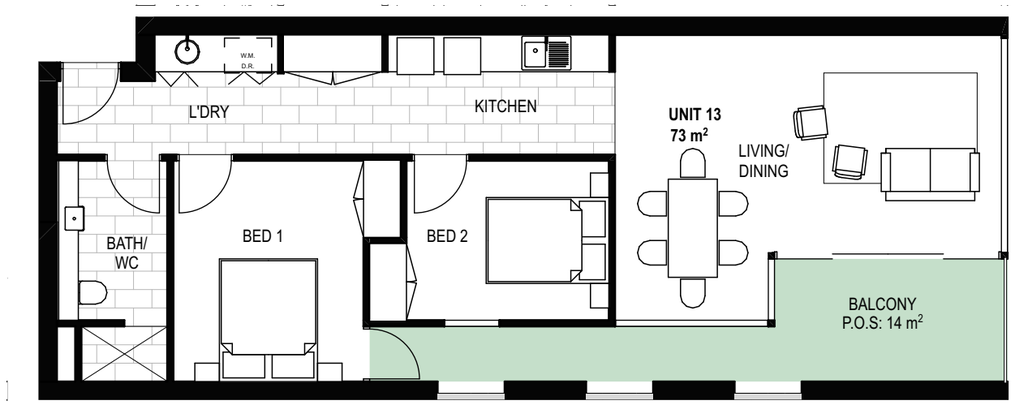
Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

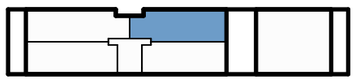
AREA SCHEDULE

UNIT NO.	INTERNAL FLOOR AREA	P.O.S	STORAGE*
1	83m^2	20m^2	13.7m^3
2	70m^2	24m^2	11.4m^3
3	73m^2	14m^2	13.7m^3
4	86m^2	10m^2	11.4m^3
5	130m^2	13m^2	14.3m^3
6	86m^2	17m^2	11.4m^3
7	73m^2	20m^2	13.7m^3
8	73m^2	14m^2	13.7m^3
9	86m^2	10m^2	11.4m^3
10	130m^2	13m^2	14.3m^3
11	86m^2	17m^2	11.4m^3
12	73m^2	20m^2	13.7m^3
13	73m^2	14m^2	13.7m^3
14	86m^2	10m^2	11.4m^3
15	110m^2	30m^2	14.3m^3

*INCLUDES STORAGE CAGE IN CARPARK



Unit 13
Scale 1:100



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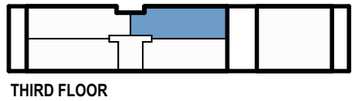
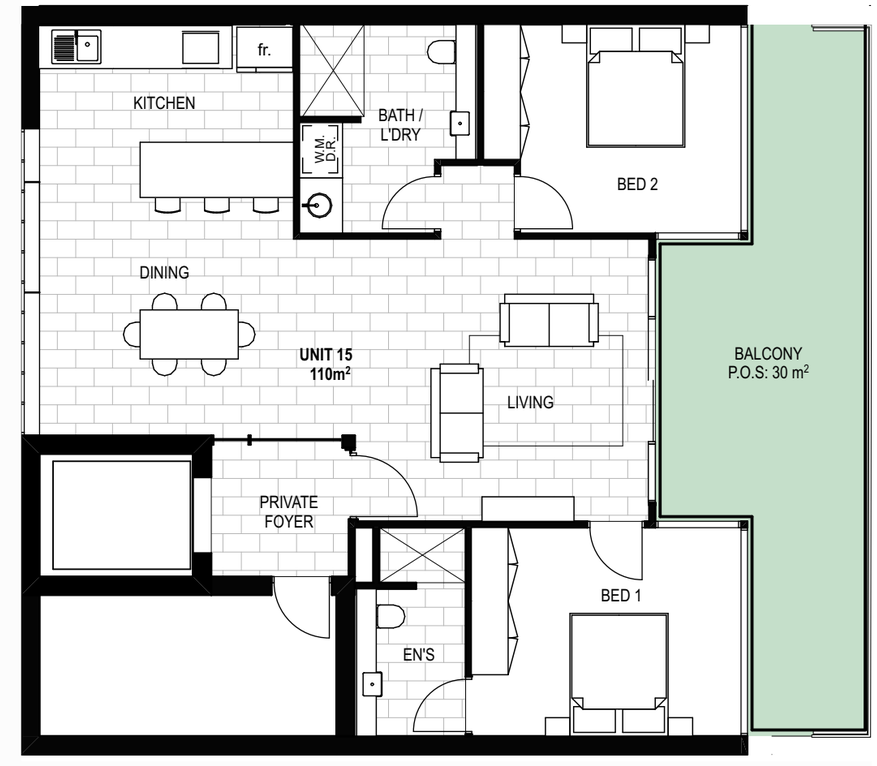
Scale 1:100





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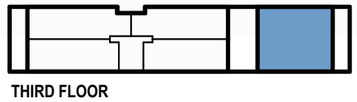

0 1 2 3 4 5m 10m
SCALE 1:100 @ A3

Issue for DPC 10/3/22

Unit Floor Plans (Typical)

REVISION: B
PROJECT: DA213966

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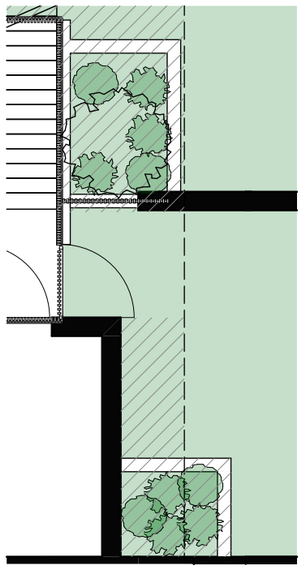
Proposed Residential Development at 266 Melbourne St, North Adelaide

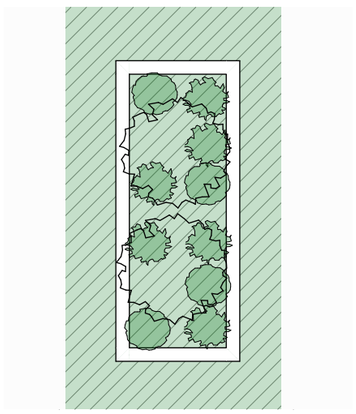
10 20 50 100 200 300
scale bar units in mm

PLANTING LEGEND

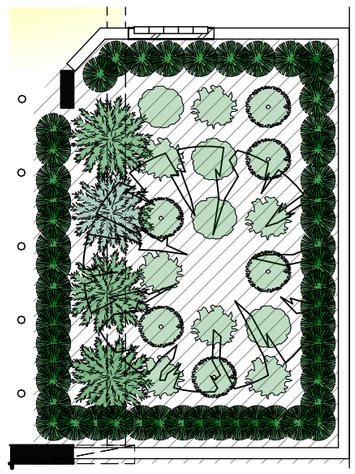
- GOLDEN WATTLE (TREE)
- SWAMP WATTLE (TREE)
- KNOBBY CLUB-RUSH
- TWIGGY DAISY BUSH
- ROUND LEAF WATTLE
- COMMON EVERLASTING
- RUBY SALTBUSH



Unit 1 & 2 Planting
Scale 1:100



Shared Open Space Planting
Scale 1:100



Melbourne Street Frontage Planting
Scale 1:100

Golden Wattle

Acacia pycnantha

Description: A small to medium sized upright tree. It is reasonably fast growing, but can be short-lived 10 – 15 yrs. Large attractive glossy leaves especially in the earlier years of growth. Fast growth provides good coverage for a new garden. A non-invasive species suitable for small gardens, and allows for under planting of small shrubs and groundcover species

Height & width: Height 5-8m x Width 2-3m

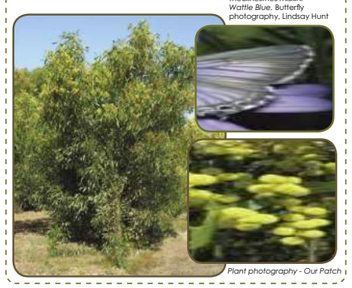
Preferred Position: Prefers an open sunny position, & suits most well drained soils.

Flowers: Attractive golden yellow flowers in late winter to early spring

Maintenance: Low water use once established. Fast growing small tree beneficial as part of a screen with more compact shrub species planted in between.

Habitat Value: Nectar provides food for birds. Naturally occurs throughout a wide range of habitats throughout the Adelaide Hills & Plains.

Theclinesthes miskini Wattle Blue. Butterfly photography, Lindsay Hunt



Plant photography - Our Patch

Swamp Wattle

Acacia retinodes

Description: A small open tree. As the name suggest this small tree prefers swampy or boggy conditions. It is a fast growing small tree with long dull green leaves. May be short-lived 10 – 15 yrs. Fast growth provides good coverage for a new garden. A non-invasive species suitable for small gardens, and allows for under planting of small shrubs and groundcover species

Height & width: Height 5-8m x Width 2-3m

Preferred Position: Prefers a semi shady - open sunny position, & suits most boggy soils.

Flowers: Attractive pale yellow globular flowers in spring to early summer

Maintenance: Low water use once established and will tolerate extended dry periods during summer months if boggy conditions exist during the winter months. Fast growing small tree beneficial as part of a screen with more compact shrub species planted in between.

Habitat Value: Flowers and seed pods attract both birds and insects. Naturally occurs along the riparian zone and wetter areas of the Adelaide Plains and Hills.

Plant photography - Our Patch

Round-leaf Wattle

Acacia acinacea

Description: A small to medium attractive fast growing shrub. Has an open branching appearance, with small round leaves along the branching stems. A non-invasive species that is suitable for small gardens.

Height & width: Height 2m x Width 2m

Preferred Position: Prefers an open sunny position, & suits most well drained soils.

Flowers: Attractive yellow flowers along the length of the stems in late winter to early spring. Flowers can cover the entire plant producing a spectacular display.

Maintenance: Low water use once established. Can be pruned after flowering to maintain a more compact form. Suitable to be under-planted with smaller shrubs or ground cover such as Hardenbergia violacea.

Habitat Value: Provides good shelter & nectar for small birds.

Plant photography - Our Patch

Twiggy Daisy Bush

Olearia ramulosa

Description: Hardy low maintenance medium sized open shrub with blue-grey to green foliage. Reasonably fast growing, but can be short-lived if not maintained

Height & width: Height 1-2m x Width 1-2m

Preferred Position: Prefers an open full sun to semi shaded position, & suits most soil conditions.

Flowers: Small white daisy flowers appear from late autumn to early winter

Maintenance: Can be a low maintenance plant but does respond well to regular light pruning to maintain a compact form. This will prevent the more common straggly appearance of naturally occurring plants.

Habitat Value: Naturally occurred along the terrestrial zones of the Adelaide plains and hills face.

Plant photography - Our Patch

Knobby Club-rush

Isolepis nodosa

Description: Hardy low maintenance clump forming rush. Excellent for mass plantings in a landscape type project or for use around ponds or as a low border plant.

Height & width: Height 50– 100cm x Width 30-50cm

Preferred Position: Prefers an open full sun – semi shaded position, & suits most soils. Prefers a moist position, but will grow fine in a well draining situation.

Flowers: Attractive round brown fruit at the end of tall spikes make this an attractive landscaping plant.

Maintenance: Very low maintenance & low water use plant

Habitat Value: Naturally occurs along the riparian zones and throughout semi boggy area of the Adelaide plains.

Plant photography - Our Patch

Common Everlasting

Chrysocephalum apiculatum

Description: Very hardy fast growing ground cover. Has attractive grey to silver foliage. This non-invasive species suitable for small gardens and rockeries or difficult to establish steep slopes.

Height & width: Height 20 – 40 cm x Width 0.5 – 1m

Preferred Position: Prefers an open full-sun position, & requires well-drained soils. Will not tolerate boggy conditions or over watering, and will not grow as vigorously if planted in the shade.

Flowers: Long lasting golden yellow flowers appear from late spring through to early autumn.

Maintenance: Very low water use hardy groundcover. Can be clipped back after flowering or in early spring to encourage new growth and maintain a compact condition. Light pruning of dead flowers during summer months will encourage new flowers and a longer flowering season.

Habitat Value: Naturally occurred within the grassy woodlands of the Adelaide plains and hills face.

Vanessa kershawi Australian Painted Lady Butterfly photography, Lindsay Hunt

Plant photography - Our Patch

Ruby Saltbush

Enchylaena tomentosa

Description: Attractive blue-grey foliaged groundcover. Very hardy, fast growing and suits a range of conditions. Excellent for planting under trees and shrubs and suits difficult to establish steep slopes and rockeries.

Height & width: Height 20-50cm x Width 1-2m

Preferred Position: Prefers an open full sun or semi-shaded position, & suits most well drained soils.

Flowers: Flowers are in insignificant, although an attractive display of yellow or red berries appear from late summer to autumn.

Maintenance: Very low maintenance low water use plant. Can be planted in clumps or long strips for landscape projects,

Habitat Value: Naturally occurs throughout the western and northern Adelaide Plains. Berries are a good food source for birds and lizards

Theclinesthes serpentata Saltbush Blue Butterfly photography, Lindsay Hunt

Plant photography - Our Patch

References

Bagust, P. & Tout-Smith, L. 2005, 'The Native Plants o□
Dashorst, G.R.M & Jessop, J.P. 1998, 'Plants of the Adelaide Plains & Hills,' The Botanic Gardens of Adelaide and State Herbarium.
Jessop J, Dashorst GRM & James FM. 2006 "Grasses of South Australia"
Kraehenbeul, D. 1996, 'Pre-Europ□

Issue for DPC 10/3/22

Indicative Planting Plan

REVISION: A
PROJECT: DA213966

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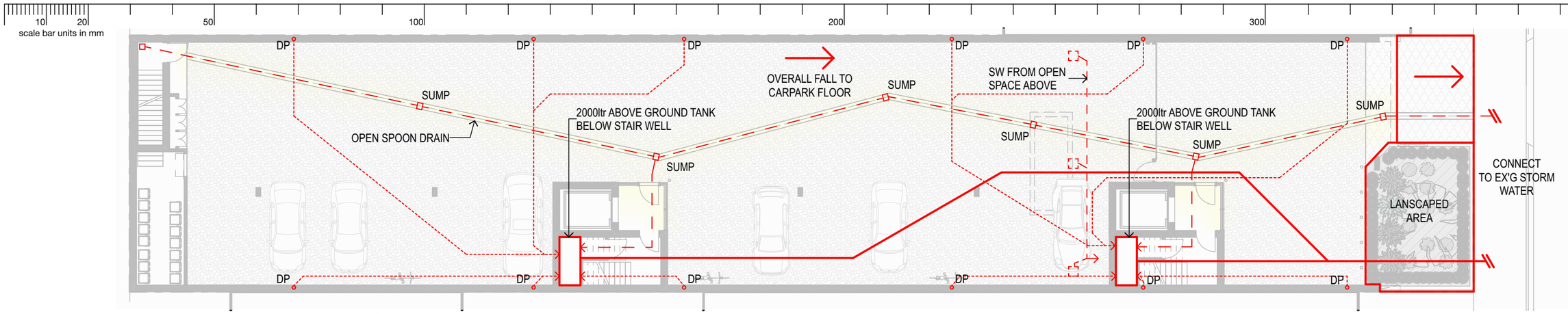
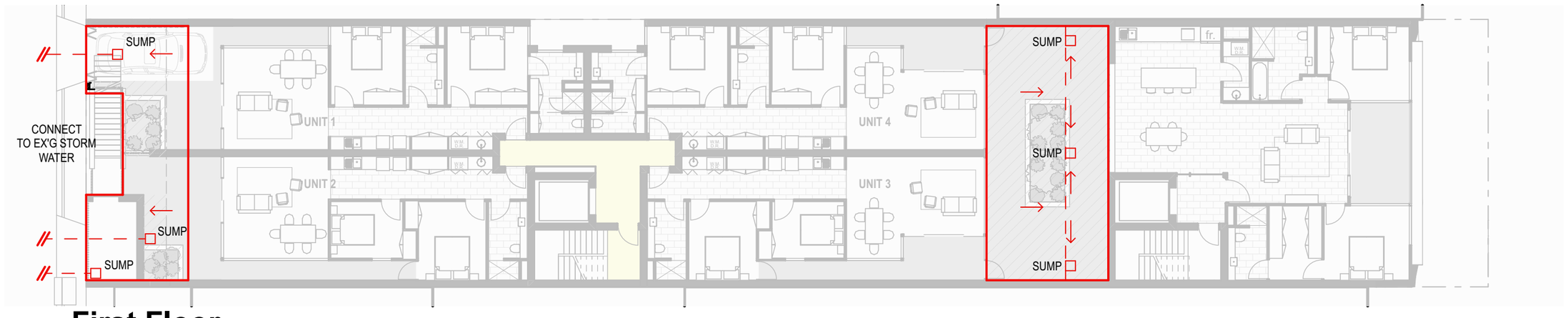
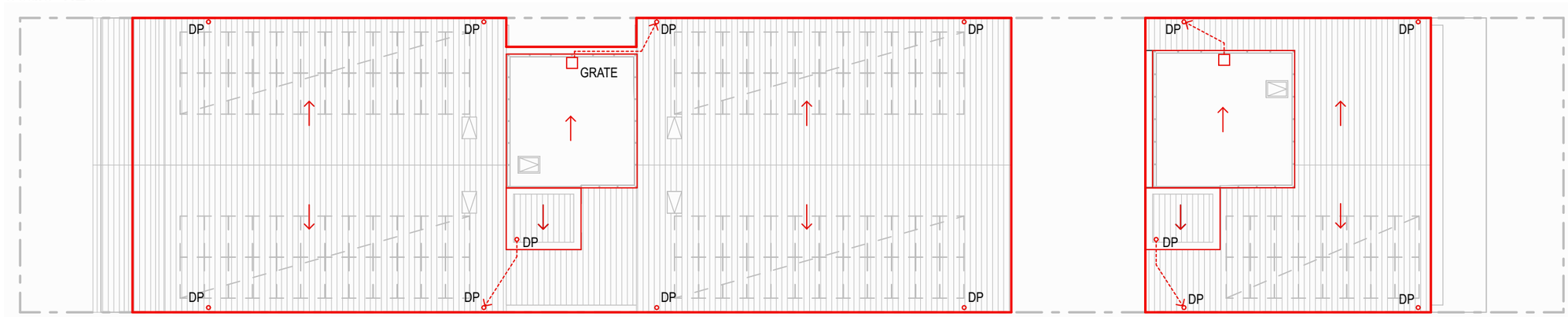
Proposed Residential Development at 266 Melbourne St, North Adelaide



Ground Floor Car Park
Scale 1:200



First Floor
Scale 1:200



Roof
Scale 1:200

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Indicative Storm Water Management Plan

REVISION: A
PROJECT: DA213966

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Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Issue for DPC 10/3/22

3D Images

REVISION: A
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Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

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3D Images

REVISION: B
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Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

Issue for DPC 10/3/22

3D Images

REVISION: C
PROJECT: DA213966

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Proposed Residential Development at 266 Melbourne St, North Adelaide

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3D Images

REVISION: C
PROJECT: DA213966

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Proposed Residential Development at 266 Melbourne St, North Adelaide

10 20 50 100 200 300
scale bar units in mm

10/3/22

3D Images

REVISION:
PROJECT: DA213966

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Proposed Residential Development at 266 Melbourne St, North Adelaide

PLANNING REPORT

FOUR STOREY, RESIDENTIAL FLAT BUILDING CONTAINING 15 DWELLINGS

266 Melbourne Street, North Adelaide

Prepared for:
The Sunshine Life Pty Ltd

Date:
17.06.2021

Proprietary Information Statement

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Document Control

Revision	Description	Author	Date
V1	Draft	CW	31.03.2021
V2	Review	BA	8.04.2021
V3	Amended	CW	17.06.2021

CONTENTS

APPENDICES

1. INTRODUCTION

This planning report has been prepared in relation to a proposal by The Sunshine Life Pty Ltd to demolish the existing medical consulting room building at 266 Melbourne Street, North Adelaide and to subsequently construct a four storey, residential flat building ('the proposed building').

The proposed building has been designed to accommodate fifteen, two-bedroom dwellings across the first, second and third floor levels. The ground floor level will comprise of landscaping, car parking, bicycle and bin storage areas.

In preparing this planning report, we have:

- inspected the site and its immediate surroundings;
- identified and subsequently reviewed what we consider to be the most pertinent provisions of the Adelaide (City) Development Plan ('the Development Plan') consolidated 30 April 2020;
- considered the waste management phone advice from the Adelaide City Council Cleansing Department;
- examined the Certificate of Title for the subject allotment at Appendix 1; and
- examined the amended set of architectural drawings dated 11/6/21 at Appendix 2.

This planning report contains, amongst other things, our description of the site, its immediate surroundings and the proposal, as well as our assessment of the proposal.

2. THE SITE

The site is on the northern side of Melbourne Street, between New Street to the north-east and Brougham Place to the south-west.

The site is wholly contained within the one rectangular shaped allotment containing a frontage of 12.19 metres to Melbourne Street, a frontage of 12.19 metres to Old Street, a uniform depth of 64 metres and an area of approximately 780 square metres.

The site is presently occupied by a single storey building which is set back some 11.18 metres from the Melbourne Street frontage and approximately 1.13 metres from the eastern side boundary and is used for medical consulting services by a company known as 'Cosmétique', a fertility specialist and medical practitioner.

