CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 18 April 2023 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.

Don Donaldson
ASSESSMENT MANAGER

Dated 05/04/2023

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinthi, ngadlu Kaurna yartangka inparrinthi. Ngadlurlu parnuku tuwila yartangka tampinthi.

*Ngadlurlu Kaurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinthi. Parnuku yailtya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kaurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

*Kaurna Translation provided by Kaurna Warra Karrpanthi

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

18 April 2023

MEMBERS:

Mr Brenton Burman
Ms Colleen Dunn
Mr Terry Sutcliffe
Mr Will Gormly
Ms Iris Iwanicki

APOLOGIES:

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED: SECONDED:

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 21 March 2023, as printed, and circulated, be taken as read and signed as a correct record.

A G E N D A

Apologies
Conflict of Interest
Confirmation of the minutes

Item No	Planning, Development Infrastructure Act Applications	Page
1.	113 Leicester Street, Parkside – 23001745	4-32
2.	301 Unley Road, Malvern – 22030984	33-296

Item No	Appeals Against Decision of Assessment Manager (PDI Act)	Page
	Nil	

Item No	ERD Court Compromise Reports - CONFIDENTIAL	Page
	Motion to move into confidence	
	Nil	
	Motion to move out of confidence	

Item No	Council Reports	Page
	Nil	

Any Other Business
Matters for Council's consideration

ITEM 1
DEVELOPMENT APPLICATION - 23001745 – 113 LEICESTER STREET, PARKSIDE SA 5063

DEVELOPMENT NO.:	23001745
APPLICANT:	Scott Salisbury Homes
ADDRESS:	113 LEICESTER ST PARKSIDE SA 5063
NATURE OF DEVELOPMENT:	Partial demolition and alterations & additions to the existing dwelling
ZONING INFORMATION:	**Zones:** • Established Neighbourhood **Overlays:** • Airport Building Heights (Regulated) • Historic Area • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy • Water Resources **Technical Numeric Variations (TNVs):** • Maximum Building Height (Metres) (Maximum building height is 5.7m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 15m; row dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 400 sqm; semi-detached dwelling is 400 sqm; row dwelling is 400 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	9 Feb 2023
RELEVANT AUTHORITY:	Assessment Panel at City of Unley
PLANNING & DESIGN CODE VERSION:	2 February 2023 - 2023.2
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Mark Troncone Planning Officer
REFERRALS STATUTORY:	N/A
REFERRALS NON-STATUTORY:	N/A

CONTENTS:

ITEM 1
DEVELOPMENT APPLICATION - 23001745 – 113 LEICESTER STREET, PARKSIDE SA 5063

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the partial demolition and alterations & additions to the existing dwelling. The partial demolition will include the removal of approximately 13.8m of boundary walling.

This will be replaced with a boundary wall along the western boundary which will have a length of approximately 24m and a height of 3.4m from natural ground level to the top of the wall.

The alterations & additions will comprise of the conversion of the existing living area into a bedroom and a bathroom, laundry and an open plan living, kitchen, dining area with alfresco.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 113 LEICESTER ST PARKSIDE SA 5063
Title ref.: CT 5800/689 **Plan Parcel:** F14658 AL53 **Council:** CITY OF UNLEY

Subject Land

The subject land is a rectangular shaped allotment with a frontage to Leicester Street of approximately 6.85m. The land has an approximate area of 349m^2.

The site currently contains a Single Fronted Cottage circa 1900 (**Figure 1**). The site currently has no vehicle access.

The subject land is relatively flat and contains no regulated or significant tress.

Figure 1: *View of the subject land as taken from Leicester St looking south*

ITEM 1
DEVELOPMENT APPLICATION - 23001745 – 113 LEICESTER STREET, PARKSIDE SA 5063

Locality

In forming an opinion as to the extent of the locality, I have considered the extent to which the proposed development on the subject land is likely to be evident to the surrounding occupiers and landowners.

Leicester St contains a mixture of dwelling types however does consist of a number of character dwellings in the form of Single Fronted Cottages, Double Fronted Cottages, Maisonettes and Villas.

A number of character dwellings along Leicester St have been developed with later rear additions as outlined within the list below and **Figure 2**:

- (106, 108, 110, 112, 114, 116 Leicester St, Parkside)
- (107, 111, 115, 117 Leicester St, Parkside)

It is noted that the neighbouring dwelling to the west (115 Leicester St) has recently had approval for new dwelling additions and alterations.

Figure 2: *Locality Plan*

The immediately adjacent dwellings are both Single Fronted Cottages as outlined within **Figure 3** and **Figure 4** below.

Figure 3: *View of the neighbouring property to the west (115 Leicester St) taken from Leicester St looking south*

Figure 4: *View of the neighbouring property to the east (111 Leicester St) taken from Leicester St looking south*

ITEM 1
DEVELOPMENT APPLICATION - 23001745 – 113 LEICESTER STREET, PARKSIDE SA 5063

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
  Dwelling alteration or addition
  Dwelling addition: Code Assessed - Performance Assessed
  Internal building work: Accepted
  Demolition
  Partial demolition of a building or structure: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**
  Code Assessed - Performance Assessed

- **REASON**
  P&D Code

PUBLIC NOTIFICATION

- **REASON**
  The proposed wall along the western boundary exceeds 8m in length and 3.2m in height (approx. 24m in length and approx 3.6m in height)

- **LIST OF REPRESENTATIONS**

	Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard	Represented by
1	[redacted]	Support development with some concerns *Parking/congestion during construction and timing of construction*	Yes	Self

The applicant provided a response to representations which outlined the following:

- *Concerns with respect to car parking and traffic congestion during the construction of the development are not a relevant issue for resolution as part of the assessment of Planning Consent.*

AGENCY REFERRALS

N/A

INTERNAL REFERRALS

N/A

ITEM 1
DEVELOPMENT APPLICATION - 23001745 – 113 LEICESTER STREET, PARKSIDE SA 5063

RULES OF INTERPRETATION

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to interpret Performance Outcomes, the policy includes a standard outcome that generally meets the corresponding performance outcome (Designated Performance Feature or DPF). A DPF provides a guide as to what will satisfy the corresponding performance outcome. Given the assessment is made on the merits of the standard outcome, the DPF does not need to be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case;
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

ITEM 1
DEVELOPMENT APPLICATION - 23001745 – 113 LEICESTER STREET, PARKSIDE SA 5063

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, are found within the following link:

Planning and Design Code Extract

Site Coverage

Performance Outcome (PO) 3.1 of the **Established Neighbourhood Zone** states

> *'Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.'*

DTS/DPF (Designated Performance Feature) 3.1 identifies that the envisaged site coverage percentage as being 50%.

The proposed development will have a coverage area of 208m^2 with a site coverage percentage of 56%. Although the proposal will exceed the above quantitative measure, the proposed site coverage is considered to be acceptable for the following reasons:

- The level of site coverage will only exceed the above quantifiable site coverage percentage by 6% (24m^2);
- The proposed development will have adequate private open space (88m^2) and soft landscaping (99m^2 – 27%) in line with the Planning and Design Code; and
- The proposed addition will be at the rear of the existing dwelling preserving the character appearance of the dwelling as it presents to the street;
- Given the narrow nature of the allotment, a single storey addition limits the visual/overshadowing impacts towards the adjacent properties.

Given the above, the proposed development is considered to be consistent with PO 3.1 of the Established Neighbourhood Zone.

Boundary Wall

PO 7.1 of the **Established Neighbourhood Zone** states

> *'Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.'*

DTS/DPF 7.1 identifies that boundary walls should be designed to not exceed the below parameters:

- *'exceed 3.2m in height from the lower of the natural or finished ground level'*
- *'exceed 8m in length'*
- *'when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary'*

As outlined above, the proposed addition will consist of a boundary wall with a length of approximately 24m and a wall height of approximately 3.4m from natural ground level to the top of the wall. The proposed wall will therefore exceed the above quantitative measure by 16m in length and 0.2m in height.

It is noted that the proposed works will include the removal of 13.8m of existing boundary walling consisting of the dwelling wall, court wall and habitable outbuilding. The proposed addition will therefore add an additional 10.2m of boundary walling along the western boundary.

Despite the extent of boundary walling, the proposal is considered to be acceptable for the following reasons:

- Given the narrow nature of the subject land (approx. 6.85m) and surrounding allotments, boundary walls are common to maximise internal floor areas;
- The siting and height of the boundary wall will ensure that the private open space area of the adjacent dwelling to the west (115 Leicester St) will receive access to sunlight during the winter months; and
- The proposed addition will maintain the wall and roof height of the existing dwelling.

Given the above, the proposed development is considered to meet the intent of **PO 7.1** of the **Established Neighbourhood Zone** and **PO 3.2** of the **Interface between Land Uses** section.

Potential Tree Damaging Activity

It is noted that a tree located upon the adjacent allotment to the west (115 Leicester St) is sited in close proximity to the shared boundary of the subject land (**Figure 5**). The siteworks plan attached with the application has identified this tree being removed given the location of the boundary wall.

The tree is not regulated and is therefore not subject to planning controls. This tree is also proposed to be removed as part of the development application associated with that land (DA 22026924).

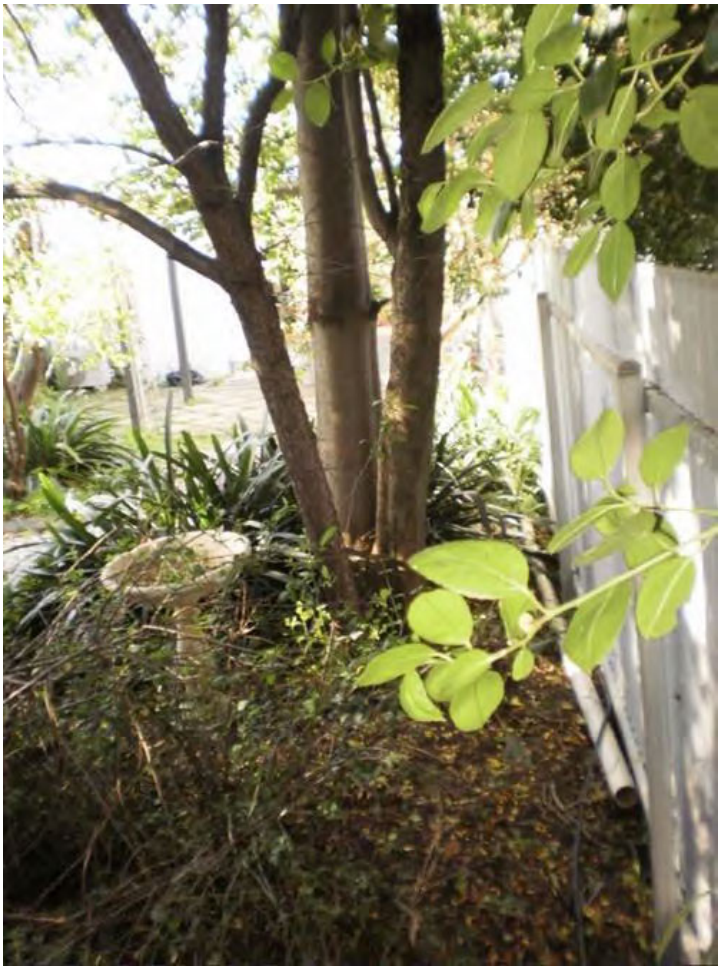


Figure 5: *View of the tree upon the neighbouring allotment to the west (115 Leicester St)*

In addition, it is noted that the large tree located one allotment over to east (109 Leicester St) is a Pepper Corn Tree which is an except species under the Planning and Design Code and therefore is also not subject to any planning controls.

External Impacts During Construction

As outlined previously, the representor raised the matters of car parking and traffic congestion during construction and the commencement date of the development. As outlined within the response by the applicant, works during construction are not a valid planning consideration within the assessment of development applications.

Council has outlined to the representor that Council's compliance and inspection team will manage any issues during the construction period should they arise.

Regarding the commence of construction, Council does not have any grounds in dictating when the commencement of a development upon private land is to occur as long as it is within the approved period of two (2) years from the date of Development Approval.

CONCLUSION

The matters raised by the representor are not matters that can be taken into account during the planning assessment of applications. Having considered all the relevant assessment provisions, the proposal is considered to be not seriously at variance with the Planning and Design Code and is considered to satisfy the provisions of the Planning and Design Code for the following reasons:

- The proposed development is considered to satisfy the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies;
- The proposed development has been designed to not have an unreasonable impact towards the adjacent properties regarding visual and overshadowing impacts; and
- The proposed development will not affect the streetscape context.

RECOMMENDATION

It is recommended that the Council Assessment Panel/SCAP resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

2. Development Application Number 23001745, by Scott Salisbury Homes is GRANTED Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS
Planning Consent
Condition 1
The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2
All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

ADVISORY NOTES
Planning Consent
Advisory Note 1

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 2
That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the applicant.

Advisory Note 3
It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Advisory Note 4
No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 5
Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 6
This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 7
Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

OFFICER MAKING RECOMMENDATION

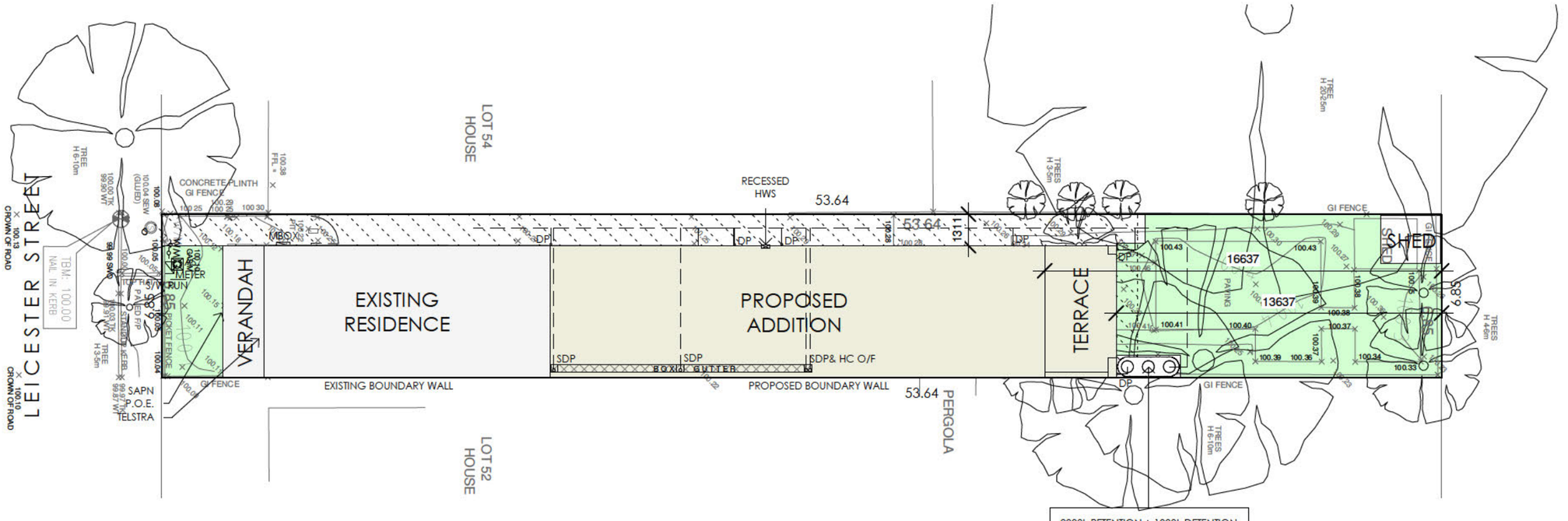
Name: Mark Troncone
Title: Planning Officer
Date: 29/03/2023

ATTACHMENT 1

BASHAM RESIDENCE

THIS IMAGE IS AN ARTIST IMPRESSION ONLY AND IS SUBJECT TO CHANGES THAT MAY BE REQUIRED FOR CONSTRUCTION

SCOTT SALISBURY HOMES



SITE PLAN
SCALE: 1 : 200

0 2 4 6 8m
1:200

SITE	368m2	
SITE COVERAGE	208m2	56%
PRIVATE OPEN SPACE	88m2	
SOFT LANDSCAPING	99m2	27%

2000L RETENTION + 1000L DETENTION RAINWATER TANK PLUMBED TO ENSUITE + WC CISTERNS + SINGLE LAUNDRY TAP. SUPPLIED AND INSTALLED BY BUILDER INCLUDING CONCRETE BASE

NOTES

ALL STORMWATER CONNECTIONS - BY BUILDER

ALL PAVING - BY BUILDER

ALL LANDSCAPING - BY OWNER

SCOTT SALISBURY HOMES

Date	Amendment	Issue
161122	CLIENT AMENDMENTS	B
040123	CLIENT AMENDMENTS	C

Client: D & K Basham

Project: NEW ADDITION

At: 113 Leicester Street PARKSIDE

Sheet: 1 OF 5

Licence No. GL57020
ABN 97 004 375 167

Client:.....

