

26 October 2018

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

Attention: Janaki Benson

Senior Planning Officer
Planning and Development
Department of Planning, Transport and Infrastructure
janaki.benson@sa.gov.au

Dear Sir/Madam

**INFORMAL REFERRAL COMMENTS – DA 090/M009/18 (2018/19332/01)
22-28 ANZAC HIGHWAY & 6-14 THIRD AVENUE EVERARD PARK/FORESVILLE**

Thank you for the informal referral received on the 17 September 2018 of the above-mentioned application lodged with the State Commission Assessment Panel (SCAP), and invitation for comment, extended from normal 4 weeks, to 6 weeks (29 October 2017) given complexity with creek, to assist the assessment process.

The proposed development encompasses:

Staged construction of a mixed use development comprising:

- *two six (6) level buildings fronting Anzac Hwy comprising dwellings, associated parking spaces and ground level commercial tenancies (north building only);*
- *seven (7) attached three (3) level dwellings fronting Third Avenue;*
- *nine (9) attached two (2) level dwellings and a single three (3) level building comprising eleven (11) dwellings located internally within the site;*
- *a common driveway;*
- *landscaping and fencing.*

Proposed Comments Summary

The proposed development is substantially well considered, of good design, reasonably landscaped and environmentally sensitive, albeit no green roofs or walls are included. However, in its current form, there are some concerns with the degree of variation from key planning policy parameters, local road and infrastructure implications and ensuring adequate provision for the creek upgrade and desired shared path.

It is requested the range of matters raised in this report be given further consideration as part of the assessment process, including:

- The upgrade to the Brown Hill Keswick Creek and shared path open-space corridor be a reserved matter, or at least subject to a condition, that allows for the final 'culvert' and shared path corridor final engineering design, planning design, precise boundary survey, property owner negotiations and development compatibility design details to be advanced and adequately addressed to the satisfaction of the *Brown Hill Keswick Creek Stormwater Management Authority* and the *City of Unley* before final Planning Approval;
- Certified Survey unavailable for existing site levels, building floor and overall height above natural ground level, boundary alignments and relationship with creek/shared path corridor;
- Building Envelope un-confirmed through lack of pertinent detailed site/building cross-sections;
- Building side elevations and sections lacking to confirm setbacks at various levels and relief from street frontages and boundaries, in particular low density/height character in Third Avenue and rear yards of properties on Grove Avenue;
- Building setbacks:
 - Anzac Highway critical minimum 3.0 metre setback should be provided and 0.0m and limited setback and hard urban edge avoided;
 - Third Avenue street setback should be minimum of 6.0m metres, not reduced 4.4 metres, compounded by imposing large building mass, lack of articulation, relief to 3rd storey level above and landscaping;
 - Side boundary setbacks should generally provide the desired 3.0 metres to allow separation of development mass between sites, allow softening landscaping and avoid compromise to adjoining sites development options;
- The vehicle access to Anzac Highway is consolidated but not so to Third Avenue. Further, the movement is connected through the site compromising intent to ensure physical limitation of only rear secondary portion of development vehicle access and movement to Third Avenue with undesirable traffic implications;
- Vehicle access for the 4 northern row dwellings to Third Avenue could be provided off the common driveway from the rear to reduce street crossovers, extent of paving, building exposure, lack of landscaping and loss of on-street parking;
- Third Avenue dual access/egress driveway effective practical utilisation compromised by apparent narrowed crossover and kerb radius of 4.8 metres with an additional different paving on southern edge. For practical use an effective and visual cue for full 6.0 metres wide entry/exit, with equal division by a central reference line, is necessary to ensure exiting vehicles alignment does not compromise entering vehicle opportunity;
- On-site parking provision overall is reasonable, however, the respective designated allocation and flexible reciprocal use of visitor spaces is critical. The visitor parking demand is compounded by the loss of all on-street parking

(6 spaces) on Third Avenue, and while additional spaces may be on-site (in lieu of 0.5 spaces per dwelling x 7) they should be accessible and convenient. The available visitor parking is in the front half of the site remote from Third Avenue, compounding the likelihood of increased parking in the local streets. Desirably provision should be made for visitors in the rear part of the site;

- Dedicated 'storage' areas and internal dimensions of some garages are limited leading to potential for option of parking vehicles elsewhere on-site and on-street;
- Waste bin stores to Third Avenue townhouses appear small and present long routes to street. Extra space to garage may be beneficial;
- Overlooking 'minimisation' requires detailed assessment. Careful orientation, vertical edge / exterior screens and/or louvres (to effect of 1.7 metres sills) to windows and open balconies would be beneficial to angle or alleviate longer views over creek corridor towards backyards;
- A large mature eucalypt, retained after demolition in the south west part of the site, could be incorporated into a landscaped area, as well as further attention to reduced paving and increased number of trees and under-storey planting;
- Planning Consent conditions and notes.

Council has delegated to the Chief Executive Officer or his nominee(s) the authority to negotiate appropriate outcomes in regard to street trees, future public realm upgrades and canopy encroachments arrangements should the application be approved.

Background

The Urban Corridor Zone – Transit Living (Anzac Highway) Policy Area 24, allowing for mixed use development up to six (6) storeys (22.0 metres) toward Anzac Highway frontage and two to three storey interface with Third Avenue, was introduced into the Development Plan on the 19 December 2017 pursuant to the *Inner and Middle Metropolitan Corridor (Sites) Development Plan Amendment (Ministerial)*.

Pursuant to the Urban Corridor Zone Procedural Matters, Public Notification is limited to Category 2 (direct notice to adjacent land for 10 business days and no 3rd party appeal rights) in the Transit Living Policy Area if there is more than 500m² of shops, 3 storeys or more in height or exceeds the Building Envelope Building Height or Interface Height provisions. The development exceeds 3 storeys.

The Minister for Planning amended in 2013 Schedule 10 of the Development Regulations to make the State Commission Assessment Panel (SCAP) the relevant authority for development of five (5) storeys or more in the Urban Corridor Zone.

No formal referral of such development applications to Council is provided for. A Memorandum of Agreement (MoA) with the Department of Planning Transport and Infrastructure (DPTI) provides for informal referral to Council seeking comments on limited specific matters, including additional local key planning issues for attention of SCAP.