The rear of the side contains a partially covered, formal car parking area with vehicle access provided via Old Street.

A grassed area with some shrubs is located forward of the existing building, however, the site is largely devoid of any substantial plantings that are visually prominent from the two streetscapes.

The existing building is not heritage listed.

As noted on the Certificate of Title, there are no registered easements or encumbrances that would constrain development on this parcel of land.

There is a regulated tree and significant tree located within the adjoining land to the east at 264 Melbourne Street. The two trees are identified as Tree 1 (regulated) and 2 (significant) in Figure 2.1 below.

Figure 2.1 *Tree Locations*

3. THE LOCALITY

Whilst inspecting the site and its immediate surroundings, we noticed, amongst other things, that:

- the site is located directly adjacent a three-storey residential flat building (Ronald McDonald House) to the south west;
- the north-western (rear) boundary of the site is physically separated by Old Street from an adjacent local heritage listed dwelling, located directly opposite at 98 Old Street and within the North Adelaide Historic (Conservation) Zone;
- the adjoining North Adelaide Historic (Conservation) Zone generally contains built form of one to two storeys in height, built to the Old Street boundary with materials and finishes comprising red brick, stone, 'cream' render and metal roof cladding;
- there are three-storey commercial buildings sited directly opposite to the south of the site and three-storey buildings for residential and commercial approximately 75 metres to the east;
- the site is directly adjacent commercial uses to the north-east;
- St Ann's College is located approximately 73 metres to the west of the site and is occupied by built form up to four storeys;
- cars are permitted to be parked parallel to the kerb on the northern side of Melbourne Street for up to, but not exceeding, two hours at a time between the hours of 9:00 am and 6:00 pm on weekdays, and between the hours of 9:00 am and 12:00 pm on Saturdays (outside of these times, no further parking restrictions apply); and
- there are four bus stops within 110 metres of the site, located along Melbourne Street. Two stops being to the east and two to the west of the site.

The site, in relation to its immediate surroundings, is captured within Figure 3.1 below.

Figure 3.1 *The Locality*

4. THE PROPOSAL

The proponents seek development plan consent ('consent') from the City of Adelaide ('the Council') to demolish the existing buildings on the site, and to subsequently replace it with a four storey, residential flat building.

The proposal is depicted across the compendium of drawings at Appendix 1.

It is also summarised below.

4.1 Demolition

To facilitate the proposal, the existing single storey building and covered car parking shelter will need to be demolished in its entirety.

Given that this building falls within the boundaries of the Corporation of the City of Adelaide, the proponents require and, therefore, seek consent from the Council as part of this development application to lawfully undertake this activity.

4.2 Orientation

The proposed building will be orientated towards both street frontages to address Melbourne Street and Old Street.

4.3 Siting

The ground floor level of the proposed building is setback 3.5 metres from the front boundary (Melbourne Street) to provide an open landscaped area bordered by a low masonry wall. The ground level is then to be built to abut the side boundaries and rear boundary to Old Street, with the rear portion to be cut in below the existing ground level adjoining Old Street.

The first, second and third floors of the building are proposed to be built to the side boundaries and are separated into two sections via a shared open space and void area.

The first-floor level comprises a front setback of 3.5 metres from the Melbourne Street frontage and 4.7 metres to the rear boundary, with two separate car parking spaces fronting Old Street.

The second-floor level comprises a 3.5 metre setback from the Melbourne Street frontage and a rear setback of 3.6 metres.

The third floor comprises a front setback of 5.5 metres to the main face (3.5m to the balcony) and 4.8 metres from the rear boundary (3.6 metres to the balcony).

4.4 Internal Layout

4.4.1 Ground Floor

The ground floor level within the proposed building will contain:

- 15 delineated car parking spaces exclusively for the prospective occupants of units 1 to 13 and two visitor car parking spaces;
- two lift shafts with foyer areas and three stairwells;
- wall mounted storage boxes located above car parking spaces 1 to 13;
- provision of 13 bicycle spaces via retractable bicycle lock systems underneath each wall mounted storage box; and
- a separate room for bin storage that is able to adequately accommodate bins for general waste, recycling and organics.

4.4.2 First Floor

The first-floor level of the proposed building will contain:

- five, two-bedroom dwellings; and
- two partly covered car parking spaces with access provided via two new vehicle crossovers from Old Street.

The composition of each dwelling is set out in Table 4.1 below.

Table 4.1 *Dwelling Composition on the First Floor Level*

Dwelling	Internal Floor Area	Private Open space	Parking
Unit 1	83 square metres	14 square metres	One space
Unit 2	70 square metres	14 square metres	One space
Unit 3	73 square metres	74 square metres (8 square metres private plus 66 square metres communal)	One space
Unit 4	86 square metres	74 square metres (8 square metres private plus 66 square metres communal)	One space
Unit 5	130 square metres	13 square metres	One space

4.4.3 Second Floor

The second-floor level of the proposed building will contain five, two-bedroom dwellings.

The composition of each dwelling is set out in Table 4.2 below.

Table 4.2 *Dwelling Composition on the Second Floor Level*

Dwelling	Internal Floor Area	Private Open space	Parking
Unit 6	86 square metres	8 square metres	One space
Unit 7	73 square metres	8 square metres	One space
Unit 8	73 square metres	8 square metres	One space
Unit 9	86 square metres	8 square metres	One space
Unit 10	130 square metres	13 square metres	One space

4.4.4 Third Floor

The third floor level of the proposed building will contain five, two bedroom dwellings. The composition of each dwelling is set out in Table 4.3 below.

Table 4.3 *Dwelling Composition on the Third Floor Level*

Dwelling	Internal Floor Area	Private Open space	Parking
Unit 11	86 square metres	8 square metres	One space
Unit 12	73 square metres	8 square metres	One space
Unit 13	73 square metres	8 square metres	One space
Unit 14	86 square metres	8 square metres	One space
Unit 15	110 square metres	30 square metres	One space

4.5 Floor to Ceiling Heights

The proposed floor to ceiling heights are captured within Table 4.4 below.

Table 4.4 *Floor to Ceiling Heights*

Building Level	Floor to Ceiling Height
Ground Floor Level	2.4 metres
First Floor Level	2.9 metres
Second Floor Level	2.9 metres
Third Floor Level	2.9 metres

4.6 Domestic Storage Space

Domestic storage space will be provided via overhead wall mounted storage boxes above car parking spaces 1 to 13 on the ground floor level. Each storage box will provide a capacity of 2.5 cubic metres.

Each unit will also provide adequate provision of domestic storage made available in the laundry rooms, walk in robes, bedroom cupboards and kitchen pantries.

4.7 Building Height

The proposed building has been designed to present different building heights between Melbourne Street and Old Street in order to accommodate the slope of the site and provide an appropriate interface with the adjoining North Adelaide Historic (Conservation) Zone.

Facing Melbourne Street, the proposed building will be 13.7 metres in height when measured from the top of the uppermost point to the finished ground level directly below. It will consist of four storeys or 'building levels'.

Facing Old Street, the proposed building will be 10.7 metres tall when measured from the top of the uppermost point to the finished ground level directly below. Due to the ground floor being located below ground level, the design will present as three storeys to Old Street.

Inclusive of all plant equipment and screening, the proposed building comprises a maximum building height of 14 metres.

4.8 External Materials

The proposal will present a contemporary palette of external materials which are commensurate with, and complementary to, those presently found throughout the locality.

The external materials include, but are not necessarily limited to, recycled red bricks, a mix of painted and profiled precast concrete panels in dark grey and classic cream finishes, metal roof cladding in a 'Revolution Roofing Maxline' profile with a dark grey finish, external cladding in timber finishes, perforated screening, glass balustrades, glass brick windows and plant equipment screening in a dark grey finish.

4.9 Access

The ground floor level will be accessible by car via a new vehicle crossover from Melbourne Street on the eastern side of the primary street frontage. Pedestrian access will be provided via a separately defined pathway on the western side of the vehicle driveway.

Two new vehicle crossovers are proposed from Old Street with access to two single car parking spaces. The design also includes pedestrian access from Old Street to a stairwell that leads to the ground floor level and subsequent access to the carparking, lifts and foyer areas.

An automated gate will be setback from the Melbourne Street facade into the building to allow for a two-way vehicle passing area and convenient access to the visitor parking areas.

4.10 Bicycle Parking

The prospective residents will have access to thirteen bicycle parking spaces that will be made available underneath each of the wall mounted storage box on the ground floor and secured via retractable bicycle lock systems.

4.11 Car Parking

The ground level within the proposed building will contain 15 car parking spaces, which will be delineated and set aside exclusively for the prospective occupants of 13 of the proposed units. The remaining two car parking spaces are reserved for visitors to be shared between the prospective tenants and the prospective residents' guests.

The first floor level of the proposed building will contain another two car parking spaces for units 1 and 2.

All 15 dwellings will, therefore, come equipped with one exclusive car parking space each.

4.12 Stormwater

The indicative Stormwater Management Plan at Appendix 2 demonstrates that stormwater runoff from impervious surfaces is intended to be captured and directed to two, 2,000 litre above ground water tanks located below the stairwells on the ground floor of the building with overflow directed to the street.

The stormwater management is to be further refined during the detailed design phase.

4.13 Waste

All waste generated by the prospective residents of the proposed building will be deposited, and temporarily stored, within the confines of the bin storage room on the ground floor level.

The bin storage room has been designed to comfortably accommodate bins for general waste, recycling and organics. The bins can then be wheeled out to Melbourne Street for private collection or via weekly collection as part of Council's refuse collection service for high density residential development.

4.14 Landscaping

It is clear from the Indicative Planting Plan at Appendix 2 that approximately 113 square metres (14.5%) of the site is to be dedicated to landscaped open space.

Sufficiently sized planting areas have been provided to the Melbourne Street frontage, planter boxes within the communal open space area and the rear yards of Unit 1 and 2. These areas will accommodate a plant selection that includes:

- a mix of seven different plant species;

- locally indigenous plant species that are suited to the local environment;
- require little to no maintenance or supplementary irrigation; and
- larger feature/shade trees of a mature height and spread adjacent the Melbourne and Old Street frontages which will provide an attractive interface to the public realm.

4.15 Letter Box

A communal letter box will be installed on the eastern side of the main pedestrian entrance to the proposed building.

The communal letter box will be accessible, and highly visible, from Melbourne Street.

5. Procedural Matters

5.1 The Relevant Authority

The Council is the relevant authority, as the proposed development will cost less than $10,000,000 to complete.

5.2 The Relevant Development Plan

The relevant version of the Development Plan for procedural and assessment purposes was consolidated on 30 April 2020.

The site, under this version of the Development Plan, is in the Main Street (Melbourne West) Zone ('the Zone').

The site is also within an area to which the 'Melbourne Street West Concept Plan' applies.

The site is also within an area to which the 'Affordable Housing Overlay' applies.

5.3 Form of Development

According to Principles of Development Control ('Principles') 29 and 30 of the Zone, the proposed development is neither complying nor non-complying. It must, therefore, be assessed and subsequently determined on its merits by the Council in its capacity as the relevant authority.

5.4 Category of Development

According to the Principle 31(b)(ii) of the Zone, any development assigned as Category 1 under Clause (a), where the site of the development is adjacent to land in the North Adelaide Historic (Conservation) Zone and the development exceeds two storeys in building height, is assigned Category 2 for the purposes of public notification.

Residential flat buildings are assigned Category 1 in Principle 31(a) of the Zone. The site is located adjacent to land within the North Adelaide Historic (Conservation) Zone, with the zone boundary located along the centre of Old Street.

Therefore, the proposal must be deemed Category 2 for the purposes of public notification.

6. Assessment

Our assessment of the proposal is set out below.

6.1 Land Use

The proposal can accurately be defined in land use terms as a 'residential flat building', as, in accordance with the definition contained in Schedule 1 of the Regulations, the proposal comprises a single building in which there are two or more dwellings.

Principle 1 of the Mixed Use (Melbourne West) Zone expressly lists residential flat buildings as an envisaged land use within the Zone.

Principle 2 of the Zone further supports the replacement of existing non-residential land uses with residential development, stating as follows:

> **2 The Zone should accommodate offices, consulting rooms and low to medium density dwellings. An increase in the amount of residential development is desirable by means of conversion and redevelopment of non-residential premises to either residential or mixed residential and office uses and by infill residential development.**

Therefore, as the proposal will entail the demolition of an existing non-residential premises (a consulting room) and replacing it with infill development in the form of a residential flat building, it is acceptable from a land use perspective within the Zone.

6.2 Siting and Building Interface with the North Adelaide (Conservation) Zone

The Melbourne Street West Concept Plan and supporting Principles 7, 9, 12(b), 13 and 15 of the Zone provide detailed guidance in respect of the siting of development applicable to this site. Our interpretation has been summarised as follows:

- a minimum desired setback of 3.5 metres from the Melbourne Street frontage where not exceeding two storeys;
- parts of the building above two storeys should be set-back from Melbourne Street further than the prevailing 6 to 10 metre setbacks;
- sufficient setbacks from Old Street to respect the character of the adjacent North Adelaide Historic (Conservation) Zone; and
- setbacks and design treatments to provide an appropriate interface with the North Adelaide Historic (Conservation) Zone.

The proposed building achieves the minimum front setback from the Melbourne Street frontage for the first two storeys and is to be sited behind the adjacent office fronting Melbourne Street to the east. However, where the building exceeds two storeys, the setback from Melbourne Street is less than the envisaged minimum of 6 metres. Notwithstanding this, the prevailing setbacks of existing buildings within the locality range from 3.5 metres to 5.5 metres. Therefore, the proposed building setback will be consistent with the prevailing setbacks of existing buildings along Melbourne Street and in turn, compatible with the streetscape appearance.

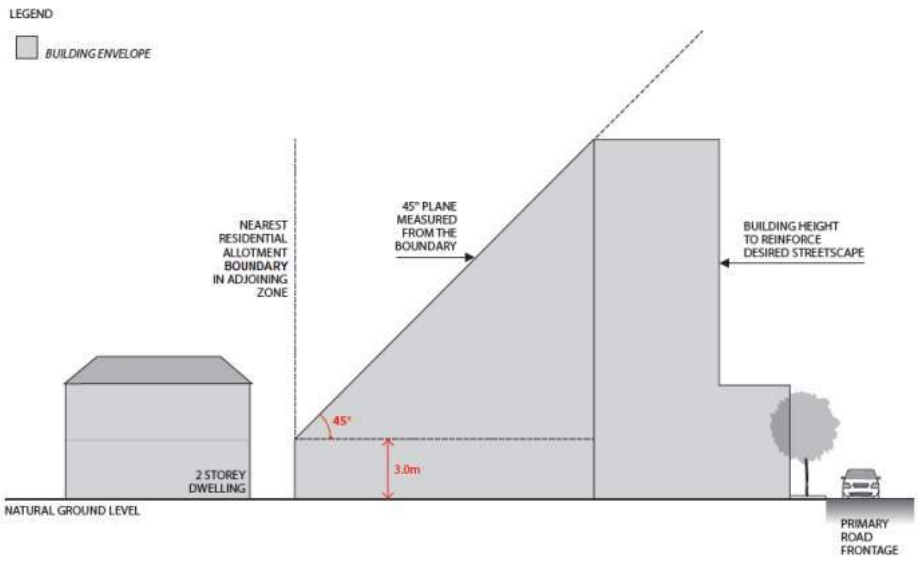
Furthermore, it was identified during an inspection of the site, that the extent of existing vegetation at 262 and 264 Melbourne Street will effectively break up the views of the proposed building when viewed from the East along Melbourne and Old Street as evident in the attached site photos at Appendix 3.

The design will also be consistent with the prevailing side setbacks in the locality where built form is located on the side boundaries.

At the Old Street level, the proposal includes design elements such as red brick masonry, timber batten fencing and gates along the boundary. The open fencing style will enable views into the site to address the public realm as well as the landscaped open space areas to identify the proposed landscaped buffer as envisaged by the Zone. The masonry components are also considered to reflect the positioning of numerous masonry fences and built form that is constructed along the frontages on both the northern and southern sides of Old Street.

To manage built form adjoining the North Adelaide (Conservation) Zone, Principle 14 of the Zone seeks to minimise the building mass at the zone interface with the building envelope identified in Figure 6.1 below.

Figure 6.1 Principle 14 Building Envelope Plan



This building envelope has been depicted on the western elevation of the proposed building as shown below:

Figure 6.2 Proposal Overlayed with Building Envelope Plan

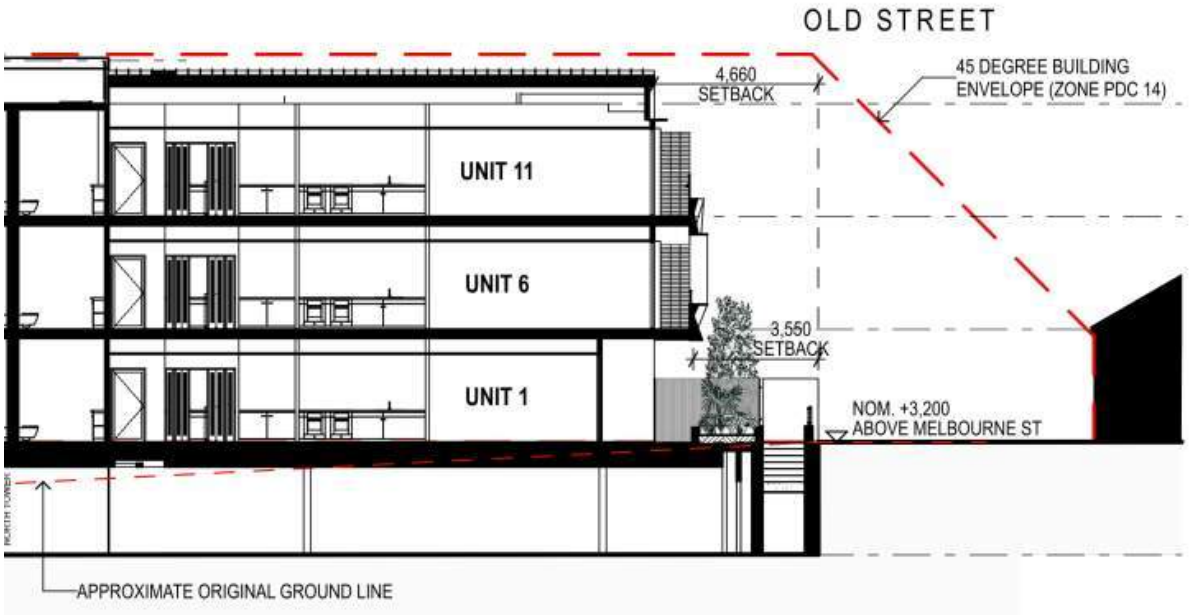


Figure 6.2 above, clearly demonstrates that the proposed building will be entirely located within the envisaged building envelope plan, satisfying Principle 14. Further to this, the design presents an orderly visual transition with the adjoining North Adelaide (Conservation) Zone as:

- the proposed building incorporates a mix of architectural design treatments for the high components such as above street level fenestration, profiled concrete panelling, glass balustrades and balconies to break up the visual expanse of built form;
- the building is setback from the Old Street frontage; and
- the masonry fencing abutting Old Street is of a lesser size and scale than the residential development to the north and the local heritage place at 98 Old Street.

In respect of the local heritage place, Principle 162 of the Heritage and Conservation – North Adelaide Module seeks to guide development to preserve the heritage value and setting of the heritage place.

It advises:

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

The proposed building exhibits thoughtful design consideration of the local heritage place through its small scale masonry and timber fencing at the Old Street frontage, a variety of materials to break up the visual bulk, being physically separated by Old Street and building setbacks that accord with the building envelope plan as discussed above.

The fencing immediately adjacent the Old Street frontage comprises red brick, a material found on the local heritage place. The use of this material is not considered to replicate its historic detailing, as the proposed building incorporates the red brick into an overall contemporary design. This along with the proposed building setback allows the heritage place to remain a focal point within Old Street and not have its heritage value or setting unreasonably diminished.

To this end, the proposed building is considered to be sited and designed in a manner that is respectful of the North Adelaide Historic (Conservation) Zone and the adjacent local heritage place.

6.3 Building Height

Principle 11 of the Zone provides guidance in respect to the maximum building height.

It advises that:

> **11 Except on sites greater than 1500 square metres in area, which may include one or more allotment, development may be built to 14 metres in building height.**

The proposed building height does not exceed 14 metres and thereby accords with this Principle.

6.4 Landscaped Open Space

Objective 2 and the Desired Character of the Zone seeks that development should reinforce a consistent approach to landscaping with buildings set back from boundaries in a landscaped setting.

Principle 10 of the Zone provides further guidance in respect to the minimum provision of landscaped open space for development.

It advises that:

> **10 A minimum of 20 percent landscaped open space should be provided on the site of any development.**

The design includes multiple landscaped open space areas at ground level that make up a total area of 113 square metres and 14.5 percent for the development site. This total has been made up of the area forward of the building, the shared open space area available to units 3 and 4, and the private open space areas for units 1 and 2.