Date:.....

PLANNING ISSUE

AREAS

ADDITION	114.9
TERRACE	16.6
	131.5

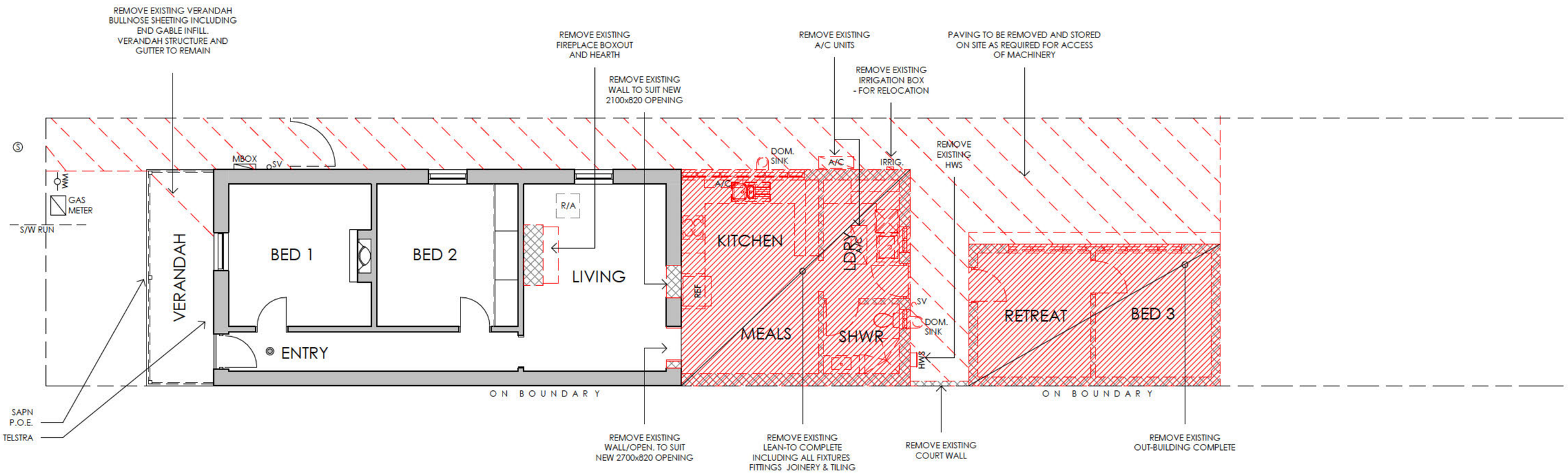
Designer: PE

Drawn by: PE

Date: 26-9-2022

Issue: C

Job Number: 4081 16



DEMO FLOOR PLAN
SCALE: 1 : 100

NOTES

REMOVE ALL CONCRETE PAVING WITHIN THE NEW BUILD AREA

REMOVE PAVERS WITHIN THE NEW BUILD AREA AND STORE ONSITE FOR FUTURE USE

PAVERS AS SHOWN HATCHED TO BE REMOVED AND STORED ON SITE TO PROVIDE ACCESS TO MACHINERY

0 5 10 m

SCOTT SALISBURY HOMES

Date	Amendment	Issue
161122	CLIENT AMENDMENTS	B
040123	CLIENT AMENDMENTS	C

Client: D & K Basham

Project: NEW ADDITION

At: 113 Leicester Street PARKSIDE

Sheet: 2 OF 5

Licence No. GL57020
ABN 97 004 375 167

Client:.....

Date:.....

PLANNING ISSUE

AREAS

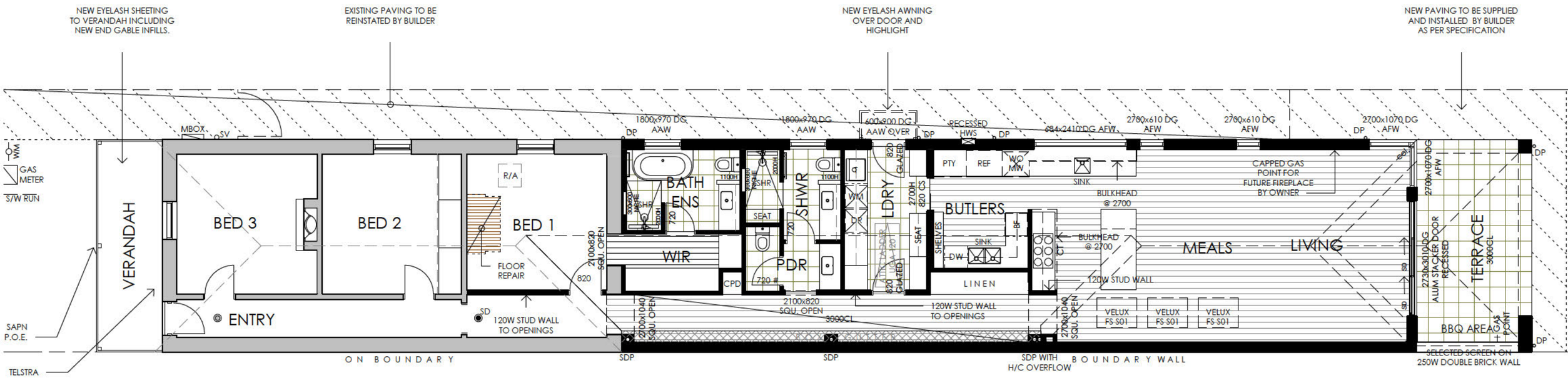
Designer: PE

Drawn by: PE

Date: 26-9-2022

Issue: C

Job Number: 4081 17



PROPOSED FLOOR PLAN

SCALE: 1 : 100

0 5 10 m

NOTES

ALL KITCHEN & WET AREA LAYOUTS SHOWN ARE INDICATIVE ONLY. REFER TO JOINERY PLANS FOR CORRECT LAYOUTS AND PLUMBING POSITIONS

PROVIDE ELECTRICAL CONDUIT IN SLAB TO KITCHEN WHERE APPLICABLE

CONCRETE SLABS BELOW MAIN FLOOR TILING TO BE REINFORCED AS PER ENGINEER'S RECOMMENDATION

2.1 HIGH OPENING HEIGHT / INTERNAL DOOR (2040 HIGH)

2.7 HIGH CAVITY SLIDING INTERNAL DOOR (2340 HIGH)

● HARDWIRED SMOKE DETECTOR WITH BATTERY BACK-UP INSTALLED IN ACCORDANCE WITH AS 3786-1993.

R/A ROOF ACCESS HATCH

⊠ EXHAUST FAN DUCTED TO ATMOSPHERE OR VENTED ROOF SPACE INSTALLED IN ACCORDANCE WITH AS 1668.2

\# REMOVABLE DOOR HINGES FITTED IN ACCORDANCE WITH S.A. HOUSING CODE APPENDIX D10.1

COL.□ STEEL COLUMN AS PER ENGINEER'S DETAILS

DP° 75Ø ROUND PVC DOWNPIPES (PAINTED)

ATTIC LADDER UGA 120

DG = DOUBLE GLAZED

SCOTT SALISBURY HOMES

Date	Amendment	Issue
161122	CLIENT AMENDMENTS	B
040123	CLIENT AMENDMENTS	C

Client: D & K Basham

Project: NEW ADDITION

At: 113 Leicester Street PARKSIDE

Sheet: 3 OF 5

Licence No. GL57020
ABN 97 004 375 167

Client:.....

Date:.....

PLANNING ISSUE

AREAS

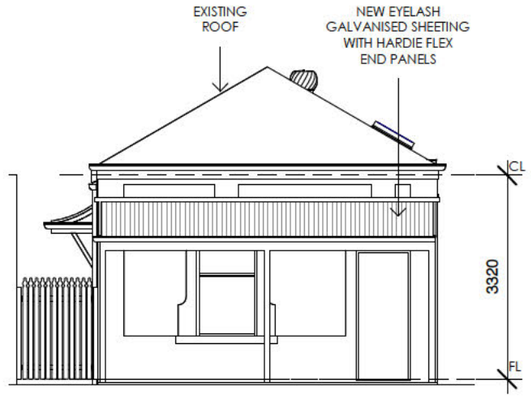
Designer: PE

Drawn by: PE

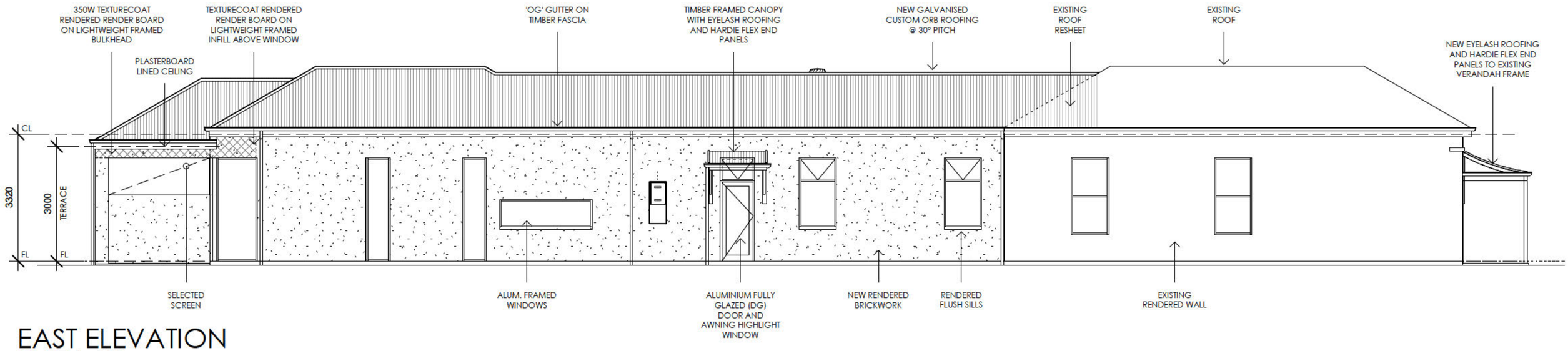
Date: 26-9-2022

Issue: C

Job Number: 4081 18



NORTH ELEVATION
SCALE: 1 : 100



EAST ELEVATION
SCALE: 1 : 100

0 5 10 m

SCOTT SALISBURY HOMES

Date	Amendment	Issue
161122	CLIENT AMENDMENTS	B
040123	CLIENT AMENDMENTS	C

Client: D & K Basham

Project: NEW ADDITION

At: 113 Leicester Street PARKSIDE

Sheet: 4 OF 5

Licence No. GL57020
ABN 97 004 375 167

Client:.....

Date:.....

PLANNING ISSUE

AREAS

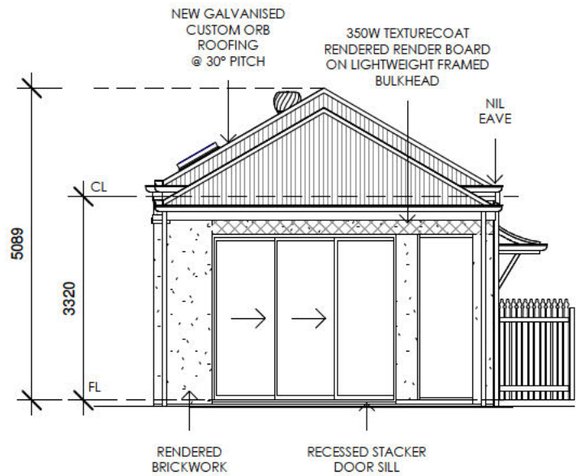
Designer: PE

Drawn by: PE

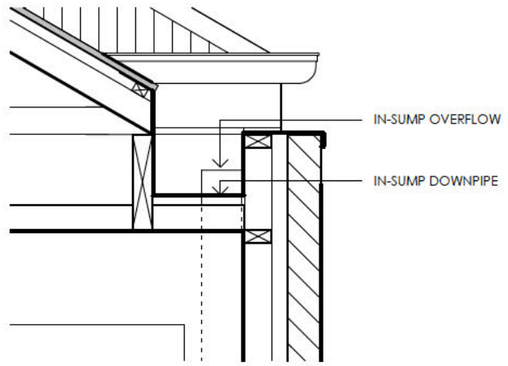
Date: 26-9-2022

Issue: C

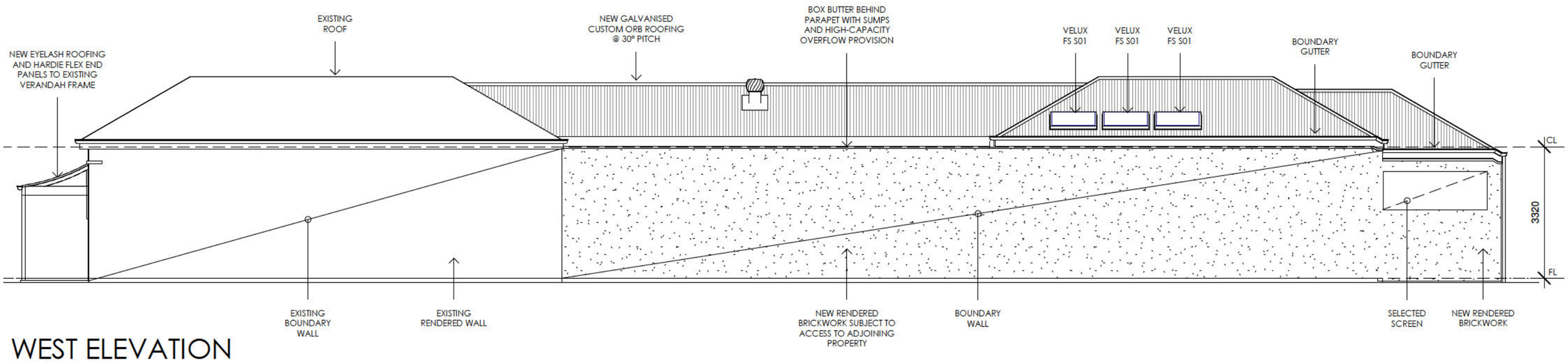
Job Number: 4081 19



SOUTH ELEVATION
SCALE: 1 : 100



BOX GUTTER DETAIL
SCALE: 1 : 20



WEST ELEVATION
SCALE: 1 : 100

0 5 10 m

SCOTT SALISBURY HOMES

Date	Amendment	Issue
161122	CLIENT AMENDMENTS	B
040123	CLIENT AMENDMENTS	C

Client: D & K Basham

Project: NEW ADDITION

At: 113 Leicester Street PARKSIDE

Sheet: 5 OF 5

Licence No. GL57020
ABN 97 004 375 167

Client:.....

Date:.....

PLANNING ISSUE

AREAS

Designer: PE

Drawn by: PE

Date: 26-9-2022

Issue: C

Job Number: 4081 20

A3

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

SITEWORKS PLAN
(THIS PLAN IS TO BE READ IN CONJUNCTION WITH SITEWORKS NOTES – SHEET 2 OF 2)

IMPORTANT NOTE:
RETAINING WALL HEIGHTS/EXTENTS IN RELATION TO PERIMETER PAVING SETUP AND FL/BL's ARE SUBJECT TO CHANGE/ADJUSTMENT PENDING FINAL POST DEMOLITION LEVELS. RETAINING WALLS MAY BE REQUIRED WHERE NONE ARE SHOWN.

NOTE:
REFER TO THE CSIRO DOCUMENT FOR THE EXTENT OF IMPERMEABLE TYPE PAVING RECOMMENDED TO BE PLACED AROUND THE PERIMETER OF A DWELLING. REFER ALSO TO THIS DOCUMENT IN REGARDS TO THE PLANTING OF TREES/EXISTING TREES TO BE KEPT AND SOIL MODIFICATION (DEEP SOIL ZONES) NEAR THE PROPOSED AND POSSIBLE ADJACENT FOOTING SYSTEMS.

