

29 May 2019

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

**Attention:** *Karl Woehle* – Planning Officer CBD & Inner Metro Team  
([Karl.Woehle@sa.gov.au](mailto:Karl.Woehle@sa.gov.au))

Dear Karl Woehle

**SUBJECT: DA 090/M005/18 Variation 1 – 248-252 Unley Road Hyde Park**

Thank you for the Informal Referral of the development application for Variation #1 of the approval (13 September 2018) for the mixed-use development at 248-252 Unley Road Hyde Park.

The Informal Referral was received on the 1 May 2019 regarding a variation to the existing consent.

Four (4) weeks from receipt pursuant to Regulation 38(2)(b) was provided for Council to comment, ie **29 May 2019**.

***Proposed Variation #1 Application***

Variation to Development Application 090/M005/18 being for:

*Demolition, removal of two significant and one regulated tree and the construction of six, two storey residential dwellings and a seven-storey mixed use building containing five commercial tenancies, residential apartments, landscaping, ancillary car parking and associated building work. The variation is for a number of internal and exterior alterations to the consent and includes changes to floor to ceiling heights with an overall increase in height by 250mm, deletion of the lower basement and an extension of area the basement to the west of the site.*

It is noted Council comments may include matters of direct implication, for example: public realm improvements, street trees, stormwater, traffic management, waste management, encroachments, local heritage issues, or the like; but may only make brief observations regarding the planning assessment to highlight matters for further analysis / assessment by SCAP.

### **Council Comments**

Council provides the following comments for further consideration by SCAP in relation to the implications of the proposed Variation#1:

- increased building height by 0.25m (to 24.55 from 24.3) may be minor in itself but it compounds further the over-height of policy criteria (18.5m) to 132%;
- increasing dwelling numbers by 6 to 65 and commercial floor space by 29.6m<sup>2</sup> to 915m<sup>2</sup>;
- removal of the second underground car parking level and extending the first underground parking level reduces the overall car parking provision by 9 leading to a shortfall of 12 resident parking spaces and 5 visitor spaces, assuming allocation of 14 spaces for commercial tenants in basement carpark.

Use of Table Un/5A standards for residential is only applicable for the District Centre Zone and its different circumstances.

Based on consistent 1 visitor space per 4 dwellings, shortfall is compounded from 3 to.

Required conditions:

*Grade level visitor parking spaces be unallocated and time limited (maximum 2 hours) to ensure their efficient use and turnover for commercial and resident visitors to the site;*

*Basement occupier parking include allocation of 14 spaces for commercial tenants;*

*Note: Applicant, and future occupiers of new building, will not be provided with on-street time limits parking exemptions;*

- reducing dedicated bicycle parking provision but still exceeding overall requirements, albeit undersupply for occupants is off-set by visitor oversupply.

Suggested revision:

*Bicycle racks for public visitors be provided in foyer(s) and where appropriate adjacent footpaths in coordination with City of Unley to improve practical and convenient benefit provision;*

- reducing deep soil areas to 5% (below minimum of 7%) with severe compromise to required scope for extent and scale of appropriate tree and other planting at west portion of site and to open main driveway. No corresponding revised landscaping plan is provided.

Extent of deep soil and scale of required trees and landscaping generally should exceed minimum standard and desirable quality maintained in revised building and landscape schemes.

The substantial existing Regulated and Significant Trees on the south eastern portion of the site were unfortunately approved for removal as part of the original scheme which reinforces the need to maintain a generous provision of substantial trees, landscaping and therefore deep soil in subsequent scheme;

- a variety of other building, façade, balcony and minor and internal design revisions mostly of little consequence but reduced setback relief and harsh outcome with transformer on to Opey Street boundary and adjacent to main driveway opening.