Whilst the proposed landscaping falls short of the envisaged minimum, the proposed design is considered appropriate for the following reasons:

- the proposed landscaping exceeds the landscaped open space area currently provided on the site at 109 square metres (14 percent);
- the height and spread of the trees and plantings adjacent the Melbourne and Old Street frontages will form a notable visual element in the streetscape, as demonstrated by the Streetscape Elevations at Appendix 2, and contribute to the envisaged landscaped setting;
- the landscaping within the rear yard of units 1 and 2 comprises a plant selection that will visually contribute to the landscaped buffer as sought in PDC 9 of the Zone;
- the level of landscaped open space is consistent to that of newer commercial/residential development within the locality along Melbourne Street;
- a sufficient area for landscaping has been provided within the communal open space area that will be of benefit to the amenity of prospective residents of the building;
- the envisaged 20 per cent landscaped open space is unrealistic to achieve on a site which is envisaged for high density residential infill. This percentage is comparable to the level of private open space required for low scale residential development and does not fit within a high density context.

The proposed design strikes a reasonable balance between the landscaped open space and the desired high density infill development for this site whilst providing an appropriate interface with both streetscapes as sought by the Zone and a sufficient level of amenity for prospective residents. To this end, we consider that the extent of landscaped open space is suitable in this circumstance.

6.5 External Appearance

Principle 8 and 16 of the Zone provide guidance with respect to the external appearance of the proposed building.

Together, they advise that:

> **8 Buildings should be of contemporary design that includes variations in façade treatments and building material, as well as the use of modulated roof forms and parapets that contribute to a varied and interesting pedestrian environment. Balconies overlooking the street are encouraged to provide a connection for occupiers to the street and assist passive surveillance. The use of brightly coloured, black, or highly reflective surfaces should be avoided.**

16 Development should use building forms, colour and materials of a more domestic nature to provide a suitable transition to the adjoining North Adelaide Historic (Conservation) Zone.

The proposed building will contribute to a visually interesting streetscape appearance that will integrate harmoniously with surrounding development whilst also providing its own unique character, consistent with the intent of the Zone.

The composition of the proposed building provides a clearly defined building base with regard to the pedestrian scale through provision of visually permeable gates at street level and recycled red brickwork that is reflective of the scale and design of existing built form located on the adjoining development to the west at 270-272 Melbourne Street. The proposed balconies and glazing are orientated towards the street frontages which will allow for the middle and top levels of the building to be easily identified as well as providing passive surveillance.

The proposed recycled red brickwork, cream render, and metal cladding to the north elevation is reflective of the materials and finishes of existing residential development along Old Street and will therefore provide a suitable transition to adjoining residential development in the North Adelaide Historic (Conservation) Zone.

Whilst some of the proposed materials comprise a darker appearance, they are not considered to be reflective in nature, brightly coloured or 'black' as discouraged by Zone. Further, the variation of contrasting surfaces consisting of profiled concrete façade panels, wooden battens and a modulated roof form that extends out over the balconies of the third floor, will break up the visual bulk of the building as well as contributing to a contemporary and visually interesting design as sought by the Zone.

The proposed design will also allow for the preservation of the adjoining regulated and significant trees. The height of these trees as well as the extent of existing vegetation at 262 and 264 Melbourne Street will effectively break up the views of the proposed building when viewed from the East along Melbourne and Old Street as evident in the attached site photos at Appendix 3. Their preservation will also ensure that the landscaped setting and amenity as sought by the Zone is maintained.

Furthermore, the roof top plant equipment will also include screening to minimise its visual impact and in turn, accord with Principle 194 of the 'Sky and Roof Lines' Module.

6.6 Internal Floor Areas

Principle 70 of the 'Medium to High Scale Residential' Module provides guidance with respect to the internal floor area of each dwelling within the proposed building.

It advises that:

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

Number of Bedrooms	Minimum Internal Floor Area
One	50 square metres
Two	65 square metres
Three or more	80 square metres (plus an additional 15 square metres for every additional bedroom over 3 bedrooms)

Each dwelling within the proposed building contains two bedrooms with internal floor areas that range from 70 to 110 square metres. The proposed internal floor areas therefore comfortably exceed the minimum of 65 square metres.

6.7 Domestic Storage Spaces

Principle 81 of the Medium to High Scale Residential Module provides guidance with respect to the provision of domestic storage space.

It advises that medium to high scale residential should provide adequate and accessible storage facilities for occupants, with a minimum of 10 cubic metres desired for two-bedroom dwellings.

Thirteen units will have access to overhead wall mounted storage boxes located above car parking spaces 1 to 13 on the ground floor level. Each storage box will provide a capacity of 2.5 cubic metres.

To make up the remainder, and for units 1 and 2, domestic storage areas will be provided throughout each unit with adequate provision made available in the laundry rooms, walk in robes, bedroom cupboards and pantries.

As an aside, it is noted that the proposed units are well in excess of the minimum internal floor areas where further domestic storage opportunities are available for prospective residents to suit their needs.

6.8 Private Open Spaces

Principle 59 of the Medium to High Scale Residential Module provides guidance with respect to the provision of private open space, seeking the provision of private open space for dwellings located above ground level as follows:

Number of Bedrooms	Minimum Private Open Space Area
One	8 square metres
Two	11 square metres
Three or more	15 square metres

Eight of the fifteen proposed dwellings have private open space areas of 8 square metres, slightly less than the desired minimum of 11 square metres. Units 3 and 4 will have access to a communal open space area of 66 square metres and in turn, comfortably exceed the minimum specified above.

The shortfall of 3 square metres is relatively minor and should be considered in the context of the amenity and outlook towards the CBD, the internal communal open space and north that each area of private open space will provide for prospective residents.

Principle 60 of the 'Medium to High Scale Residential' Module provides guidance with respect to the location of private open space.

It advises that:

> **60 Medium to high scale residential (other than student accommodation) or serviced apartment development should ensure direct access from living areas to private open space areas, which may take the form of balconies, terraces, decks or other elevated outdoor areas provided the amenity and visual privacy of adjacent properties is protected.**

The private open space areas will all be accessible from open plan kitchens, dining and living rooms to which they relate. Each dwelling's private open space area is also designed in a manner to not create any visual privacy issues to disrupt the amenity of adjoining properties.

Additionally, Principle 61 of the 'Medium to High Scale Residential' Module provides guidance with respect to the dimension of private open space.

It advises that:

> **61 Other than for student accommodation, private open space should have a minimum dimension of 2.0 metres and should be well proportioned to be functional and promote indoor/outdoor living.**

All balconies and private open space areas for each dwelling will have a minimum dimension of not less than 2.0 metres.

Therefore, as the private open spaces areas are directly accessible, are of a functional size with a minimum dimension of 2 metres and do not create any visual privacy or amenity issues, the shortfall in area is not considered fatal when weighed up against the relevant Principles.

6.9 Natural Light and Ventilation

Principles 52, 53, 54 and 56 of the Medium to High Scale Residential Module provide guidance with respect to the provision of natural light and ventilation.

They advise that:

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

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

54 **The maximum distance of a habitable room such as a living, dining, bedroom or kitchen from a window providing natural light and ventilation to that room is 8.0 metres.**

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

The proposed building design maximises access to natural light and ventilation for all dwellings by comprising ceiling heights that exceed the minimum of 2.7 metres for residential habitable rooms and the incorporation of a void and brick windows that will allow natural sunlight and ventilation to the communal open space area, private open space areas and living rooms of the dwellings.

The void (light well) will provide natural sunlight to the communal open space area and the open plan kitchen and living areas for 9 of the 15 units. The proposed light well provides a minimum horizontal dimension of 5.5 metres, which exceeds the minimum of 3 metres as specified in Principle 74(b).

The eastern elevation also includes an indented 'light well' that will provide sufficient natural light into the bedrooms and ensuites of units 1, 4, 6, 9, 11 and 14.

Further to the above, majority of the bedrooms and all open plan kitchen, dining and living rooms will also be located within 8.0 metres of a window that provides natural light. The core living areas (the balconies and the open plan kitchen, dining and living rooms) have also been designed and positioned to be the main recipients of natural light.

6.10 External Outlook

The Principle 73 of the Medium to High Scale Residential Module provides guidance with respect to the external outlook from each dwelling within the proposed building.

It advises that:

73 **All medium to high scale residential or serviced apartment development should be designed to ensure the living rooms have a satisfactory external outlook. Living rooms that do not have an outlook or the only source of outlook is through high level windows or a skylight are not considered to provide an appropriate level of amenity for the occupiers.**

All of the open plan kitchen, dining and living rooms associated with those dwellings on the southern side of the building will have an outlook to Melbourne Street courtesy of the glazed windows and sliding doors which provide access to the abutting balconies.

All of the open plan kitchen, dining and living rooms associated with those dwellings on the northern side of the building will have an outlook towards Old Street courtesy of the glazed sliding doors which provide access to the abutting balconies.

The internal dwellings (shown as units 3, 4, 8, 9, 13 and 14) provide an appropriate level of amenity as all of the open plan kitchen, dining and living rooms have an outlook towards the communal open space and void (light well). This area of communal open space and void is not the kind of high level windows or skylights to individual dwellings that are discouraged by Principle 73, with the communal open space and void area able to provide sufficient natural light and outlook to an internal landscaped open space by exceeding the minimum horizontal distance.

6.11 Regulated/Significant Trees

There is one regulated and one significant tree located within the adjoining property at 264 Melbourne Street, as identified in Figure 2.1 of this report. Photos of the trees are at Appendix 3.

The two trees in question appear to be Jacarandas, a non-native species that contain multiple trunks with circumferences measured at 1 metre above ground level as follows:

- Tree 1
  - » Trunk 1: 1.075m
  - » Trunk 2: 0.95m
  - » Trunk 3: 0.855m

  Total circumference = 2.88m

  Average circumference = 960mm

- Tree 2
  - » Trunk 1: 0.765m
  - » Trunk 2: 2.60m

  Total circumference = 3.365m

  Average circumference = 1.68m

Given the above measurements, the two trees consist of a regulated tree (Tree 1) and a significant tree (Tree 2) according to the prescribed criterion in Regulation 6A(1)(a) and (2) of the *Development Regulations 2008*.

The proposed development is not considered to result in any adverse impacts to either tree for the following reasons:

- the proposed building will be located outside of the tree canopies of both trees; and
- the development will not substantially alter their already constrained living circumstances, with both trees presently surrounded by impervious surfaces and located immediately adjacent to existing structures

Therefore, the proposal does not offend the relevant Principles of the Regulated and Significant Trees Modules in the Development Plan.

6.12 Noise

Principles 98 and 99 in the Environmental Module seeks to guide the impacts of noise for residential apartments.

They advise:

> **98 Attached dwellings/serviced apartments should be designed to minimise the transmission of sound between dwellings/serviced apartments and should particularly protect bedrooms from possible noise intrusion.**
>
> **99 The number of dwellings/serviced apartments within a development sharing a common entry should be minimised to limit noise generation in internal access ways.**

The prospective residents should not be adversely impacted by way of noise because:

- all of the dwellings are located above the ground floor;

- all of the bedrooms will be stacked above one another;
- all of the bedrooms will not share a wall with a living room of another dwelling; and
- common entries/access ways will not service more than 10 dwellings on each floor; and

6.13 Overlooking

Principles 66 and 67 of the Medium to High Scale Residential Module provide guidance with respect to overlooking.

They advise that:

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

67 A habitable room window, balcony, roof garden, terrace or deck should be set back from boundaries with adjacent sites at least three metres to provide an adequate level of amenity and privacy and to not restrict the reasonable development of adjacent sites.

The proposed building is designed to have the dwelling balconies orientated towards the two street frontages where they will be setback further than 3 metres from adjacent residential sites to the north and will rather provide passive surveillance of the streetscapes as sought by the Development Plan. The windows on the side boundary walls are also obscured via glass brick or obscured glazing to 1.6 metres above the finished floor level to not provide any direct views from a living or frequently habitable room of each proposed dwelling to avoid any adverse overlooking impacts.

To protect internal privacy, the windows of units 5, 10 and 15 that abut the communal open space/light well are to comprise of glass brick which will obscure views whilst still ensure sufficient access to natural light to the kitchen and dining areas.

6.14 Overshadowing

Principle 121 of the Environmental Module provides guidance with respect to overshadowing.

It advises that:

121 Development should not significantly reduce daylight to private open space, communal open space, where such communal open space provides the primary private open space, and habitable rooms in adjacent City Living Zone, Adelaide Historic (Conservation) Zone and North Adelaide Historic (Conservation) Zone.

Residential development is primarily located to the north of the site within the North Adelaide Historic (Conservation) Zone, resulting in no adverse overshadowing impacts from the proposal to existing dwellings within this Zone to the north of Old Street. The orientation of the allotment will also not significantly reduce access to sunlight for the adjoining development to the west (Ronald McDonald House), which will still be able to receive a sufficient level of sunlight from the afternoon onwards. The development to the east is commercial in nature and will therefore not be adversely impacted by any overshadowing.

6.15 Access and Car Parking

Principles 24, 25 and 26 of the Zone provide guidance with respect to access and car parking.

They advise that:

24 Access to sites should preferably be via the minor streets or lanes within or abutting the Zone provided there is no unreasonable impact on residential amenity.

25 Access from Melbourne Street should minimise disruption to the pattern of built form and landscaping.

26 Parking should be located behind buildings away from the landscaped Melbourne Street frontages and be designed to minimise its impacts on residential amenity.

Proposed dwellings 1 and 2 provide vehicle access to the single car parking spaces via two new crossovers from Old Street as sought by Principle 24. Two spaces are not considered to create unreasonable interface conflicts so as to disrupt residential amenity through the generation of traffic. It should be noted that Old Street contains a number of garages built to the Old Street frontage, which the proposal will not be inconsistent with.

The proposed access point to dwelling 2 (shown as car parking space number 15) will require the alteration to an existing stormwater drain and will be undertaken at the proponents cost to achieve sufficient clearance.

It should be noted that the above Principles do not preclude access from Melbourne Street despite Principle 24 expressing the desire for access to be via the minor streets or lanes. When reviewing the above Principles in their entirety, the proposed access points are considered appropriate for the following reasons:

- the residential amenity of the adjoining development within the North Adelaide Historic (Conservation) Zone will be preserved;
- the difference in ground levels will prevent access from Old Street without a loss of car parking spaces;
- the access location will ensure the design is commensurate with the pattern of built form and landscaping of the neighbouring development to the west; and
- the proposed design provides sufficient room for vehicles to enter and exit the site onto Melbourne Street in a forward direction.

Furthermore, the proposed development provides a total of 17 car parks (15 resident and 2 visitor spaces) which accords with the car parking rate as prescribed in Table Adel/7 that seeks for 1 space per dwelling up to 200 square metres in building floor area.

The car parking areas are also designed to be secured and screened from view to not result in adverse visual amenity impacts to the Melbourne and Old Street frontages whilst ensuring that the two visitor parking spaces are easily identifiable from the Melbourne Street access.

6.16 Bicycle Parking

Principle 234 of the Transport and Access Module provides guidance with respect to the provision of parking for bicycles.

It advises that:

234 An adequate supply of on-site secure bicycle parking should be provided to meet the demand generated by the development within the site area of the development. Bicycle parking should be provided in accordance with the requirements set out in Table Adel/6.

Table Adel/6 seeks the provision of one bicycle parking space for every dwelling/apartment with a total floor area less than 150 square metres and one visitor bicycle parking space for every 10 dwellings. This equates to a theoretical demand of 17 bicycle spaces.

Whilst the proposed design indicates 13 bicycle parking spaces, we are of the opinion that the shortfall of bicycle parking at the ground floor level is not fatal to the proposal, as the proposed dwellings all exceed the minimum internal floor area as specified in the Development Plan for two bedroom

dwellings. This affords prospective residents the opportunity to conveniently store their bicycles within their dwellings rather than at the ground floor level.

6.17 Waste

Principle 103, Clause (b) of the Waste Management Module provides guidance with respect to the management of waste.

It advises that:

> **103 Development greater than 2,000 square metres of total floor area should manage waste by:**
>
> **(a) containing a dedicated area for the collection and sorting of construction waste and recyclable building materials;**
>
> **(b) on-site storage and management of waste;**
>
> **(c) disposal of non-recyclable waste; and**
>
> **(d) incorporating waste water and stormwater re-use including the treatment and re-use of grey water.**

The waste storage capacity required to facilitate the proposed dwellings has been calculated in accordance with *Zero waste SA's South Australian Better Practice Guide – Waste Management in Residential or Mixed Use Developments*. Council's Cleansing Department has also confirmed that Council offers collection for all three refuse streams for high density residential on a weekly basis with a pull in or kerbside collection service provided for larger bins. Therefore, following this guide, the proposed development is to provide storage capacities of 900 litres for general waste, 750 litres for recycling and 300 litres for organics.

All waste generated by the prospective residents of the proposed building will be deposited, and temporarily stored, within the confines of the bin storage area on the ground floor level. This storage area comprises an area of 14.5 square metres which is of sufficient size to accommodate the storage capacities identified above. It will also be completely concealed from the public domain by virtue of being located wholly below ground level.

The waste storage location and management will also be similar to that of existing commercial and residential development along Melbourne Street and in particular to that of the neighbouring Ronald McDonald House.

6.18 Energy Efficiency

Principle 109 of the Environmental Module provide guidance with respect to the energy efficiency of the proposed building.

They advise that:

> **109 Orientation and pitch of the roof should facilitate the efficient use of solar collectors and photovoltaic cells.**

As evident by the Roof Plan at Appendix 2, the roof atop the proposed building has sufficient area available that could allow for the installation of solar panels in the future which would be capable of capturing an ample amount of sunlight.

6.19 Letter Boxes

Principle 80, Clause (a) of the Medium to High Scale Residential Module provides guidance with respect to the location of communal letter boxes.

It advises that:

> **80 Site facilities should be readily accessible to each dwelling/serviced apartment, complement the development and relevant desired character and should include:**
>
> **(a) a common mail box structure located close to the main pedestrian entrance.**

A communal letter box will be installed adjacent the main pedestrian and vehicle entrance to the proposed building and integrated into the front landscaped design. The communal letter box will be readily accessible and highly visible from Melbourne Street thereby satisfying the above Principle.

6.20 Stormwater

Principle 127 of the 'Environmental' Module provides guidance with respect to the management of stormwater.

It advises that:

> **127 Development affecting existing stormwater management systems should be designed and located to improve the quality of stormwater, minimise pollutant transfer to receiving waters, and protect downstream receiving waters from high levels of flow.**

The carrying capacity of the Council's existing drainage network will not be overloaded by the proposed development for two reasons.

First, the extent of impervious surfaces within the confines of the site will not be increased. In fact, the proposal will increase the total area of landscaped open space by approximately 5 percent than the existing circumstances.

Second, the proposed development will be designed during the detailed design phase to ensure that the post development discharge flows do not exceed the pre development discharge flows.

In addition to this, runoff from the roof of the proposed building will be discharged to Melbourne and Old Street in a clean state, as sought by Principle 127 of the 'Environmental' Module.

7. CONCLUSION

We have concluded from our assessment of the proposal that it is worthy of consent.

In support of our conclusion, we wish to highlight once again that:

- infill residential development in the form of residential flat buildings is envisaged within the Zone, especially when replacing non-residential development;
- the siting of the proposed building is compatible with the prevailing setbacks from Melbourne Street and the building envelope plan specified in Principle 14 of the Zone;
- the setbacks, scale, design and bulk of the proposed building is respectful to the character of the adjacent North Adelaide Historic (Conservation) Zone by providing a clear visual transition between the envisaged high density residential development and the lower intensity residential development;
- the proposed building exhibits thoughtful design consideration of the adjacent local heritage place through a variety of materials to break up the visual bulk, being physically separated by Old Street, not replicating historic detailing and comprising setbacks which accord with the building envelope plan specified in Principle 14 of the Zone;
- the building composition and variation of contrasting surfaces consisting of profiled concrete façade panels, glazing, balconies, wooden battens and a modulated roof form, will contribute to a contemporary and visually attractive design, as sought by the Zone provisions;
- the areas of landscaped open space within the site and to the Melbourne Street and Old Street frontages is commensurate with existing development within the locality and will provide an attractive interface with the public realm;
- despite being constrained by the allotment orientation and existing on-boundary development of adjoining sites, sufficient natural light and ventilation is provided to the proposed dwellings by ceiling heights that are in excess of the minimum for residential habitable rooms, the incorporation of a void (light well) with communal open space and windows along the side boundaries;
- no adjacent residential development will have habitable room windows or private open spaces overlooked or overshadowed to an unreasonable degree;
- the balconies are orientated towards each street frontage to provide increased passive surveillance of Melbourne Street and Old Street;
- the proposed building provides a sufficiently sized bin storage area to accommodate the requisite type and number of bins to service all dwellings. It will also be completely concealed from the public domain by virtue of being wholly contained below ground level;
- each dwelling will contain a satisfactory external outlook to either Old Street, Melbourne Street or the communal open space/void area;
- the proposed vehicle access points will not result in adverse residential amenity impacts and will provide for sufficient vehicle movements into and out of the site;
- the amount of on-site car parking proposed satisfies the rate prescribed in Table/7;
- the development in unlikely to compromise the health of the regulated or significant trees on the adjoining property to the east, will be located outside of their tree canopies and therefore retain the existing landscape amenity;
- the prospective residents of the proposed building should not be adversely affected by way of noise;
- each dwelling provides internal floor areas in excess of the minimum Development Plan guidelines, which will sufficient domestic storage space and offset the shortfall of bicycle parking spaces at ground level; and

- a communal letter box will be provided that is readily accessible and highly visible from Melbourne Street.

If you have any queries or concerns regarding the proposed development, please do not hesitate to contact the undersigned.