NOTE:
- GRADE/RE-GRADE (↗) GROUND TO FALL TO THE TOP OF THE PIT/PUMP GRATE.
- INSTALLATION OF PIT/PUMP PRIOR TO CONSTRUCTION OF DWELLING MAY BE ADVISEABLE TO AVOID ACCESS ISSUES AT A LATER DATE.

NOTE:
PORTION OF RISING MAIN OMITTED FOR CLARITY ALONG EASTERN BOUNDARY.

NOTE:
FLOOR LEVELS NOMINATED TO BE CONFIRMED BY THE BUILDER AS BEING CORRECT PRIOR TO ANY WORKS PROCEEDING OR BUILDING/PLANNING APPROVALS FOR CONSTRUCTION BEING ISSUED.

NOTE:
RELEVANT CHECKING AUTHORITY TO CONFIRM IF FLOOR LEVEL NOMINATED IS APPROPRIATE IN RELATION TO ANY FLOOD ZONE IMPLICATIONS.

INSTALL A STORMWATER SYSTEM AS SHOWN. CONNECT EXISTING DOWNPIPES INTO THE NEW DRAIN PIPE SYSTEM. CONFIRM SYSTEM CAN BE INSTALLED AS SHOWN/SPECIFIED OTHERWISE A REVISION OF THE STORMWATER DISPOSAL METHODOLOGY WILL BE NECESSARY

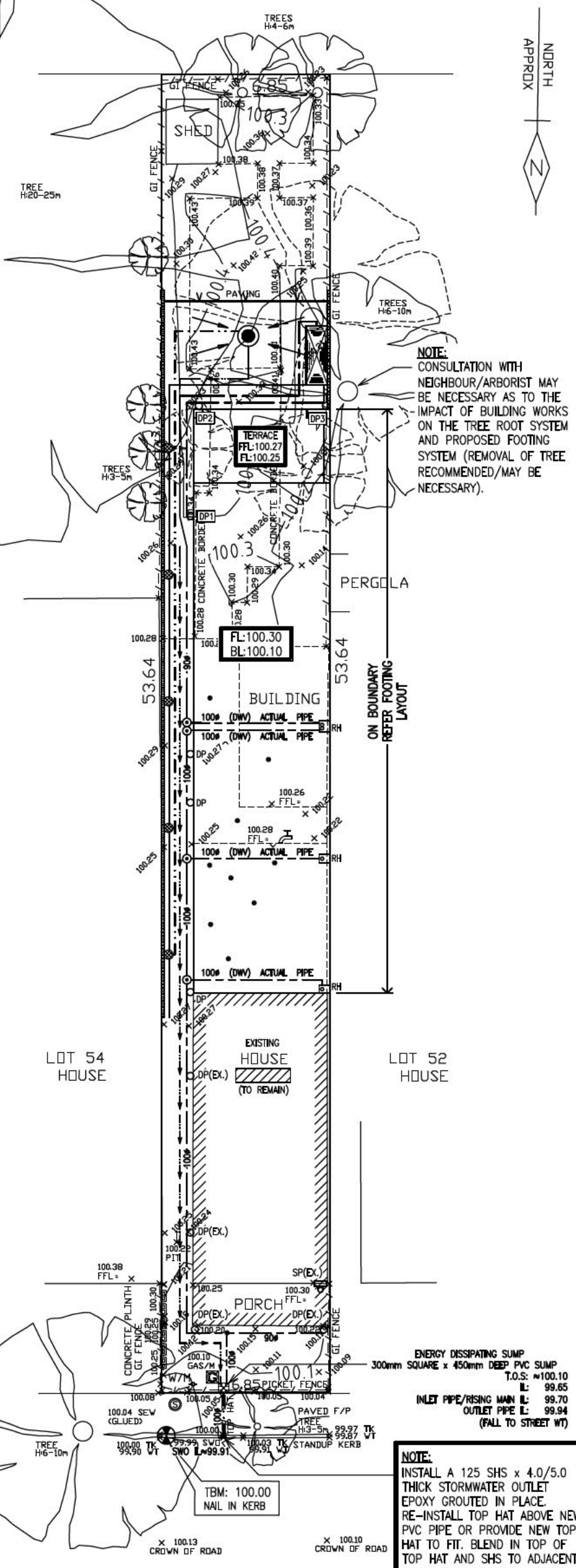
IF EXISTING DRAIN PIPES ARE NOT AS A MINIMUM 90ø, UPGRADE TO BE SUCH IN ACCORDANCE WITH CURRENT CODE REQUIREMENTS
- TANK OVERFLOW/INLET PIPES TO BE MINIMUM 90ø OR AS SHOWN.
- DUE TO THE VOLUME OF STORMWATER NOW EXPECTED AND HEIGHT OF EXISTING KERB, SUGGEST UPGRADING PIPE ACROSS COUNCIL VERGE AS SHOWN.

IF TOTAL ROOF AREA CONNECTED TO A DRAIN PIPE SYSTEM EXCEEDS 160m² (SEALED SYSTEM)/240m² (GRAVITY SYSTEM), PIPE DIAMETER FROM THIS POINT ONWARD IS TO BE 100mm. DRAIN RUN(S) TO BE CONFIRMED PRIOR TO ANY WORKS PROCEEDING (RELEVANT CONTRACTORS OPINION SHOULD ALSO BE CONSIDERED IN RELATION TO THE UTILISATION OF SPECIFIC DRAIN PIPE DIAMETERS AND LAYOUT OF RUNS FOR AREAS SERVICED BEING EXISTING AND/OR PROPOSED)

ENSURE PROPOSED EARTHWORKS/RETAINING WALLS/SERVICE TRENCHES DO NOT UNDERMINE/SURCHARGE ANY EXISTING STRUCTURES ON THIS OR ADJOINING PROPERTIES.

ALL THE ABOVE TO BE CONFIRMED BY THE BUILDER/OWNER PRIOR TO ANY WORKS PROCEEDING OR COUNCIL APPROVALS BEING ISSUED.

IMPORTANT NOTE:
IF STORMWATER SYSTEM (PROPOSED & EXISTING) CAN PERFORM BY GRAVITY FLOW, PIT/PUMP IS NOT REQUIRED. SURFACE & ROOF STORMWATER CAN BE COMBINED AS ONE. RELEVANT CONTRACTOR TO CONFIRM PRIOR TO ANY WORKS PROCEEDING.



NOTE:
- NEW DOWNPIPE/RAINHEAD LOCATIONS AS PER THE ARCHITECTURAL DRAWINGS. TO BE CONFIRMED BY THE BUILDER/BUILDING DESIGNER/ROOF PLUMBER/RELEVANT CHECKING AUTHORITY. RAINHEAD AND ASSOCIATED DOWNPIPES TO COMPLY WITH AS3500.3:2018
- ANY CONCEALED DP's SHOULD HAVE AN OVERFLOW DEVICE INCORPORATED IN THEIR CONSTRUCTION TO THE OUTSIDE OF THE DWELLING. WHERE PART OF A SEALED SYSTEM, DEVICE IS TO BE PLACED AT THE VERY TOP OF THE DOWNPIPE.

(NOT PART OF RCI CONSULTING ENGINEERS EXTENT OF DESIGN CONSIDERATION).

NOTE:
- REFER TO DETAIL SHEET PD1 FOR RECOMMENDED MINIMUM PAVEMENT SETDOWN FROM UNDERSIDE OF REBATE FOR CLASS "H2-D" SITE SOIL CLASSIFICATION.
- DUE TO THE HIGHLY REACTIVE NATURE OF THE SOIL PROFILE, IT IS RECOMMENDED SEGMENTAL BRICK/BLOCK PAVING BE UTILISED FOR PERIMETER AND DRIVEWAY PAVING NOT INSITU CONCRETE.

SURVEY LEGEND

TEMPORARY BENCH MARK	NBN PIT
MAN HOLE	ELECTRICAL PIT
TREE	GAS IP
WATER METER	GAS/M
STOBIE	STORMWATER INSPECTION POINT (SWIP)
LIGHT POLE	METAL FENCE
SEWER IP	GI FENCE
PEG	TIMBER FENCE
METAL PIN	WIRE & POST FENCE
STAKE	BRUSH FENCE
TELSTRA/COMM PIT	BRICK R/W
SAPN	CONCRETE R/W
FENCE	STONE R/W / GABION R/W
PSM	TIMBER R/W
STORM WATER OUTLET	TRW TOP OF RETAINING WALL; BRW BTM OF RETAINING WALL

DESIGN LEGEND

▥	250 SQUARE x 285 DEEP "RELN" RAINWATER PIT (PVC), (SERIES 250) OR SIMILAR (U.N.O.)
⊗	GRATED SURFACE STORMWATER DRAIN 90ø (U.N.O)
—·—·—	STORMWATER DRAIN PIPE (GRAVITY FLOW) – 90ø PVC (U.N.O) AT 1 IN 250 (0.40%) MIN FALL (U.N.O) EXCEPT ON SEALED SYSTEM
— - —	STORMWATER DRAIN PIPE (SEALED SYSTEM) – 90ø PVC (U.N.O)
—···—	90ø AGRIC DRAIN (U.N.O). CONNECT INTO TOP OF GRAVITY FLOW STORMWATER DRAIN PIPE.
•—	INTERNAL SEWER DRAIN LOCATION (TO BE CONFIRMED BY BUILDER)
- - - -	SEWER PIPE 100ø AT 1.65% MIN (1 IN 60)
TOP OF BATTER / BOTTOM OF BATTER	BATTERS/EARTHWORK EMBANKMENTS TO BE 50% (1 IN 2) UNLESS NOTED OTHERWISE
⊕ /	EXISTING TREES AND STRUCTURES ON SITE TO BE DEMOLISHED/REMOVED BY OWNER PRIOR CONSTRUCTION. UNLESS OTHERWISE STATED.

TITLE: SITEWORKS PLAN

ADDRESS: NO.113 LEICESTER STREET PARKSIDE

CLIENT: SCOTT SALISBURY HOMES

Residential Commercial Industrial Consulting Engineers
A.B.N. 17 131 375 356
1 Hawke Street
ALBERT PARK, SA 5014
P (08) 8241 2326
F (08) 8241 2409
admin@rciconsulting.com.au
www.rciconsulting.com.au

JOB No.	SHEET No.	ISSUE No.
C34601	1 of 2	–

DRAWN :	DESIGN:	DATE:
J.H	D.A.	20-Oct-22

0 4 8 12
SCALE 1:200 METRES

No.	REVISION	BY	DATE

GENERAL NOTES:
SITEWORKS & STORMWATER DRAINAGE TO BE CONSTRUCTED BY THE OWNER OR THE OWNERS REPRESENTATIVE (IE. THE BUILDER WHERE STATED WITHIN THE BUILDING CONTRACT). THIS DOCUMENT IS TO BE READ IN CONJUNCTION WITH THE FOOTING CONSTRUCTION REPORT & ARCHITECTURAL DRAWINGS. ANY DISCREPANCIES SHALL BE REPORTED TO THIS OFFICE IMMEDIATELY PRIOR TO WORKS PROCEEDING.

SOIL CLASSIFICATION: H2-D
- 40mm THICK CLOSED-CELL POLYETHYLENE LAGGING AROUND STORMWATER AND SEWER DRAIN PENETRATIONS THROUGH ALL FOOTINGS.
- FLEXIBLE CONNECTIONS IN SEWER & STORMWATER DRAINS ARE REQUIRED – REFER DETAIL SHEET SD1

BENCH:
BUILDING AREA TO BE BENCHED TO 200mm BELOW THE FINISHED FLOOR LEVEL.
GRADE SITE AWAY FROM HOUSE AS FOLLOWS:-
- GRADE PAVED AREAS 35mm IN 1000mm
- GRADE GRASSED AREAS 5mm IN 1000mm

IMPORTANT NOTE:
TO ASSIST IN AVOIDING A "DOWNHILL" MOVEMENT OF FILL ONCE IT HAS BEEN PLACED, A SERIES OF HORIZONTAL BENCHED PLATFORMS SHOULD BE EXCAVATED INTO THE GROUND WHEN THE EXISTING SLOPE IS 1 IN 8 OR GREATER. THIS BENCHING SHOULD BE UNDERTAKEN OVER THE ENTIRE AREA WHERE FILLING IS TO OCCUR.

SEWER:
BUILDER/PLUMBER TO CHECK SEWER CONNECTION POINT/SIP INVERT LEVEL TO CONFIRM GRAVITY FLOW OF DRAIN CAN ACHEIVED. TOP OF FLOOD GULLY AND PAVING AROUND FLOOD GULLY TO BE CONSTRUCTED 150mm BELOW THE LOWEST FIXTURE CONNECTED TO THE DRAIN. SEWER DRAIN RUN AS PER THE PLUMBERS RECOMMENDATION HOWEVER ENSURE FOOTING SYSTEM ON THIS AND ADJOINING PROPERTIES ARE NOT UNDERMINED BY THIS TRENCH EXCAVATION.

STORMWATER:
GRAVITY FLOW STORMWATER SYSTEM IS TO BE LAID @ 1 IN 250 MIN GRADE WITH 100mm MIN COVER EXCEPT AS NOTED BELOW UNDERSIDE OF PAVING:-
- 50mm (SUBJECT TO PEDESTRIAN TRAFFIC)
- 100mm (SUBJECT TO LIGHT VEHICULAR TRAFFIC)
- 450mm (UNPAVED DRIVEWAYS)

WHERE COVER CANNOT BE ACHIEVED ENCASE DRAIN PIPE WITHIN A CHS GALV. STEEL SLEEVE OF THICKNESS:
- 3.0mm (SUBJECT TO PEDESTRIAN TRAFFIC)
- 5.0mm (SUBJECT TO LIGHT VEHICULAR TRAFFIC)

SURVEY:
THIS IS NOT A BOUNDARY SURVEY. THEREFORE THE RELATIONSHIP BETWEEN OCCUPATION AND THE PLOTTED BOUNDARY IS INDICATIVE. LEVELS ARE BASED ON A TEMPORARY DATUM (UNO). THE DATUM (SHOWN ON THIS PLAN) IS TO BE LOCATED PRIOR TO COMMENCING SITEWORKS.

A4

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION

NOTES:

ANY SURPLUS SPOIL FROM SITEWORKS IS THE OWNERS RESPONSIBILITY AND SHOULD BE REMOVED OR DISPERSED AS APPROPRIATE, UNLESS STATED OTHERWISE IN THE BUILDING CONTRACT. THIS SPOIL SHOULD BE STOCKPILED SUCH THAT IT DOES NOT OBSTRUCT SITE ACCESS AND CAN BE EASILY REMOVED FROM THE SITE

ANY RETAINING WALLS SHOWN ON THIS PLAN ARE TO BE CONSTRUCTED BY THE OWNER EXCEPT WHERE THE RETAINING WALL FORMS PART OF THE BUILDING STRUCTURE OR WHERE SPECIFIED OTHERWISE WITHIN THE BUILDING CONTRACT. RETAINING WALLS ADJACENT EXCAVATIONS, A SERVICE TRENCH/EASEMENT (PROPOSED OR EXISTING) OR IF FOUND IN FILL SHOULD HAVE AN UNDERMINING COMPONENT INCORPORATED IN THE DESIGN OF THEIR FOOTING/PIER SUPPORT SYSTEM.
OWNER TO RETAIN ANY MINOR CUT/FILL ON THE BOUNDARIES WITH A CONCRETE PLINTH, SLEEPER OR SIMILAR.


: 3.0 KILOLITRE COMBINATION RETENTION/DETENTION TANK (2.0 KILOLITRES FOR RETENTION AND 1.0 KILOLITRE FOR DETENTION – BY OWNER/BUILDER – REFER BUILDING CONTRACT) AS PER THE ARCHITECTURAL SITE PLAN. RETENTION SECTION OF TANK TO BE PLUMBED TO ONE WC AND EITHER THE WATER HEATER OR ALL LAUNDRY COLD WATER OUTLETS AND SHALL ALSO BE LOOPED INTO THE MAINS WATER SYSTEM. WHERE A RWT IS SUPPORTED ON A STAND OR OTHER STRUCTURE, THE SUPPORTING STRUCTURE MUST COMPLY WITH AS/NZ 1170.1 AND 1170.2. ROOF GUTTER HEIGHT IN RELATION TO TANK INLET HEIGHT MAY NEED TO BE TAKEN INTO CONSIDERATION.