Informal comment in terms of the limits of the Heads of Agreement with the State Government are confined to:

- not a full planning assessment;
 - local strategic issues, policies or plans;
 - brief observations of planning assessment matters from a local perspective to highlight key issues;
 - council matters around proposed public realm improvements, traffic management, waste services, encroachments, local heritage issues or the like;
- that may require further analysis and assessment by SCAP and officers.

Through the informal MoA arrangements, Council officers can have a limited opportunity to provide input via the DPTI confidential Pre-Lodgement Panel deliberations, and similarly selected invitation to voluntary Design Review processes facilitated by the Government Architect.

Discussion

The full assessment of the development is the role of the Department of Planning Transport and Infrastructure (DPTI) officers and the ultimate planning approval judgement the role of the State Commission Assessment Panel (SCAP).

It is appreciated Council's role is limited to comments on matters within its direct control and observations in relation to planning assessment matters from a local perspective to highlight key issues that may require further analysis / assessment by DPTI officers and SCAP.

The Urban Corridor Zone (and Transit Living Policy Area) derive from application of well-established urban design principles, comprehensive local ('place') contextual analysis and subsequent community engagement in arriving at the resultant agreed planning policy and fundamental design parameters in the Development Plan. Therefore, there is a good appreciation and an expectation that the planning policy should command corresponding respect as a well-reasoned and accepted desired character outcome for the corridor, precinct and places. A proposed design and assessment judgement should illustrate due regard for the policy and provide clear justification for any limited variation that may be warranted relative to the specific local circumstances and achievement of a better design/place outcome (for all).

Overall, the proposal has a number of variations from fundamental policy parameters. Some are limited variations, individually of moderate significance, but together and with the fundamental elements amount to serious variation. The proposal is to be determined on its own merit against the integrity of the policy and desired character, which should be duly observed.

Proposed Development

In brief, the proposed development encompasses the following key features and concerns:

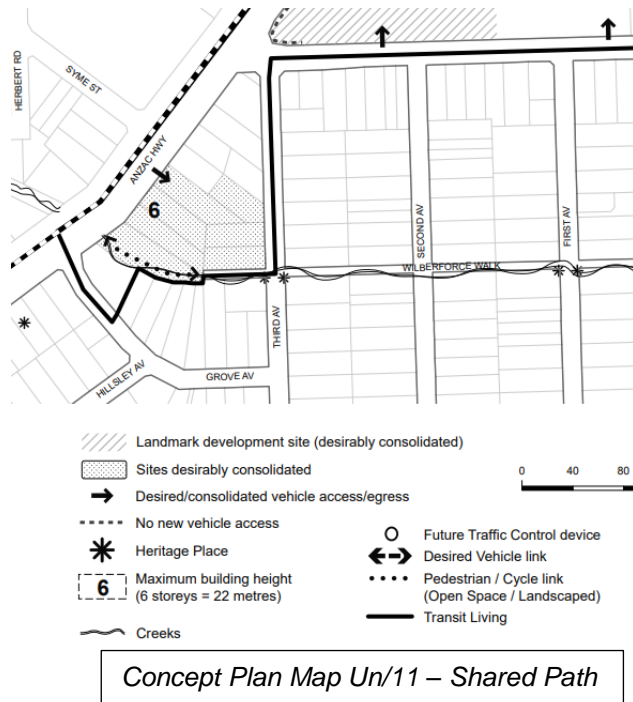
- Site comprising consolidated land holdings with frontage to 22-28 Anzac Highway 85 metres, to 6-14 Third Avenue 51 metres, varied depth of over 100 metres and overall site area of 7,966 square metres;

- A key geographic feature of the site is the open earth formed Brownhill Keswick Creek channel and portion of Wilberforce Walk (public road) off Third Avenue along the sites southern boundary;
- The legal southern property boundary follows the centre-line of the creek channel;
- It is intended, pursuant to the *Brown Hill and Keswick Creek Stormwater Management Plan, The Living City – Open Space Strategy City of Unley, Unley Integrated Transport Strategy and Development Plan (Unley) Concept Plan Map Un/11* (shown opposite) that the creek be upgraded



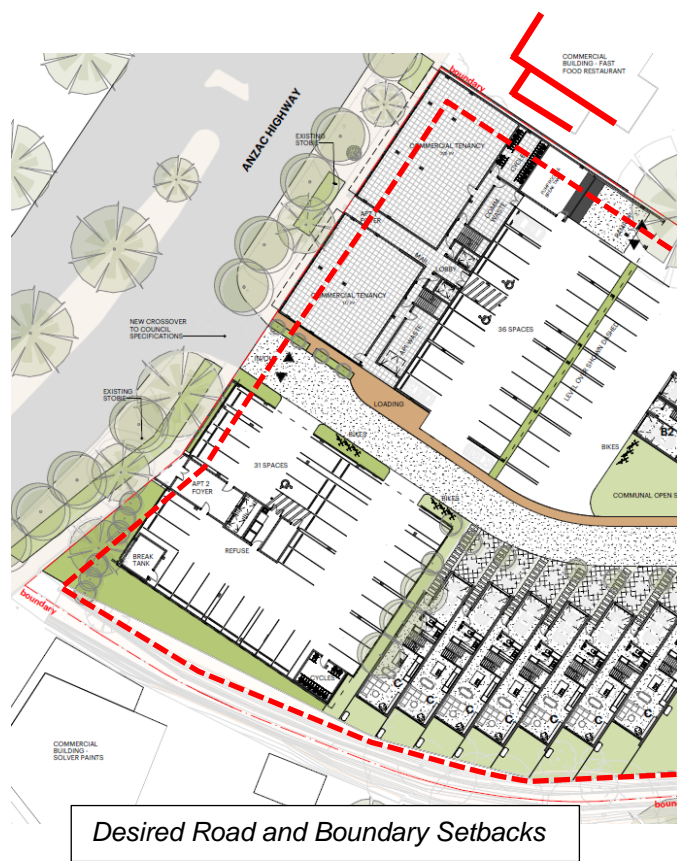
to accommodate predicted future flood waters (to a 1 in 100 year event) and to create a landscaped public open-space network link and shared path (bicycle and pedestrian) connecting to the west across Anzac Highway and east along Wilberforce Walk;

- The applicant has shared the aim, and cooperated, in endeavouring to help achieve the space for an upgraded creek channel and landscaped open-space shared access link as a key positive feature for the development, and in turn the locality and region;



