

31 May 2018

The Secretary  
State Commission Assessment Panel  
GPO Box 1815  
ADELAIDE SA 5001

**Attention:** **Lauren Talbot** - [Lauren.Talbot@sa.gov.au](mailto:Lauren.Talbot@sa.gov.au) and [scapadmin@sa.gov.au](mailto:scapadmin@sa.gov.au)  
Development Assessment, Planning and Development Directorate  
Department of Planning, Transport and Infrastructure

Dear Sir/Madam

**SCAP REFERRAL – COUNCIL COMMENTS – DA 090/E004/18  
RETAIL DEVELOPMENT - 10 ANZAC HIGHWAY EVERARD PARK**

Thank you for your agency referral received on the 19 April 2018 regarding the above-mentioned application and invitation for comment within 6 weeks (viz 31 May 2018) to assist the planning assessment process by the State Commission Assessment Panel (SCPA).

In accord with Section 34(1) of the *Development Act 1993* and Regulation 38(2) of the *Development Regulations 2008*, in relation to this application where the Acting State Coordinator-General determined to appoint SCAP as the relevant planning authority pursuant to Schedule 10(20) of the *Development Regulations 2008*, Council now provides:

- a report on the matters under Section 33(1) of the *Development Act 1993* [viz Unley (City) Development Plan]; and
- comment on Council controlled matters [viz vehicle access, public streetscapes, flooding, stormwater, waste management and the like] to assist with the application review and assessment by the SCAP.

There are a number of areas of concern with the proposed development, discussed in more detail below, which require comprehensive review by SCAP including in summary:

- Large scale retail use rather than integrated primarily residential development with limited local commercial/retail uses;
- Sub-optimal minimum building scale not capitalising on 6 storey potential;

- Exposed carparking to Anzac Highway (and Leader Street) with insufficient landscaping and shady canopy trees, and the under building and rear carpark areas screening/fencing;
- Inadequate building setback (and landscaping) to Maple Avenue streetscape (ie 1 metre vs minimum 3 metres);
- Ground level playground integrated with café and outdoor dining, and not located remotely and across a main vehicle driveway;
- Traffic control treatment of Leader Street access/egress, traffic modelling assumptions and review of implications on local network, service area to Maple Avenue, vehicle conflicts and pedestrian safety in carpark and rear laneway vehicle movement management;
- Landscaping increased areas to perimeter, eg along Anzac Highway, Maple Avenue and rear laneway, and internally to afford screening and shade canopy. A complete review of species to suit Adelaide and site circumstances;
- Street trees not to be removed, other than in Maple Avenue if additional replacements included as part of proposal;
- Waste servicing preferably consolidated into one main area in Maple Avenue;
- Flood and stormwater management noted details to be addressed;
- Comprehensive and complete Construction Management Plan and resolution with Council before Development Approval.

### **PLANNING POLICY MATTERS**

There is general compliance with the broad intent for development per the Development Plan policy requirements and guidelines but there are also some fundamental elements and detailed design matters that are considered to need addressing.

- The major investment, international/national operator and local employment is welcomed on the neglected and under-utilised LeCornu site. It is unfortunate the development is not a more integrated mixed-use with a primarily residential function with limited local services (albeit there is no specific floor area limit) in a mixed-use and residential development sought by the new Urban Corridor Zone and Transit Living (Anzac Highway) Policy Area. It is trusted, although not guaranteed, there is major residential development on the remaining area of the subject site. While not strictly in accord with the desired character of the zone, it is appreciated why the location of the site suits the nature of the proposed development;

The stand-alone major retail development fails to offer the more integrated primarily residential function with limited local services encouraged in the Desired Character, namely:

*“... primarily serve a residential function with local shops, offices and community land uses to support the daily living and working needs of residents and local workers.”*

*“The Le Cornu site should be developed as an integrated mixed use development that provides landmark quality buildings and a setting to respect and celebrate the important history and gateway to the Anzac Highway Memorial Avenue, and which comprises a mixture of commercial uses including retail showrooms, offices, medical services, and residential uses above.”*