REFER TO TANK SUPPLIER/RELEVANT CONTRACTOR FOR SET–UP (25mmø SLOW RELEASE ORIFICE AT THE BOTTOM OF THE DETENTION COMPONENT OF THE TANK)

— — — : STORMWATER DRAIN PIPES AS A SEALED SYSTEM USED TO CONNECT DP1 TO DP3 TO THE TANK (MINIMUM 50m² OF ROOF AREA). REFER TO FOOTING CONSTRUCTION REPORT ATTACHMENT SHEET SS1.

— - - - — : STORMWATER DRAIN PIPES AS A SEALED SYSTEM USED TO CONNECT TANK OVERFLOW/ORIFICE PIPE & DP's NOT CONNECTED TO THE TANK TO THE STORMWATER OUTLET.

— · · — : STORMWATER DRAIN PIPES UNDER GRAVITY FLOW USED TO CONNECT:
1) FRONT BOUNDARY SUMP OUTLET PIPE TO THE STORMWATER OUTELT.
2) SURFACE STORMWATER DRAIN PIPES TO THE PIT/PUMP CHAMBER ◉ : PUMP TO HAVE DISCHARGE RATE OF 2.0 L/s AND AN ACTUAL PIT VOLUME OF 2.00m³. PIT VOLUME MAY NEED TO BE INCREASED TO ACCOMMODATE PUMP(S) SETUP AND HIGH/LOW LEVEL SENSORS – REFER TO THE SUPPLIER AND ALSO TO AS/NZS 3500.3:2018. COUNCIL/PRIVATE CERTIFIER TO CONFIRM THE BELOW CRITERIA AND/OR ANY ADDITIONAL REQUIREMENTS PRIOR TO ANY APPROVALS BEING ISSUED.

- PIT TO HAVE A MINIMUM OF 30 MINUTES STORAGE FOR THE 1 IN 100 YEAR STORM IN CASE OF POWER FAILURE
- TWO PUMPS SHALL BE PROVIDED, EACH CAPABLE OF THE DESIGN FLOW RATES.
- THE PUMPS SHALL BE CONFIGURED TO AUTOMATICALLY ALTERNATE AS THE DUTY PUMP.
- THE DUTY PUMP SHALL BE CONFIGURED TO AUTOMATICALLY REVERT TO THE ALTERNATE PUMP & A VISIBLE ALARM BE INITIATED IN THE EVENT THAT THE DUTY PUMP FAILS.
- IN THE EVENT THAT BOTH PUMPS FAIL TO OPERATE, AN AUDIBLE ALARM SHALL BE INITIATED.

(–·–·–> –·–·–) DESIGNATES RISING MAIN TO FRONT SUMP/STREET WATER TABLE WHICH EVER APPLICABLE – REFER TO PLAN.

IMPORTANT NOTE:
ALTHOUGH THE PIT HAS BEEN DESIGNED FOR A STORAGE VOLUME DURING A POWER BLACKOUT, A BACKUP POWER SUPPLY FOR THE PUMP(S) IS ALSO RECOMMENDED SO AS NOT TO CAUSE NUISANCE STORMWATER FLOWS INTO NEIGHBOURS ALLOTMENTS DURING EVENTS WHICH ARE IN EXCESS OF THE STORAGE VOLUME DESIGNED FOR.

ENSURE GRAVITY FLOW PIPES MAINTAIN SUFFICIENT GRADE TO MEET THE APPROPRIATE OUTLET AS SHOWN ON THIS PLAN. CONSTRUCT ANY SEALED SYSTEM PIPES SUCH THAT THEY DO NOT INTERFERE WITH THE GRAVITY FLOW SYSTEM.

WHERE GRATED SURFACE STORMWATER SUMPS ARE USED GRADE SOIL/PAVING IN TOWARDS SUMPS IN ACCORDANCE WITH THE "BENCH" NOTES ON THIS PAGE. ALTERNATIVELY CONSTRUCT LINED SPOON DRAINS WITH 0.30% GRADIENT AS PER THE DETAILS ON ATTACHMENT SHEET PD1.

SUMP SIZES AND QUANTITY SHOWN ARE RECOMMENDED AS A MINIMUM. LOCATIONS AND SIZES MAY BE ALTERED AT THE DRAIN AND PAVING CONTRACTORS DISCRETION DEPENDING ON AREAS THEY SERVICE AND PAVEMENT TYPE USED.

TITLE: **SITEWORKS NOTES**

ADDRESS: NO.113 LEICESTER STREET PARKSIDE

CLIENT: SCOTT SALISBURY HOMES

Residential Commercial Industrial Consulting Engineers
A.B.N. 17 131 375 356
1 Hawke Street
ALBERT PARK, SA 5014
P (08) 8241 2326
F (08) 8241 2409
admin@rciconsulting.com.au
www.rciconsulting.com.au

JOB No.	SHEET No.	ISSUE No.
C34601	2 of 2	–

DRAWN :	DESIGN:	DATE:
J.H	D.A.	20–Oct–22

0 4 8 12
SCALE 1:200 METRES

No.	REVISION	BY	DATE

SITEWORKS NOTES
(THESE NOTES ARE TO BE READ IN CONJUNCTION WITH SITEWORKS PLAN – SHEET 1 OF 2)

KEY

TK	TOP OF KERB
WT	WATER TABLE
BL	BENCH LEVEL
FL	FLOOR (POURED) LEVEL
FFL	FINISHED FLOOR LEVEL (ie. tiled/paved/decking level)
ø	DIAMETER
IL	INVERT LEVEL (BOTTOM OF GRAVITY FLOW STORMWATER DRAIN PIPE SYSTEM)
T.O.S	TOP OF SUMP
≈	APPROXIMATE
(EX)	EXISTING
RWT	RAINWATER TANK
DPO	DOWNPIPE
RH	RAINWATER HEAD
SP	SPREADER PIPE
⊙	SCREW CAP STORMWATER INSPECTION POINTS IN GRAVITY FLOW/SEALED SYSTEM SW RUN (AS A MINIMUM) TO FINISHED PAVING/GROUND LEVELS (PROVIDE PROPRIETARY CONCRETE SURROUND AND LID WHERE FOUND IN DRIVEWAY).
	CONCRETE PLINTH AS REQUIRED OR SIMILAR (H≈0.30 MAX.)

Ref: 22ADL-1441

URPS

Adelaide
12/154 Fullarton Rd
Rose Park, SA 5067

08 8333 7999

urps.com.au

23 January 2023

Don Donaldson
Team Leader Planning
City of Unley

Uploaded to PlanSA Portal

Dear Don

Proposed Dwelling Addition at 113 Leicester Street, Parkside

Introduction and Proposal

URPS has been engaged by Scott Salisbury Homes to prepare this planning statement in support of the above proposal.

The proposal involves:

- Demolition of the existing rear lean-to addition and outbuilding
- Various internal alterations and construction of a modern addition to the existing dwelling including:
  - Open plan living, dining, and kitchen area and laundry.
  - Terrace and landscaping

Assessment Process

The subject land is in the Established Neighbourhood Zone of the Planning & Design Code (the Code) as of 19 January 2023.

The following and Overlays are relevant to this site and application:

- Heritage Adjacency Overlay
- Historic Area Overlay

The development application is subject to the *performance assessed* process as identified in the Zone.

Pursuant to Table 5 – Procedural Matters – Notification, the proposed development falls within a class of development which has specific exceptions relating maximum building

height (1 level and 5.7m) and building walls situated on a side boundary (where they exceed 8m length and 3.2m height).

The proposed development exceeds the above boundary wall exceptions and as such the application will require public notification.

Planning Assessment

The proposal meets the majority of the relevant Designated Performance Features of the Code.

Where a DPF is not satisfied, an assessment of the development against the relevant Performance Outcomes follows the table below.

Table 1 Assessment against most relevant quantitative guidelines

Parameter	PD Code Guideline	Proposal	Criteria Met
Maximum site coverage	50%	56%	Not met
Maximum building height	5.7 metres/1 level	5 metres/1 level	Met
Boundary Walls	Less than 3.2 metres in height and less than 8 metres in length	20.7 metres	Not met
Minimum ground level side setbacks	1 metre for first building level	1.31 metres	Met
Minimum ground level rear setback	4 metres	16.63 metres	Met
Minimum private open space	60m^2	88m^2	Met

Demolition

The proposal comprises the partial demolition of the rear of the existing dwelling, specifically a previous lean-to addition (built circa 1980) and an existing outbuilding.

No section of the existing building which contributes to the historic character of the streetscape as identified in the Historic Area Statement (Un6) is to be demolished.

Site Coverage

Established Neighbourhood Zone PO 3.1 seeks:

PO 3.1 ***Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.***

One way of achieving the above is to limit site coverage to 50 per cent, per the companion Designated Performance Feature (DPF).

However, the prevailing character of development in the locality exhibits allotments with narrow frontages and dwellings that extend deep into their respective sites. Often, building footprints occupy more than 50 percent of their allotments.

As such the DPF is not representative of the existing character and pattern of development, and therefore site coverage should be assessed with a different approach.

The proposal additions result in a similar building footprint to that of adjoining development to the east and west of the site as well as development adjacent the site to the south-west along Maud Street.

The entirety of the proposed additions occur to the rear of the land and as such have limited/no streetscape impacts and generous separation is achieved between the new built form and adjacent land to ensures the proposal does not impose excessive overshadowing impacts on neighbouring properties. It is for these reasons that we contend PO 3.1 is readily satisfied.

Boundary Walls

Similarly, to site coverage, the particularities of the site and its current interface with adjoining properties renders the application of a DPF to not be representative of the prevailing character of development.

Established Neighbourhood Zone PO 7.1 guides that:

PO 7.1 ***Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.***

The proposed addition seeks to extend the existing 3.2m high boundary wall sited along the western boundary by 20 metres.

The boundary wall is a contextual response to the compact nature of the area which is explicitly referenced in the Historic Area Statement:

Compact streetscape character. Simple grid of short and narrow streets.

Narrow verges. Modest street trees.

Furthermore, the subject site at 6.85m wide, is one of the smallest and most narrow of any allotment in the locality. Building along one boundary is an appropriate planning outcome to make the most of the site area, and retain operable living space.

Historic Area Overlay

PO 3.1 of the Historic Area Overlay seeks:

PO 3.1 ***Alterations and additions complement the subject building, employ a contextual design approach, and are sited to ensure they do not dominate the primary façade.***

PO 3.1 is satisfied because:

- The additions are located behind the existing dwelling and as such will not be visible from the streetscape.
- The additions continue the form, scale and architectural detailing of the original dwelling and make use of sympathetic materials and finishes which complement those within the historic area.

PO 3.2 of the Historic Area Overlay seeks:

PO 3.2 ***Adaptive reuse and revitalization of buildings to support retention consistent with the Historic Area Statement.***

PO 3.2 is satisfied because:

- The existing façade, first three rooms and hallway will remain in this proposal.
- The 1980's lean-to addition is in an ageing condition. This section will be removed and replaced with a contemporary and sympathetic addition.
- The proposal retains the historic built form and overall character of the existing dwelling and its contribution to the streetscape.

Conclusion

In summary:

- The proposed dwelling addition is in the rear portion of the subject land and therefore will have minimal impact on streetscape character.
- Site coverage is consistent with many dwellings in the locality, such that existing patterns of development is upheld by this proposal.
- Boundary walls are an appropriate planning outcome in the context of the locality and adjoining properties.
- The development is of a high-quality design standard.

The proposal warrants consent because the development satisfies relevant provisions of the Code for this type of development in the Established Neighbourhood Zone.

Please contact me on 8333 7999 if you have any questions.

Yours sincerely

Jake Vaccarella
Senior Consultant

ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23001745
Proposal	Partial demolition and alterations & additions to the existing dwelling
Location	113 LEICESTER ST PARKSIDE SA 5063

Representations

Representor 1 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	13/03/2023 01:39 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns

Reasons

Our primary concern is in relation to parking on a dead end street with limited parking space given many properties do not have off street parking. This dwelling does not have rear access and therefore all trades and deliveries will be entering via Leicester St. This especially becomes an issue on Wednesdays which is bin collection day. Some parking control on or limited vehicles per day should be considered during the development. We also understand another neighbouring development may be also undertaken during the same period which will further add to the congestion and have heard talk on the street that an application for a loading zone will be lodged. Tensions between neighbours near the end of the street are already strained after renovations caused restricted access at 114 Leicester Street, at times with both the street and rear lane being fully blocked. This escalated to the point that our car was damaged so badly by a building contractor that it had to be written off and my wife was assaulted. For any development, we believe the council should be aware of the layout of a street and timing of developments to ensure the safety of residents, normal traffic flow and ability to park.

Attached Documents

ATTACHMENT 3

Ref: 22ADL-1441

17 March 2023

URPS

Adelaide
12/154 Fullarton Rd
Rose Park, SA 5067

08 8333 7999

urps.com.au

Mark Troncone
Planning Officer
City of Unley

Uploaded to PlanSA Portal

Dear Mark

23001745 – Response to Representation

Introduction

Thank you for forwarding the single representation by [redacted] made in relation to the Development Application referred to above via the SA Planning Portal. That representation supports the application with some concerns.

I have addressed the concerns raised by the representor below.

Car parking/traffic congestion during construction

The representation is paraphrased below:

> *Our primary concern is in relation to parking on a dead end street with limited parking space given many properties do not have off street parking. This dwelling does not have rear access and therefore all trades and deliveries will be entering via Leicester St.*
>
> *This especially becomes an issue on Wednesdays which is bin collection day. Some parking control on or limited vehicles per day should be considered during the development. We also understand another neighbouring development may be also undertaken during the same period which will further add to the congestion. For any development, we believe the council should be aware of the layout of a street and timing of developments to ensure the safety of residents, normal traffic flow and ability to park.*

Concerns with respect to car parking and traffic congestion during the construction of the development are not a relevant issue for resolution as part of the assessment of Planning Consent.

The Planning and Design Code (the Code) does not contemplate land uses that are under construction, but instead prescribes rates based on the use of the land at the completion of the development.

The current land use (dwelling with 3 bedrooms) demonstrates a shortfall from the off-street car parking requirements set out by Table 5 of the Code. The proposed additions do not increase the amount of bedrooms and thus, do not exacerbate the existing shortfall. It has been established repeatedly by the Courts that an existing car parking shortfall does not need to be rectified by a new proposal.

In the case of *Stamopoulos Pty Ltd v City of Holdfast Bay [2004] SAERDC 45*, the Court observed that:

> **23** ***When determining car parking requirements for a new development, any shortfall in car parking associated with the existing use is lawful and cannot be added to any shortfall created by the subject proposal for the purpose of planning assessment.***

In the case of *Carrabs Nominees Pty Ltd v City of Burnside [2003] SAERDC 116*, the Court observed that:

> **34** ***I am not persuaded that the existing parking shortfall on the subject land is required to be rectified by this proposal, provided such development does not exacerbate any existing problems.***

The proposed development does not exacerbate any existing problems in relation to off-street car parking.

Conclusion

As the representator has raised concerns that are not valid to the assessment of this planning application, we trust the application can be determined under staff delegation following resolution of the representation. To facilitate this, we are comfortable for Council to forward a copy of our response to the representor.

The proposed development satisfies the relevant provisions of the Code and I look forward to the granting of Planning Consent. Should the representor maintain their preference to address the Council Assessment Panel, I confirm my attendance in support of this proposal.