- More specific issues with the creek and shared path are discussed in matters of Council direct control;
- Land use accords with the Urban Corridor Zone Transit Living Policy Area primary residential use comprising 99 dwellings and limited commercial use of 429m² (measured total / gross leasable floor area versus quoted 403m² assumed net leasable floor area);
- Residential net density equates to 123 dwellings per hectare exceeding minimum desired net density of 45 dwelling per hectare;
- Building Height appears not to exceed the desired maximum 6 storeys and 22.0 metres (20.8 and 21.98 to mounted plant elements) and remains under Airport Building Heights referral trigger of 22.0 metres. Elevations appear to assume buildings set at ground level and a level site, whereas tolerance is needed for ground clearance and varied site levels;

- The Building Height maximum is focussed as desired towards the Anzac Highway frontage;
- Building Height transitions down to desired 2-3 storey adjacent to the lower density zone interfaces and the Third Avenue frontage. The 3rd level to the Third Avenue frontage has an increased setback but lower ground and first floor levels encroach into desired minimum 6.0 metres setback (4.4 metres). A 2 storey height, increased setback, articulation and further recessed 3 storey element would be preferred to relate better to the context of the low scale traditional dwelling nature opposite and interface with the Residential Streetscape (Built Form) Zone high integrity character nature;
- Building Envelope, 30° at 3.0 metres above ground level at the zone boundary, largely appears likely to accord but this is not uncertain. No critical cross-sections are provided to confirm this or if any level of variation occurs and needs detailed assessment;
- The proposed development does not respect fundamental policy on some fundamental urban design and desired character policy, viz setbacks;
- Anzac Highway, as a grand boulevard, seeks a critical 3 metre building setback to achieve a desired character of complementary landscaped frontage, building separation and residential amenity. The space should be landscaped to complement boulevard space and character but may also have limited areas for activities for outdoor dining and/or goods displays. It is not a main street or suitable for a hard edged urban environment.
- A 0.0m and lesser setback than minimum 3.0 metres should be avoided. Indicated impractical to be ‘tucked ... behind’ and follow ‘weak edge’ from existing development to north. KFC is setback 5.7 metres (small cantilever canopy at 3.7 metres) and 8.9 metres to drive-thru canopy on south side. Policy is about observing a fundamental future desired character with new development;
- Side boundaries should provide for 3 metres setbacks to separate development mass between properties and allow softening landscaping. Minimal 0.6 metres setback to northern boundary (offset to sound attenuation 3.5 – 4.5 metre high wall to KFC on boundary) is proposed compromising desired character and potential development opportunities for the adjoining site;



- To the southern boundary the creek and shared path corridor ultimately provide development separation and landscaping buffer;

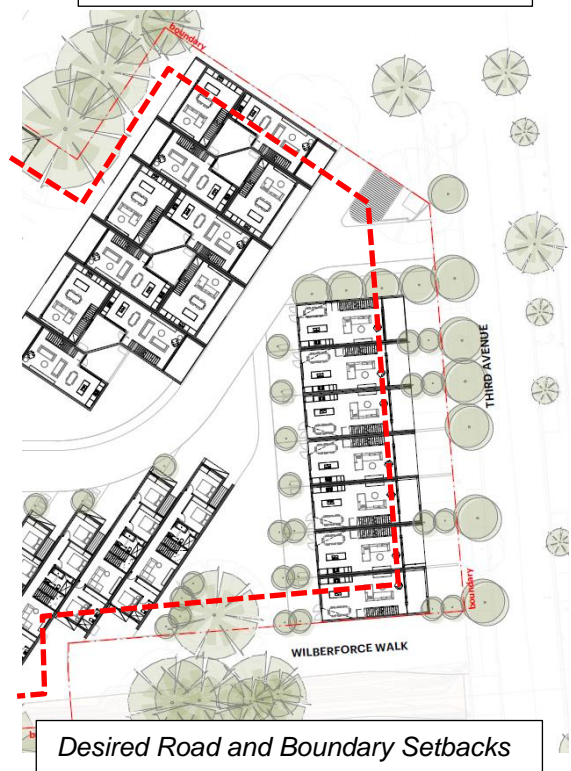
- Third Avenue frontage provides a critical interface to the adjoining low scale traditional dwelling character opposite within the Residential Streetscape (Built Form) Zone. Front setbacks to individual and low scale detached and semi-detached dwellings range from 6.0 to 6.5 metres, with recessed carports and side boundary separation. As a consequence a 6.0 metre minimum setback is desired and articulation of overall bulk and scale.

Third Avenue also provides for 6 on-street carparks (outside working hours, ie 9-5 Monday to Friday when restricted to avoid all day business or commuter parking) and associated front yard landscaping;

- The proposed development provides increased scale and single bulk 3 storey development with inadequate limited setback relief:
 - ground level – 4.4 metres to protruding side walls, 5.2 metres to garage wall (5.4 metres to recessed garage door), also compromising space for vehicle parking to be contained on-site with adequate personal access manoeuvring space around front and rear, and 6.6 metres to entry door;
 - second level – 4.4 metres to balcony balustrade and feature full height screens and 6.8 metres to bedroom wall and glazing behind;
 - third level – 7.3 metres to protruding side walls, 8.0 metres to window and wall and 8.7 metres to recessed minor stair component;



Third Ave Built Form and Setbacks



Desired Road and Boundary Setbacks

- Third Avenue street setback should observe minimum of 6.0m metres, with further building mass articulation and additional notable relief to 3rd storey level above;
- Inadequate setback relief and building mass is compounded by the series of driveways, majority of paving and lack of any substantial front yard landscaping. Provision for increased street trees is noted but does not fully address open aspect to extensive paving, minimal landscaping and building mass. Loss of on-street parking also compounds on-site parking shortfall – refer Council Issues below;

- Vehicle access for the 4 northern row dwellings could be provided off the common driveway from the rear to reduce street crossovers, extent of paving and lack of landscaping;
- Side boundary to north provides for 1 metre setback rather than desired 3 metres to separate development mass between sites and allow softening landscaping;
- Wilberforce Walk is technically a public road where a minimum 2.0 metre setback is applicable, plus respecting building envelope. Given it is not used as a road, generous separation is provided to adjoining property and the opportunity exists to create a landscaped space around the development the lack of a setback is less critical.;