*“... create a vibrant and active street frontage to Anzac Highway and Leader Street, with commercial activities on the ground floor promoting transparent and/or articulated frontages for interest.*

*Retail development will be of scale that supports an active, mixed use environment which is compatible with residential development. ...”*

- Business trading hours are nominated as 12:00am (midnight) to 9:00pm Monday to Saturday and 11:00am to 5:00pm Sunday. Aside from State rules, the impacts upon adjacent residential properties and street network requires containment to more appropriate and accepted times such as 7:00am to 9:00pm Monday to Saturday and 10:00am to 5:00pm Sunday.
- The ground level tenancy and outdoor seating provide for positive activation but the location of playground remote from these areas and across a dual traffic lane internal driveway is inappropriate. The playground should be integrated with outdoor dining/seating area to allow surveillance and safety, with area to Maple Avenue substantially landscaped to complement site appearance;
- Building height should be a minimum of 3 storeys (11.5 metres) to Anzac Highway, 2 storey (8.0 metres) to Leader Street and Maple Avenue, and maximum up to 6 storeys (22.0 metres).  
Actual building height is below minimum. Main façade to Anzac Highway is 11.9 metres for major central portion, reduced to 11.4 metres at edges, and Leader Street and Maple Avenue facades are 9.54 metres.  
Plant facilities, screened by 3.5 metre high acoustic barriers, sit atop the roof but well setback from edge of building/site to avoid being obtrusive;
- Road setbacks should be 3 metres to primary frontage and 2 metres to secondary frontages. Given the scale of the site and extensive frontages to 3 roads it is considered all should be 3 metres. A setback of 5 metres above 9 metres to Leader Street is a Non-Complying requirement.  
The 9.54 metres height to Leader Street has led to a setback of 5 metres as required, which positively allows for greater landscaping.  
Conversely, the extra 2 metres to Leader Street has been removed from the Maple Avenue frontage to retain only 1 metre setback and reduced streetscape landscaping opportunities to what is also to be in the future a streetscape for mixed use and residential development opposite.  
The minimum 3 metre setback should be provided along Maple Avenue, with any necessary floor area loss compensated by extension of the building to the large available to the east;
- Building appearance is a relatively simple large elevated 2 to 3 storey height ‘box’ with ground level largely open car-parking, albeit with varied articulation and materials mix, rather than the desired:

*“... landmark quality buildings and a setting to respect and celebrate the important history and gateway to the Anzac Highway Memorial Avenue ...”*

*“On-site vehicle parking will not be visible from the primary street frontage through the use of design solutions such as locating parking areas behind the front building façade and screening parking areas with landscaping and articulated screening.”*

*“No vehicle parking is to be located or made visible from the Anzac Highway or Leader Street frontages, except where parking is required for people with a disability.”*

*“Development will be interspersed with landscaping, particularly behind the main road frontage, along with small side setbacks to ensure space between boundaries to soften the appearance of buildings from the street and reduce heat load in summer.”*

The proposal cannot be fundamentally changed from what it is, and the articulation and materials afford a reasonable design detail, however, the landscaping and car-parking screening should be improved

The open car-parking area to the front onto Anzac Highway is reduced from the current situation but should be further screened, enhanced and shaded by comprehensive landscaping and substantial number of trees.

The ground level car-parking below the upper building and in the rear open areas should be entirely obscured from road frontages with appropriate effective screening, fencing and substantial landscaping.

- Traffic movement is consolidated access/egress to single points on each of the three road frontages, loading and servicing confined to Maple Avenue and excess of car-parking provided but a range of significant and detailed issues have been identified, particularly including:
  - Need for appropriate traffic control device for Leader Street access/egress, ie the warrant for signalisation is met;
  - Internal circulation driveways include multiple inappropriate conflict points;
  - Carparking areas under the building and to the rear should be obscured and screened by appropriate panels / fencing;
  - Traffic modelling assumptions, local network implications and road safety assessment need review;
  - Eastern laneway usage unclear, eg emergency vehicles, and needs to be controlled to avoid cut-through traffic and service vehicle use;
  - Bicycle on-road network and on-site parking for staff needs review;
  - Pedestrian walkways connections to streets are impractical and need to be controlled, plus a system of on-site separated walkways and designated paths are required, to support safe and convenient movement.