Yours sincerely

[redacted]

Jake Vaccarella
Senior Consultant

ITEM 2
DEVELOPMENT APPLICATION – 22030984 – 301 UNLEY ROAD, MALVERN SA 5061

DEVELOPMENT NO.:	22030984
APPLICANT:	Como Apartments (Malvern) Pty Ltd
ADDRESS:	301 UNLEY RD MALVERN SA 5061 303 UNLEY RD MALVERN SA 5061 305 UNLEY RD MALVERN SA 5061
NATURE OF DEVELOPMENT:	Demolition of existing structures and construction of a single storey retail liquor outlet (shop) with associated car parking, lighting, site works, signage and landscaping
ZONING INFORMATION:	**Zones:** • Business Neighbourhood • Business Neighbourhood • Business Neighbourhood **Overlays:** • Airport Building Heights (Regulated) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Urban Transport Routes • Airport Building Heights (Regulated) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Urban Transport Routes • Airport Building Heights (Regulated) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Urban Transport Routes **Technical Numeric Variations (TNVs):** • Maximum Building Height (Metres) (Maximum building height is 9m) • Maximum Building Height (Levels) (Maximum building height is 2 levels) • Maximum Building Height (Metres) (Maximum building height is 9m) • Maximum Building Height (Levels) (Maximum building height is 2 levels) • Maximum Building Height (Metres) (Maximum building height is 9m) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	16 Sep 2022
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	15 September 2022 – 2022.17
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Timothy Bourner Senior Planner

ITEM 2
DEVELOPMENT APPLICATION – 22030984 – 301 UNLEY ROAD, MALVERN SA 5061

REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	Traffic Engineer City Design Stormwater Engineer

CONTENTS:

ATTACHMENT 1:	**Site Plans and Elevations**	**ATTACHMENT 6:**	**Council Traffic Responses**
ATTACHMENT 2:	**Stormwater Management Plan**	**ATTACHMENT 7:**	**DIT Response**
ATTACHMENT 3:	**Acoustic Report**	**ATTACHMENT 8:**	**Planning Statement**
ATTACHMENT 4:	**Addendum to Acoustic Report**	**ATTACHMENT 9:**	**Representations**
ATTACHMENT 5:	**Traffic and Parking Report**	**ATTACHMENT 10:**	**Response to Representations**

DETAILED DESCRIPTION OF PROPOSAL:

This development proposes the demolition of three commercial buildings and associated structures and the construction of a single storey retail liquor outlet (Dan Murphy's) including advertising signage, car parking, landscaping, and fencing.

Table 1 below, shows the quantitative details of the proposal:

Site Area	2,768m^2
Gross Leasable Floor Area	999m^2
Site Coverage	36.1%
Northern Setback	6.98m
Eastern Setback (Rear)	10.9m
Southern Setback	21.6m
Western Setback (Front)	1.83m
Building Height	8.2m
Soft Landscaping	236m^2 (8.5%)

Table 1

The building is to be finished in the Dan Murphy's corporate livery with a combination of white and grey face brick, pre-coloured steel cladding in a "Surfmist" colour and corporate green painted finishes with the "Click and Collect" area in corporate yellow. The building is to be partially surrounded by a pergola projecting from the southern and western elevations.

Advertising signage is included and comprises the Dan Murphy's corporate imagery incorporated into all elevations of the building. They primarily show the image of "Dan Murphy" and the writing "Dan Murphy's" with a "Click and Collect" fixed sign. The advertising signage is not illuminated.

The site is to be accessed by two crossovers from Unley Road, one adjacent the northern boundary and one adjacent the southern boundary. The northern access point is to only permit outbound traffic with the second access providing two-way access for all vehicles including delivery vehicle entry.

The proposal includes a car park to the south of the building accommodating 29 car parks which includes 2 disabled parks and, 2 staff parks. To the rear of the building are to be an additional three customer loading spaces for the "Click and Collect" service.

The proposal also includes a comprehensive landscaping plan. The landscaping consists of a strip of landscaping to the side and rear boundaries of varying widths with a wider strip to the front. Further landscaping areas are located within the carpark close to the building incorporating three trees. Within the car park there are additional planting areas each containing a single tree. Overall the proposal includes 16 trees with other smaller forms of vegetation.

The proposed hours of operation are nominated as:

- Monday to Saturday 9am to 9pm
- Sunday and Public Holidays 10am to 7pm

Given the nature of the proposal and confirmed by the applicant, a Liquor Licence application will be made to the Liquor Licencing Commission once this application has been resolved.

The plans and elevations can be found in **Attachment 1.**

PROCEDURAL MATTERS:

The Planning and Design Code **Business Neighbourhood Zone Table 4 - Restricted Development Classification** a shop is restricted development unless the gross leasable floor area is less than 1,000m2.

The initial proposal was verified as being a performance assessed application due to the gross leasable floor area being less than 1000m^2. The relevant authority was therefore determined as being the Council Assessment Panel.

During the public notification period, the procedural matters were queried by one (1) representor. It was suggested that the gross leasable floor area in fact included all covered areas such as verandahs and canopies, including the click and collect area, resulting in a gross leasable floor area of greater than 1000m^{2}and thereby making this a Restricted Development with the State Commission Assessment Panel (SCAP) the relevant authority.

Both the applicant and Council sought advice on the interpretation of gross leasable floor area, and with this advice, the applicant subsequently submitted amended plans which are the subject of this report. The Assessment Manager confirmed with officers of SCAP that the application as amended was performance assessed and the relevant authority is the Council Assessment Panel.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 301 UNLEY RD MALVERN SA 5061
Title ref.: CT 5453/110 **Plan Parcel:** F15583 AL165 **Council:** CITY OF UNLEY

Location reference: 303 UNLEY RD MALVERN SA 5061
Title ref.: CT 6051/405 **Plan Parcel:** F15583 AL185 **Council:** CITY OF UNLEY

Location reference: 305 UNLEY RD MALVERN SA 5061
Title ref.: CT 5913/202 **Plan Parcel:** C22189 QP1 **Council:** CITY OF UNLEY

Location reference: 305 UNLEY RD MALVERN SA 5061
Title ref.: CT 5913/202 **Plan Parcel:** C22189 QP3 **Council:** CITY OF UNLEY

The subject site is wholly located within the Business Neighbourhood Zone, is regular in shape and has a total area of 2,768m^2 with a depth of 48.31m and a width of 57m.

The subject site consists of three separate titles containing three vacant commercial buildings and associated structures. These buildings were formally dwellings and have varied styles due to numerous additions. All have car parking to the rear. The setbacks of the existing buildings vary with 301 Unley Road having a front setback of approximately 2m, 303 Unley Road a front setback of approximately 10m and 305 Unley Road being setback approximately 4m.

The current approved uses on the three sites are offices and consulting rooms.

The site is currently accessed by three crossovers directly to Unley Road, evenly spaced apart.

The site is generally flat with a maximum fall from north to south of 400mm.

The site is abutted by buildings used for commercial purposes to both the north and south within the same zone. To the east (rear) of the site are two residential properties within the **Established Neighbourhood Zone**, each containing a single detached dwelling and associated structures.

Figure 1: The subject site looking south east.

Figure 2: 301 Unley Road, Unley

Figure 3: 303 Unley Road, Unley

Figure 4: 305 Unley Road, Unley

Figure 5: The subject site looking north east

Locality

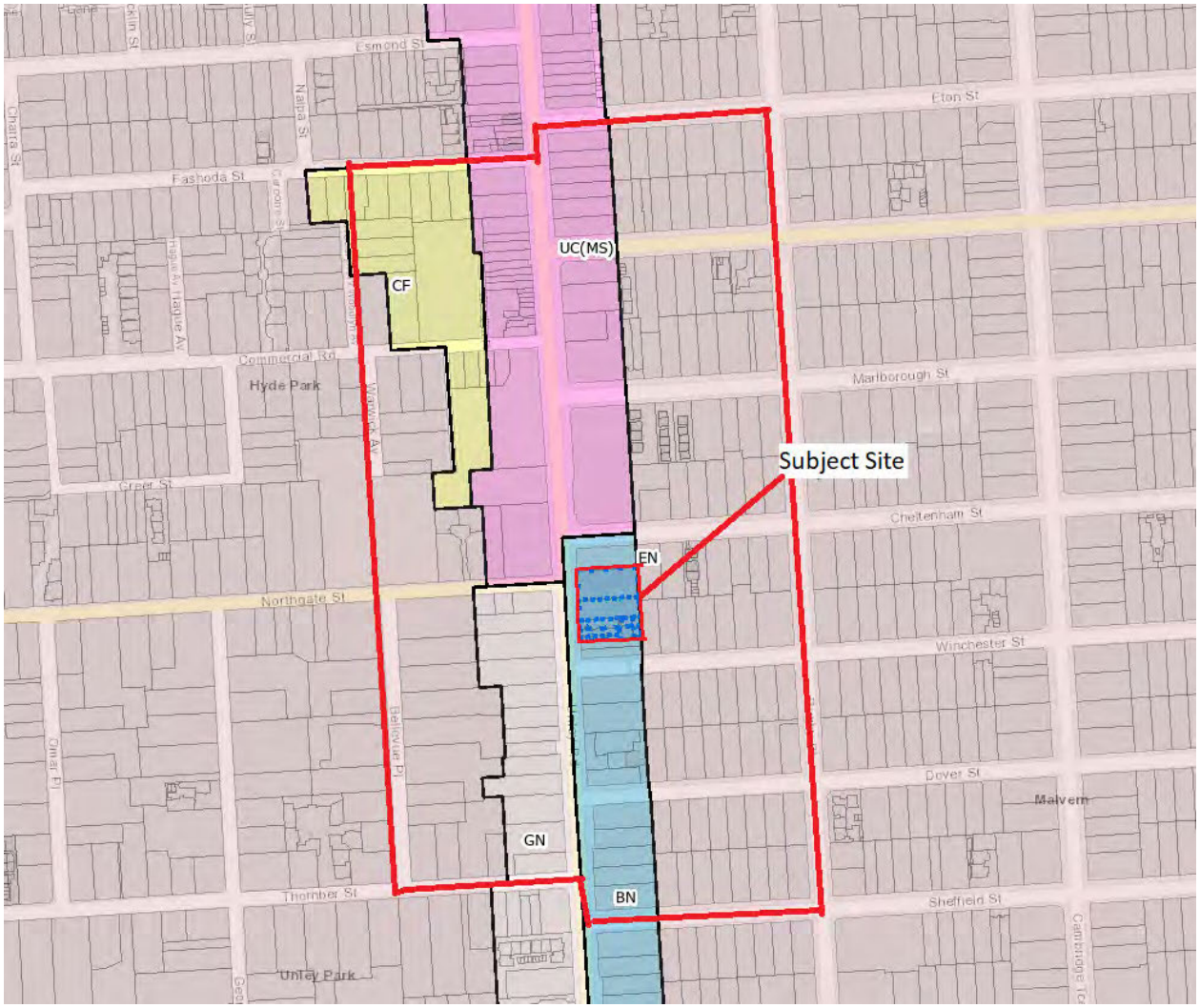


Figure 6: Subject site and locality.

The locality is a mixed-use locality including multiple zones and a variety of land uses.

Directly east of the site is the **Established Neighbourhood Zone** which contains exclusively residential land uses. Adjacent the site to the east are two detached character dwellings. Beyond this further to the east, north-east and south-east are predominately detached character dwellings on large allotments, with one example of a five dwelling residential flat building located directly to the east. The majority of the dwellings to the east are identified as Representative Buildings.

To the north on the same side of Unley Road is a group of single storey shops also within the **Business Neighbourhood Zone**. Further north and north-west on both sides of Unley Road is the **Urban Corridor (Main Street) Zone** and **Community Facilities Zone** which contain a range of commercial and residential land uses.

To the west of the site is the **General Neighbourhood Zone** which contains residential land uses with predominantly detached dwellings of varying styles. Beyond this to the west is the **Established Neighbourhood Zone** which contains a variety of character dwellings on large allotments.

To the south of the site are further commercial land uses all within the **Business Neighbourhood Zone.**

The non-residential land uses in the locality include an educational establishment, community sporting club, place of worship, numerous cafes and restaurants, personal services establishments and specialist shops. The built form in the locality is a mix of contemporary, mid-century and character buildings constructed with a range of materials

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
  Advertisement: Code Assessed - Performance Assessed
  Shop: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**
  Code Assessed - Performance Assessed

- **REASON**
  P&D Code

PUBLIC NOTIFICATION

- **REASON**
  Table 5 (4) (c) – Not exempt due to exception 1 which states:

  "Except development that… does not satisfy Business Neighbourhood Zone DTS/DPF 1.2."

  Business Neighbourhood Zone DTS/DPF 1.2 states:

  "Shops, offices and consulting rooms (or any combination thereof) do not exceed 250m^2 in gross leasable floor area."

  The proposed shop has a gross leasable floor area of 999m2 and therefore required public notification.

- **LIST OF REPRESENTATIONS**

Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard (Name speaking on behalf)
[redacted]	Support	No

	Oppose	No
	Support with concerns	Yes (Greg Campbell)
	Support with concerns	Yes (self)
	Oppose	Yes (self)
	Support with concerns	No
	Support with concerns	No
	Oppose	Yes (self)
	Support with concerns	Yes (self)
	Oppose	Yes (self)
	Oppose	No

- **SUMMARY**

31 owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period. A copy of the representations can be found in **Attachment 9**.

One (1) representor is in support of the proposal, five (5) representors support the proposal but with concerns, and five (5) representors oppose the proposal.

The matters of concern raised by the representors are as follows:

- Classification of development
- Social and community impacts
- Noise
- Car parking
- Traffic
- Stormwater management
- Landscaping
- Light spill
- Building scale
- Operating/delivery hours

- Trolley management
- Air quality
- Waste management
- Amenity and design
- Fencing costs
- Pedestrian safety
- Property Value

A response to the concerns raised by the representors has been provided by the applicant and can be found in **Attachment 10**. This response includes amended plans, an amended acoustic report, an amended stormwater management plan and legal advice.

AGENCY REFERRALS

- Commissioner of Highways

  The proposal triggered a mandatory referral to the Commissioner of Highways due to Schedule 9 (3)(7) Development Affecting Transport Routes and Corridors.

  On behalf of the Commissioner, the Department for Infrastructure and Transport (DIT) submitted a request for information. The subsequent information and amended plans being endorsed with no objection and conditions of approval added. DIT's response can be found in **Attachment 7**.

INTERNAL REFERRALS

- Traffic

  During the course of the assessment the proposal was referred to Council's Transport Engineer three (3) times for assessment and comments. Each of these responses can be found in **Attachment 6.**

- Stormwater management

  During the course of the assessment the proposal was referred to Council's Senior Assets & Engineering Lead twice for assessment and comment. These comments area as follows:

  Response - 9 January 2023

  The calculations and plans are generally acceptable as the design includes the following features:

  1. They have included a spoon drain or grate across the northern access point to prevent uncontrolled stormwater flow over footpath
  2. They have included a 30,000kL detention tank
  3. They have provided for adequate pollutant treatment

  The only further information and extra detail required would be as follows:

  Applicant is to amend the design and document the top of kerb level (noted as 'K&G' on plan) on the eastern side of the property to verify that in a 100yr (1% AEP) storm or pit/pipe blockage the water will be contained on site and flow out to Unley Road rather than into the adjacent properties

  Response - 21 March 2023

The revised plans (annotated as Revision D 27/2/23) now clearly demonstrate that the stormwater will be managed on site in major storm events and water will discharge to Unley Rd without entering adjoining properties.

No further requirements related to stormwater

- City Design

During the assessment the application was referred to the Manager, City Design to consider the proposal's interaction with the public realm. Council's City Design team engaged with the applicant to assist in formulating a comprehensive landscape plan which complemented the Unley Road Public Realm Guidelines.

RULES OF INTERPRETATION

The Planning and Design Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to assist a relevant authority to interpret the Performance Outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a Designated Performance Feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome. A DPF does not need to necessarily be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Planning and Design Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

• the provisions of an overlay will prevail over all other policies applying in the particular case; and
• a subzone policy will prevail over a zone policy or a general development policy; and
• a zone policy will prevail over a general development policy.

PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are found at the following link:

Planning and Design Code Extract

Land Use

The proposed development proposes the demolition of three commercial buildings and associated structures and the construction of a single storey retail liquor outlet (shop) including advertising signage, car parking, landscaping and fencing.

The subject site is within the **Business Neighbourhood Zone** where the **Desired Outcomes (DO)** are:

> ***DO 1*** *- A variety of housing and accommodation types and compatible employment-generating land uses in an environment characterised by primarily low-rise buildings*

> ***DO 1*** *- Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.*

Performance Outcomes seek that:

> ***PO 1.1*** *- Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.*
>
> ***PO 1.2*** *- Business and commercial land uses complement and enhance the prevailing or emerging neighbourhood character.*

The proposed shop is an envisaged use as demonstrated in **DPF 1.1** of the zone and is an employment generating land use contributing to the prevailing character of the locality. As discussed in the following sections of this report, the proposed use is not considered to materially impact residential amenity.

The definition of an Activity Centre within the Code lists the applicable zones. The **Business Neighbourhood Zone** is not included in this list of zones. To the north of the site is the **Urban Corridor (Main Street) Zone** and further beyond the **Suburban Activity Centre Zone**. Both these zones are listed in the Activity Centre definition.