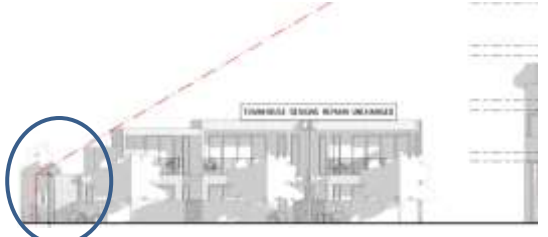

In short, there is an over development of dwellings and commercial floor space for the site capacity compromising the provision of adequate car parking, deep soil and substantive landscaping

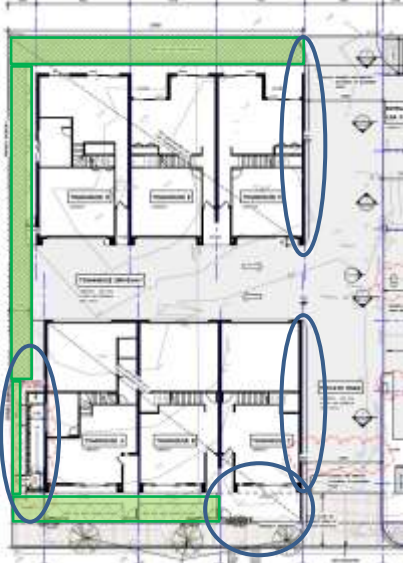


The original proposal raised a number of issues for Council. In regard to direct matters they were largely resolved but require further detailed resolution between the applicant and council. There were a range of planning concerns and issues about the building height, parking, over-looking, removal of regulated and significant trees, storage, trading and waste service hours addressed.

The inadequate provision of deep soil and therefore substantial trees fails to address the replacement of the unfortunate loss of the existing Regulated and Significant Trees, the lack of future critical green tree canopy (a specific target of The 30-Year Plan for Greater Adelaide and now supported by Green Adelaide program) and the general quality and amenity of the resultant scheme.

In summary, from Councils review of the main elements of the variation it entails the following design changes and planning assessment implications:

Changes	Planning policy implications
<p>Main new tower building height increased from 24.3 metres to 24.55 metres (plus roof top plant facilities) an increase of 0.25 metres.</p> <p>It is noted the Zone Interface Transition Envelope of 30° at 3m agl is not breached.</p>	<p>Already over-height at 131% compared to policy of 18.5 metres. While 0.25 metres is a minor increase, it further compounds the over-height increase to 132%.</p>
<p>The commercial tenancies combined gross leasable floor area will be increased by 29.6m<sup>2</sup>, from 827.9m<sup>2</sup> to 857.5m<sup>2</sup>.</p>	<p>The originally calculated commercial gross floor area was 885m<sup>2</sup> (850m<sup>2</sup> tenancies and 35m<sup>2</sup> outdoor dining area).</p> <p>The increase of 29.6m<sup>2</sup> increases total gfa to 915m<sup>2</sup> and parking demand by 1 space to 27.5 spaces.</p> <p>On-site provision for commercial can be addressed by 14 tenant spaces in basement in addition to 13 visitor spaces at grade level.</p> <p>See attached and below.</p>
<p>Number of apartments in tower increased by 6, from 59 to 65, but with change in size combinations;</p> <ul style="list-style-type: none"> <li>▪ one-bedroom apartments increased by four, from 17 to 21;</li> <li>▪ two-bedroom apartments increased by seven, from 17 to 24;</li> <li>▪ three-bedroom apartments decreased by five, from 25 to 20;</li> </ul> <p>Rear three-bedroom townhouses remain at 6.</p>	<p>The increase of 6 dwellings, albeit more 1 and 2 and less 3 bedroom, increases overall resident requirements by 3 to 81 spaces and visitor parking by 1.5 spaces to 18 spaces (-5 shortfall).</p> <p>On-site provision was originally slightly under-supplied and this is further exacerbated.</p> <p>See attached and below.</p>