Full details are documented in the attached assessment by InfraPlan;

Car parking on-site exceeds standards, but is reasonable for the nature of such a major stand-alone destination retail land use, rather than an integrated mixed-use and residential complex.

There is 165m<sup>2</sup> retail tenancy and outdoor seating at the ground level, approximately another 150m<sup>2</sup> for public entry and associated non-leasable areas, and 7,510m<sup>2</sup> of gross leasable floor space at the first floor level; primarily in a supermarket of 5,810m<sup>2</sup>, tenancies and indoor / outdoor seating areas; in an overall building area of 8,520m<sup>2</sup>. The total gross leasable area is 7,680m<sup>2</sup>, albeit there is a potential future extension at the rear of 900m<sup>2</sup> also flagged. The adopted stand-alone retail practice of 5.5 spaces per 100m<sup>2</sup> is more applicable, rather than the inappropriate mixed-use rate of 3 spaces per 100m<sup>2</sup>, there is 422 spaces required (472 with extension) compared to provision of 487.

This includes 12 'accessible' places and 16 'parent' spaces;

Motorcycle parking for 8 vehicles is provided, which is a positive, albeit location next to main northern entry off Anzac Highway raises some concerns – a location close to pedestrian lobby entry but in a quieter place is encouraged;

Bicycle parking for 16 visitors meets requirements. Provision for staff has not been indicated whereas requirements seek 26 staff spaces;

- The main loading and waste truck servicing to Maple Avenue accords with policy which excludes it from Leader Street. Careful detailed design allows effective operation to allow forward entry and exit of the range of service vehicles.

Service and waste vehicles should be limited to suit service/loading areas, ie main loading area to up to semi-articulated trucks (not B-double) up to 16 metres in length and waste area to west fixed trucks up to 8 metres in length. Detail is unclear on main loading dock but it would be desirable to narrow the very wide openings as much as possible and screen whole area with fencing and gates (noiseless systems) to screen and mitigate noise to Maple Ave. Maple Avenue is also envisaged to be an attractive streetscape for future promoted mixed use and residential development opposite that needs to be respected

General traffic use and service vehicle use of rear eastern laneway should be avoided by appropriate control treatments;
- Waste stream separation and servicing capacity is appropriate in accord with the supplied Waste Management Plan.

The supermarket will be serviced from the loading dock, with bins located in designated areas within the building and transferred once bins are full. The ancillary tenancies in the front mall area will be serviced by a separate smaller 'bin room' located off Maple Ave nearer Anzac Highway.

Waste generation will be minimised by inclusion of comprehensive recycling measures, including organics compactor and cardboard/soft plastic balers to facilitate efficiency on-site, reduce daily traffic movements and achieve best practice. Waste collection will be managed by a commercial waste collector;
- To afford safe, convenient and responsible movements of all service vehicles to and from the site, the service times should be limited to avoid peak traffic times and generally be between 7.00am to 7.00pm Monday to Saturday and 9.00am to 5.00pm Sunday to limit safety and amenity impacts;