The **Out of Activity Centre General Development Policies** seek that non-residential development not within an activity centre does not diminish the role of Activity Centres. **DO 1** states:

> *The role of Activity Centres in contributing to the form and pattern of development and enabling equitable and convenient access to a range of shopping, administrative, cultural, entertainment and other facilities in a single trip is maintained and reinforced.*

The following PO's seek that:

> ***PO 1.1*** *- Non-residential development outside Activity Centres of a scale and type that does not diminish the role of Activity Centres:*
>
> > *(a) as primary locations for shopping, administrative, cultural, entertainment and community services;*
> >
> > *(b) as a focus for regular social and business gatherings; and*
> >
> > *(c) in contributing to or maintaining a pattern of development that supports equitable community access to services and facilities.*
>
> ***PO 1.2*** *– Out of Activity Centre non-residential development complements Activity Centres through the provision of services and facilities:*
>
> > *(a) that support the needs of local residents and workers, particularly in underserviced locations*
> >
> > *(b) at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre.*

The proposed land use is located within an area of predominately commercial land uses within a Zone that seeks retail land use. The existing Activity Centre is unlikely to be able to accommodate

the proposed use due the size of land required, and the established nature of land uses with the Activity Centre. The site is located 30m to the south of the **Urban Corridor (Main Street) Zone** and is a use complementary to many of the uses within that zone. The use is consistent with the pattern of development along Unley Road and provides an additional service to the local residents.

As such, the proposal is considered to satisfy both the **DO**'s and **PO**'s of the Zone and the general development policies of the Code in relation to land use.

Built Form

The primary element of proposed built form is a 999m^2 single level building generally located centrally on the site. The building incorporates numerous materials and colours as well as articulation to all elevations.

The **Business Neighbourhood Zone DO 2** seeks:

> *Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.*

Further, the following **PO**'s provide guidance regarding setbacks, site coverage and interaction with the locality:

> ***PO 2.1** - Buildings are of a scale and design that complements surrounding built form, streetscapes and local character.*
>
> ***PO 2.3** - Site coverage is limited to provide space for landscaping, open space and pervious areas.*
>
> ***PO 3.1** - Buildings are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of the locality.*
>
> ***PO 3.2** - Buildings are set back from primary street boundaries consistent with the existing streetscape.*
>
> ***PO 3.6** - Buildings are set back from side boundaries to provide:*
>
> *a) separation between dwellings in a way that complements the established character of the locality*
> *b) access to natural light and ventilation for neighbours.*
>
> ***PO 3.7** - Buildings are set back from rear boundaries to provide:*
>
> *a) separation between dwellings in a way that complements the established character of the locality*
> *b) access to natural light and ventilation for neighbours*
> *c) open space recreational opportunities*
> *d) space for landscaping and vegetation.*

Table 1 in the Detailed Description of Proposal section of this report shows the quantitative details of the proposal in relation to setbacks, site coverage, building height and soft landscaping.

The existing buildings on the site have varied setbacks with 301 Unley Road having a front setback of approximately 2m, 303 Unley Road a front setback of approximately 10m and 305 Unley Road being setback approximately 4m. Existing rear setbacks are approximately 10.6m, 18.5m and 17.5m respectively. Existing site coverage over the three sites is approximately 43% with limited soft landscaping areas. The existing buildings are approximately between 7m and 7.5m high.

The proposed building, by replacing three different and arguably poorly maintained and providing low levels of amenity, will enhance the site and provide a revitalisation to the immediate locality.

The proposed front setback is consistent with many other commercial buildings in the locality, most notably the commercial buildings and Walford School building on the western side of Unley Road, the small shopping centre to the north of the site and the large hardware store to the south.

With the proposed building being placed relatively centrally on the site, the visual impact to the locality of the height and "boxy" nature of the building are adequately mitigated. The separation of the building to the boundaries and other buildings in the locality along with the moderate site coverage, allows sufficient "breathing" space to other buildings and allows for adequate car parking, traffic circulation and areas for soft landscaping.

Consequently, the proposed shop is considered to be designed and located such that is satisfies the above **Desired Outcome** and **Performance Outcomes** of the **Business Neighbourhood Zone**.

Design in Urban Areas General Development Policy DO 1 seeks that:

Development is:

a) *contextual – by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality*

b) *durable – fit for purpose, adaptable and long lasting*

c) *inclusive – by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors*

d) *sustainable – by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.*

Similarly, the following **PO**'s provide guidance on the desired impact to the locality of development:

***PO 1.1** - Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).*

***PO 1.3** - Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.*

***PO 1.4** - Plant, exhaust and intake vents and other technical equipment are*

integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:

a) *positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces*
b) *screening rooftop plant and equipment from view when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.*

***PO 1.5** - The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.*

***PO 9.1** - Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.*

The proposed building has been designed with numerous articulations, materials, and colours. The western (front) and southern elevations include open roofed canopies projecting from the walls, and roof articulation and building height changes to all elevations. The southern and western elevation all include a series of windows. These façade windows were amended in response to representations and now consists of seven (7) windows to the front elevation and five (5) to the southern elevation.

The materials and colours are reflective of the Dan Murphy's corporate palate and include face brick (white and grey), painted concrete (green and yellow) and pre-coloured steel (green and white). The building will be clearly a commercial building and the materials, colours and articulation convey this.

The access to both the site and building are clearly defined. The site is accessed by two crossovers with the building having its primary entrance on the southern elevation. This entryway is clearly identified through the pedestrian walkways and the overhead open roofed canopy.

All plant and service areas are screened from public view. The roof top plant and equipment are concealed by a pre-coloured steel screen. In response to representations, the applicant has highlighted that the waste will be stored internally within the loading dock area, with collection to be via the truck loading bay by a private contractor on the northern side of the building.

The proposed fencing provides privacy and security to the surrounding allotments and aids in the reduction of noise impacts without causing any adverse visual impacts or amenity issues.

As such, the proposed building is considered to satisfy the above **Design in Urban Areas General Development Policy Desired Outcome** and **Performance Outcomes.**

Traffic Impact, Access and Parking

The subject site is located on Unley Road which is a State maintained arterial road. A such the site is subject to the **Traffic Generating Development Overlay** and **Urban Transport Routes Overlay,** as well as **Transport, Access and Parking General Policies.**

The proposal includes a car park to the southern side of the proposed building with a loading bay to the north. A customer "click and collect" area is located to the east of the building. These parking and loading areas are accessed by two crossovers to Unley Road.

The application was accompanied by a Traffic Impact Assessment prepared by CIRQA. In response to feedback by representors, DIT and Council's Traffic Engineer, the CIRQA report was amended in line with amended plans. This amended report is found in **Attachment 5**.

The **Traffic Generating Development Overlay DO's** state:

> ***DO 1*** *- Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.*
>
> ***DO 2*** *- Provision of safe and efficient access to and from urban transport routes and major urban transport routes.*

The relevant **PO**'s within this overlay are:

> ***PO 1.1*** *- Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.*
>
> ***PO 1.2*** *- Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.*
>
> ***PO 1.3*** *- Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network*

Similarly, **Urban Transport Routes Overlay DO's and PO**'s seek*:*

> ***DO 1*** *- Safe and efficient operation of Urban Transport Routes for all road users.*
>
> ***DO 2*** *- Provision of safe and efficient access to and from urban transport routes.*
>
> ***PO 1.1*** *- Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State maintained roads.*
>
> ***PO 2.1*** *- Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and maintain safe vehicle movements.*
>
> ***PO 4.1*** *- New access points are spaced apart from any existing access point or public road junction to manage impediments to traffic flow and maintain safe and efficient operating conditions on the road.*

Further to the above**, Transport, Access and Parking General Policies** seek~~s~~:

> ***DO 1*** *- A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.*
>
> ***PO 1.4*** *- Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.*
>
> ***PO 3.1*** *- Safe and convenient access minimises impact or interruption on the operation of public roads.*

PO 3.3 *- Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.*

PO 3.5 *- Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.*

PO 3.8 *- Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.*

PO 4.1 *- Development is sited and designed to provide safe, dignified and convenient access for people with a disability.*

PO 5.1 *- Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:*

(a) availability of on-street car parking
(b) shared use of other parking areas
(c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared
(d) the adaptive reuse of a State or Local Heritage Place.

PO 6.1 *- Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.*

PO 6.2 *- Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.*

PO 6.6 *- Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.*

PO 9.1 *-The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.*

PO 9.2 *- Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.*

PO 10.1 *- Development is located and designed to ensure drivers can safely turn into and out of public road junctions.*

The subject site is to be accessed via two new crossovers directly from Unley Road. These crossovers replace the three existing crossovers. The two access points are adjacent the northern and southern boundaries.

The southern crossover will be a two-way access point to directly access the customer car park. The access point has been designed to accommodate the entry of delivery vehicles no larger than a Heavy Rigid Vehicle (HRV) as well as customer traffic and B99 light vehicles.

The northern access point is a one-way exit only access and has been designed to accommodate the exit of the aforementioned HRV delivery vehicles as well as B99 light vehicles. The initial proposal had this access point being an entry way; however, after a request by DIT, the direction was reversed. This access point is now supported by DIT.

Council's Traffic Engineer has considered the access points and provided support. The three referral responses are found in **Attachment 6**. DIT has also provided support and included conditions for approval. DIT's response can be found in **Attachment 7**.

Table 2 within **Transport, Access and Parking** identifies the subject's site a being within a Designated Area as it is within the **Business Neighbourhood Zone** and is along a high frequency public transport route. As such, the required car parking rate for the proposal is between 3 and 6 spaces per 100m^2 of gross leasable floor area. This equates to between 30 and 60 off-street car parks being required. The proposal demonstrates a total of 32 off-street parks including two (2) disabled access parks, three (3) "click and collect" parks and two (2) parks allocated to staff. This parking provision satisfies the minimum number of parking spaces that are required.

Table 3 within **Transport, Access and Parking** identifies the required number of bicycle parks for a shop as being one (1) space for every 300m^2 of gross leasable floor area for staff plus one (1) space for every 600m2 of gross leasable floor area for customers. For this proposal, this equates to minimum requirement of four (4) staff and two (2) visitor bicycle parks. The proposal demonstrates ten (10) bicycle parks located within the main pedestrian access path adjacent the street boundary.

The car parking has been designed in accordance with the Australian Standards with the dimensions and access ways adequate for their intended use. The disabled access parks are conveniently located to the entrance of the building as are the bicycle parks. The loading area to the northern side of the building has been designed to accommodate a HRV delivery vehicle without hindering the thoroughfare to the northern access point.

The CIRQA Traffic Impact Assessment anticipates the number of vehicle movements generated by the proposed use. The report states:

> *"The proposal is forecast to generate in the order of 45 am and 90 pm peak hour trips. Taking into account the site's location and the surrounding road network, it is forecast that vehicle movements will be distributed relatively evenly north and south of the site on Unley Road. Analyses of the site's access points indicate that the proposed development (upon completion and occupation) will have negligible impact upon the operation of Unley Road, or its intersection with Northgate Street, and will not detrimentally impact upon their safe operation. Furthermore, such volumes will be readily accommodated on Unley Road without impact upon its function or hierarchy."*

Council's Traffic Engineer has assessed the proposed parking provisions and anticipated traffic volume and has provided support. The car parking meets the Australian Standards and exceeds the minimum numbers as required by the Code, with traffic volumes generated by the proposed use acceptable.

Numerous representors raised concerns regarding the provision of staff parking and the increase in vehicle movement generated by the proposed use. The Code does not seek that car parking is allocated to staff nor does the Code prevent the utilisation of the local street network for customers

and staff. The site is located on an arterial road and the increase in vehicle movements over and above the current approved uses of the site will not adversely impact the locality of road network.

The parking provision, access arrangements and traffic volumes have been assessed by the applicant's traffic consultant, DIT and Council's Traffic Engineer. They have been determined to meet the provisions of the Code and the Australian Standards and are acceptable.

Given the support of both DIT and Council's Traffic Engineer the proposal is considered to satisfy the above overlay and general policy **DO**'s and **PO**'s.

Interface between Land Uses

Noise

Eight (8) representors raised concerns regarding potential noise impacts by the proposal. Specifically, noise impacts from loading areas activities, delivery vehicles, refrigeration equipment, and idling vehicles in the Click and collect area. Concerns were also raised regarding the operating hours and the height of perimeter fencing.

The proposal was accompanied by an Environmental Noise Assessment prepared by Resonate. This report was subsequently updated during the course of the assessment to specifically address the representor concerns. Further, this report has been peer reviewed by Councill's consultant acoustic engineer, Echo Acoustics, who found no fundamental flaws in the report.

The **Business Neighbourhood Zone PO 1.1** seeks:

> *Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.*

Interface between Land Uses DO 1 seeks:

> *Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.*

Interface between Land Uses Performance Outcomes seek:

> ***PO 1.2** - Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.*
>
> ***PO 2.1** - Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:*
>
> > *(a) the nature of the development*
> > *(b) measures to mitigate off-site impacts*
> > *(c) the extent to which the development is desired in the zone*
> > *(d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*
>
> ***PO 4.1** - Development that emits noise (other than music) does not*

unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

***PO 4.2** - Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:*

(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers
(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers
(c) housing plant and equipment within an enclosed structure or acoustic enclosure
(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.

The Resonate reports found that the proposed land use, when appropriate noise modelling was applied, will be able to operate within the relevant noise provisions in the Planning & Design Code and Environmental Protection (Noise) Policy 2007. As noted above, these findings are supported by Council's consultant acoustic engineer.

Given this expert opinion, the proposal has been designed to minimise adverse impacts on adjoining residential land uses and is considered to satisfy the aforementioned **DO** and **PO**'s.

Lighting

Seven (7) representors raised concerns regarding potential light spill from the proposed shop and associated car park.

Interface between Land Uses PO 6.1 states:

External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).

The proposal has not included any lighting on the building or within the car park but it is anticipated this will be required.

The applicant in their response to the representations, stated that all lighting will be designed in accordance with '**Australian Standard AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting'**, and all lighting will be directed downwards with baffles and shields fitted if required.

In discussions with the applicant, a Reserved Matter has been added to the recommendation to ensure a lighting plan is provided prior to the issuing of any Development Approval.

Landscaping

The proposal includes a comprehensive landscape plan including numerous trees, shrubs and groundcovers. This plan can be found within **Attachment 1**.

Numerous representors raised concerns with the removal of existing vegetation and the initial limited degree of landscaping provided.

During the course of the assessment, the proposal was referred to Council's City Design team. In consultation with the applicant the landscaping plan was revised to provide a greater degree of vegetation including increasing the number of proposed trees from three (3) to sixteen (16). The plans were also amended to be consistent with Council's Unley Road Public Realm Guidelines in relation to planting species.

Business Neighbourhood Zone PO 2.2 seeks that:

Development provides attractive landscaping to the primary street frontage.

Design in Urban Areas Performance Outcomes seek:

***PO 3.1** - Soft landscaping and tree planting are incorporated to:(a) minimise heat absorption and reflection*
(b) maximise shade and shelter
(c) maximise stormwater infiltration
(d) enhance the appearance of land and streetscapes.

***PO 7.2** - Vehicle parking areas appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.*

***PO 7.4** - Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.*

***PO 7.5** - Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.*

***PO 7.6** - Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.*

The existing site coverage over the three sites is approximately 43% with soft landscaping areas of approximately 10% of the site. The current quality of landscaping is poor with poorly maintained garden beds to the front and a limited number of medium sized trees to the rear.

The proposed building site coverage is 36.1% with 236m^2 (8.5%) of soft landscaping. Whilst this is a slight reduction in soft landscaping of the site, the landscaping plan includes significantly more trees than currently exists. The landscaping to the front of the site will provide an attractive appearance to the public realm and will integrate with any future works by Council. The trees within the car park will provide shade and improve the visual appearance of the car park itself whilst screening the building from nearby allotments. The planting and maintenance of landscaping is reinforced via the conditions included.

The proposed landscaping plan is considered to satisfy the above **PO**'s and is acceptable.

Stormwater Management

The proposal includes a Stormwater Plan to manage the stormwater runoff from the building and site. This plan and associated calculations can be found in **Attachment 2**.

Council's Stormwater Engineer has considered the plan and has provided support. Initial comments sought some additional detail with subsequent amended plans being considered acceptable.

Two (2) representors raised concerns regarding stormwater management, specifically the limited permeable surfaces on the site and the infiltration of stormwater.