Improved Third Ave Streetscape with Rear Vehicle Access

- The general architectural design is contemporary with a good mix of materials providing respect to good desired built form, individual building distinction, articulation and interest;
- The ‘significant’ Date Palm in south west corner and ‘regulated’ White Cedar overhanging northern boundary from KFC are to be retained, protected and should be sustainable into the future;
- A large mature eucalypt remains after demolition in the south west part of the site. It appears it could be incorporated into a landscaped area but this does not appear to be reflected in the design or landscape plan;
- There is a good provision for ‘deep soil’ areas and general communal landscape areas, albeit there is also extensive areas of paving for access and parking that desirably could be reduced in favour of more smaller but effective under-storey scale planting and where possible increased provision of trees Public Realm and Street Trees addressed below;
- Communal landscaped and open-space areas are provided within the site to enhance the amenity, complement outdoor spaces for occupants and afford access to adjacent creek/shared path corridor;
- Judicious selection and replacement of street trees will complement the general tree canopy and streetscape amenity. Subject to further resolution – see below;
- Private open-space of reasonable size and dimensions is provided to dwellings in rear courtyards and/or balconies relative to the form of dwelling;
- Overshadowing is limited for majority of year and times given built form massing largely appears to accord with Building Envelope. Early-mid morning in middle of winter there is some impact to rear yards of properties at western end of Grove Avenue;
- Overlooking potential appears available to rear areas of properties along Grove Avenue from courtyard dwellings (Type C), rear of some Third Avenue townhouses (Type B1) and some units in south and east sides of the southern Apartment building. Any existing vegetation within the creek channel will be removed to make way for the creek upgrade and shared path. Detailed assessment is required to address specific orientation, and potential

judicious vertical edge screens / exterior screens and/or louvres (to effect of 1.7 metres sills) to windows and open balconies to angle or alleviate views over the creek corridor to adjacent rear yards;



- Storage for apartments range from 3 to 8.5m³ on plan versus minimum 8m³. Bedroom wardrobes are not an ideal alternative to 'storage'. Otherwise areas are nominated to be where feasible under-stairs and in garages on shelves affording limited provision. Further, some garages are tight with intruding low stair portions (reducing depth to 4.85 metres – Commodore / Accord 4.9 metres) and some less than desired by Development Plan internal 6 x 3 metre dimensions;
- Attention has been given to achieving contemporary standards of environmental sustainability to improve passive design performance, energy efficiency and water efficiency.

Overall, the proposal has a number of variations from fundamental policy parameters. Some are limited variations, individually of moderate significance, but together and with the key elements are considerable substantial variations. The proposal is to be determined on merit against the integrity of the policy, resolved after due urban design analysis and community debate, should be better observed.

Council Issues

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

- Encroachments – footpath canopies;
- Public realm and street trees;
- Vehicle traffic and access
- Parking
- Waste management and servicing;
- Stormwater management;
- Brown Hill Keswick Creek upgrade and shared open-space corridor.

Encroachments

The northern mixed use apartment building to Anzac Highway proposes a 1.0 metre deep cantilever canopy at level 1 and from level 2 to 6 a 2.0 metre deep projecting

2.4 metre wide repeating feature cantilever canopy aligning with the central ground level building entry.

The repeating feature seems at odds with design. The need for any encroachments is not preferred, especially as they only arise due to the lack of the fundamental 3.0 metre road setback sought by planning policy.

While not preferred, if deemed warranted and approved by the SCAP, an Encroachments approval will be required from Council. The encroachments over the public realm are lightweight and non-integral to the main building which enables them to be addressed by Council's standard policy licensing requirements.

Public Realm and Street Trees

The consolidated and centrally located access to Anzac Highway conflicts with one of the row of street trees (*Claret Ash*) along the boulevard frontage. The central driveway location is logical and no reasonable alternative exists.

The tree removal and crossover location affords an opportunity for replacement with at least 2 further *Claret Ash* trees.

The verge is generous in width and an improvement to combinations of low level garden planting (and soil upgrade etc) would be positive.

The removal of 3 street trees in Third Avenue is reasonable while they are replaced with at least 5 *Coral Gum* trees.

The vehicle crossovers, preferably avoided as discussed elsewhere, should be kept to a minimum width and amount of paving, and maximise extent of landscaping and permeable verge area.

The verge areas offers an opportunity for improved presentation with new soil and planting. This should occur in accord with the 'Unley Verges Planting Guide' and approval requirements.

Discussion on Council requirements and additional opportunities to collaborate and mutually contribute to public realm upgrades are encouraged.

Construction will impact upon the area and footpaths, verges, water tables and roads surrounding the site. Arrangements will need to be made to protect trees and plants and manage the impacts during construction.

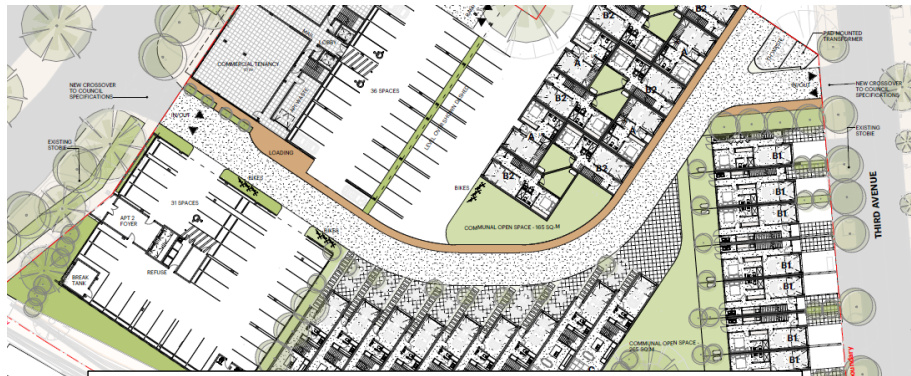
Any damage, all additional planting and reinstatement of footpaths etc will be managed and costs recovered via normal Council procedures from the owner/developer.

Vehicle traffic and access

The Desired Character statement for the Transit Living Policy Area and area south of Leader Street provides for specific management of vehicle access.

Vehicle access should be consolidated to single points primarily to Anzac Highway with secondary movement to Third Avenue, and designed so that they do not connect or provide

through movement for vehicles between the frontages. Bicycle and pedestrian through access is encouraged.