Christopher Webber
Senior Consultant

Proposed Residential Development at 266 Melbourne St, North Adelaide

Design Statement

DA213966

28.01.22 - Issue A

The Site is a long, narrow allotment on the northern side of Melbourne Street. It extends through to Old Street and, as such, has two street frontages. There is a change in level from Old Street (the high point) to Melbourne Street (the low side) of approximately 3200mm. The sections of the allotment facing Old Street and Melbourne Street do not have significant cross falls.

The section of Melbourne Street on which the site is located does not have a consistent presentation. There is variance in setbacks, forms, heights, land use (a mix of private residential, 'college' housing, offices, and consulting rooms), and materials and finishes.

The section of Old Street on which the site is located also does not have a consistent presentation. There is also variance in setbacks, forms, heights, and materials and finishes used. The properties on the southern side of Melbourne generally address Melbourne Street (as does this site) and generally have rear access for carparking and/or services facing Old Street. The properties on the northern side of the road are however largely residential. They vary in their attitude in that most address Brougham Place (further to the North), with a few having their primary access directly from Old Street. There is a Historic Conservation Zone to the North of the Site (across the other side of Old St), a Local Heritage place, within that zone, directly opposite the site. The LHP addresses Old Street. There are no other heritage places that are within the immediate Locality of the Site and that could potentially be affected by development on it.

The site currently contains a single building (a Villa with a rear extension), that is being used as consulting rooms, and a carport. Landscaping to the site is minimal. There are no significant or regulated trees. The Application proposes the removal of all of the structures and features on the site.

The Application further proposes the construction of a new residential apartment complex, comprising building entrance and carpark; Southern Tower; and Northern Tower. There are 15 Apartments proposed within the two Towers. Each Apartment has a car park and there are two further dedicated visitors' carparks. There is also bike parking provided on the site.

Vehicular access to the site is predominantly from Melbourne Street. The two ground floor apartments facing Old Street have car parking spaces available from Old Street. Pedestrian access is typically from Melbourne Street to one of the two entrance pods within the carpark (each pods being associated with a tower). The carpark is a shared use zone and will be well lit and landscaped to

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provide a high quality, safe and legible environmental. Pedestrian tenants can also enter through an access stair from Old Street. Visitor and residents visiting the ground floor apartments facing Old Street can enter straight from that footpath.

The three larger apartments facing Melbourne Street are intended to be ‘held’ by the Applicant and each have two bedrooms and two bathrooms. They have large decks overlooking Melbourne Street. Although they borrow light from that side, they do not address the northern courtyard.

The remaining apartments are in intended for a young professional or student use and are smaller in size. They are however well provisioned in terms of area, storage, and outdoor spaces.

From a design point of view there are three main areas that have been considered: the Melbourne Street presentation; the Old Street presentation; and the internal courtyard between the towers. Below are some of the considerations applied to these areas.

The presentation at Melbourne Street has considered:

- Setback of main facade has considered both the Development Plan provisions and the pattern established by the existing adjoining built form.
- The upper level of the building has been setback and articulated form the intermediate levels to reduce the visual impact of its height.
- Driveway alignment has been established to create a rhythm with the adjoining property to the west
- Landscaping presentation at the street has been added to provide greater amenity to the public realm.

The presentation to Old Street has attempted address the adjoining zone and local heritage place through a combination of horizontal articulation (accentuating the lower floor) and use of materials (primarily stone and cream render). It has also attempted to present the upper floor as a ‘roof like’ structure, particularly from side on, through the choice of materials used for the walls.

The internal courtyard is aimed at providing access to light to the apartments on the southern side of the Northern Tower. The design of the wall of the southern tower facing has been articulated and large ‘green wall’ added. This is aimed at enhancing the experience for the apartments looking into the space as well as improving the thermal performance of the area itself. The green wall faces northern and will have good access to light. We are confident that it will perform well over a long period of time.

While we hope that the above, linked to the Drawings prepared by this Office, and the Planning Statement prepared by Future Urban, will provide sufficient detail to undertake a planning assessment we would be happy to provide further written or verbal support as required.

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PROFESSIONALS IN ARBORICULTURE

Arboricultural Impact Assessment and Development Impact Report

Site: 266 Melbourne Street, North Adelaide

Date: Wednesday, 2 February 2022

ATS6522-266MelStDIR R1

Contents

Report Reference Number: ATS6522-266MelStDIR R1

Report prepared for
Christopher Webber, Future Urban for TwoSixSix Pty Ltd

Author
Marcus Lodge, Consulting Arborist, Arborman Tree Solutions Pty Ltd

Executive Summary

Arborman Tree Solutions has assessed all the trees on the property and neighbouring property to the northeast of 266 Melbourne Street, North Adelaide. The assessment has identified the potential impacts to the trees from the proposed development and supporting infrastructure and recommended mitigation strategies where appropriate.

The assessment considered four individual trees and one group of trees, Trees 1, 2 and 4 are identified as *Jacaranda mimosifolia* (Jacaranda), Tree 5 is a *Celtis australis* (European Nettle Tree) and Tree Group 3 is a mix *Casuarina* and *Acacia* (She-oak and Wattle). The trees are considered to be in Good to Fair overall condition and have extended useful life expectancies.

The assessment has identified Tree 1 as a Significant Tree as defined in the *Development Act 1993*. The remaining trees are either exempt from regulation or unregulated. When assessed against the relevant Objectives and Principles of Development Control this tree is not considered to provide 'important' aesthetic and/or environmental benefit and as such its protection as a Significant Tree is not warranted.

The Arboricultural Impact Assessment has identified that Trees 1, 2 and 5 are unlikely to be negatively impacted by the proposed works. There is no encroachment, or the encroachment is less than 10% of the TPZ area for Trees 2 and 5, and the development has incorporated tree friendly methodologies to protect Tree 1. It is therefore unlikely that the proposed works will impact on the viability of these three trees.

Tree 4 is located within the subject land, has a Low retention Rating and is unregulated, this tree requires removal to accommodate the proposed development, given the condition of the tree and its limited benefit, removal is considered to be reasonable.

The trees in Tree Group 3 will be adversely affected by the development as the proposal shows major excavation inside of its SRZs and removal is required to accommodate the proposed development. However, this is a third party asset and outside of the proposed development boundary and permission must be acquired from the landowner before any tree damaging activity is sought.

Brief

Arborman Tree Solutions was engaged by Christopher Webber, Future Urban for TwoSixSix Pty Ltd to undertake an Arboricultural Impact Assessment and provide a Development Impact Report for two significant trees at the property adjacent to 266 Melbourne Street, North Adelaide. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the trees and provide mitigation strategies to minimise the impact where appropriate.

The proposed development includes the demolition of the existing dwelling and the construction of a multi-level dwelling complex including an under croft car park. This assessment will determine the potential impacts the proposal may have on the trees within and adjacent to the site and to recommend impact mitigation strategies in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009) for trees to be retained.

In accordance with section 2.2 of the AS4970-2009 the following information is provided:

- Assessment of the general condition and structure of the subject trees
- Identification of the legislative status of trees on site as defined in the *Development Act 1993.*
- Identify and define the Tree Protection Zone and Structural Root Zone for each tree.
- Identify potential impacts the development may have on tree health and/or stability.
- Recommend impact mitigation strategies in accordance with AS4970-2009 for trees to be retained.
- Provide information in relation to the management of trees.

Documents and Information Provided

The following information was provided for the preparation of this assessment

- Email instruction on Scope of Works
- Design Drawings

Site Location

Figure 1: Site location – 266 Melbourne Street, North Adelaide

Methodology

The proposed design was reviewed in association with the information in the Design Drawings and CAD files as supplied by Christopher Webber, Future Urban for TwoSixSix Pty Ltd.

The potential impact of the proposed works on tree condition is considered in accordance with the guidelines in AS4970-2009 *Protection of trees on development sites* (AS4970-2009). When determining potential impacts of an encroachment into a Tree Protection Zone (TPZ), the following should be considered as outlined in AS4970-2009 section 3.3.4 *TPZ encroachment considerations*.: -

a) Location of roots and root development.

b) The potential loss of root mass from the encroachment.

c) Tree species and tolerance to root disturbance.

d) Age, vigour and size of the tree.

e) Lean and stability of the tree.

f) Soil characteristics and volume, topography, and drainage.

g) The presence of existing or past structures or obstacles affecting root growth.

h) Design factors.

The impacts on a tree can be varied and are not necessarily consistent with or directly corelated to a particular level of encroachment, to assist in providing consistency the levels of impact have been classified into the following categories: -

No Impact - no encroachment into the TPZ has been identified.

Low <10% - the identified encroachment is less than 10% of the TPZ area and not expected to impact tree viability.

Low >10% - the identified encroachment is greater than 10% of the TPZ area however there are factors that indicate the proposed development will not negatively impact tree viability.

High >10% - the identified encroachment is greater than 10% of the TPZ area and factors are present that indicate the proposed development will negatively impact tree viability. The impact is likely to lead to the long-term decline of the tree however it is unlikely to impact on its short-term stability.

Conflicted - the identified encroachment is greater than 10% of the TPZ area and in most cases will also impact the SRZ and/or the trunk. There are factors present that indicate the proposed development will negatively impact tree viability to the point where its removal is required as part of the development.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'Low' have features or considerations identified in clauses in AS4970-2009 3.3.4 *TPZ encroachment considerations* which indicate these trees will be sustainable.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'High' do not have any features or considerations identified in clauses in AS4970-2009 3.3.4 and therefore alternative design solutions, additional root investigations and/or tree sensitive construction measures are required if the tree is to be retained. Where alternative protection methodologies are not available tree removal may be required to accommodate the development.

Trees with an Impact identified as 'Conflicted' are impacted over the majority of their root zone and/or over the SRZ or on the trunk, additional root investigations or tree sensitive construction measures are not available and the only option is alternative designs or tree removal.

Regulatory Status, Tree Protection Zones and Development Impacts are shown in Appendix B.

Assessment

Arborman Tree Solutions was engaged by Christopher Webber, Future Urban for TwoSixSix Pty Ltd to undertake an Arboricultural Impact Assessment and provide a Development Impact Report for the trees that have been classed as Regulated and Significant. In addition, all the trees likely to be conflicted by the development. in the rear and front of the neighbouring property to the north-eastern side of 266 Melbourne Street, North Adelaide. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the trees and provide mitigation strategies to minimise impact where appropriate. The proposal involves the demolition of the existing dwelling and the construction of multi-level dwellings including under croft car park. This assessment provides recommendations in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009).

Tree Assessment

The assessment considered four individual trees and one group of trees, Trees 1, 2 and 4 are identified as *Jacaranda mimosifolia* (Jacaranda), Tree 5 is a *Celtis australis* (European Nettle Tree) and Tree Group 3 is a mix *Casuarina* and *Acacia* (She-oak and Wattle). The trees are considered to be in Good to Fair overall condition and have extended useful life expectancies.

Tree 1 is located in the front garden of the adjacent property, 264 Melbourne Street, which is a maintained vegetated area including additional trees, understory and ground cover plantings. The tree has an overall condition which is fair due to it being co-dominant with notable decay and hollowing at the main union.

Tree 2 is at the rear of 264 Melbourne Street and is growing in an area which predominately is a sealed surface it is also near the electricity transformer box. It currently has an overall condition of fair due to the impact of historical pruning on the trees long-term structure.

Tree 3 is a group of trees, including *Casuarina* and *Acacia* spp., which have been planted in the central island of the carparking area on the boundary between 264 Melbourne Street and the subject land. The trees in this group are currently in overall good condition.

Tree 4 is a young tree growing next to the existing building and which is considered to be in fair overall condition due the dieback in the upper crown.

Tree 5 is growing in the planting strip on the eastern side of 264 Melbourne Street and is considered to be in fair overall condition due to the presence of stable included bark in the primary trunk division.

Findings on individual tree health and condition are presented in Appendix B - Tree Assessment Findings.

Retention Assessment

Trees that provide important environmental and/or aesthetic contribution to the area, are in good condition scored a High or Moderate Retention Rating and conservation of these trees is encouraged. Trees identified as not suitable for retention or attained a low Tree Retention Rating, displayed one or a number of the following attributes:

a) provide limited environmental/aesthetic benefit,
b) short lived species,
c) represent a material risk to persons or property,
d) identified as causing or threatening to cause substantial damage to a structure of value,
e) limited Useful Life Expectancy.
f) young and easily replaced.

Three trees, Trees 1, 2 and 5, display features that indicate they are suitable for retention as they achieved a Moderate Retention Rating. It is my opinion, as a Significant Tree with a Moderate Retention Rating, Tree 1 do not display attributes described within the *Development Act 1993*, that would warrant its retention as an 'important' tree. However, they are worthy of consideration for retention if they can be adequately protected in an otherwise reasonable and expected development.

Table 1 Retention Rating

Retention Rating	Number of Trees	Tree Numbers
Moderate	3	1, 2 and 5
Low	2	3 and 4

The remaining trees achieved a Low Retention Rating indicating that development constraint, alternative designs or tree-friendly construction methodologies are not warranted. As such, tree removal could be considered to achieve the proposed a future development.

Legislative Assessment

The assessment has identified Tree 1 as a Significant Trees as defined in the *Development Act 1993*. The remaining trees are either exempt from regulation or unregulated. As a Significant Tree this tree is required to be assessed against the relevant Objectives and Principles of Development Control as listed in the Adelaide (City) Development Plan. When assessed against the relevant Objectives and Principles of Development Control this tree is not considered to provide 'important' aesthetic and/or environmental benefit and as such their protection as Significant Trees is not warranted.

Table 2 - Legislative Status

Legislative Status	Number of Trees	Tree Numbers
Significant	1	1
Unregulated	2	3-4
Exempt	1	2 and 5

Encroachment and Impact Assessment

Within AS4970-2009 relevant information is provided to assist with determining the impact on trees when developing in close proximity to them. Any tree that requires protection should be retained whilst remaining viable during and post development. Further guidance on how to suitably manage any proposed or encountered encroachments is identified in AS4970-2009. When assessing potential impacts, a Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) are the principle means of protecting a tree and are provided in accordance with AS4970-2009 section 1.4.5 and 3.2. This standard has been applied to ensure trees identified for retention remain viable and the redevelopment is achievable.

There is no encroachment into the TPZ of Tree 5 and the encroachment for Tree 2 is less than 10% of the TPZ area and does not impact the tree's SRZ, this type of encroachment is recognised as 'Minor' under AS4970-2009 (See Appendix C - Mapping). This level of encroachment results in No or Low Impact and additional root investigations are not required, warranted and have not been recommended in this instance.

The encroachment for trees 1, 3 and 4 has been calculated to be greater than 10% of the total TPZ area and is therefore classified as a 'Major Encroachment' as defined in AS4970-2009. AS4970-2009 also identifies relevant factors that should be considered when determining the 'impact' of encroachments such as this; these considerations are listed under section 3.3.4 *TPZ encroachment considerations*. When considering these factors, the proposed encroachment will result in tree damaging activity that will result in the decline, death or failure of the Trees 3 and 4. The retention of this trees is in Conflict with the proposed development. However when considering the encroachment into the TPZ of Tree 1 the impact is considered to be Low.

The following discusses the relevant factors of AS4970-2009 section 3.3.4 *TPZ encroachment considerations* for Tree 1: -

- 3.3.4 (d), '*Age, vigour and size of the tree*'.
  The tree is mature and displays good health and viability, indicating it can tolerate the proposed level of encroachment without noticeable impacts. Healthy and vigorous trees can manage various levels of pruning, demolition of existing structures, changes in soil grade and moisture, soil compaction and other root zone encroachments and are better able to adapt to the new site conditions once the development phase has been completed.

- 3.3.4 (g), *The presence of existing or past structures or obstacles affecting root growth*.
  The tree is growing in an apparently irrigated garden bed and there is a masonry wall and footing between the tree and the subject land. It is likely that roots will have proliferated in the preferable growing environment of the garden bed, and it is unlikely that substantial roots will have colonised the area beyond the boundary wall.
- 3.3.4 (h), *Design factors*.
  Although it is unlikely that important roots will be encountered during the redevelopment phase, low impact methodologies and materials have been recommended to ensure the subject trees are not impacted in any way by the proposal. The proposal has incorporated permeable pavement at the existing grade, i.e.: no excavation, to minimise any impact on the

Table 3 Development Impact

Impact	Number of Trees	Tree Numbers
Conflicted	2	3 (group) and 4
Low	2	1 and 2
No Impact	1	5

Conclusion

The Arboricultural Impact Assessment has identified that Trees 1, 2 and 5 are unlikely to be negatively impacted by the proposed works. There is no encroachment, or the encroachment is less than 10% of the TPZ area for Trees 2 and 5, and the development has incorporated tree friendly methodologies to protect Tree 1. It is therefore unlikely that the proposed works will impact on the viability of these three trees.

Tree 4 is located within the subject land, has a Low retention Rating and is unregulated, this tree requires removal to accommodate the proposed development, given the condition of the tree and its limited benefit, removal is considered to be reasonable.

The trees in Tree Group 3 will be adversely affected by the development as the proposal shows major excavation inside of its SRZs and removal is required to accommodate the proposed development. However, this is a third party asset and outside of the proposed development boundary and permission must be acquired from the landowner before any tree damaging activity is sought.

Thank you for the opportunity to provide this report. Should you have any questions or require further information, please contact me and I will be happy to be of assistance.

Yours sincerely,

MARCUS LODGE
Senior Consulting Arboriculturist
Australian Arborist License AL11
Diploma in Arboriculture
International Society of Arboriculture – Tree Risk Assessment
VALID Tree Risk Assessment (VALID) – 2018
Native Vegetation Council Trained Arborist 2019

Definitions

Circumference: trunk circumference measured at one metre above ground level. This measurement is used to determine the status of the tree in relation to the *Planning, Development and Infrastructure Act 2016 (Development Act 1993)*.

Diameter at Breast Height: trunk diameter measured at 1.4 metres above ground level used to determine the Tree Protection Zone as described in Australian Standard AS4970-2009 *Protection of trees on development sites*.

Diameter at Root Buttress: trunk diameter measured just above the root buttress as described in Australian Standard AS4970-2009 *Protection of trees on development sites* and is used to determine the Structural Root Zone.

Tree Damaging Activity Tree damaging activity includes those activities described within the *Planning, Development and Infrastructure Act 2016 (Development Act 1993),* such as removal, killing, lopping, ringbarking or topping or any other substantial damage such as mechanical or chemical damage, filling or cutting of soil within the TPZ. Can also include forms of pruning above and below the ground.

Tree Protection Zone: area of root zone that should be protected to prevent substantial damage to the tree's health.

Structural Root Zone: calculated area within the tree's root zone that is considered essential to maintain tree stability.

Project Arborist a person with the responsibility for carrying out a tree assessment, report preparation, consultation with designers, specifying tree protection measures, monitoring and certification. The Project Arborist must be competent in arboriculture, having acquired through training, minimum Australian Qualification Framework (AQTF) Level 5, Diploma of Horticulture (Arboriculture) and/or equivalent experience, the knowledge and skills enabling that person to perform the tasks required by this standard.

Encroachment: the area of a Tree Protection Zone that is within the proposed development area.

Impact: the effect on tree health, structure and/or viability as a result of required works associated with the proposed development within the TPZ or the vicinity of the tree(s).

References

Australian Standard AS4970–2009 ***Protection of trees on development sites***: Standards Australia.

Matheny N. Clark J. 1998: ***Trees and Development a Technical Guide to Preservation of Trees During Land Development***: International Society of Arboriculture, Champaign, Illinois, USA.

Appendix A - Tree Assessment Methodology

Tree Assessment Form (TAF©)

Record	Description
Tree	In botanical science, a tree is a perennial plant which consists of one or multiple trunks which supports branches and leaves. Trees are generally taller than 5 metres and will live for more than ten seasons, with some species living for hundreds or thousands of seasons.
Genus and Species	Botanical taxonomy of trees uses the binominal system of a genus and species, often there are subspecies and subgenus as well as cultivars. When identifying tree species, identification techniques such as assessing the tree's form, flower, stem, fruit and location are used. Identifying the right species is critical in assessing the tree's legalisation and environmental benefit. All efforts are made to correctly identify each tree to species level, where possible. Genus is the broader group to which the tree belongs e.g. *Eucalyptus, Fraxinus* and *Melaleuca*. Species identifies the specific tree within the genus e.g. *Eucalyptus camaldulensis*, *Fraxinus griffithi* or *Melaleuca styphelioides*. Trees will also be assigned the most commonly used Common Name. Common Names are not generally used for identification due to their nonspecific use, i.e. *Melia azedarach* is commonly known as White Cedar in South Australia but is also called Chinaberry Tree, Pride of India, Bead-tree, Cape Lilac, Syringa Berrytree, Persian Lilac, and Indian Lilac; equally similar common names can refer to trees from completely different Genus e.g. Swamp Oak, Tasmanian Oak and English Oak are from the *Casuarina, Eucalyptus* and *Quercus* genus's respectively.
Height	Tree height is estimated by the arborist at the time of assessment. Tree height is observed and recorded in the following ranges; <5m, 5-10m, 10-15m and >20m.
Spread	Tree crown spread is estimated by the arborist at the time of assessment and recorded in the following ranges <5m, 5-10m, 10-15m, 15-20m, >20m.
Health	Tree health is assessed using the Arborman Tree Solutions - Tree Health Assessment Method that is based on international best practice.
Structure	Tree structure is assessed using Arborman Tree Solutions - Tree Structure Assessment Method that is based on international best practice.
Tree Risk Assessment	Tree Risk is assessed using Tree Risk Assessment methodology. The person conducting the assessment has been trained in the International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ), Quantified Tree Risk Assessment (QTRA) and/or VALID Tree Risk Assessment (VALID). Refer to the Methodology within the report for additional information.
Legislative Status	Legislation status is identified through the interpretation of the *Development Act 1993*, the *Natural Resource Management Act 2004,* the *Native Vegetation Act 1991* and/or any other legislation that may apply.
Mitigation	Measures to reduce tree risk, improve tree condition, remove structural flaws, manage other conditions as appropriate may be recommended in the form of pruning and is listed in the Tree Assessment Findings (Appendix B). Tree pruning is recommended in accordance with AS4373-2007 *Pruning amenity trees* where practicable. Where measures to mitigate risk is not possible and the risk is unacceptable, then tree removal or further investigation is recommended.