Design in Urban Areas Performance Outcomes state:

> ***PO 42.1*** *- Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.*
>
> ***PO 42.2*** *- Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.*
>
> ***PO 42.3*** *- Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development* does *not increase peak flows in downstream systems.*

The proposed stormwater plan and calculations show that with a 30,000L detention capacity the outflows will not exceed pre-development levels. The plans include permeable paving to areas of hardstand to increase stormwater infiltration with perimeter kerbing shown that will direct overland water to Unley Road. Further, the stormwater plan demonstrates that stormwater runoff and roof water will be directed through a gross pollutant trap with a detention capacity and pump designed to ensure discharge rates do not exceed 20L/sec.

Given the design and Council's comments, the proposed stormwater management plan is considered to satisfy the above **PO**'s.

Safety

Numerous representors raised concerns in regard to the nature of the development and it's potential social impact on the locality. Specifically, the site's proximity to the Walford Early Learning Centre and other potential antisocial behaviours that may occur.

Design in Urban Areas states the following:

> ***PO 2.1*** *- Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.*
>
> ***PO 2.3*** *- Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.*
>
> ***PO 2.4*** *- Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.*

In their response to the representors, it was pointed out that consideration of the social impacts of liquor retail on the locality will form part of the Liquor License application. This application will occur after planning consent. While the occupancy is for liquor sales, the proposed land use is "shop" which sits comfortably within the Zone.

The proposal includes a series of clear access points, has large setbacks from boundaries and with the windows to the elevations of the building provided a high level of opportunities for passive surveillance from within the building. Whilst no specific lighting plan has been proposed, the applicant has confirmed that any lighting will be designed to conform with the Australian Standards.

Given the above, the proposal is considered to satisfy **PO's 2.1, 2.3** and **2.4** of **Design in Urban Areas**.

Signage

The proposed signage comprises the Dan Murphy's corporate imagery incorporated into all elevations of the building. They primarily show the image of "Dan Murphy" and the writing "Dan Murphy's" with a "Click and Collect" fixed sign. Smaller signs on the eastern elevation adjacent the click and collect area are also included. The advertising signage is not illuminated. Along the western and southern elevations are windows which will accommodate vinyl print graphics. An example of these graphics can be seen on other existing Dan Murphy sites as in figure 7.

Figure 7: Dan Murphy's Highbury window graphics.

Business Neighbourhood Zone PO 5.1 seeks that:

> *Advertisements complement the scale of buildings and are not visually dominant within the locality*

Advertisements General Policy DO 1 seeks:

> *Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard*

The relevant **PO**'s within **Advertisements General Policy are:**

> ***PO 1.1*** *- Advertisements are compatible and integrated with the design of the building and/or land they are located on.*
>
> ***PO 1.2*** *- Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.*
>
> ***PO 1.5*** *- Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.*
>
> ***PO 2.1*** *- Proliferation of advertisements is minimised to avoid visual clutter and untidiness.*
>
> ***PO 2.3*** *- Proliferation of advertisements attached to buildings is minimised to avoid*

visual clutter and untidiness.

***PO 3.1** - Advertisements are limited to information relating to the lawful use of land they are located on to assist is the ready identification of the activity or activities on the land and avoids unrelated content that contributes to visual clutter and untidiness.*

***PO 5.3** - Advertisements and/or advertising hoardings do not create a hazard to drivers by:*

a) *being liable to interpretation by drivers as an official traffic sign or signal;*
b) *obscuring or impairing drivers' view of official traffic signs or signals;*
c) *obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings.*

***PO 5.4** - Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.*

The signage is specific to the land use and integrated into the building design. Being non-illuminated it will not cause a distraction to drivers. The signage is consistent with other signage along the Unley Road corridor and the signage will replace a varying array of existing freestanding signs.

Given the above, the proposed advertising signage satisfies the above **DO**'s and **PO**'s of the zone and general policy and is acceptable.

CONCLUSION

On balance the proposal will add to the mix of uses in the locality and will have no negative impacts on the amenity of the locality by way of built form, noise or parking impacts.

The matters raised by the representors have been considered in the course of this assessment. The applicant has also amended or clarified a number of aspects of the proposal in response to those representations. Some of the concerns raised relate to the merits of the proposal while others such as property value impacts are beyond the consideration of a planning assessment. The applicant's response addressed these issues. Other aspects, such as concerns relating to antisocial behaviour, are part of the assessment of the proposal at the liquor licencing stage.

Having considered all the relevant assessment provisions, the proposal is not considered to be seriously at variance with the Planning and Design Code and is considered to satisfy the desired and performance outcomes sought by the Code for the following reasons:

- The proposed development is considered to satisfy the relevant Performance Outcomes of the Business Neighbourhood Zone, Overlays and General Development Policies.

- The nature of the proposed Shop will not unreasonably impact upon the adjacent properties.

ITEM 2
DEVELOPMENT APPLICATION – 22030984 – 301 UNLEY ROAD, MALVERN SA 5061

RECOMMENDATION

It is recommended that the Council Assessment Panel/SCAP resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

2. Development Application Number 22030984, by Como Apartments (Malvern) Pty Ltd is GRANTED Planning Consent subject to the following conditions:

RESERVED MATTERS

Planning Consent

Pursuant to Section 102 (3) of the *Planning, Development and Infrastructure Act 2016*, the following matters shall be reserved for further assessment, to the satisfaction of the relevant authority, prior to the granting of Development Approval *(or select stage of Development Approval)*:

- *The provision of an external lighting plan designed, directed and shielded so as to cause no adverse light overspill nuisance to nearby properties or distraction to motorists.*

Note - Further conditions may be imposed on the Planning Consent in respect of the above matters.

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation as listed below, except where varied by conditions below (if any).

- Plans and Elevations prepared by Brown Falconer Drawings DA01 (Revision G dated September 2022); DA02 (Revision D dated August 2022); DA03 (Revision K dated August 2022); DA04 (Revision E dated September 2022); DA05 (Revision G dated September 2022); DA06 (Revision C dated August 2022); DA07 (Revision D dated November 2022); and DA08 (Revision B dated February 2023)
- Site Levels and Drainage Layout prepared by PT Designs Drawing 22642-C01 (Revision D dated July 2022)

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

The hours of operation of the premises not exceed the following period:

- Monday to Saturday 9am to 9pm

- Sunday and Public Holidays 10am to 7pm

Condition 4

The signage, herein approved, must be maintained in good repair with all words and symbols being clearly visible at all times.

Condition 5

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the Environmental (Noise) Policy 2007.

Condition 6

The planting and landscaping identified on the Landscape Plan submitted with the application must be completed in the first planting season concurrent with or following commencement of the use of the shop. Such planting and landscaping must not be removed and any plants which die must be replaced by the same species or other species to Council's satisfaction.

Condition 7

Waste collection and general delivery vehicles shall only service the development between the hours of 7am and 7pm Monday to Saturday and 9am to 7pm Sunday and public holidays.

Condition 8

The driveway, car parking and manoeuvring areas to be surfaced, drained and line marked in accordance with the approved plans and Australian Standards AS 2890.1:2004, 1742.2:2009 and 2890.6:2009, prior to occupation and commencement of use of the land and shall be maintained in good condition at all times to the satisfaction of Council.

Condition 9

Driveway, manoeuvring areas, car parking spaces and associated landscaping areas shall not be used for the storage or display of any materials or goods.

Condition 10

All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

Condition 11

All vehicular access to the site shall be gained via Unley Road as shown on Brown & Falconer, Floor & Site Plan, Drawing No. 3395 DA03, Revision K dated 13 February 2023 and be consistent with CIRQA Traffic Report, Project No. 20396, Version 1.2 dated 10 March 2023.

Condition 12

The largest vehicle to access the site shall be restricted to a 12.5m Heavy Rigid Vehicle. All egress movements for commercial/delivery vehicles shall be via the northern access point.

Condition 13

The Unley Road access points shall be suitably signed and line marked to reinforce the desired traffic flow. Chevron line-marking shall also be incorporated in the design to reduce the width of the access for passenger vehicles while still enabling delivery vehicle movements.

Condition 14

All vehicles shall enter and exit in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

Condition 15

Any landscaping adjacent the access points shall ensure that sightlines can be achieved as per Urban Transport Routes Overlay, 5.1, a) and b).

Condition 16

Any infrastructure within the road reserve (e.g. pit lids and signs) that is demolished, altered, removed or damaged during the construction of the project (including the side entry pit that will be impacted by the south-western access) shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 17

All off-street parking shall be constructed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009 with commercial vehicle parking constructed in accordance with AS2890.2:2018. All designated staff parking shall be clearly signed and or line marked to reinforce this operation.

Condition 18

All redundant crossovers shall be permanently closed and reinstated with kerb and gutter prior to the development becoming operational. All costs are to be borne by the applicant.

Condition 19

Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

ADVISORY NOTES

Planning Consent

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any

site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

The applicant/developer is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure the activities on the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.

Advisory Note 6

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

Advisory Note 7

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 8

That the existing crossovers shall be closed and reinstated back to kerb and gutter in accordance with Council requirements and at the applicant's expense, prior to occupation of the development. Refer to the City of Unley website Forms & Applications – Application to Alter Public Roads and Driveway Crossover Specifications.

https://www.unley.sa.gov.au/Page/Forms-Applications

Advisory Note 9

The construction of the crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to the City of Unley website Forms & Applications – Driveway Crossover Specifications.

https://www.unley.sa.gov.au/Page/Forms-Applications

Advisory Note 10

That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the applicant.

Advisory Note 11

The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

OFFICER MAKING RECOMMENDATION

Name: Timothy Bourner
Title: Senior Planner
Date: 4 April 2023

ATTACHMENT 1

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:02 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	DA LANDSCAPE & CANOPY UPDATES	03.08.22
D	SIGN AMENDMENTS	06.09.22
E	PLANNING UPDATES	06.02.23
F	ISSUE FOR LODGEMENT	09.02.23
G	TRAFFIC ENGINEERS UPDATES	13.02.23

DAN MURPHY'S MALVERN

301-305 UNLEY ROAD, MALVERN

PLANNING APPLICATION - DEVELOPMENT APPROVAL ISSUE
FEBRUARY 2023

ARCHITECURAL DRAWING SCHEDULE

DA01	COVER SHEET	G	13.02.23
DA02	EXISTING CONDITIONS	D	09.02.23
DA03	FLOOR & SITE PLAN	K	13.02.23
DA04	STREET ELEVATIONS	E	09.02.23
DA05	ELEVATIONS	G	09.02.23
DA06	SHADOW DIAGRAM	C	09.02.23
DA07	LANDSCAPE PLAN	D	13.02.23
DA08	ROOF PLAN & SECTION	B	09.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

COVER SHEET

Scale 1 : 2000
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA01** Rev: **G** A3 SHEET

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

TOTAL SITE AREA 2768M²

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

EXISTING SITE / DEMOLITION

1 : 500

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:18 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	PLANNING UPDATES	06.02.23
D	ISSUE FOR LODGEMENT	09.02.23

CATCORP

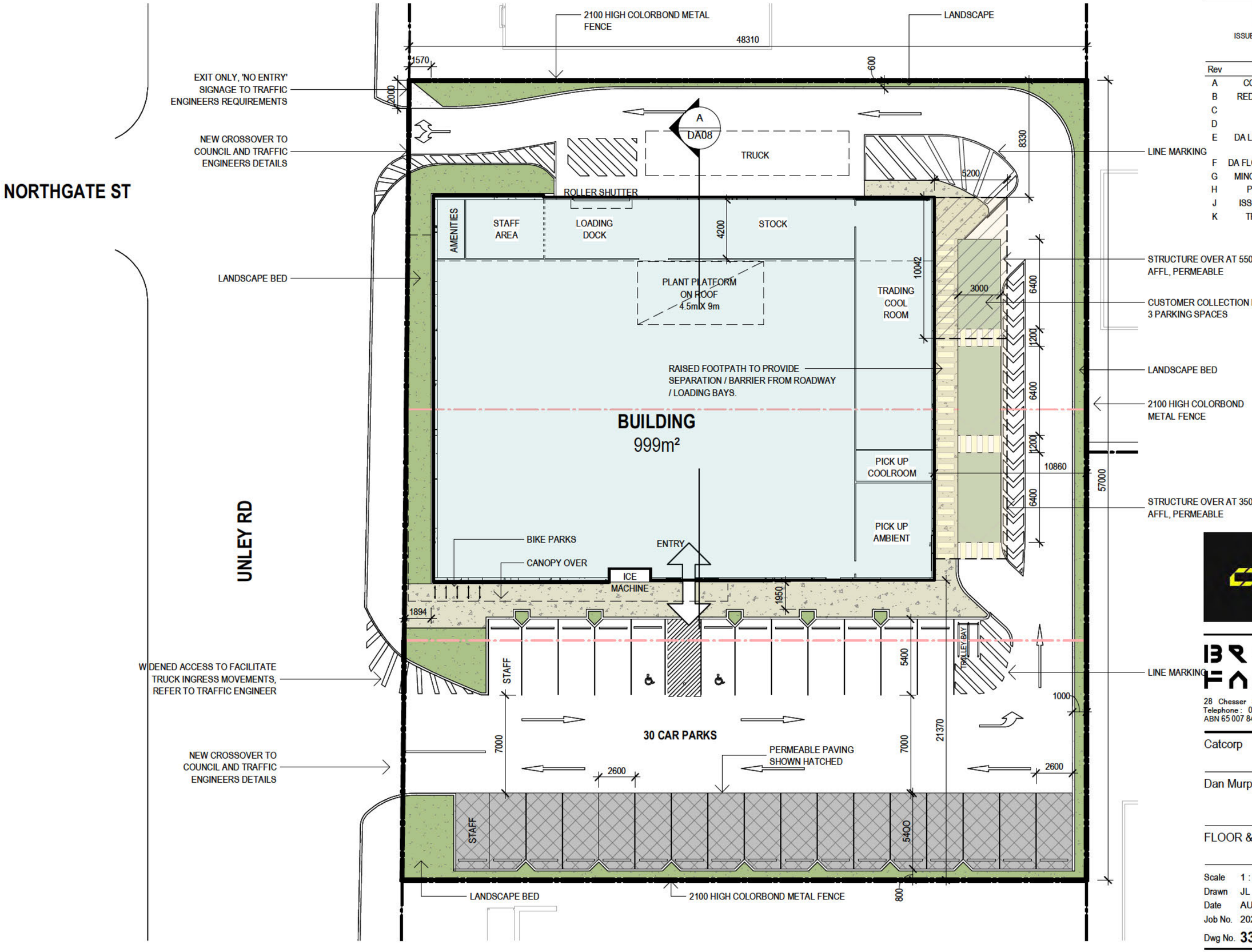
BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

EXISTING CONDITIONS

Scale 1 : 500
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA02** Rev: **D** A3 SHEET



DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:24 PM

Rev	Amendment	Date
A	CONSULTANT REVIEW	11.10.21
B	REDUCED BUILDING SIZE	23.02.22
C	DA ISSUE	13.07.22
D	DA UPDATES	29.07.22
E	DA LANDSCAPE & CANOPY UPDATES	03.08.22
F	DA FLOOR PLAN AMENDMENT	08.08.22
G	MINOR PLAN CORRECTION	15.08.22
H	PLANNING UPDATES	06.02.23
J	ISSUE FOR LODGEMENT	09.02.23
K	TRAFFIC ENGINEERS UPDATES	13.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

FLOOR & SITE PLAN

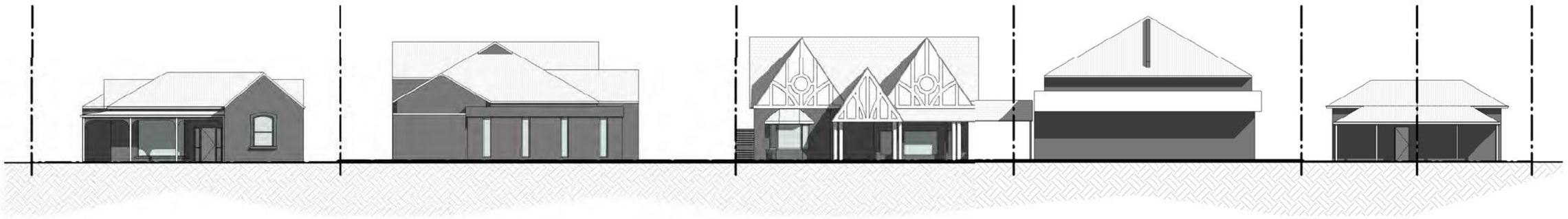
Scale 1 : 250
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA03** Rev: **K** A3 SHEET