Undesired Through Vehicle Connection to Third Avenue

The vehicle access to Anzac Highway is consolidated and appears of reasonable and effective design.

Consolidation has not occurred to Third Avenue. A series of an increased number of crossovers are created (equivalent of 9 standard crossovers versus previous 5). As discussed previously, this compromises positive urban design, exposure of building mass, lack of landscaping and loss of on-site parking.

The movement is connected through the site compromising the intent to ensure physical limitation and that only the rear secondary portion of the development, access and movement is to Third Avenue.

The development can utilise the most convenient movement, including Third Avenue rather than being physically limited to only a secondary extent.

The practical limitation of the local network through barriers of the tram line, restricted right turns and convoluted routes is appreciated. However, Third Avenue could be convenient for movement to or from the east and south-east. Also the high peak traffic volumes on Anzac Highway make the U-turn to the city-bound side difficult, encouraging potential use of Third Avenue and local streets and adding pressure to the Leader Street signalised intersections, particularly considered along with pressures from other major development in the immediate vicinity.

The traffic modelling assumptions are queried as potentially favourable and the actual behaviour will be the ultimate outcome that has to be managed if necessary.

Visitors and others should be directed by the majority of development having Anzac Highway addresses, other than those dwellings with direct frontage or in immediate proximity of Third Avenue.

While traffic may not necessarily exceeding the limits, function or nature of the local street Third Avenue, a noticeable, and avoidable, increase could be realised. Currently Third Avenue carries 870 average vehicle movements per day. Based on nominal parameters and distribution the development potentially could lead to more than another 200 movements (23%). More critically in the am peak the inconvenience of Anzac Highway to the city could lead to high use of Third Avenue to Everard / Second / First Street onto Leader Street to Anzac or Goodwood Road.

The Third Avenue dual access/egress driveway includes positive mix of paving to improve amenity but may compromise effective practical utilisation.

The primary paving, and crossover kerb radius to street, appears only 4.8 metres wide with an additional different paving of 1.4 metres wide on southern edge of driveway within site to create an overall width of some 6.2 metres.

The apparent vehicle entry/exit pathway widths are further visually narrowed by central paving strip in narrowed space and the driveway being bordered by the transformer screen, further compromising likely vehicle positioning.

Design enhancement is appreciated but for practical use an effective and visual que for full 6.0-6.2 metres wide entry/exit, with equal division by a clear central reference line, is necessary to ensure exiting vehicles alignment does not compromise entering vehicle opportunity;

The construction of such a large development will be long and complex requiring careful consideration of staging and management of external impacts, notably traffic, parking, pedestrians and environmental emissions. A suitable Construction Management Plan, to the reasonable satisfaction of Council, should be required as part of the approval and before proceeding with the development.

Parking

Parking provision for vehicles overall is near standards with 151 provided and a requirement of 153, recognising sharing of commercial parking area with after-hours residential apartments visitors use (versus total of 166 without).

Higher density mixed use and residential development parking in the Urban Corridor Zone is set-out in Table Un/5:

Land Use	Scale	Rate	Required	Provided
Commercial 1	239m ² gla	Min 3 / 100m ² gla	7.2	
Commercial 2	190m ² gla	Min 3 / 100m ² gla	5.7	
Commercial Total	429m ² gla	Min 3 / 100m ² gla	13*	13*
Apartments North				
1 bed or < 75m²	8	0.75	6	
2 bed or > 75m²	29	1.25	36.25	
3 bed or > 150m²	2	1.75	3.5	
First Level			46	42
Ground / Visitor	39	0.25	10*	0*
North Total			59	55
Apartments South				
1 bed or < 75m²	8	0.75	6	
2 bed or > 75m²	25	1.25	31.25	
Ground Level			37	31
Visitor	33	0.25	8.25*	9*
South Total			45	40
Residential Units				
3 bed or > 150m²	11 (A&B2)	1.0	11	11
Visitor	11	0.25	2.75*	0*
Units Total	11		14	11

Residential				
3 bed or > 150m²	9 (C)	1.0	9	9
3 bed or > 150m²	7 (B1)	1.0	7	7
Visitor	16	1.0	16	15
Visitor on-street	7	0.5	3.5	0
Residential Total			35	31
Total			153* (166)	150*

* Resident visitor and commercial public parking may be shared given complementary peaks
 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”

The required rates in the Development Plan are already discounted in recognition of the urban corridor context, public transport accessibility, nature of apartments, complementary mixed uses and on-street parking. Expectations for additional discounting based on the reasons already accounted for are unwarranted.

While the total number is reasonable, the respective designated allocation of these spaces is critical.

A minimum of 13 spaces at the ground level North Apartment Building should be maintained for commercial users (including gross leasable areas) during work-time and for sharing by residential apartment visitors after-hours.

Occupants and visitors parking and flexible reciprocal designation within the front half of the site is critical for effective utilisation as is addressing reasonable access to general visitor spaces for dwellings to the rear.

The visitor parking demand is compounded by the loss of all on-street parking (6 spaces) on Third Avenue. While an additional 3 spaces may be accommodated on-site in lieu of 0.5 spaces per dwelling (7 dwellings) they should be accessible and convenient. The available visitor parking is in the front half of the site remote from Third Avenue compounding likelihood of increased parking in Third Avenue.

Two (2) and one (1) disable spaces are provided at ground level below the north and south apartment buildings respectively to meet the 1 space per 25 spaces requirement.

All the parking dimensions need review per the Australian Standard, but in particular:

- for higher frequency use, ie commercial or residential visitors, wider spaces of 2.6 metres (not minimum 2.4 metres) are desired;

Adequate bicycle parking is provided by 25 resident spaces in each of the apartment buildings and 9 rails for public and visitors, in addition to private dwelling storage provisions.

Waste Management and Servicing

Waste management arrangements, capacity and servicing appears reasonable.

On-site communal storage and collection points within mixed use and apartment buildings appear appropriate.

On-site communal storage and collection from designated point adjacent to rear access off Third Avenue is reasonable, albeit some distance from more centrally located dwellings.

Dwellings fronting Third Avenue will be serviced by normal Council individual bin collection service. It is positive a dedicated space for bin storage is provided at the rear of the dwellings, but it is noted the proposed small room appears impractical (standard 0.82 metre wide door and 1.0 metre wide room providing no clearance for people access or removing 2nd or 3rd bins without removing those in front).