- No overlooking is apparent to residential private yards or spaces;
- Overshadowing will be limited. For the majority of even the shortest day in June, midday shadow will not extend beyond the southern side of Leader Street and only extend to the front yard of dwellings before 9:00am and after 3:00pm;
- Reasonable environmental sustainability incorporated into building services, including a large solar panel array on northern half of the roof, low energy lighting, equipment and some natural light and comprehensive recycling facilities.  
There are limited substantial initiatives such as green roofs or walls which are encouraged with new major buildings;
- Site flood inundation is limited and with minor site fill and levelling the building floor areas (as opposed to other areas, eg carparking) will be set 300mm above the expected 1:100 ARI flood level to mitigate building risks;
- Stormwater management requirements limit out-flows below existing rates and maximum of an 80% impervious level, in accord with the supplied preliminary Stormwater Management Plan.  
A system of retention tanks and detention is provided to limit out-flows and enable water re-use on-site. Further, water detention and quality will be supplemented by generous provision of Water Sensitive Urban Design (WSUD) treatments including bio-swales and raingardens throughout landscaped areas. Further details of council assets and engineering assessment is provided below;
- Landscaping opportunities are reasonably available, but the design is limited, with a lack of trees, shade canopy and screening to site perimeter, within exposed carparking areas and development generally.  
The surplus of car parking affords an opportunity to favour an increase in spaces for softening landscaping and trees to perimeter road and laneway frontages and within exposed open car parking areas.  
The inappropriate species selection for local circumstances, pedestrian safety and maintenance needs comprehensive review.  
Full details are documented in attached Landscape Assessment by Oxigen;
- The development includes an extensive area of outdoor advertising in total, but it is carefully integrated, relative to existing signs (notably existing front carpark pylon sign) and modest in comparison to the scale of the site, road frontages and building. The outdoor advertising will comprise:
  - Existing large 2 sided pylon sign will be substituted with a similar scale 3 sided (approximately 20 metres high) externally illuminated mono pylon sign;
  - A 2 sided 7 metres high internally illuminated pylon sign adjacent to Anzac Highway entry;
  - On the building a number of internally and externally illuminated wall mounted signs the western, northern and southern building façades, 6 for Kaufland and 13 smaller signs for the range of future specialty tenancies;
  - A large (18 x 18 metres) non-illuminated sign mounted flat on the southern portion of the roof, noting it will not be visible from surrounding streets or the public realm, and only visible from the air;

- External lighting of site and carpark (7m high pole lights), service areas, covered carpark and within building is designed to relevant standard and to avoid obtrusive effects of outdoor lighting, including reduced emissions for curfew hours (11pm to 6am);
- A comprehensive Construction Management Plan, eg addressing temporary traffic management and control, parking, noise, hours etc, is essential to ensure effectiveness and should be resolved with council before Development Approval.

Overall, the proposal has a number of variations from fundamental policy parameters. Some are limited variations, individually of moderate significance, but some are considered substantial variations.

The SCAP is advised that Council has concerns with the degree of variation from some fundamental and detailed planning policy parameters in its current form. The Council requests the range of matters raised in this report be given due consideration as part of the assessment process.

## **COUNCIL MATTERS**

Council provides specific comment in relation to matters where there are direct implications upon local public infrastructure as follows:

- streetscapes, including street trees and footpaths
- vehicle access, traffic and servicing
- flooding and storm-water management

### **Street trees and footpaths**

There is a significant memorial 'Avenue' of mature *Fraxinus angustifolia* 'Raywood' street trees on Anzac Highway. No need or sufficient justification is evident for removal of any tree.

The plans are inaccurate with 8 trees indicted rather than the 7 actual trees. Design alternatives are available to address suggested cross-over and kerb re-alignment off Anzac Highway.

The addition of a planting strip and trees within the site along its frontage could significantly enhance the site appearance, the avenue of trees and screen car-parking.

Further, there is an extensive 5.0 metres from back of kerb to footpath as a potential opportunity for softening and greening to enhance frontage as a small off-set of the hard environment within the site.

The Leader Street frontage consists of mostly mature *Eucalyptus* species while juvenile *Ulmus parvifolia* have recently been planted.

The plans are once again inaccurate. Removal of 1 large *Eucalyptus scoparia* near the Anzac Highway intersection is indicated. There is no need or justification for this, or arboriculture reason to remove a tree in good condition. Mature plants that soften and enhance the amenity must be maintained.

Leader Street has recently been upgraded, including Water Sensitive Urban Design rain gardens. The proposed development lends itself to a similar coordinated design. Four existing tree groups, each containing two mature *Eucalyptus* species, have the proximity of civil infrastructure (kerb/water table) causing conflict. There is an opportunity for built out rain gardens in line with the remainder of Leader Street to enhance tree and WSUD conditions. There is also an opportunity for further street tree planting throughout the road reserve with the recommended species of *Ulmus parvifolia*.

Maple Avenue consists of 16 street trees, despite the plans showing only 11 trees, with *Koelreuteria* species dominant. The tree age and condition varies and there is an opportunity for an overall aesthetic and amenity improvement.