Changes	Planning policy implications
<p>On-site car parking, excluding those with the rear townhouses, decreased by 9, from 103 to 94, comprising:</p> <ul style="list-style-type: none"> <li>▪ 13 for visitors at grade level as before;</li> <li>▪ 81 in basement – 9 less.</li> </ul>	<p>Townhouses resident parking at 2 per dwelling above standards (+2) but includes no visitor parking (-2).                      Relies on access to shared 13 grade level visitor spaces, but shortfall compounded to 5.                      On-street parking an assumed element of parking standards and further discount not warranted. Further, the on-street parking in Opey Avenue, even with potential small increase along northern side, will likely be reduced overall by necessary parking restrictions and removal of spaces on south side.                      Of the 65 dwellings the equivalent of 5 studio/1 bedroom may be provided with no car space (9 in case of Table Un/5A rates). The proposed provision of 67 allows 8 additional spaces to be provided for some of the 2 and/or 3 bedroom dwellings rather than required 22 (-12 shortfall).                      Table Un/5A is not applicable for residential as it only relates to District Centre Zone. Context and circumstances of intensity of activities and potential support to lower car use is not the same between zones.                      Required Conditions:  <i>Grade level parking be unallocated, and time limited, to ensure efficient turnover and use;</i>  <i>Basement parking include allocation of 14 spaces for commercial tenants;</i>  <i>Note, no on-street parking time limit exemptions will be issued for new building occupiers.</i></p>
<p>On-site bicycle parking decreased by 27, from 87 to 60, comprising:</p> <ul style="list-style-type: none"> <li>▪ 32 in basement for occupants;</li> <li>▪ 28 in room at grade level for visitors (and possibly staff).</li> </ul>	<p>Reduced dedicated bicycle parking still exceeds overall requirements, albeit there is undersupply for occupants, but this is off-set by visitor oversupply.                      Bicycle racks for public visitors in foyer(s) and spaces off street footpaths would be of practical and convenient benefit to visitors.</p>
<p>Addition of basement carpark stair and substantial building enclosure to south west corner of site.</p> 	<p>Consequent compounding reduction of deep soil, boundary setback and landscaping to western boundary.</p> 

Changes	Planning policy implications
<p>Deep Soil Zone to rear portion of site on north, west and southern (Street boundaries) severely reduced to narrow strips around extended basement parking level.</p> <p>Changes to extent, size and location of deep soil, trees and landscaping impacts not addressed.</p> <p>Loss existing Regulated and Significant Trees reinforces need for substantial landscaping and trees in new scheme.</p> 	<p>Deep Soil Zone reduced to 145m<sup>2</sup> of site area 2,849m<sup>2</sup>. Represents 5.1% well below the minimum of 7% (&gt; 200m<sup>2</sup>).</p> <p>The narrow deep soil strips impact on proposed, and required, suitable type and scale of tree species. Trees and significant planting to front yard of Townhouse 3, and driveway greening severely diminished.</p> <p>Deep soil, trees and landscaping should be better than minimum standard and maintained in revised building and landscape schemes.</p> 
<p>Opey Avenue ground level floor plan revision of layout and reduction of setback relief, including transformer room to street frontage.</p> 	<p>Design policy provides for 2m setback relief from side streets from 20m beyond Unley Road frontage.</p> <p>Original design was favourable in this regard, although levels beyond ground level did not afford similar setback relief.</p> <p>Varied design reduces setback relief, and in particular compounds harsh outcome with transformer on to street boundary and adjacent to main driveway opening.</p>

It is trusted these comments will be given further consideration and the issues that have been raised addressed by review of the nature of the proposed variations.