Further these bins will need to be transferred to the street frontage, either through the dwelling or around a long route along a rear path to the front. Not overly convenient and presumably there would be appropriate rights-of-way established for appropriate use of the common path.

The alternative possible outcome will be use of the vehicle garage, but these are not of sufficient size to accommodate such bins – unless the storage space were to be reallocated within the building.

On-site waste truck servicing of collection points and manoeuvring for forward site entry and exit, from respective street frontages for related development, appears adequately catered for.

It is not considered appropriate to service this collection point from Third Avenue and an on-street loading area (in front of adjoining site not subject site). The on-site arrangement works equally for whichever service provider.

The waste management and service to the site should be limited to 7.00am to 7.00pm Monday to Saturday, but excluding peak traffic times of 7.00-9.00am and 3.00-6.00pm Monday to Friday from Anzac Highway. Bin capacity should be maximised to reduce the number of required collections.

Stormwater Management

The previous existing development has 32% impervious (68% pervious) whilst the proposed development is 92% impervious (8% pervious) site coverage.

Proposed on-site retention/detention tanks (for each apartment building reticulated to toilets and laundries and in townhouses for garden irrigation) and on-site detention in paved areas and infiltration in WSUD treatments and landscaped areas result in a managed stormwater outflow rate generally equivalent to the previous pre-development rate, subject to retention/detention tanks being a minimum of 25,000 litres.

The site is subject to potential flooding in a 1 in 100 year event, largely to a low level but to a moderate level on the north of the site. Based on conservative but practical analysis the building floor levels have reasonably been set to minimise site fill but afford adequate floor level free-board clearance, in accord with submitted details, although the circumstances could allow for a reduced Finished Floor Level to 26.800 (versus 26.850 and 26.900) for the townhouses within the site and to Third Avenue.

Water quality issues are limited. Stormwater is mostly roof run-off, with gross pollutants able to be settled out through the tanks. The driveway and paved surfaces could lead to more pollutants but these should be treated via grated sump traps.

Brown Hill and Keswick Creek

The Brown Hill and Keswick Creek is currently an open partially lined and earth bank channel. Its capacity is inadequate for a predicted 1 in 100 year flood event and an upgrade has been identified as necessary as part of the *Brown Hill Keswick Creek Stormwater Management Plan 2016* (BHKC SMP).

The channel is located within private land holdings. In this case the property boundary follows the centre-line of the creek channel. The responsibility for the normal maintenance of the condition, removal of obstructions and water flow in the channel is the owners.

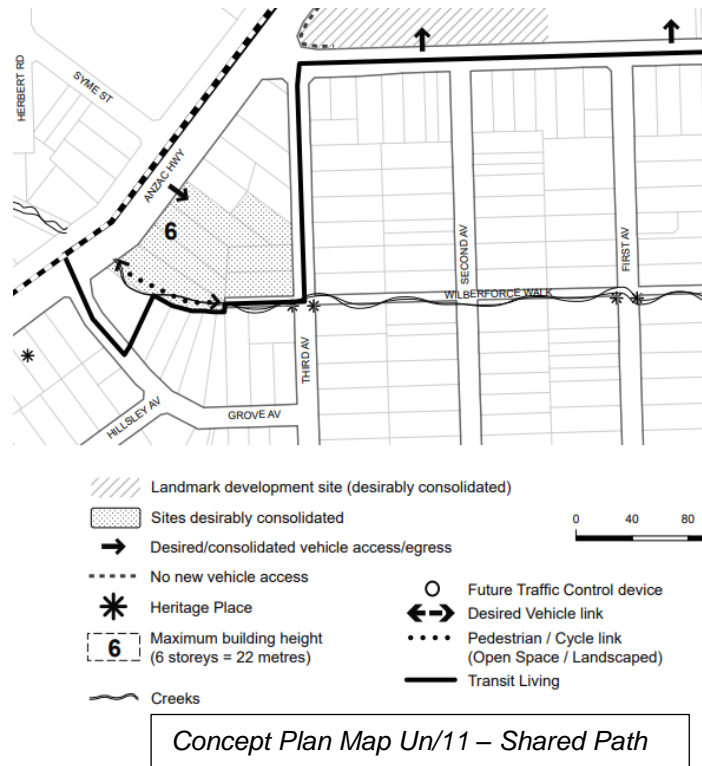
The BHKC SMP necessary upgrade to the creek channel for a 1 in 100 year event is the responsibility of the BHCK Stormwater Authority Board. The Board is a subsidiary authority established by the Cities of Adelaide, Burnside, Mitcham, Unley and West Torrens to implement the SMP. The councils and State Government provide proportional funding to \$140M to improve and enhance the watercourses.

The SMP and funding provides for an open 'gabion' lined channel, largely following the current channel alignment. This could be undertaken on the private land with suitable agreements to recognise the investment or ideally may also involve acquisition of the land to put the corridor, and maintenance, in public ownership.

Wilberforce Walk is a public road that provides pedestrian access, but does not encompass the creek channel and does not extend beyond sites on Third Avenue.

A creek channel being a part of a site where major development is proposed makes it incumbent on the planning authority through the planning assessment to ensure the 1 in 100 year event flood protection is met, and up-stream and down-stream flooding is not caused.