Useful Life Expectancy (ULE)

ULE Rating	Definition
Surpassed	The tree has surpassed its Useful Life Expectancy. Trees that achieve a surpassed ULE may do so due to poor health, structure or form. Additionally, trees that are poorly located such as under high voltage powerlines or too close to structures may also achieve a surpassed ULE. Trees that achieve this status will be recommended for removal as there are no reasonable options to retain them.
<10 years	The tree displays either or both Poor Health and/or Structure and is considered to have a short Useful Life Expectancy of less than ten years. Some short-lived species such as *Acacia sp*. may naturally achieve a short ULE.
>10 years	The tree displays Fair Health or Structure and Good Health or Structure and is considered to have a Useful Life Expectancy of ten years or more. Trees identified as having a ULE of >10, will require mitigation such as pruning, stem injections or soil amelioration to increase their ULE.
>20 years	The tree displays Good Health and Structure and is considered to have an extended Useful Life Expectancy of more than twenty years.

Maturity (Age)

Age Class	Definition
Senescent	The tree has surpassed its optimum growing period and is declining and/or reducing in size. May be considered as a veteran in relation to its ongoing management. Tree will have generally reached greater than 80% of its expected life expectancy.
Mature	A mature tree is one that has reached its expected overall size, although the tree's trunk is still expected to continue growing. Tree maturity is also assessed based on species; as some trees are much longer lived than others. Tree will have generally reached 20-80% of its expected life expectancy.
Semi Mature	A tree which has established but has not yet reached maturity. Normally tree establishment practices such as watering will have ceased. Tree will generally not have reached 20% of its expected life expectancy.
Juvenile	A newly planted tree or one which is not yet established in the landscape. Tree establishment practices such as regular watering will still be in place. Tree will generally be a newly planted specimen up to five years old; this may be species dependant.

Tree Health Assessment (THA©)

Category	Description
Good	Tree displays normal vigour, uniform leaf colour, no or minor dieback (<5%), crown density (>90%). When a tree is deciduous, healthy axillary buds and typical internode length is used to determine its health. A tree with good health would show no sign of disease and no or minor pest infestation was identified. The tree has little to no pest and/or disease infestation.
Fair	Tree displays reduced vigour abnormal leaf colour, a moderate level of dieback (<15%), crown density (>70%) and in deciduous trees, reduced axillary buds and internode length. Minor pest and/or disease infestation potentially impacting on tree health. Trees with fair health have the potential to recover with reasonable remedial treatments.
Poor	Tree displays an advanced state of decline with low or no vigour, chlorotic or dull leaf colour, with high crown dieback (>15%), low crown density (<70%) and/or in deciduous trees, few or small axillary buds and shortened internode length. Pest and or disease infestation is evident and/or widespread. Trees with poor health are highly unlikely to recover with any remedial treatments; these trees have declined beyond the point of reversal.
Dead	The tree has died and has no opportunity for recovery.

Tree Structural Assessment (TSA©)

Category	Description
Good	Little to no branch failure observed within the crown, well-formed unions, no included bark, good branch and trunk taper present, root buttressing and root plate are typical. Trees that are identified as having good health display expected condition for their age, species and location.
Fair	The tree may display one or more of the following a history of minor branch failure, included bark unions may be present however, are stable at this time, acceptable branch and trunk taper present, root buttressing and root plate are typical. Trees with fair structure will generally require reasonable remediation methods to ensure the tree's structure remains viable.
Poor	History of significant branch failure observed in the crown, poorly formed unions, unstable included bark unions present, branch and/or trunk taper is abnormal, root buttressing and/or root plate are atypical.
Failed	The structure of the tree has or is in the process of collapsing.

Tree Form Assessment (TFA©)

Category	Description
Good	Form is typical of the species and has not been altered by structures, the environment or other trees.
Fair	The form has minor impacts from structures, the environment or adjacent trees which has altered its shape. There may be slight phototropic response noted or moderate pruning which has altered the tree's form.
Poor	The tree's form has been substantially impacted by structures, the environment, pruning or other trees. Phototropic response is evident and unlikely to be corrected.
Atypical	Tree form is highly irregular due to structures or other trees impacting its ability to correctly mature. Extreme phototropic response is evident; or the tree has had a substantially failure resulting in its poor condition, or extensive pruning has altered the tree's form irreversibly.

Priority

Category	Description
Low	Identified works within this priority should be carried out within 12 months.
Medium	Identified works within this priority should be carried out within 6 months.
High	Identified works within this priority should be carried out within 3 months.
Urgent	Identified works within this priority should be carried out immediately. Works within this priority rating will be brought to attention of the responsible person at the time of assessment.

Tree Retention Rating (TRR)

The Tree Retention Rating is based on a number of factors that are identified as part of the standard tree assessment criteria including Condition, Size, Environmental, Amenity and Special Values. These factors are combined in a number of matrices to provide a Preliminary Tree Retention Rating and a Tree Retention Rating Modifier which combine to provide a Tree Retention Rating that is measurable, consistent and repeatable.

Preliminary Tree Retention Rating

The Preliminary Tree Retention Rating is conducted assessing Tree Health and Structure to give an overall Condition Rating and Height and Spread to give an overall Size Rating. The following matrices identify how these are derived.

Condition Matrix				
Structure	**Health**			
	Good	**Fair**	**Poor**	**Dead**
Good	C1	C2	C3	C4
Fair	C2	C2	C3	C4
Poor	C3	C3	C4	C4
Failed	C4	C4	C4	C4

Size Matrix					
Spread	**Height**				
	>20	**15-20**	**10-15**	**5-10**	**<5**
>20	S1	S1	S1	S2	S3
15-20	S1	S1	S2	S3	S3
10-15	S1	S2	S2	S3	S4
5-10	S2	S3	S3	S4	S5
<5	S3	S3	S4	S5	S5

The results from the Condition and Size Matrices are then placed in the Preliminary Tree Retention Rating Matrix.

Preliminary Tree Retention Rating				
Size	**Condition**			
	C1	**C2**	**C3**	**C4**
S1	High	Moderate	Low	Low
S2	Moderate	Moderate	Low	Low
S3	Moderate	Moderate	Low	Low
S4	Moderate	Moderate	Low	Low
S5	Low	Low	Low	Low

The Preliminary Tree Retention Rating gives a base rating for all trees regardless of other environmental and/or amenity factors and any Special Value considerations. The Preliminary Tree Retention Rating can only be modified if these factors are considered to be of high or low enough importance to warrant increasing or, in a few cases, lowering the original rating.

Tree Retention Rating Modifier

The Preliminary Tree Retention Rating is then qualified against the recognised Environmental and Amenity benefits that trees present to the community thereby providing a quantitative measure to determine the overall Tree Retention Rating. Data is collected in relation to Environmental and Amenity attributes which are compared through a set of matrices to produce a Tree Retention Rating Modifier.

Environmental Matrix				
Origin	**Habitat**			
	Active	**Inactive**	**Potential**	**No Habitat**
Indigenous	E1	E1	E2	E3
Native	E1	E2	E3	E3
Exotic	E2	E3	E3	E4
Weed	E3	E3	E4	E4

Amenity Matrix				
Character	**Aesthetics**			
	High	**Moderate**	**Low**	**None**
Important	P1	P1	P2	P3
Moderate	P1	P2	P3	P3
Low	P2	P3	P3	P4
None	P3	P3	P4	P4

Tree Retention Rating Modifier				
Amenity	**Environment**			
	E1	**E2**	**E3**	**E4**
P1	High	High	Moderate	Moderate
P2	High	Moderate	Moderate	Moderate
P3	Moderate	Moderate	Moderate	Moderate
P4	Moderate	Moderate	Moderate	Low

Tree Retention Rating

The results of the Preliminary Tree Retention Rating and the Tree Retention Rating Modifier matrices are combined in a final matrix to give the actual Tree Retention Rating.

Tree Retention Rating Matrix			
Tree Retention Rating Modifier	**Preliminary Tree Retention Rating**		
	High	**Moderate**	**Low**
High	Important	High	Moderate
Moderate	High	Moderate	Low
Low	Moderate	Low	Low

Special Value Trees

There are potentially trees that have Special Value for reasons outside of normal Arboricultural assessment protocols and therefore would not have been considered in the assessment to this point; to allow for this a Special Value characteristic that can override the Tree Retention Rating can be selected. Special Value characteristics that could override the Tree Retention Rating would include factors such as the following:

Cultural Values

Memorial Trees, Avenue of Honour Trees, Aboriginal Heritage Trees, Trees planted by Dignitaries and various other potential categories.

Environmental Values

Rare or Endangered species, Remnant Vegetation, Important Habitat for rare or endangered wildlife, substantial habitat value in an important biodiversity area and various other potential categories.

Where a tree achieves one or more Special Value characteristics the Tree Retention Rating will automatically be overridden and assigned the value of Important.

Tree Retention Rating Definitions

Important These trees are considered to be important and will in almost all instances be required to be retained within any future development/redevelopment. It is highly unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should as a minimum be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites* however given the level of importance additional considerations may be required.

High These trees are considered to be important and will in most instances be required to be retained within any future development/redevelopment. It is unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.

Moderate These trees are considered to be suitable for retention however they achieve less positive attributes than the trees rated as Important or High and as such their removal or other tree damaging activity is more likely to be considered to be acceptable in an otherwise reasonable and expected development. The design process should where possible look to retain trees with a Moderate Retention Rating. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.

Low These trees are not considered to be suitable for retention in any future development/redevelopment; trees in this category do not warrant special works or design modifications to allow for their retention. Trees in this category are likely to be approved for removal and/or other tree damaging activity in an otherwise reasonable and expected development. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.

Development Impact Assessment

Potential development impacts were determined in accordance with Australian Standard 4970-2009 *Protection of trees on development sites.* The identification of the impact of development considers a number of factors including the following:

a. The extent of encroachment into a tree's Tree Protection Zone by the proposed development as a percentage of the area.

b. Results of any non-destructive exploratory investigations that may have occurred to determine root activity.

c. Any required pruning that may be needed to accommodate the proposed development.

d. Tree species and tolerance to root disturbance.

e. Age, vigour and size of the tree.

f. Lean and stability of the tree.

g. Soil characteristics and volume, topography and drainage.

h. The presence of existing or past structures or obstacles potentially affecting root growth.

i. Design factors incorporated into the proposed development to minimise impact.

The impacts on a tree can be varied and are not necessarily consistent with or directly corelated to a particular level of encroachment, to assist in providing consistency the levels of impact have been classified into the following categories: -

No Impact - no encroachment into the TPZ has been identified.

Low <10% - the identified encroachment is less than 10% of the TPZ area and not expected to impact tree viability.

Low >10% - the identified encroachment is greater than 10% of the TPZ area however there are factors that indicate the proposed development will not negatively impact tree viability.

High >10% - the identified encroachment is greater than 10% of the TPZ area and factors are present that indicate the proposed development will negatively impact tree viability. The impact is likely to lead to the long-term decline of the tree however it is unlikely to impact on its short-term stability.

Conflicted - the identified encroachment is greater than 10% of the TPZ area and in most cases will also impact the SRZ and/or the trunk. There are factors present that indicate the proposed development will negatively impact tree viability to the point where its removal is required as part of the development.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'Low' have features or considerations identified in clauses in AS4970-2009 3.3.4 *TPZ encroachment considerations* which indicate these trees should be sustainable.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'High' do not have any features or considerations identified in clauses in AS4970-2009 3.3.4 and therefore alternative design solutions, additional root investigations and/or tree sensitive construction measures are required if the tree is to be retained. Where alternative protection methodologies are not available tree removal may be required to accommodate the development.

Trees with an Impact identified as 'Conflicted' are impacted over the majority of their root zone and/or over the SRZ or on the trunk, additional root investigations or tree sensitive construction measures are not available and the only option is alternative designs or tree removal.

Appendix B - Tree Assessment Findings

Jacaranda mimosifolia

Tree No: 1

Jacaranda

Inspected:	15 September 2021
Height:	10-15 metres
Spread:	5-10 metres
Health:	Good
Structure:	Fair
Form:	Fair
Trunk Circumference:	>3 metres
Useful Life Expectancy:	>10 years
Tree Protection Zone:	6.28 metres
Structural Root Zone:	3.24 metres

Observations

This tree has an overall condition which is fair, due to its decay at the base of tree.This tree is co-dominant from ground level and has a visible decay hollow in the main union at ground level.

Legislative Status	Significant

This tree has a trunk circumference greater than three metres and is not subject to any exemption from regulation and therefore it is identified as a Significant Tree as defined in the Development Act 1993.

Retention Rating	Moderate

This tree has a Moderate Retention Rating and could be considered for retention if it can be protected. It is likely that tree damaging activity, including removal, will only be approved if it is shown that alternative design solutions are not available.

Development Impact	Low

The identified encroachment is greater than 10% of the Tree Protection Zone area however the proposed development incorporates features that minimise the impact on the tree.

Action	Protect Root Zone

Protect the root zone of this tree in accordance with the recommendations and principles of AS4970-2009.

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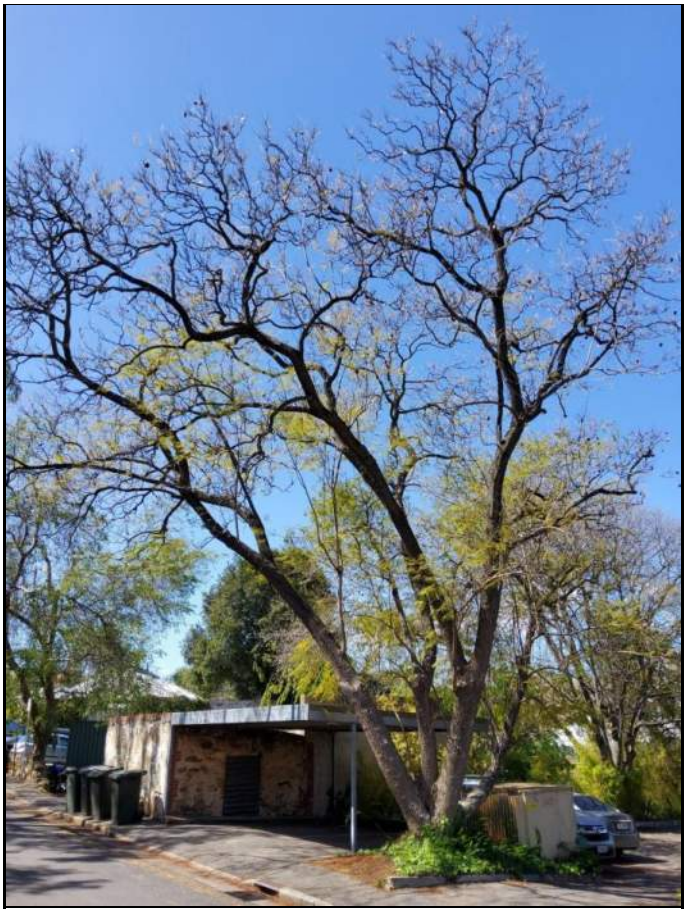
Jacaranda mimosifolia

Tree No: 2

Jacaranda

Inspected:	15 September 2021
Height:	10-15 metres
Spread:	10-15 metres
Health:	Good
Structure:	Fair
Form:	Fair
Trunk Circumference:	>3 metres
Useful Life Expectancy:	>10 years
Tree Protection Zone:	7.47 metres
Structural Root Zone:	3.27 metres



Observations

The tree has a condition which is fair as a result from having a modified form. This is a result of historical pruning. The main stem is within one metre of an inground electricity transformer box.

Legislative Status	Exempt

This tree is within 10 metres of a dwelling, on the opposite side of Old Street and is therefore exempt from control under the Development Act 1993.

Retention Rating	Moderate

This tree has a Moderate Retention Rating and could be considered for retention if it can be protected. It is likely that tree damaging activity, including removal, will only be approved if it is shown that alternative design solutions are not available.

Development Impact	Low

The identified encroachment is less than 10% of the TPZ area and not expected to impact tree viability.

Action	Maintain TPZ

This tree is owned by a third party and can be retained, therefore apply protection in accordance with AS4970-2009 Protection of trees on development sites.

Casuarina sp.

Tree No: 3

Casuarina

Inspected:	15 September 2021
Height:	15-20 metres
Spread:	5-10 metres
Health:	Good
Structure:	Good
Form:	Good
Trunk Circumference:	<2 metres
Useful Life Expectancy:	>20 years
Tree Protection Zone:	3.84 metres
Structural Root Zone:	2.34 metres

Observations

The health and structure of the trees in this group indicate they are in good overall condition and has adapted to their local environment. This is a group of trees of mixed species including Acacia and Casuarina.

Legislative Status	Unregulated

This trees in this group do not achieve a regulated trunk circumference and therefore are not regulated by the Development Act 1993.

Retention Rating	Low

This group of trees has a Low Retention Rating and should not form a material constraint to the redevelopment of this site. Tree damaging activity, including removal, is likely to be approved as part of an otherwise reasonable development.

Development Impact	Conflicted

The identified encroachment impacts the Structural Root Zone. The new below ground carpark is within the SRZ and its installation is likely to cause these trees to become unstable.

Action	Removal Required

This group of trees is owned by a third party, however tree removal is required to support the proposed development.

Jacaranda mimosifolia

Tree No: 4

Jacaranda

Inspected:	15 September 2021
Height:	<5 metres
Spread:	<5 metres
Health:	Fair
Structure:	Good
Form:	Fair
Trunk Circumference:	<2 metres
Useful Life Expectancy:	>10 years
Tree Protection Zone:	2.00 metres
Structural Root Zone:	1.50 metres

Observations

This tree is considered to be in fair overall condition as evidenced by the moderate level of dieback in the upper crown.

Legislative Status	Unregulated

This tree does not achieve a regulated trunk circumference and therefore is not regulated by the Development Act 1993.

Retention Rating	Low

This tree has a Low Retention Rating and should not form a material constraint to the redevelopment of this site. Tree damaging activity, including removal, is likely to be approved as part of an otherwise reasonable development.

Development Impact	Conflicted

The identified encroachment is greater than 10% of the TPZ area and will also impact the SRZ and the trunk. The removal of this tree is required as part of the development.

Action	Removal Required

Tree removal is required to support the proposed development.

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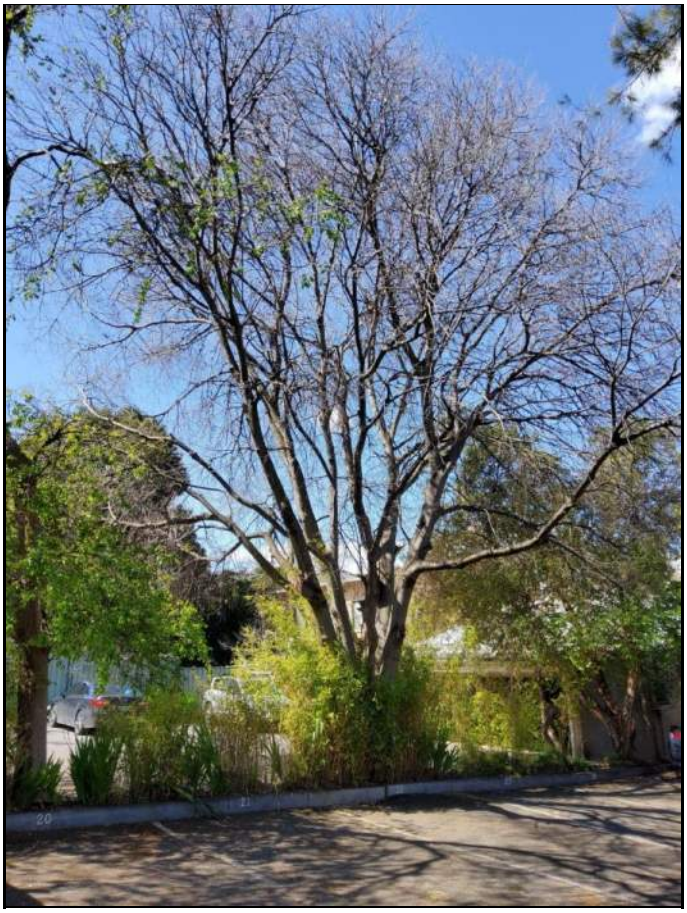
Celtis australis

Tree No: 5

European Nettle Tree

Inspected:	15 September 2021
Height:	15-20 metres
Spread:	15-20 metres
Health:	Good
Structure:	Fair
Form:	Fair
Trunk Circumference:	>2 metres
Useful Life Expectancy:	>10 years
Tree Protection Zone:	8.91 metres
Structural Root Zone:	3.31 metres



Observations

This tree is considered to be in fair overall condition due to the presence of stable included bark in the primary trunk division. This tree is a multi-trunked specimen and has bamboo planting covering the base and lower section of the main stem.