If there are any queries, or opportunity to contribute to the review and/or assessment by SCAP, please contact Mr David Brown, Principal Policy Planner on 8372 5185 or [dbrown@unley.sa.gov.au](mailto:dbrown@unley.sa.gov.au)

Yours Sincerely



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

Parking – DA 090/M005/18 V1Car Parking

The applicable standards for higher density and mixed-use development in the Urban Corridor Zone in the Unley (City) Development Plan are Table Un/5 for residential and Un/5A for commercial which require car parking provision as follows:

Land Use	Scale	Parking Rate	Require	Provide	Net
			Un/5A		
<b>Shop/Office/Consult</b>	880m <sup>2</sup>		3/100m <sup>2</sup> gla	26.4	
<b>Outdoor Dine</b>	35m <sup>2</sup>		3/100m <sup>2</sup> gla	1.05	
<b>Visitor – ground level</b>				13*	13*
<b>Tenant - basement</b>				14.45	14
<b>Total</b>	915m <sup>2</sup>			27.45*	27*
<b>Apartments</b>		Un/5	Un5A <sup>^</sup>		
<b>Studio</b>	12	0.75	0.25	9 <sup>+</sup>	3 <sup>+</sup>
<b>1 bed or &lt; 75m<sup>2</sup></b>	9	0.75	0.75	6.75 <sup>+</sup>	6.75 <sup>+</sup>
<b>2 bed or &gt; 75m<sup>2</sup></b>	24	1.25	1.0	30.00	24.0
<b>3 bed or &gt; 150m<sup>2</sup></b>	20	1.75	1.25	35.00	25.0
<b>Total</b>	65			80.75	58.75
<b>Visitor</b>	65	0.25	0.25	16.25*	13*
<b>Townhouses</b>		Un/5			
<b>2 bed or &gt; 75m<sup>2</sup></b>	2	1.25		2.5	4
<b>3 bed or &gt; 150m<sup>2</sup></b>	4	1.75		7.0	8
<b>Total</b>				9.5	12
<b>Visitor</b>	6	0.25		1.5*	0*
<b>Total Occupier</b>				<b>104.7</b>	<b>93</b>
<b>Total Visitor</b>	71	0.25		17.75*	13*

- + Of the 65 dwellings the equivalent of 5 studio/1 bedroom may be provided with no car space (9 in case of Table Un/5A rates). The proposed provision of 67 allows 8 additional spaces to be provided for some of the 2 and/or 3 bedroom dwellings.
- ^ Table Un/5A applicable for commercial uses but not directly applicable for residential as only related to District Centre Zone.
- \* Resident and commercial visitor parking may be shared given complementary peaks. Grade level parking is 5 short of requirements for Apartments (-3) and townhouses (-1.5). Extra townhouse occupant provision does not off-set this, and on-street parking is an assumed component of visitor parking available in addition to the standards. Commercial visitors provision is adequate while combined with basement 14 tenant spaces providing 27 in total.
- gla "**gross leasable area** means **total floor area** of a building excluding public or common tenancy areas such as malls, verandahs or public toilets"
- "**total floor area** with respect to a building or other roofed area means the sum of the superficies of horizontal sections thereof made at the level of each floor, inclusive of all roofed areas and of the external walls and of such portions of any party walls as belong to the building"

Bicycle Parking

The applicable standards for higher density and mixed-use development in the Urban Corridor Zone in the Unley (City) Development Plan are Table Un/6 which require bicycle parking provision as follows:

Land Use	Scale	Rate	Required	Provided	Short
<b>Shop/Office/Consult</b>	915m <sup>2</sup>				
<b>Employee (basement)</b>		1/150m <sup>2</sup>	6.1	6/32	-
<b>Visitor (ground level)</b>		2 + 1/500m <sup>2</sup>	1.85	2/28*	-
<b>Residential</b>	71				
<b>Resident</b>		1 / 2 dwellings	35.5	26/32	-6
<b>Visitor</b>		1 / 6 dwellings	11.8	26/28*	+14*
<b>Employee / Resident</b>			41.6	32	-9.6
<b>Visitor</b>			13.65	28	+14.35
<b>Total</b>			<b>55.25</b>	<b>60</b>	<b>+4.75</b>