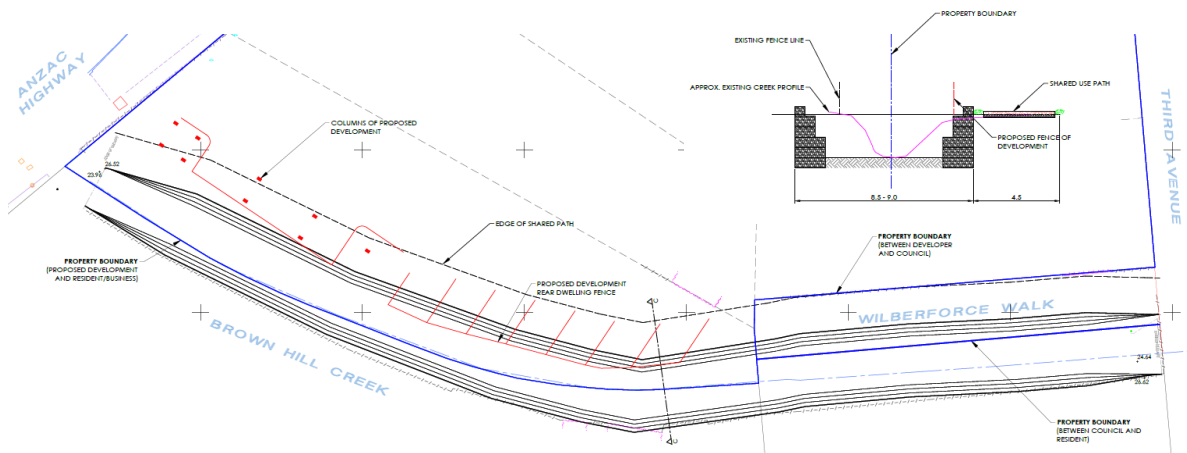
A key outcome is identified in *The Living City – Open Space Strategy for City of Unley, Unley Integrated Transport Strategy and Development Plan (Unley) Concept Plan Map Un/11* (opposite) that the creek not only be upgraded to accommodate predicted and future flood waters (to a 1 in 100 year event) but to create a landscaped public open-space network link and shared path (bicycle and pedestrian) connection to the west across Anzac Highway and east along Wilberforce Walk.



The applicant has shared the aim, and cooperated, in endeavouring to help achieve an upgraded creek channel and landscaped open-space shared access link as a key positive feature for the development, and in turn the locality and region.

The substantial investment of public funds into the creek upgrade, creation of a shared path and open-space corridor necessitates securing the land into public ownership. In addition to discussions with the developer of the subject land by Council, discussions have commenced with the owners of the properties to the south by the BHCK SMA regarding the channel upgrade and necessary land acquisition.

Open 'Gabion' Channel and Parallel Shared Path

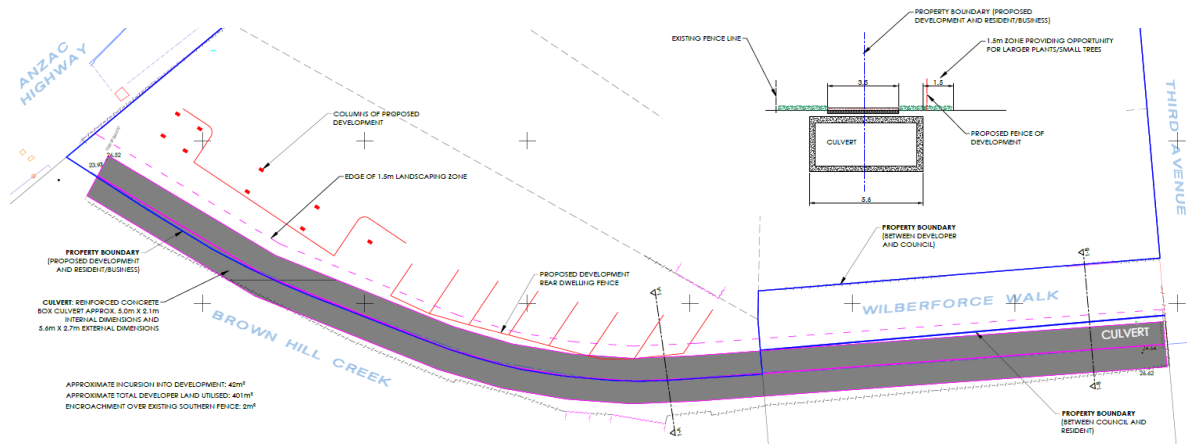


To achieve an upgraded open channel and a parallel shared path link requires a substantial increased corridor of land, involving additional land on the south side of the creek and substantial intrusion into the subject development site.

While an effective approach, it is undesired and impractical, with inferior safety, reduced amenity, significant intrusion and higher land cost.

More practical, efficient and preferred is a 'culvert' option with encompassed shared path and landscaping on and alongside to create a minimised land corridor and high amenity open-space link.

Enclosed 'Culvert' and Encompassed Shared Path



The 'culvert' option costs more but requires less land, plus affords amenity benefits. While combination with Wilberforce Walk may allow for an alternative approach it is a limited section and water flow needs to be smooth making a continuous culvert the preferred outcome.

Creek Upgrade, Shared Path Corridor and Development Compatibility

The proposed development has afforded some space from building footprints for the creek/path upgrade, in response to initial preliminary engineering design in June 2018. There is additional width/clearance for planting at each end, but space is tight through the middle and there may need to be adjustments to the courtyards and fences of the southern townhouses. There needs to be a clearance tolerance to either side of the culvert structure to afford space for construction, maintenance and potential re-construction of the culvert structure and the opportunity for larger plantings and some trees.

The essential issue is to ensure there is adequate space to achieve the desired outcome without undue imposition on private sites and reasonable development. Further engineering and design detail, and negotiations with southern property owners, is proceeding and aimed to be resolved in the short term.

The upgrade to the Brown Hill Keswick Creek and shared path open-space corridor should be a reserved matter, or at least subject to a condition, that allows for the final 'culvert', shared path and corridor final engineering design, planning design, precise boundary survey, property owner negotiations and development compatibility design details to be advanced and be adequately addressed to the satisfaction of the *Brown Hill Keswick Creek Stormwater Management Authority* and the *City of Unley* before final Planning Authorisation is granted.

It is understood the subject development is intending to vest the land for the shared path link and culvert to fulfil part of its 12.5% 'open-space contribution', with the remainder addressed via financial contribution to the Planning and Development Fund.

Council intends to make a grant application to the Planning and Development Fund to help with the additional costs of the 'culvert' option and works associated with the creation of the shared path and landscaped open-space corridor network link.