Legislative Status	Exempt

This tree species is listed as exempt from control under Regulation 6A (5)(b) of the Development Regulations 2008.

Retention Rating	Moderate

This tree has a Moderate Retention Rating and could be considered for retention if it can be protected. It is likely that tree damaging activity, including removal, will only be approved if it is shown that alternative design solutions are not available.

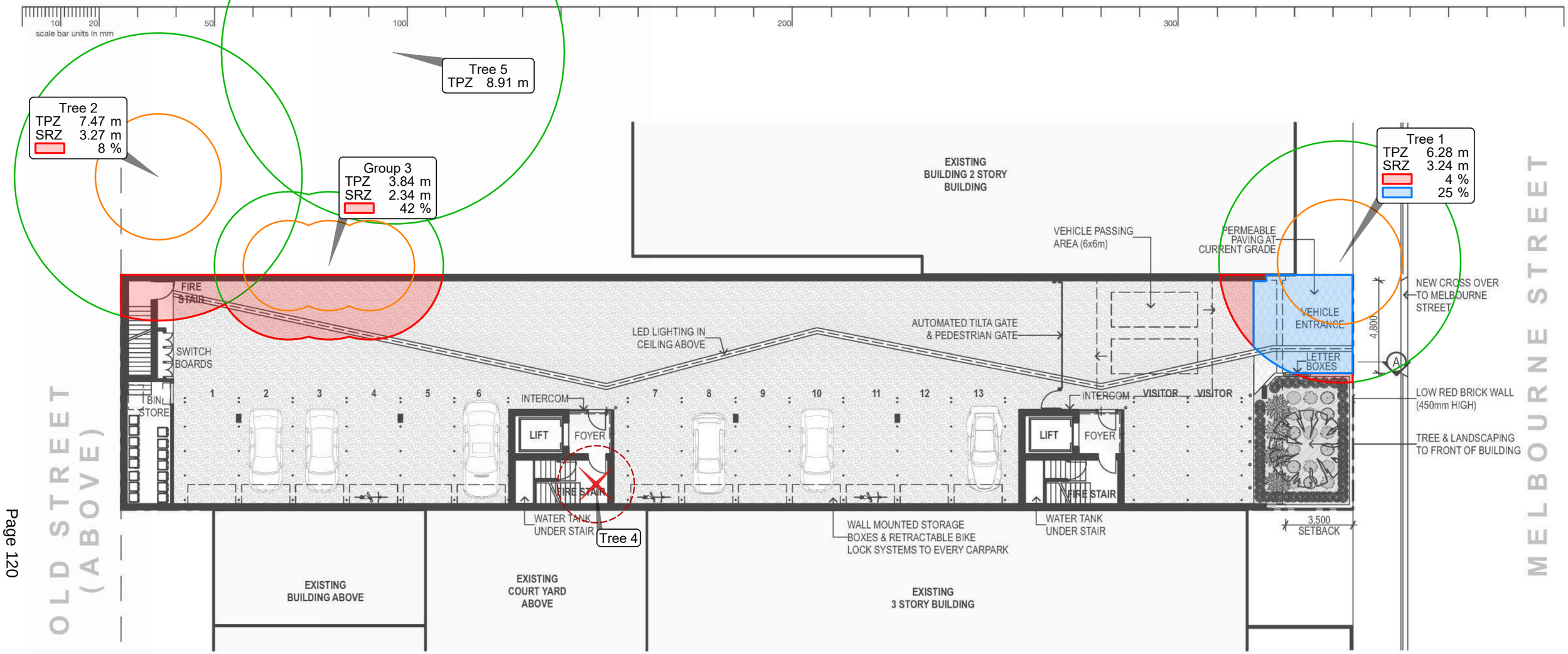
Development Impact	No Impact

No encroachment into the Tree Protection Zone area has been identified.

Action	Maintain TPZ

This tree is owned by a third party and can be retained, therefore apply AS4970-2009 Protection of trees on development sites.

Appendix C - Mapping



Ground Floor

Scale 1:200

LEGEND

FW	FULL HEIGHT FROSTED WINDOWS
	LANDSCAPED OPEN SPACE
	PRIVATE OUTDOOR SPACE / BALCONY
	COMMUNAL CIRCULATION SPACE

Legend
ATS6522-266MelStDIR R1

- TPZ
- SRZ
- Tree Removal

Encroachments

- Sealed
- Permeable

0 2 4 6 8 10m 20m

SCALE 1:200 @ A3

Issue for DPC 11/1/22

Ground Floor (Melbourne Street Level)

REVISION: B
PROJECT: DA213966

03

dasharchitects

Proposed Residential Development at 266 Melbourne St, North Adelaide

Appendix D – Tree Assessment Summary

Tree Assessment Summary

Tree No.	Botanic Name	Legislative Status	Retention Rating	Development Impact	TPZ Radius	Observations	Action
1	*Jacaranda mimosifolia*	Significant	Moderate	Low	6.28 metres	This tree has an overall condition which is fair, due to its decay at the base of tree.This tree is co-dominant from ground level and has a visible decay hollow in the main union at ground level.	Protect Root Zone
2	*Jacaranda mimosifolia*	Exempt	Moderate	Low	7.47 metres	The tree has a condition which is fair as a result from having a modified form. This is a result of historical pruning. The main stem is within one metre of an inground electricity transformer box.	Maintain TPZ
3	*Casuarina sp.*	Unregulated	Low	Conflicted	3.84 metres	The health and structure of the trees in this group indicate they are in good overall condition and has adapted to their local environment. This is a group of trees of mixed species including Acacia and Casuarina.	Removal Required
4	*Jacaranda mimosifolia*	Unregulated	Low	Conflicted	2.00 metres	This tree is considered to be in fair overall condition as evidenced by the moderate level of dieback in the upper crown.	Removal Required
5	*Celtis australis*	Exempt	Moderate	No Impact	8.91 metres	This tree is considered to be in fair overall condition due to the presence of stable included bark in the primary trunk division. This tree is a multi-trunked specimen and has bamboo planting covering the base and lower section of the main stem.	Maintain TPZ

Appendix E - Tree Protection Zone Guidelines

Tree Protection Zone General Specifications and Guidelines

The Tree Protection Zone(s) is identified on the site plan. The TPZ is an area where construction activities are regulated for the purposes of protecting tree viability. The TPZ should be established so that it clearly identifies and precludes development/construction activities including personnel.

If development activities are required within the TPZ then these activities must be reviewed and approved by the Project Arborist. Prior to approval, the Project Arborist must be certain that the tree(s) will remain viable as a result of this activity.

Work Activities Excluded from the Tree Protection Zone:

a) Machine excavation including trenching;

b) Excavation for silt fencing;

c) Cultivation;

d) Storage;

e) Preparation of chemicals, including preparation of cement products;

f) Parking of vehicles and plant;

g) Refuelling;

h) Dumping of waste;

i) Wash down and cleaning of equipment;

j) Placement of fill;

k) Lighting of fires;

l) Soil level changes;

m) Temporary or permanent installation of utilities and signs, and

n) Physical damage to the tree.

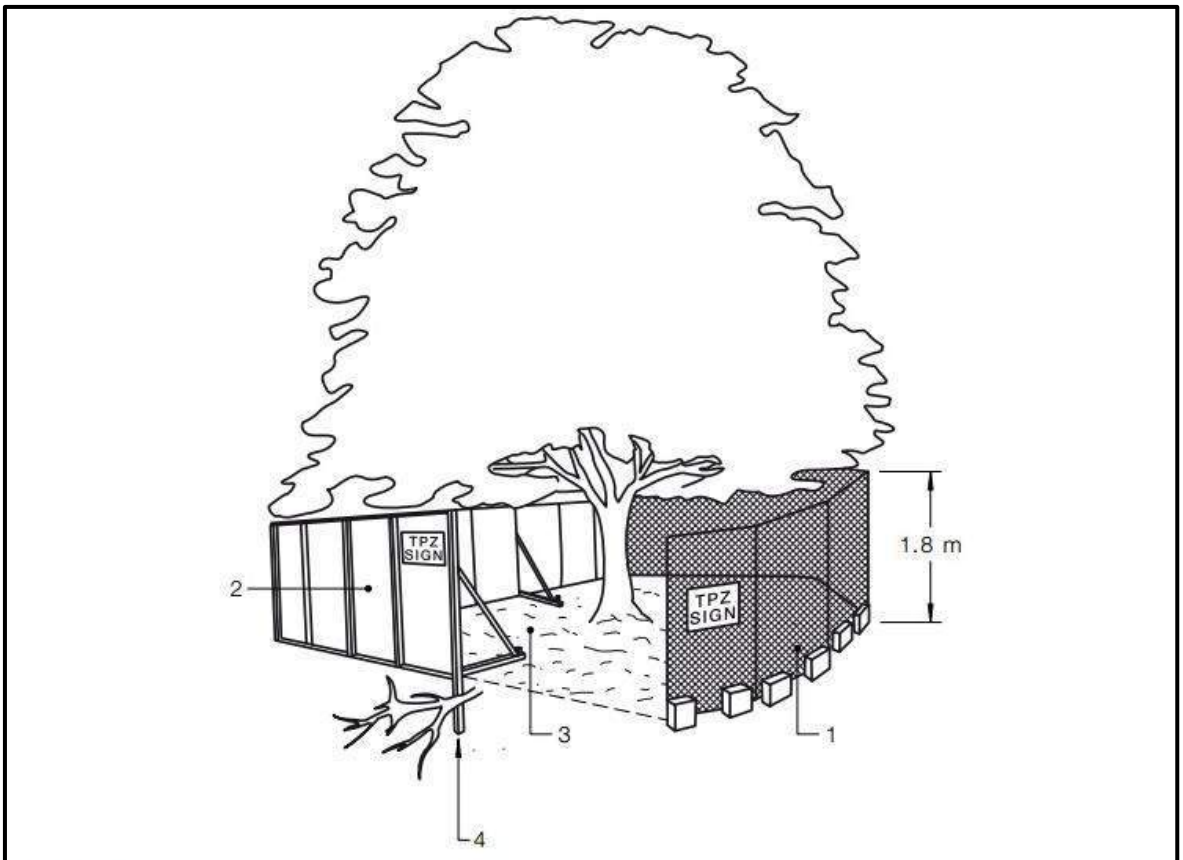
Protective Fencing
Protective fencing must be installed around the identified Tree Protection Zone (See Figure1). The fencing should by chain wire panels and compliant with AS4687 - 2007 *Temporary fencing and hoardings*. Shade cloth or similar material should be attached around the fence to reduce dust, other particulates and liquids entering the protected area.

Temporary fencing on 28kg bases are recommended for use as this eliminates any excavation requirements to install fencing. Excavation increase the likelihood of root damage therefore should be avoided where possible throughout the project.

Existing perimeter fencing and other structures may be utilised as part of the protective fencing.

Any permanent fencing should be post and rail with the set out determined in consultation with the Project Arborist.

Where the erection of the fence is not practical the Project Arborist is to approve alternative measures.



LEGEND:
1 Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
2 Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
3 Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
4 Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

Figure 1 Showing example of protection fencing measures suitable.

Other Protection Measures

General
When a TPZ exclusion area cannot be established due to practical reasons or the area needs to be entered to undertake construction activities then additional tree protection measures may need to be adopted. Protection measures should be compliant with AS4970-2009 and approved by the Project Arborist

Installation of Scaffolding within Tree Protection Area.
Where scaffolding is required within the TPZ branch removal should be minimised. Any branch removal required should be approved by the Project Arborist and performed by a certified Arborist and performed in accordance with AS4373-2007. Approval to prune branches must be documented and maintained.

Ground below scaffold should be protected by boarding (e.g. scaffold board or plywood sheeting) as shown in Figure below. The boarding should be left in place until scaffolding is removed.

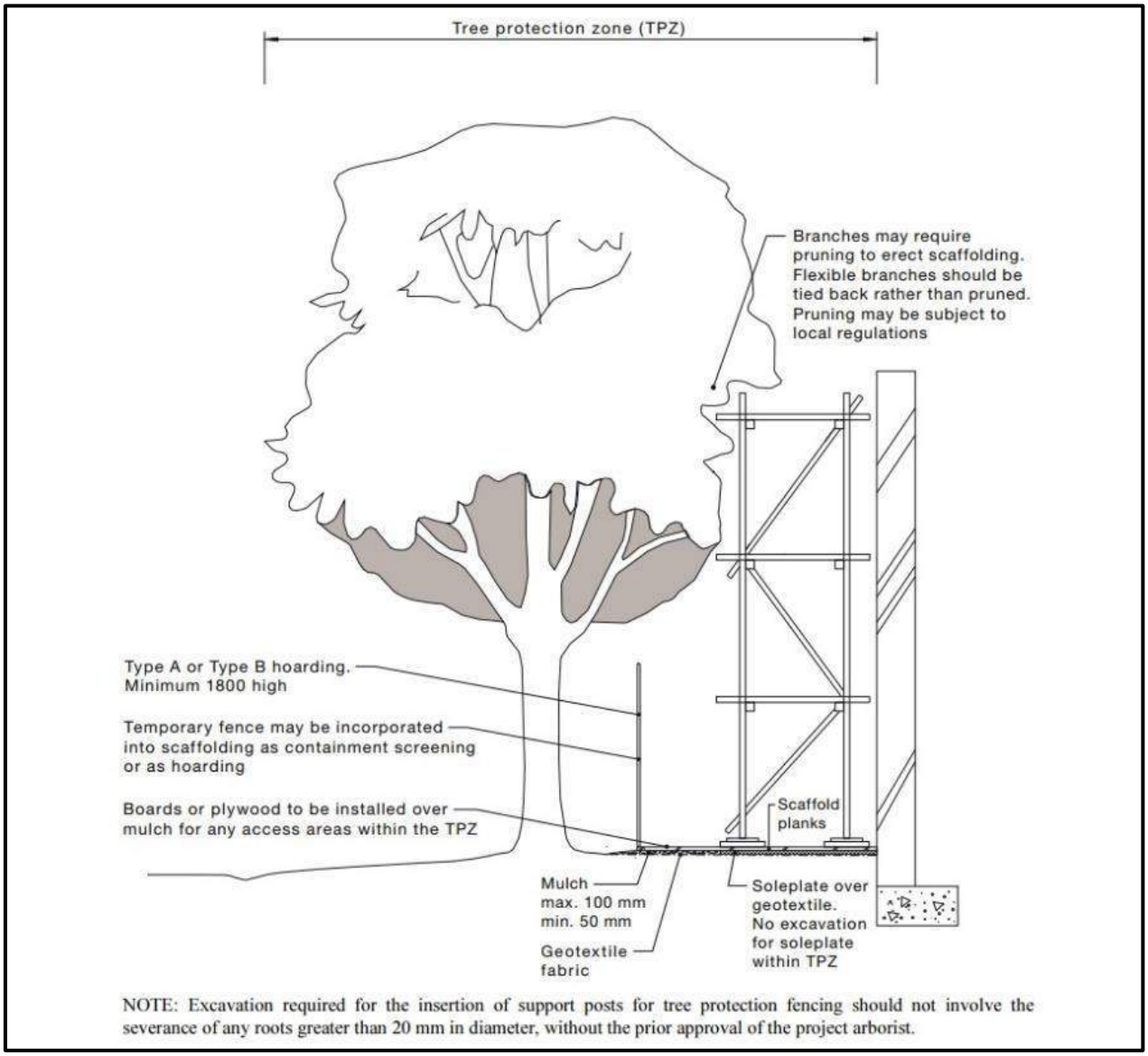
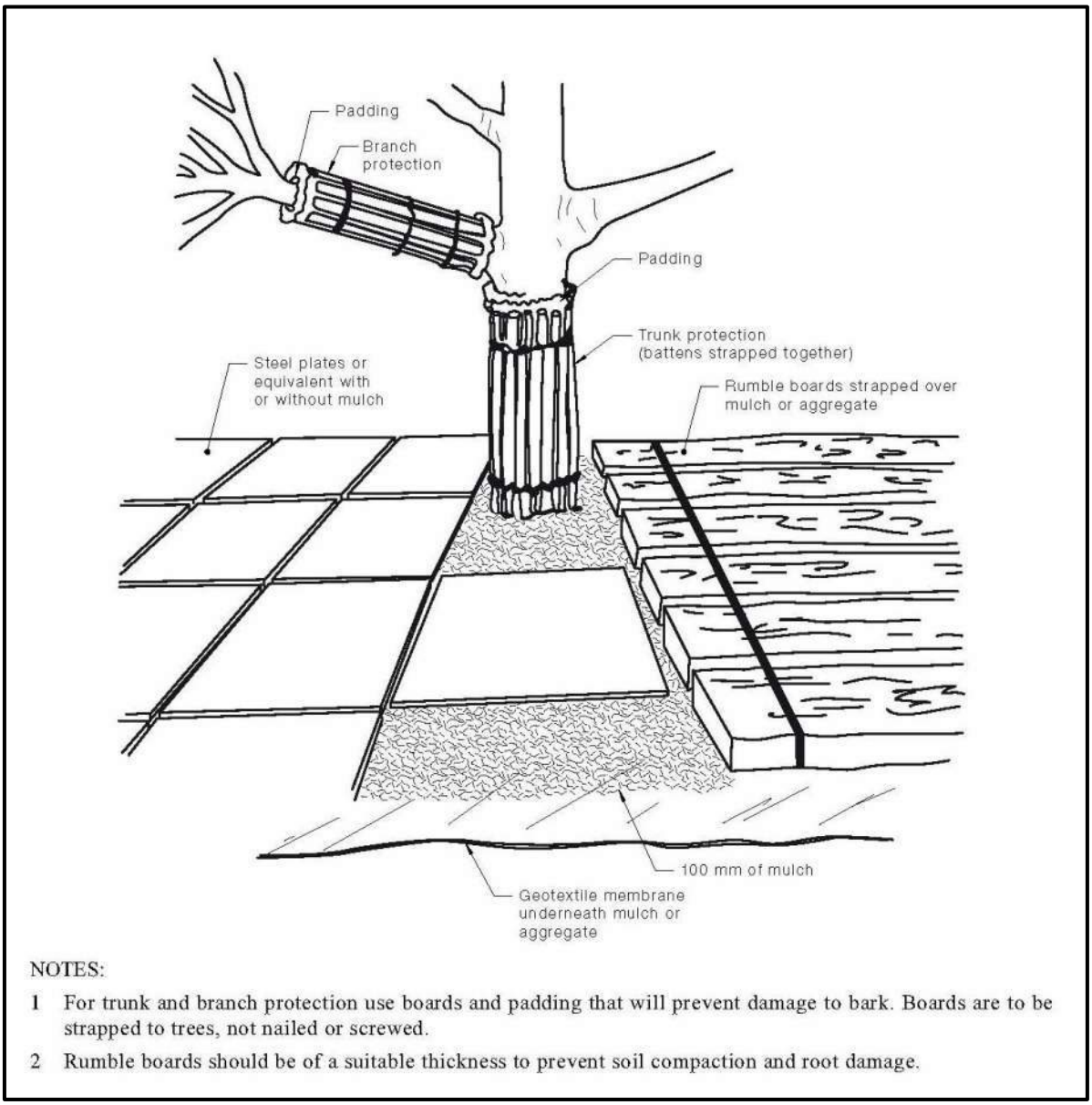


Figure 2 – Showing scaffold constructed within TPZ.

Ground Protection
Where access is required within the TPZ ground protection measures are required. Ground protection is to be designed to prevent both damage to the roots and soil compaction.

Ground protection methods include the placement of a permeable membrane beneath a layer of non-compactable material such as mulch or a no fines gravel which is in turn covered with rumble boards or steel plates.



NOTES:

1 For trunk and branch protection use boards and padding that will prevent damage to bark. Boards are to be strapped to trees, not nailed or screwed.

2 Rumble boards should be of a suitable thickness to prevent soil compaction and root damage.

Figure 3 – Ground protection methods.

Document Source:
Diagrams in this document are sourced from AS4970-2009 Protection of trees on development sites*. Further information and guidelines are available in within that document.*

Paving Construction within a Tree Protection Zone
Paving within any Tree Protection Zone (TPZ) must be carried out above natural ground level unless it can be shown with non-destructive excavation (AirSpade® or similar) that no or insignificant root growth occupies the proposed construction area.

Due to the adverse effect filling over a Tree Protection Zone (TPZ) can have on tree health; alternative mediums other than soil must be used. Available alternative mediums include structural soils or the use of a cellular confinement system such as *Ecocell*®.

Ecocell®
Ecocell® systems are a cellular confinement system that can be filled with large particle sized gravels as a sub-base for paving systems to reduce compaction to the existing grade.

Site preparation
- Clearly outline to all contracting staff entering the site the purpose of the TPZ's and the contractors' responsibilities. No fence is to be moved and no person or machinery is to access the TPZ's without consent from the City of Unley and/or the Project Arborist.

- Fence off the unaffected area of the TPZ with a temporary fence leaving a 1.5 metre gap between the work area and the fence; this will prevent machinery access to the remaining root zone.

Installation of Ecocell® and EcoTrihex Paving®
- Install a non-woven geotextile fabric for drainage and separation from sub base with a minimum of 600mm overlap on all fabric seams as required.