Current plans indicate removal of one street tree to accommodate vehicle crossovers, however, the reality is that three trees will require removal, while another tree should be removed as it has surpassed its useful life expectancy.

The required street tree removals can be accommodated providing additional replacement street trees are planted. These should consist of both *Eucalyptus torquata* and *Koelreuteria paniculata*.

The growing environment the street trees currently exist within is a 1.0 metre nature verge between back of kerb and the footpath. This environment does not replicate the recently upgraded Leader Street road reserve, south of this proposed development, which has full width pavement to back of kerb with 'tree wells' provided for the street trees. It is recommended a similar treatment with full width paving while providing large 'tree wells' 2.0 metres wide and 1.0 metre deep (from back of kerb) be incorporated. This will complement the proposed development, particularly if the inadequate building setback and on-site landscaping prevails, and the streetscape quality of Maple Avenue for future major mixed use anticipated development.

It is noted the species selection for planting on-site does not relate well to local circumstances and includes trees that drop copious nuts and berries creating a safety hazard for pedestrians and cleaning maintenance problem. These should be reviewed per attached Landscape Assessment by Oxigen.

Footpath across driveways will be kept level for pedestrian priority, convenience and safety.

Liaison should occur with Council, and specialist officers, to ensure any unacceptable damage is avoided, eg from excavations and construction of driveways, paths or any other nearby structures.



A requirement should be included with any approval to ensure the development incorporates support and contribution to the opportunities to enhance site and streetscape planting, WSUD and the quality of the public realm.

These requirements serve to support the broader Development Plan policy intent and aims of *The 30-Year Plan for Greater Adelaide, including:*

“A Green Liveable City”, with increased urban green / tree canopy cover and all its benefits on urban areas cooling and water sensitive design

“Walkable Neighbourhoods”, with dedicated and convenient pedestrian priority provisions and access to cycling and public transport facilities.

Any footpath paving disturbed from construction, and the altered or relocated cross-overs, would be reinstated or compensated through normal operational practices.

### ***Vehicle access, traffic and servicing***

Traffic movement is consolidated access/egress to single points on each of the three road frontages, loading and servicing confined to Maple Avenue and an excess of car-parking provided.

However, a range of significant and detailed traffic issues have been identified, particularly including:

- Need for appropriate traffic control device for Leader Street access/egress, ie the warrant for signals is met;
- Traffic modelling assumptions, local network implications and road safety assessment need review;
- Eastern laneway usage unclear, eg emergency vehicles, and needs to be controlled to avoid cut-through traffic and service vehicle use;
- Bicycle on-road network and on-site parking needs review;
- Pedestrian walkways connections to streets are impractical and need to be controlled, plus a system of on-site separated walkways and designated paths are required, to support safe and convenient movement.

Full details are documented in the attached assessment by InfraPlan;

### ***Flooding and Storm-water Management***

The following comments are based on the preliminary report for planning approval, but Council requires review of the ‘Final Detailed Stormwater Management Report’ to ensure appropriate management (ie control of required discharge flow rate, on-site detention (OSD) and water quality) to ensure guidelines are met before Development Approval is granted.

The large scale of site and development requires specific engineering assessment based upon desired principles and intent of guidelines to contain outflows to lesser of existing or 80% site cover for commercial developments. The following matters should be addressed in the final detailed design plans and specifications:

- Table 1 incorrectly states the required OSD (Onsite Detention) volume as 139kL, when referring to Appendix F “Basic Stormwater Detention Assessment”. For a 45min storm duration the minimum detention volume should be 147kL. However it is acknowledged that as the site has been divided into the 3 existing outfall catchments and combined with on-site water retention, the proposed onsite detention volume is 170.5kL;
- clarification/justification on assumption that 50% of the on-site water retention can be used to meet detention requirements. This does not take into consideration repeat storm events or situations where the tank is at or near capacity when a major/significant rain event occurs. Therefore a much lower percentage should be used, if not zero. As weather patterns are unpredictable, assumptions should not be made as to how full the tank will be at any point in time when the consequences will result in flooding of properties lower in the catchment;
- Table 3 incorrectly states 70% of the on-site water retention volume to be used for detention;
- The detailed design shall also stipulate orifice sizes at outfall pipes, to adhere to required discharge flow rates;
- the detailed design should build in additional conservatism, by maximising carpark surface storage for stormwater during major/significant rain events, over and above the detention volume already provided;
- All direct stormwater connections to council’s underground stormwater network shall be through reinforced concrete pipe only;
- to ensure the bio-retention/swales continually provide satisfactory water quality targets into the future all maintenance costs should be identified and an appropriate maintenance schedule included in site operation program;
- with no Gross Pollutant Traps (GPT’s) proposed, all internal drainage system inlets shall be Grated Inlet Pits (GIP’s).
- all vehicle entry/exit locations be designed as a typical crossover where footpaths remain level at grade and pedestrians have priority;
- Finished Floor Levels (FFL’s) of proposed buildings are satisfactory.

Conditions of approval will be required to address the appropriate stormwater matters are reflected in the plans and final Stormwater Management Plan before final Development Approval is issued.

### ***Council Approval***

The Chief Executive Officer or his nominee(s) will negotiate appropriate outcomes regarding protection (and necessary removal) of street trees, crossover alterations, storm-water, traffic changes and public realm upgrades funded by the developer should the application be approved.

**PLANNING CONDITIONS**

In the event approval is contemplated there are various issues that have been identified where planning conditions are warranted, as follows:

- Business trading hours be limited to:
  - 7:00am to 9:00pm Monday to Saturday
  - 10:00am to 5:00pm Saunday.
- The playground adjacent to Maple Avenue be relocated to in front of the ground level tenancy and outdoor dining area, and the area adjacent to Maple Avenue be substantially landscaped, including with numerous medium to large trees.
- The building setback to Maple Avenue be increased to 3.0 metres.
- The areas below the main building to ground level along Leader Street and Maple Avenue and the rear open carpark areas be screened and/or fenced to obscure car parking areas and control pedestrian access to dedicated safe points and protect landscaping.
- The rear laneway only be used as necessary by emergency vehicles, and other general or service vehicles be prevented from through movement to Leader Street.
- Traffic modelling, management and control, particularly Leader Street access/egress and Maple Avenue service/loading areas, and car park layout, cycling and pedestrian movement be reviewed and addressed in accord with detailed assessment by InfraPlan.
- Car-parking on-site be freely available to staff and visitors for the duration of the business trading hours.
- Waste service vehicles only visit the site between:
  - 7.00am and 7.00pm Monday to Saturday (excluding public holidays)
  - 9:00am to 5:00pm Sunday (or public holiday).
- Waste and service vehicles be limited to maximum of 8.0 metres or 16.0 metres in length for western recycling pick-up area or eastern main service and loading area in Maple Avenue respectively, and enter and exit areas in a forward direction.
- The storm-water management concerns be addressed in a final Storm-water Management Plan to Council's satisfaction before issuing of Development Approval.
- Street trees are not be removed, other than in Maple Avenue subject to provision of additional replacements in accord with Council requirements.
- In accord with expert arboricultural advice and Council requirements, all existing and street trees be adequately protected during construction, eg site works, excavations driveways and buildings, and from being impacted as a result of the proposed final development.
- Proposed landscaping be reviewed to use appropriate locally suitably species and the extent of area and trees, shade canopy and screening increased along Anzac Highway frontage, Maple Avenue, rear laneway and in car parking areas by reduction of excess number of car parking spaces.

- External lighting be provided in accord with Lighting Plan, including requirements for curfew hours between 11:00pm and 6:00am, and that unreasonable overspill to adjacent residential properties be avoided.
- A Construction Management Plan be resolved with Council to address the requirements and operations during construction to manage traffic, parking, pedestrian and amenity issues, before issuing of Development Approval.

It is trusted this information will be duly considered by the Planning Assessment Officers, Department of Planning Transport and Infrastructure, and the State Commission Assessment Panel in their deliberations.

***ENQUIRIES***

If there are any queries or need for further explanation or information please contact David Brown, Principal Planner.

Yours sincerely



**Peter Tsokas**  
**CHIEF EXECUTIVE OFFICER**