Planning Consent Conditions

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

- The upgrade to the Brown Hill Keswick Creek and shared path open-space corridor be a reserved matter, or at least subject to a condition, that allows for the final 'culvert' and shared path corridor final engineering design, planning design, precise boundary survey, property owner negotiations and development compatibility design details to be advanced and adequately addressed to the satisfaction of the *Brown Hill Keswick Creek Stormwater Management Authority* and the *City of Unley* before final Planning Approval;
- Car parking layout, movement and dimensions (for nature and frequency of users), vehicle access and parking ramps accord with AS/NZS 2890;
- Car parking on-site be freely available with a minimum of 13 spaces at ground level under northern apartment building for commercial tenants and visitors, and remainder under and behind apartment building for further general and residential visitors catering for the rest of development on-site;
- Overlooking of adjacent and more remote private habitable areas, provided by the range of lower to higher building levels, towards the south west through to the north west be minimised by further design and mitigation techniques to external window and balcony placement, orientation, vertical and horizontal screening;
- Only those dwellings with direct frontage to Third Avenue have a Third Avenue address to promote and encourage the majority of vehicle access from Anzac Highway;
- Driveway to Third Avenue be an effective width of 6.0-6.2 metres, with an equal division by a clear central reference line, to ensure exiting vehicles alignment does not compromise entering vehicle opportunity;
- Driveway and crossover to Third Avenue be a minimum apparent width of 6.2 metres, with a central defining indicator/line marking to ensure entering and exiting vehicles do not conflict;
- Waste and servicing vehicles be a maximum length of 8.8 metres and enter from, and exit to, Anzac Highway and Third Avenue respectively;
- Waste and service vehicles only visit the site between 7:00am to 7:00pm Monday to Saturday, excluding public holidays and peak traffic periods between 7:00 to 9:00am and 4:00 to 6:00pm Monday to Friday;
- The Waste Management Plan recommended changes and improvements to the current proposed development design in accord with the SA Better Practice

Guide for Waste Management for Residential and Mixed use Developments (Zero Waste) be incorporated; waste storage and collection rooms being consolidated; compactor included to maximise storage and use of larger 1100L bins wherever possible to reduce the number of required collections per week to 9 or less;

- Public realm configuration, damage, alterations and improvements in relation to encroachments, footpaths, verges and street trees (ie replacement of removed Claret Ash on Anzac Highway with at least an additional 2 and replacement of 3 existing trees with at least 5 Coral Gum on Third Avenue) are to be resolved with, and approved by, the City of Unley at the expense of the owner/applicant;
- The building Finished Floor Levels be in accord with submitted Stormwater Management Plan details, except for the townhouses within the site and to Third Avenue that could be reduced to a Finished Floor Level of 26.800 (versus 26.850 and 26.900) to limit overall height while affording adequate protection;
- Stormwater management on-site be in accord with the submitted details, other than the two retention/detention tanks each being a minimum capacity of 25,000 litres;
- A Construction Management Plan be resolved with Council to guide the requirements and operations during construction to address traffic, parking, pedestrian and amenity issues.
- It is requested a Note be added indicating pursuant to the policy of the City of Unley On-street Parking Exemption permits are not issued for occupants of new development (post 2013).

Conclusion

The development proposal is of great interest to Unley residents, particularly those in close proximity to the site.

The Council is not the assessing authority, and only an informal referral agency able to make comments. It is therefore appropriate that Council concentrate on the specific areas of direct control while raising its concerns regarding the most significant divergences from the planning policy parameters.

The nature of the large scale mixed use and primarily residential development broadly accords with the Urban Corridor Zone – Transit Living (Anzac Highway) Policy Area intent. However, the State Commission Assessment Panel should address the highlighted areas of concern regarding respect for key planning policy parameters, proper and good design, Brown Hill Keswick Creek upgrade and shared path and council infrastructure matters as part of the expected comprehensive assessment.

Enquiries

If there are any queries or need for further explanation or information please contact David Brown, Principal Policy Planner, dbrown@unley.sa.gov.au or 8372 5185.

Yours sincerely

Peter Tsokas
CHIEF EXECUTIVE OFFICER

State Commission Assessment Panel,
G.P.O. Box 1815,
ADELAIDE SA 5001

Dear Sir,

I advise that this Agency has the ~~attached~~ report to make on the proposed development described below.



Reporting Officer

26 October 2018

Date

INFORMAL REFERRAL



Level 5, 50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

Telephone: 08 7109 7060
ABN 92 366 288 135

<http://www.saplanningcommission.sa.gov.au/scap>

Our Ref: 2018/19332/01

13 September 2018

Council: City of Unley

Application Number: 090/M009/18

Proposed Development: Staged construction of a mixed use development comprising two, six (6) level buildings fronting Anzac Hwy comprising dwellings, associated parking spaces and ground level commercial tenancies (north building only); seven (7) attached, three (3) level dwellings fronting Third Avenue; nine (9) attached, two (2) level dwellings and a single, three (3) level building comprising eleven (11) dwellings located internally within the site; a common driveway; landscaping and fencing.

Subject Land: 28 ANZAC HWY, EVERARD PARK, SOUTH AUSTRALIA, 5035
22 ANZAC HWY, EVERARD PARK, SOUTH AUSTRALIA, 5035
UNIT 1-2, 26 ANZAC HWY, EVERARD PARK, SOUTH AUSTRALIA, 5035
24 ANZAC HWY, EVERARD PARK, SOUTH AUSTRALIA, 5035
10 THIRD AV, FORESTVILLE, SOUTH AUSTRALIA, 5035
6 THIRD AV, EVERARD PARK, SOUTH AUSTRALIA, 5035
12 THIRD AV, FORESTVILLE, SOUTH AUSTRALIA, 5035
12 THIRD AV, FORESTVILLE, SOUTH AUSTRALIA, 5035

Relevant Authority: SCAP

Planner: Janaki Benson

The State Commission Assessment Panel (SCAP) has received the development application described above (all relevant documentation is attached). The SCAP is seeking comment from your Council to assist it in reaching a decision and would appreciate a response within **4 weeks** of receipt of this correspondence. Should no report be received by the SCAP within that period the SCAP will deem that you have no comments to make on the proposal.

Council's comments will not include a full planning assessment of the application, but may include comments on any local strategic issue, policies or plans. This may include comments on proposed policy amendments, planned public realm improvements, traffic management, waste services, encroachments, local heritage issues or the like for consideration by SCAP. Council may also make brief observations in relation to planning assessment matters from a local perspective to highlight key issues that may require further analysis / assessment by SCAP assessing officers.

Your co-operation in using the attached form when replying would be appreciated.

If you have any questions relating to this matter, please contact Janaki Benson of this office by telephone on 08 8343 2339 or email Janaki.Benson@sa.gov.au.

Yours faithfully,

A handwritten signature in black ink, appearing to be a stylized name, possibly "James".

For STATE COMMISSION ASSESSMENT PANEL