- Add Ecocell®, fill compartments with gravel and compact to desired compaction rate.

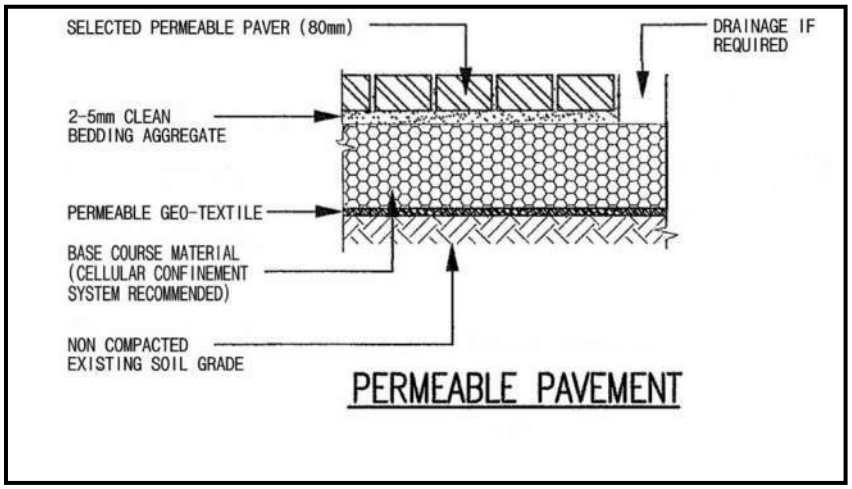
- If excessive groundwater is expected incorporate an appropriate drainage system within the bedding sand level.

- Add paving sand to required depth and compact to paving manufacturer's specifications.

- Lay EcoTrihex Paving® as per manufactures specifications and fill gaps between pavers with no fines gravel.

- Remove all debris, vegetation cover and unacceptable in-situ soils. No excavation or soil level change of the sub base is allowable for the installation of the paving.

- Where the finished soil level is uneven, gullies shall be filled with 20 millimetre coarse gravel to achieve the desired level.



This construction method if implemented correctly can significantly reduce and potentially eliminated the risk of tree decline and/or structural failure and effectively increase the size of the Tree Protection Zone to include the area of the paving.

Certificates of Control

Stage in development	Tree management process	
	Matters for consideration	**Actions and certification**
Development submission	Identify trees for retention through comprehensive arboricultural impact assessment of proposed construction. Determine tree protection measures Landscape design	Provide arboricultural impact assessment including tree protection plan (drawing) and specification
Development approval	Development controls Conditions of consent	Review consent conditions relating to trees
Pre-construction (Sections 4 and 5)		
Initial site preparation	State based OHS requirements for tree work Approved retention/removal Refer to AS 4373 for the requirements on the pruning of amenity trees Specifications for tree protection measures	Compliance with conditions of consent Tree removal/tree retention/transplanting Tree pruning Certification of tree removal and pruning Establish/delineate TPZ Install protective measures Certification of tree protection measures
Construction (Sections 4 and 5)		
Site establishment	Temporary infrastructure Demolition, bulk earthworks, hydrology	Locate temporary infrastructure to minimize impact on retained trees Maintain protective measures Certification of tree protection measures
Construction work	Liaison with site manager, compliance Deviation from approved plan	Maintain or amend protective measures Supervision and monitoring
Implement hard and soft landscape works	Installation of irrigation services Control of compaction work Installation of pavement and retaining walls	Remove selected protective measures as necessary Remedial tree works Supervision and monitoring
Practical completion	Tree vigour and structure	Remove all remaining tree protection measures Certification of tree protection
Post construction (Section 5)		
Defects liability/ maintenance period	Tree vigour and structure	Maintenance and monitoring Final remedial tree works Final certification of tree condition

Document Source:

This table has been sourced from AS4970-2009 Protection of trees on development sites. *Further information and guidelines are available in within that document.*

Tree Protection Zone

NO ACCESS

Contact: Arborman Tree Solutions

Ph. 8240 5555
m: 0418 812 967
e: arborman@arborman.com.au

arborman tree solutions
PROFESSIONALS IN ARBORICULTURE

APPENDIX 3. SITE PHOTOS

Figure 7.1 *Photo of site from Melbourne Street*

Figure 7.2 *Photo from Melbourne Street looking west*

Figure 7.3 *Photo of Old Street looking east*

Figure 7.4 *Photo of regulated tree (Tree 1)*

Figure 7.5 *Photo of significant tree (Tree 2)*

Product	Register Search (CT 5522/467)
Date/Time	16/01/2019 04:47PM
Customer Reference	M180032
Order ID	20190116010383
Cost	$28.75

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 5522 Folio 467

Parent Title(s) CT 4315/504

Creating Dealing(s) CONVERTED TITLE

Title Issued 08/04/1998 **Edition** 8 **Edition Issued** 23/02/2018

Estate Type

FEE SIMPLE

Registered Proprietor

THE SUNSHINE LIFE PTY. LTD. (ACN: 606 216 193)
OF 1 JOALAH ROAD DUFFYS FOREST NSW 2084

Description of Land

ALLOTMENT 558 FILED PLAN 183830
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

NIL

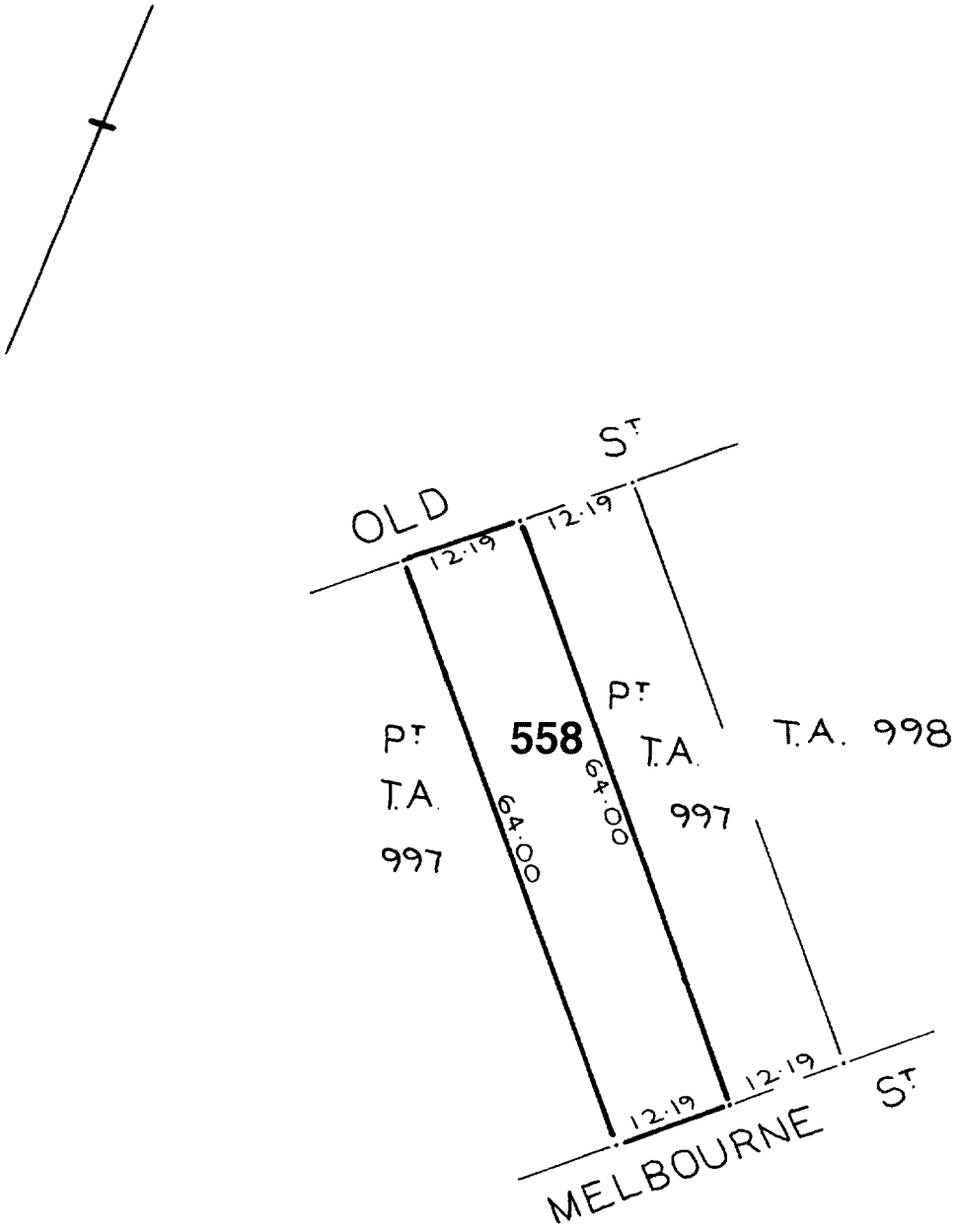
Schedule of Dealings

Dealing Number	Description
12874804	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (ACN: 004 044 937)

Notations

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

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 4315/504



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	The Sunshine Life Pty Ltd
Development Number:	DA/174/2021
Nature of Development:	Demolishing existing building and constructing four level residential flat building containing 15 apartments with ground level car parking
Zone/Sub-zone/Overlay:	Mixed Use (Melbourne West) Zone
Subject Land:	266 Melbourne Street, North Adelaide SA 5006
Contact Officer:	Edouard Pool
Phone Number:	
Close Date:	19/08/2021

My name*: Cate Cheetham	My phone number:
My postal address*: 98 Old Street, North Adelaide	My email:

* *Indicates mandatory information*

My position is:

- ☐ I support the development
- ☐ I support the development with some concerns (detail below)
- ☒ I oppose the development

The specific reasons I believe that planning consent should be granted/refused are:

See accompanying letter.

[attach additional pages as needed]

Government of South Australia
Attorney-General's Department

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
  - N/A

I:	☒ wish to be heard in support of my submission*
	☐ do not wish to be heard in support of my submission
By:	☒ appearing personally
	☒ being represented by the following person: George Manos

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:  Date: 17/08/2021

Return Address: N/A

Email: N/A

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

BOTTEN LEVINSON
Lawyers

Our ref: GM/221244

17 August 2021

Chief Executive Officer
City of Adelaide
Town Hall
King William Street
ADELAIDE SA 5000

Dear Chief Executive

DA/174/2021 – Development at 266 Melbourne Street, North Adelaide

I act for Ms Cate Cheetham who resides at 98 Old Street, North Adelaide. My client's land is directly opposite the subject land which has a frontage to Old Street and Melbourne Street.

My client has instructed me to lodge a representation opposing the development proposed.

Existing locality conditions

The subject land is currently developed with a single storey building which is not built to all side boundaries with an open car park area at the rear, facing onto Old Street. There are some trees in that area as well. Adjacent the subject land on Old Street, there are single storey developments, together with some trees. It is noted that on the property immediately to the east of the subject land there is a significant tree. There is also a regulated tree on the land adjacent the land facing Melbourne Street.

As to the Melbourne Street frontage, there is a three storey building to the "west" and a single storey building to the "east".

The proposal is to demolish the existing building and undertake the construction of a four level building, presenting as a four storey building to Melbourne Street and a three level building to Old Street. There will be excavation for the car park to a depth of about 3m+. However, the car park will not be expressly visible from Old Street although there appears to be some ventilation provided.

Fifteen (15) apartments are proposed in effectively two buildings, the building facing Melbourne Street is for *larger apartments* and the building facing Old Street contains a higher number of apartments. The apartments facing Melbourne Street whilst having more generous internal areas nonetheless still have a small amount of private open space. Indeed, on the question of private open space, it is noted that ten of the apartments have only $8m^2$ of open space, two have $13m^2$, two have $14m^2$ and one is said to have $30m^2$ although it is apparent that most of that area is only 2m wide.

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Given the development is going to be 'boundary to boundary', and there will be a substantial amount of cut – at least 3m in depth, it appears that there is a real risk that *tree damaging activity* will be undertaken which means that the consent of the adjacent land owners is required because, in effect, their sites are also part of the development. If the position is otherwise, the Council must have the applicant confirm that information.

Whilst there is a range of building heights in the locality, the prevailing height in Old Street is single storey. This is in direct contrast to the form and height of development proposed. It is overly large – see for example the plans prepared by DASH marked 09, 20, 21 and 22.

Further the form of the development and its close proximity to Old Street itself is clearly at odds with how Old St has been developed setback wise and the single storey nature of development including my client's heritage building.

Zoning and Height

The land is in the Mixed Use (Melbourne West) Zone although my client's land is in the North Adelaide Historic (Conservation) Zone.

Further, my client's property is listed as a local heritage place – see Table 2 of the Development Plan which expressly lists the house frontage and side wall returns visible from the street. As a matter of law, it is relevant to assess the development not only against the Zone provisions but also the Zone on adjacent land. Further, and most importantly one must have regard to Melbourne West Concept Plan Fig. MU(MW)/1. That figure specifically shows the need for graduation of building height in response to the residential context at the interface with the North Adelaide (Historic) Conservation Zone.

As set out above, having regard to the conditions in the locality, it is clear that the intent of that figure – which is set out at page 23 of the Zone provisions is not achieved. That is reinforced by the text of the Development Plan and that part of the Zone character for the Zone which reads:

> *However, development will be desired to carefully manage the interface with sensitive uses in the North Adelaide (Historic) Conservation Zone particularly with regard to massing; proportions; overshadowing; traffic and noise related impacts.*

Additionally PDCs 4 -7 address this issue including specifically PDC 5

> *Development should be in accordance with Concept Plan Figure MU(MW)/1.*

As identified above, the images prepared by the architects show there is no correlation in terms of massing proportions as is required by the Development Plan particular at the interface. The height, bulk and scale is expressly at odds with the conditions in the locality and the Zone provisions referred to above. The proposal can therefore be refused on that ground alone.

An overdevelopment

It is clear that when one has regard to the whole of the development, the site is being over developed. That submission is reinforced by the following matters:

1. As mentioned above, the bulk and scale of the building from all focal points.

2. The *side to side boundary* of the development.

3. The very small front and rear setbacks noting that the setback at the rear is effectively nil because of the brick walls and other treatments facing Old St.

4. The limited and it is submitted effectively largely unusable private open space provided to ten of the apartments.

5. The lack of any usable *communal open space*, noting that whilst there is a space some 4m wide between the "front and back buildings", that area is boarded by 12 – 14m high buildings with little opportunity for direct solar access.

6. The outlook from the units in the *back building* which face south.

7. As touched on above, the overall height of the development particularly having regard to the neighbouring properties.

8. The overall height of the development as it faces Old Street given the existing built form in Old Street including the built form of the representor's Local Heritage Place. In that regard not only do the Zone provisions seek to maintain the setting of heritage places in the immediately adjacent North Adelaide (Historic) Conservation Zone but in the General Part of the Council's Development Plan[1].

9. Based on drawing 15 the Melbourne St height is 14m and working backwards from the information on that drawing the height is 10.8m at Old Street.

In essence, the approach taken is effectively to rely on PDC 2 under the *Overlay 1 Affordable Housing* which deals with affordable housing in terms of reducing the quantitative provisions to their absolute minimum. It is helpful to remind oneself that the courts have often stated, development that achieves the minimum standards does not always represent good development. That is clearly the case in this instance. Further and in any event the development will not be for *affordable housing*.

Zone Expectation Not Achieved/Zone Conflict

Further, having regard to the above discussion, it is clear that the proposal conflicts with Zone PDC 6 under the heading "Form and Character" which reads:

> *Development should ensure a high quality living environment is achieved for residential development within the Zone and the adjacent North Adelaide (Historic) Conservation Zone. (emphasis added)*

Further, the proposal offends PDC 7 which seeks development to maintain the prevailing *low to medium scale built form and be consistent with the pattern of building setback from front and side boundaries*. That has been discussed above and clearly the proposal offends that provision.

No buffer area is provided along Old Street as is sought by PDC 9 for the Zone.

Reference is also made of PDC 13 which reads:-

[1] See provisions generally under the heading *Heritage and Conservation – North Adelaide* at 57ff and *Development on Land Adjacent to a Heritage Place* at 59ff

Set-backs from Old Street should be sufficient to respect the character of the adjacent North Adelaide Historic (Conservation) Zone.

For all of the above reasons, it is clear that the proposal is an over development of the subject land. Similar land holdings have only been developed with no more than eight dwellings – see for example the apartments at 282 Melbourne Street. There is also Ronald McDonald House that contains 10 'living units' but the circumstances of that use are somewhat different providing short term accommodation for families whose children are hospitalized. The built form of that development is still much smaller than the proposal with single storey facing Old St.

Other concerns

It is clear that in today's society, there is a very high level of car parking demand. Each apartment has two bedrooms but only one car park has been allocated to each apartment. It is respectfully submitted that that is an insufficient number to cater for the fifteen apartments. There are very limited parking opportunities in the public realm ie, in Melbourne Street and, in particular, on Old Street. Whilst bicycle parks have been provided, again it is clear that whilst there is some reliance on bicycles, there is a far greater reliance on motor vehicles.

There are no real opportunities for loading/unloading of goods presented on site. For example, how would furniture and the like be delivered or increasingly deliveries from supermarkets. The height of the basement area will not allow for such delivery trucks to access that area.

There can be no reliance on the development of St Ann's College which is in an institution setting and has its own unique circumstances i.e. the new development is within the St Ann's grounds itself. That development also does not front Old Street as is the case here.

Whilst there is some communal planting area, that area will be bounded by high rise buildings and it is likely to not be "user friendly" because it will be in shade with very high boundary walls. It will not create a *pleasant area* for any users which is less than desirable given the $8m^2$ of private open space provided for ten of the fifteen apartments and which have small dimensions in any event.

There is, in effect, a complete lack of planting to Old Street noting that Old Street because of its dimensions relies on trees being planted on private land. This concern is further exacerbated because of the potential impact that that excavation necessary for the car park will have on the significant tree immediately adjacent the land in its north eastern corner and the regulated tree in the south-eastern corner (fronting Melbourne Street).

Further, it is noted that there is some opportunity for overlooking into the representor's property from at least the upper two levels of the development as it faces Old Street. Whilst the Development Plan acknowledges balconies providing some degree of overlooking so as to provide a connection to the street and also assist in passive surveillance, that must be tempered against overlooking into private properties. In this instance, unrestricted overlooking will be available.

PDC14 Building Envelope Plan

It is noted that the consultants for the applicant have referred to the building envelope plan in their report (pg 12). The approach taken is erroneous in that it measures the 45 degree to the building itself on my client's land when the building envelope plan set out

in the Development Plan clearly refers to the nearest residential allotment boundary. This simply reinforces the bulk and scale of the development and that it is in fact an overdevelopment of the site with inappropriate setbacks.

The Council should reject the approach put forward by the consultants. In short, fifteen apartments are proposed on 780m^2 of land with no side boundary setbacks, minimal setbacks to the two *fronting* streets giving rise to a building that is out of character and disrespects the conditions of the locality in terms of its height (together with its bulk and scale). This is directly borne out of non-compliance with PDC 14.

Summary

The proposed development is for a four-storey development (fronting Melbourne Street) and a three storey development (fronting Old Street). It is an overdevelopment of the site noting that there is very high site coverage resulting in limited functionality of communal open space areas with very small private open space areas particularly for ten of the fifteen apartments proposed.

The design and, in particular, the height of the building does not sufficiently take into account the conditions in the locality and, equally importantly, fails to take into account or respect the character of the adjacent North Adelaide Historic (Conservation) Zone as is the express desire of the Development Plan.

A number of quantitative provisions are borderline, all because of the desire to establish so many apartments on a modest parcel of land.

There are a number of individual aspects of concern in relation to the proposed development as detailed herein. Further, there is concern about the impact the proposed development will have on the significant tree on adjacent land at Old Street and the regulated tree on Melbourne Street.

It is clear that the proposal does not comply with the relevant provisions of the Development Plan and therefore must be refused consent.

The representor wishes to be heard

The representor wishes to be heard in person or by agent when this matter is considered by the Planning authority.

Please advise when that opportunity will be presented to the representor.

Yours faithfully

George Manos
BOTTEN LEVINSON
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Respondent	Ms C M Cheetham
Respondent Address	98 Old St, NORTH ADELAIDE SA 5006
Response Type	PNYES — Representor Wishes To Be Heard
Response Date	17/08/2021
Letter Details	
Use Respondent Name	☑ PUBLIC
Summary of Response	Representation opposing DA/174/2021 Made by George Manos on behalf of Cate Cheetham who resides at 98 Old Street, North Adelaide Surname: Cheetham Given Names: Cate Address Line 1: 98 Old Street Suburb: North Adelaide Postcode: 5006 Email Address: gm@bllawyers.com.au

Respondent: Mr D Manuel

Respondent Address: 94 Old St, NORTH ADELAIDE SA 5006

Response Type: PNNO — Representor Does Not Wish To Be He

Response Date: 18/08/2021

Letter Details:

Use Respondent Name: ☑ PUBLIC

Summary of Response:

Proximity & height of complex to existing buildings facing Old St.

94 Old St

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Given Names: Donald
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February 2, 2022

Edouard Pool
Senior Planner
25 Pirie Street
ADELAIDE SA 5000
Via email: E.Pool@cityofadelaide.com.au

Dear Edouard,

RE: DEVELOPMENT APPLICATION 174/2021

We act for The Sunshine Life Pty Ltd ('the Applicant') in relation to the above mentioned development application at 266 Melbourne Street, North Adelaide ('the site').

The purpose of this letter is to summarise and respond to:

- the City of Adelaide's outstanding concerns raised by emails dated 22/07/2021 and 22/10/2021; and
- the two representations that were submitted within the prescribed public consultation period.

Our consolidated response is set out below.

THE CITY OF ADELAIDE

The following concerns were raised by the City of Adelaide ('Council'):

- the architectural expression of the Old Street and Melbourne Street facades in respect of visual interest and compatibility with surrounding built form;
- the separation distance between the central apartments and the rear of the apartments facing Melbourne Street;
- the upper-level setback distance from Melbourne Street; and
- protection of views of the City from properties along Stanley Street and Brougham Place.

Architectural Expression

The concerns relating to the Old Street and Melbourne Street facades have been taken on board by the Applicant. In response, a revised set of architectural drawings is enclosed that proposes an increased level of visual interest and compatibility with its surrounds.

The amendments have primarily focused on the building's presentation to Old Street and include:

- removal of the concrete façade panel on the second building level to expose the depth of the second floor level balcony to add interest and soften its visual bulk;
- timber balustrading incorporated to the second floor level to provide a consistent appearance with the fencing at ground level;

- incorporation of sandstone block walling in replace of recycled red brick at ground level;
- angular 'cut outs' on the upper floor level of the west and eastern elevations adjacent Old Street to expose the upper level balcony and reduce the extent of 'Maxline' cladding; and
- incorporation of glass brick infill on the east and west elevations adjacent Old Street to increase natural light to apartments 6, 7, 11 and 12 and visually break up the bulk of built form.

To further assist Council, Dash Architects have prepared a design statement that details how the policy and existing built form context has informed the building's presentation to Melbourne Street and Old Street.

In relation to the Melbourne Street presentation, Dash Architects has advised that:

- the setback of the main facade considered both the Development Plan provisions and the pattern established by the existing adjoining built form;
- the upper level of the building has been setback and articulated from the intermediate levels below to reduce the visual impact of its height;
- the driveway alignment has been established to create a consistent streetscape rhythm with the adjoining property to the west; and
- landscaping presentation to the street has been added to provide greater amenity to the public realm.

With regard to the Old Street architectural expression, Dash Architects advised:

> *"The presentation to Old Street has attempted address the adjoining zone and local heritage place through a combination of horizontal articulation (accentuating the lower floor) and use of materials (primarily stone and cream render). It has also attempted to present the upper floor as a 'roof like' structure, particularly from side on, through the choice of materials used for the walls."*

It is important to note that the Desired Character of the Mixed Use (Melbourne West) Zone ('the Zone') envisages the following development outcomes in relation to the 'architectural expression' of built form:

> *"Development should reinforce the role and image of the Zone as an attractive mixed use area of low to medium scale, innovatively designed buildings set within landscaped grounds. Development should reinforce the historic siting pattern of buildings set back from boundaries in a landscaped setting."*
>
> *(our emphasis)*

This is further reinforced through Objective 2 of the Zone which reads:

> ***Objective 2:*** *A visually interesting streetscape characterised by contemporary architecture and landscaped setting complementing historic built form.*
>
> (our emphasis)

It is clear from the proposed amendments and the statement prepared by Dash Architects that the proposed design will offer a contemporary and visually interesting presentation to the site's respective streetscapes as desired by the Zone and one that positively complements its surrounds, including the historic built form within the adjoining North Adelaide Historic (Conservation) Zone.

Internal Courtyard Width

In relation to the concerns relating to the separation distance for the internal courtyard, we note this area has the function of a 'light well' for the internal facing apartments where regard must be given to Council Wide PDC 74 which states:

> ***PDC 74:*** *Light wells may be used as a source of daylight, ventilation, outlook and sunlight for medium to high scale residential or serviced apartment development provided that:*
>
> *(a) living rooms do not have lightwells as their only source of outlook;*
>
> *(b) lightwells up to 18 metres in height have a minimum horizontal dimension of 3 metres or 6 metres if overlooked by bedrooms; and*
>
> *(c) lightwells higher than 18 metres in height have a minimum horizontal dimension of 6 metres or 9 metres if overlooked by bedrooms.*

The internal courtyard contains a maximum height of approximately 11 metres and is not to be overlooked by any bedrooms. Therefore, as shown by our underlining above, a minimum horizontal dimension of 3 metres applies.

The proposed courtyard comfortably exceeds this minimum dimension by comprising a length of 12 metres and a width of approximately 5.5 metres.

Given the excess in area, the internal courtyard is not considered to fall within the types of light wells discouraged by PDC 74(a) above given that it can provide a satisfactory outlook to the internal facing apartments as desired by Council Wide PDC 73 of the Development Plan which notes that:

> *"outlook is a short range prospect and is distinct from a view which is more extensive and long range to particular objects or geographic features".*
>
> (our emphasis)

In addition to this, the amended design includes the provision of a green wall for the entire north facing elevation, save for the location of windows, to enhance the experience and amenity for the apartments that interact with this space.

Views

It is acknowledged that views are relevant to the assessment of this application given the notation within the Zone's Concept Plan Fig MU(MW)/1 which states *"Adjoining Policy Area 10 in relation to views may be relevant".*

This notation refers to Stanley West Policy Area 10 which directly adjoins the subject site to the north and spans from Jerningham Street to the east to Brougham Place to the west. This area is shown in Figure 1 below.

Figure 1 *Location of Subject Site and Policy Area 10 (combined Maps Adel/39 and Adel/40)*

The Desired Character statement of Stanley West Policy Area 10 provides guidance with respect to views. It advises that:

> *"Views of the City from Stanley Street and Brougham Place properties should be protected. Buildings on Stanley Street, Kingston Terrace and Brougham Place may be constructed to take advantage of the landfall to provide semi-basement floors and views from upper levels southwards over the City, provided overlooking is adequately addressed through appropriate design.*
>
> (our emphasis)

In applying the above, regard should be given to the Environment, Resources and Development Court's full bench judgement of *St Ann's college Inc. v the Corporation of the City of Adelaide (2019) SAERDC 20.*

This judgement related to St Anns College, located some 83 metres to the west of the subject site, and is particularly instructive with regard to the interpretation of 'protecting city views' as expressed in the Desired Character of Policy Area 10 where the ERD Court stated that:

> *"In our view, the term 'protect', as it is used in PA 10, has the same general meaning as 'minimise', or 'guard against the loss of', or 'avoid unreasonable detriment to'."*
>
> *"Understood in this way, we consider that the protection of views does not equate to the preservation of existing views, nor does it suggest that, in the context of PA 10, only slight or very minor changes to existing views are contemplated. Given the planning scheme as it applies, as a whole, to St Ann's, it is apparent that some diminution of views must be expected."*

In consideration of the above, whilst it is acknowledged that the proposed development may be visible from the rear of some of the properties along Stanley Street and Brougham Place when looking

southwards over the City, we are of the opinion that the available City views will be suitably protected for several reasons.

Firstly, the properties along Stanley Street and Brougham Place (to the north) are located at a higher elevation than the subject site, enabling a view range over the City from the south-east to south west.

Secondly, the nature of views obtainable will change over time due to the construction of new and taller buildings within the City. Such as the existing ‘Adelaidean’ and the ‘Realm’ buildings which were of particular interest in the evidence given in the St Anns College judgment.

Lastly, the Development Plan intends for increased development opportunities of up to four building levels and 14 metres in height where it must be reasonably anticipated that some views of the City will be impacted or obscured. It would be unusual to expect that a four storey building would not impact upon its surrounds in some way.

REPRESENTATIONS

Two representations were received during the public notification period, both of which were opposed to the proposed development.

The representors are located directly north of the subject site, within the adjoining North Adelaide Historic (Conservation) Zone located at 98 and 94 Old Street respectively.

The following key themes were distilled from the submitted representations:

- Building Height and Setbacks;
- Occupant Amenity;
- Overlooking;
- Car Parking;
- Tree Damaging Activity; and
- Overdevelopment.

When considering the concerns raised in the representations, it is instructive to:

- consider the relevant planning policies that apply to the site as the basis for determining the suitability of proposed development;
- have regard to the unique circumstances of the site, noting that it is located at the interface with the North Adelaide Historic (Conservation) Zone to the north of the site;
- acknowledge that the Mixed Used (Melbourne West) Zone seeks development of a greater scale and intensity than the low scale residential development sought in the adjoining Zone. New development is sought to manage its impact at the interface and complement, without necessarily mimicking, the existing historic built form;
- keep in mind, as a general rule, that no development will be perfect, and a development does not need to be so in order to warrant planning consent. The task for the relevant planning authority, in this instance the Council Assessment Panel, is to assess whether the outcome is acceptable having regard to the relevant planning policies. In this regard, we say that it is; and
- keep in mind that those residing at the interface of two zones must surely expect some degree of impact and change if land in the relevant Zone is to be developed to its reasonable potential in accordance with the relevant development policies. The proposal involves a development that is envisaged within the Zone and represents an appropriate planning outcome for the site.

Building Height

The overall building height and proximity to existing buildings at the interface with the North Adelaide Historic (Conservation) Zone was raised within both representations.

In particular, it was asserted by one of the representors that the proposed height does not meet Concept Plan Fig MU(MW)/1) which seeks that *"graduation of building height responds to residential context".*

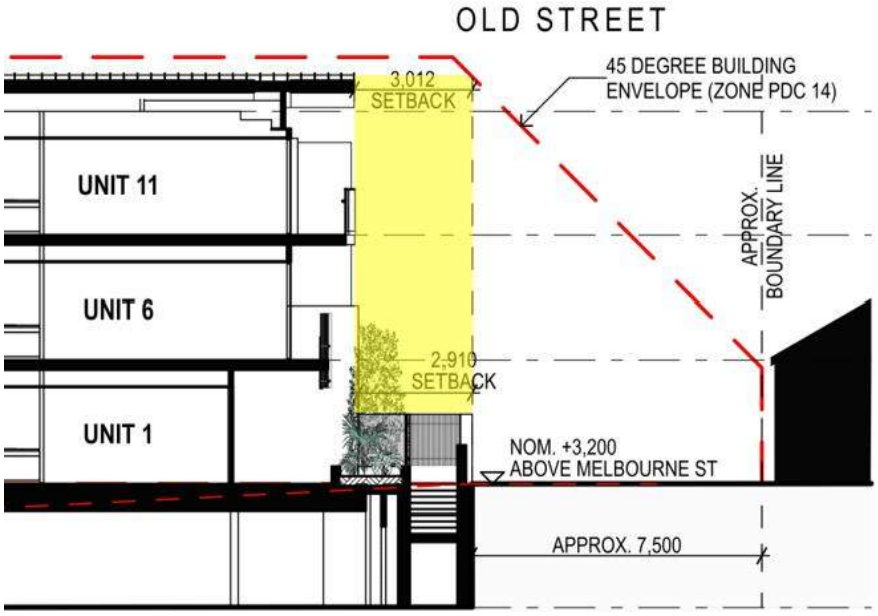
In our opinion, the wording in Concept Plan Fig MU(MW)/1) does not suggest that the building height needs to imitate the height of surrounding buildings within the adjoining Zone. Rather, it seeks to manage the scale differences between contrasting zones.

Such also needs to be weighed up with the fact that:

- the Zone envisages medium density development of up to 14 metres in height; and
- PDC 15 of the Zone contemplates buildings above two storeys at the Old Street interface provided the upper levels are set back from the street frontage and incorporate design treatments to reduce visual presence.

Further, the relevant criteria for assessing building height at the interface with the North Adelaide Historic (Conservation) Zone is primarily guided by the building envelope prescribed in PDC 14 of the Zone where its purpose is to minimise the impacts of building mass upon the adjacent zone.

The proposed building height has been designed to ensure that it is located entirely within the building envelope as shown below.



What is evident in this diagram (highlighted in yellow) is that the building is setback a greater distance that the envelope allows, meaning the interface has been appropriately managed.

Contrary to the submission made by one of the representations, the above building envelope has been applied correctly. For clarity, PDC 14 states that the building envelope is to be taken from the nearest boundary of an allotment within the North Adelaide Historic (Conservation) Zone as stated below.

> ***PDC 14 (a)*** *to minimise building mass at the interface, buildings should be constructed within a building envelope provided by a 45 degree plane, measured from a height of 3 metres above natural ground level at the allotment boundary of an allotment within the North Adelaide Historic (Conservation) Zone (except where this boundary is the southern boundary), …*
>
> (our emphasis)

In addition to the above, a development of a height and scale greater than the existing development within the adjoining Zone is to be reasonably expected. This is acknowledged in Council Wide PDC 168 which seeks for development to maintain a clear distinction between the envisaged intense urban development of Mixed Use Zones and the historic character of the North Adelaide Historic (Conservation) Zones.

We also disagree that the proposed building height will impact the setting of the adjoining local heritage place. In our opinion, the proposed building exhibits thoughtful design consideration of the adjacent local heritage place by meeting the intent of PDC 162 of the Heritage and Conservation module through;

- incorporating complementary materials such as stone and timber to break up the visual bulk;
- using horizontal articulation to accentuate the lower floor to complement the single storey scale;
- being physically separated by Old Street and setting back the taller components into the site where the heritage place can remain a focal point within Old Street; and
- not replicating historic detailing.

Given the above, we are of the opinion that the overall height and scale of the proposed building is appropriate and sufficiently accords with the height expectations of the Mixed Use (Melbourne West) Zone.

Setbacks

In addition to height, it has been asserted that the proposed setbacks are inconsistent with the prevailing pattern of development along Old Street as desired by the Zone.

PDC 15 of the Zone provides particular guidance with respect to the siting of built form adjacent the interface with North Adelaide Historic (Conservation) Zone which states:

> ***PDC 15*** *Where a site has frontage to a road that forms a zone boundary with the North Adelaide Historic (Conservation) Zone, any part of the building exceeding two storeys should:*
>
> *(a) be setback from the street frontage*
>
> *(b) incorporate design treatments to reduce the visual presence of the higher components and to achieve an orderly visual transition between the different zones.*

The proposed development clearly meets PDC 15 above given that:

- the upper level is setback some 3 metres to the balcony and 4.5 metres to the façade from the Old Street boundary; and
- the upper level has incorporated design treatments to provide a 'roof like' appearance, particularly from side on, by using the same material used for the walls as expressed in the design statement by Dash Architects.

Regard should also be given to the existing pattern of building setbacks within the locality as expressed in PDCs 7 and 13 that state:

> ***PDC 7*** *Development should maintain the prevailing low to medium scale of built form and be consistent with, and avoid the further erosion of, the historic pattern of buildings set-back from front and side boundaries in a landscaped setting.*
>
> ***PDC 13*** *Set-backs from Old Street should be sufficient to respect the character of the adjacent North Adelaide Historic (Conservation) Zone.*

The existing pattern of development along Old Street is comprised of one to two storey development that is located on or close to their allotment boundaries. We also note that boundary to boundary

development is common and is evident by the immediately adjoining development to the west of the subject site (Ronald McDonald House) which contains masonry fencing that extends to the Old Street boundary.

The proposed apartments will be set back further than the existing single and two storey buildings that are located on the Old Street frontage within the adjoining North Adelaide Historic (Conservation). The proposed stone fencing will also align with the adjacent Ronald McDonald House.

Whilst there are (few) examples of landscaping located between existing buildings and Old Street as evident in Figure 2 above, the proposal includes the provision two trees, capable of growing up to 8 metres in height. This landscaping will provide an important contribution to the streetscape and assist in softening any visual bulk the building may have meeting the intent for the envisaged landscaped setting in PDC 7 and the 'buffer area' in PDC 9 of the Zone.

To this end, we are of the opinion that the proposed development has been sited and designed to appropriately respect and complement the existing pattern of development within the streetscape as desired by the Mixed Use (Melbourne West) Zone. The proposed siting (and height) will also offer a suitable visual transition between the two Zones.

Occupant Amenity

It was raised that the proposal does not provide sufficient occupant amenity in respect to the private open space areas, communal open space or outlook for the internal facing apartments.

In response to Council's concerns, the design was amended to increase the width of the internal court yard area and a green wall added to improve the outlook for the internal facing apartments and access to natural sunlight as stated earlier in this response.

The design changes have also resulted in amendments to the private open space areas of each apartment where only 3 apartments now fall below the minimum area of 11 square metres by only 1 square metre. Sliding doors have also been provided between the internal living areas and balconies where the two spaces can be used in an integrated fashion to contribute to a high quality residential living environment.

It is noted that some of the private open space areas contain a dimension of less than 2 metres. We do not consider this insurmountable in this instance given that:

- each balcony can be directly accessed from internal living areas;
- each balcony will come equipped with an adequately sized area that can accommodate a table and chairs that promotes indoor/outdoor living as sought in Council Wide PDC 61; and
- each apartment is equipped with more than the recommended internal floor area for two bedroom apartments.

Overlooking

It was asserted that the proposal will result in overlooking into the representors property on at 98 Old Street.

Council Wide PDC 67 provides guidance with respect to overlooking. It advises that:

> ***PDC 67*** *A habitable room window, balcony, roof garden, terrace or deck should be set-back from boundaries with adjacent sites at least three metres to provide an adequate level of amenity and privacy and to not restrict the reasonable development of adjacent sites.*

The proposed apartments facing Old Street are all setback greater than 3 metres from the boundaries of adjacent residential sites, in particular to that of 98 Old Street, as they are separated by a public road satisfying PDC 67 above.

To implement privacy screening or obscured glazing on the upper levels of the apartments along Old Street would be at odds with the Development Plan, as it calls for passive surveillance of the streetscape and for residents to have a satisfactory short-range outlook.

Car Parking and Access

It has been asserted that an insufficient car parking supply is provided to cater for the proposed development.

We disagree with this assertion given that the proposed development will come equipped with more than the recommended number of onsite car parking spaces specified in TABLE Adel/7 of the Development Plan.

A total of 17 spaces (15 resident plus two visitor) are provided onsite, resulting in a surplus of two car parking spaces above the rate of 1 space per dwelling up to 200 square metres in building floor area for medium to high scale residential development.

To this end, the proposed development provides an adequate car parking supply to meet the anticipated demand satisfying Council Wide PDC 253 of the Transport and Access module.

It was also raised that the proposed development does not provide the opportunity for the loading/unloading of goods on the site.

The proposed development provides visitor car parking spaces on site that can be used for small deliveries and loading/unloading. Larger vehicles requiring the need to enter the site are likely to be very infrequent for residential development and are able to utilise the available on-street parking located directly adjacent on Melbourne Street.

Tree Damaging Activity

It was raised that the proposal presents a risk of causing tree damaging activity due to the ‘boundary to boundary’ development and extent of excavation proposed.

In response, please find enclosed an Arboricultural Impact Assessment report by Arborman Tree Solutions that has assessed all trees on the subject land and the immediately adjoining property to the east at 264 Melbourne Street.

The arborist report identified that the adjoining property contains a significant tree adjacent Melbourne Street (identified in the report as Tree 1).

Tree 1 is located within close proximity to the subject land where it was recommended that tree sensitive construction methods are adopted for the driveway area within its tree protection zone ('TPZ') in order for it to be viably preserved.

It was also noted that it is unlikely that important roots of Tree 1 will be encountered within the subject land during construction where the arborist stated that "*roots will have proliferated in the preferable growing environment of the garden bed, and it is unlikely that substantial roots will have colonised the area beyond the boundary wall."*

The Applicant intends to ensure this significant tree is preserved and has therefore incorporated the recommendations made by the Arborist which includes a permeable driveway constructed at existing grade, with no excavation in the TPZ and using a low impact construction methodology that prevents/minimises compaction of Tree 1's root zone.

The existing tree adjacent Old Street (identified as Tree 2) was identified as a Jacaranda and located within 10 metres of an existing dwelling on the opposite side of Old Street. Given the species type and proximity to the nearby dwelling, this tree does not constitute a regulated tree pursuant to Regulation 6A, clause 5(a) of the Development Regulations 2008.

Therefore, due to the tree sensitive measures proposed for the driveway to preserve Tree 1, the proposal is not considered to result in *'tree damaging activity'* nor conflict with the relevant Principles of the Significant Trees module in the Development Plan.

Overdevelopment

It has been raised by one of the representators that the proposal will result in an overdevelopment of the site.

We strongly refute this assertion given that the proposal satisfies a vast majority of the Development Plan provisions, including:

- the proposed development will come equipped with more than the recommended number of onsite car parking spaces;
- each apartment comfortably exceeds the minimum internal floor area for two bedroom dwellings;
- the height of the development does not exceed the maximum building height intended for the Zone;
- the building is setback sufficiently from its street frontages and well within the prescribed building envelope in PDC 14;
- the proposed boundary to boundary design is consistent with existing setbacks of buildings throughout the locality;
- the Zone does not limit the extent of site coverage; and
- the proposed density does not constrain other occupant amenity matters such as storage, bicycle parking, internal courtyard width etc.

Summary

We remain firmly of the view, despite the concerns that have been raised by the representors, that the proposal is deserving of planning consent.

We wish to confirm our attendance at the Council Assessment Panel meeting to respond to any third party submissions.

If, in the interim, you have any queries or concerns whilst finalising your assessment of the application, please do not hesitate to contact the undersigned.

Yours sincerely,

Christopher Webber
Senior Consultant

Enc: *Design Statement by Dash Architects*
Amended Architectural Drawings by Dash Architects
Arboricultural Impact Assessment by Arborman