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:29 PM

Rev	Amendment	Date
A	DA UPDATES	29.07.22
B	DA LANDSCAPE & CANOPY UPDATES	03.08.22
C	SIGN AMENDMENTS	06.09.22
D	PLANNING UPDATES	06.02.23
E	ISSUE FOR LODGEMENT	09.02.23



EXISTING STREET ELEVATION

1 : 250

PROPOSED STREET ELEVATION

1 : 250

BROWN FALCONER

28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

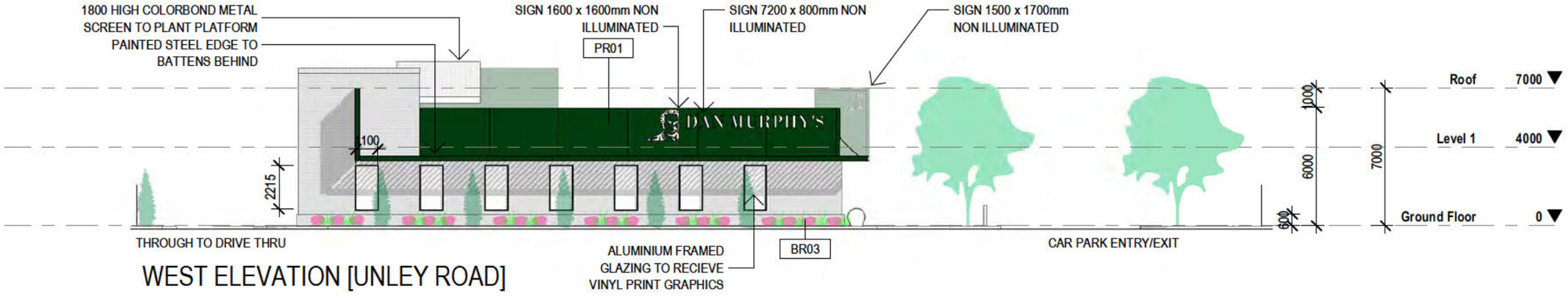
Catcorp

Dan Murphy's, Unley Road Malvern

STREET ELEVATIONS

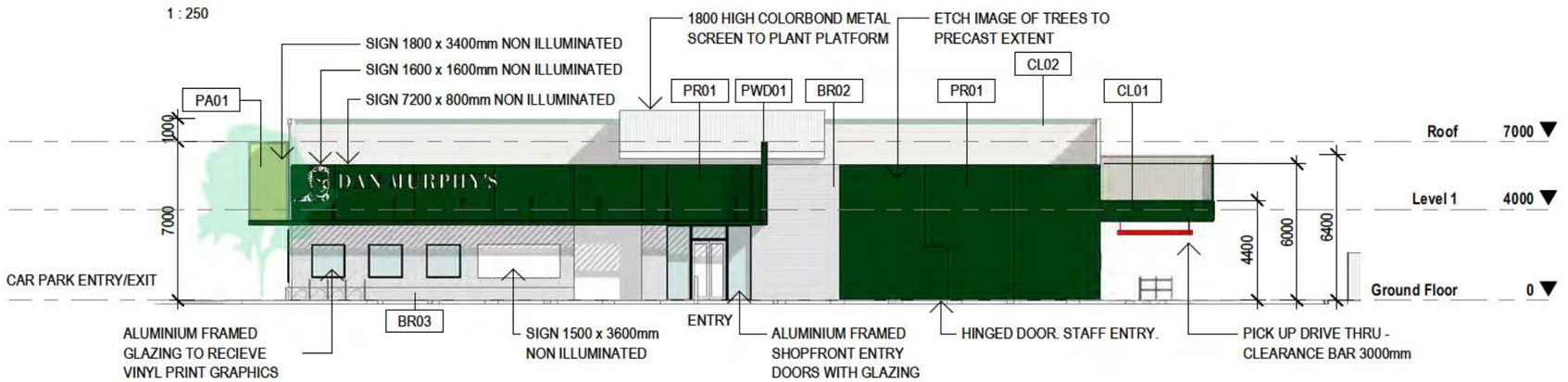
CATCORP

Scale 1 : 250
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA04** Rev: **E** A3 SHEET



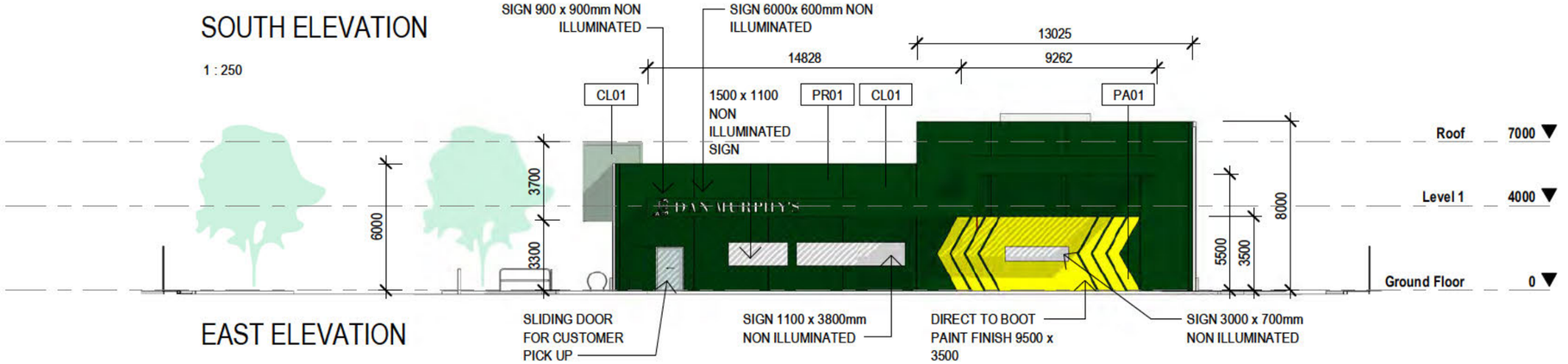
WEST ELEVATION [UNLEY ROAD]

1 : 250



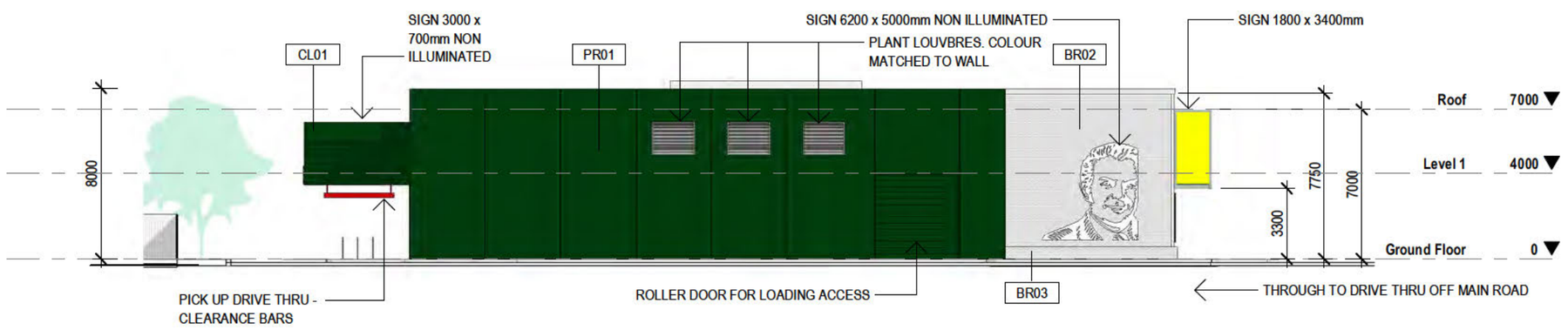
SOUTH ELEVATION

1 : 250



EAST ELEVATION

1 : 250



NORTH ELEVATION

1 : 250

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:35 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	DA LANDSCAPE & CANOPY UPDATES	03.08.22
D	DA FLOOR PLAN AMENDMENT	08.08.22
E	SIGN AMENDMENTS	06.09.22
F	PLANNING UPDATES	06.02.23
G	ISSUE FOR LODGEMENT	09.02.23

MATERIAL LEGEND

BR02	FACE BRICK - WHITE
BR03	FACE BRICK - GREY
CL01	PAINTED CFC
CL02	CUSTOM ORB CLADDING: SURFMIST
PA01	PAINT FINISH. CORPORATE YELLOW.
PR01	PRECAST PANEL. PAINT FINISH . CORPORATE GREEN.
PWD01	STEEL. POWDERCOAT FINISH. CORPORATE GREEN.

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

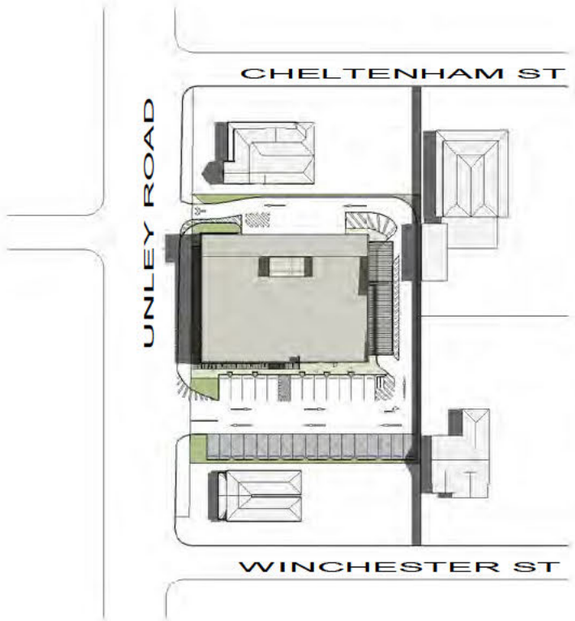
Catcorp

Dan Murphy's, Unley Road Malvern

ELEVATIONS

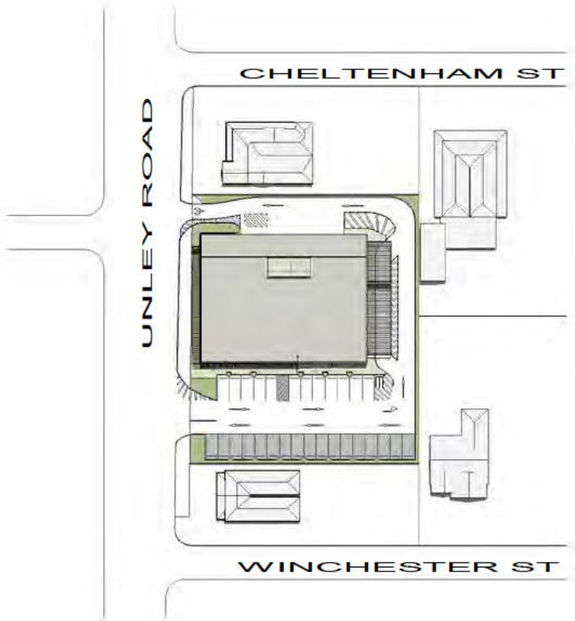
Scale 1 : 250
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA05** Rev: **G** A3 SHEET

SUMMER SOLSTICE 22 DECEMBER



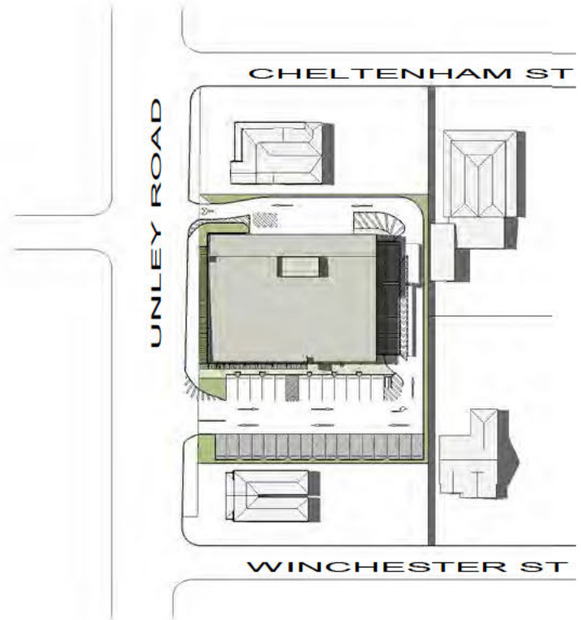
SUMMER 9AM

1 : 1300



SUMMER 12PM

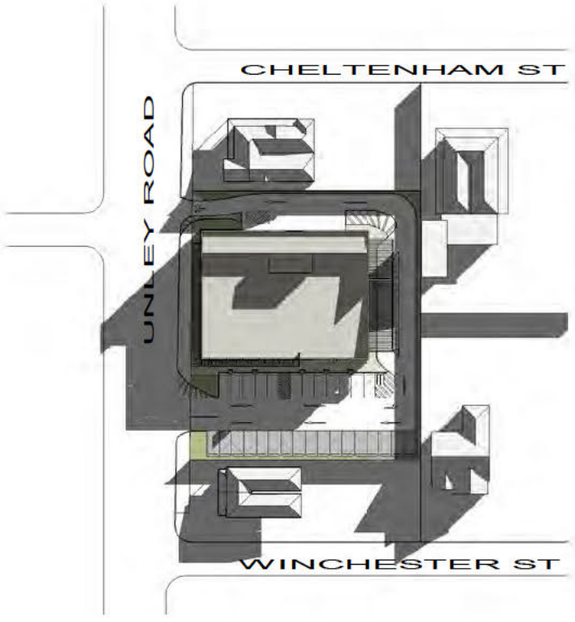
1 : 1300



SUMMER 3PM

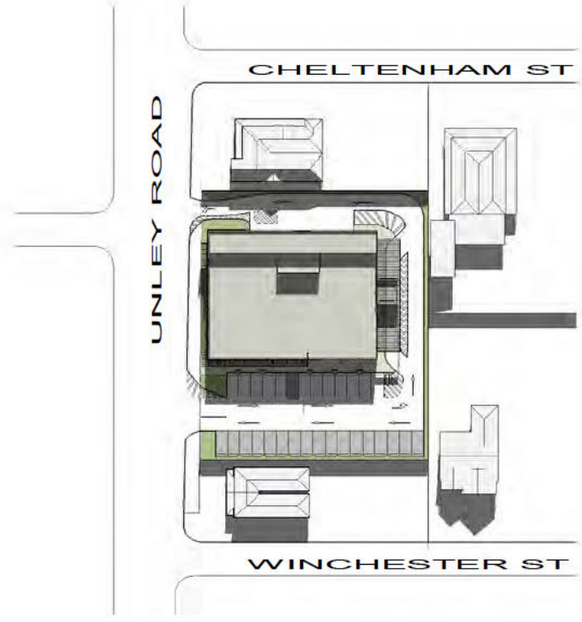
1 : 1300

WINTER SOLSTICE 22 JUNE



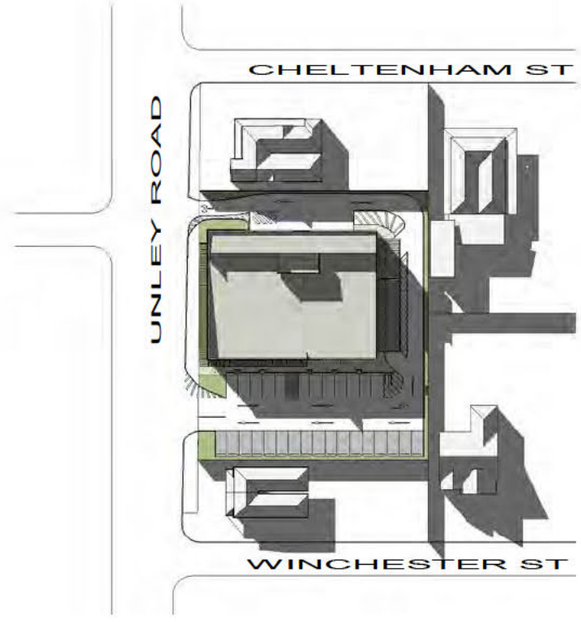
WINTER 9AM

1 : 1300



WINTER 12PM

1 : 1300



WINTER 3PM

1 : 1300

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:41 PM

Rev	Amendment	Date
A	DA UPDATES	29.07.22
B	PLANNING UPDATES	06.02.23
C	ISSUE FOR LODGEMENT	09.02.23

0 2000 4000 6000 8000

1:2000

CATCORP

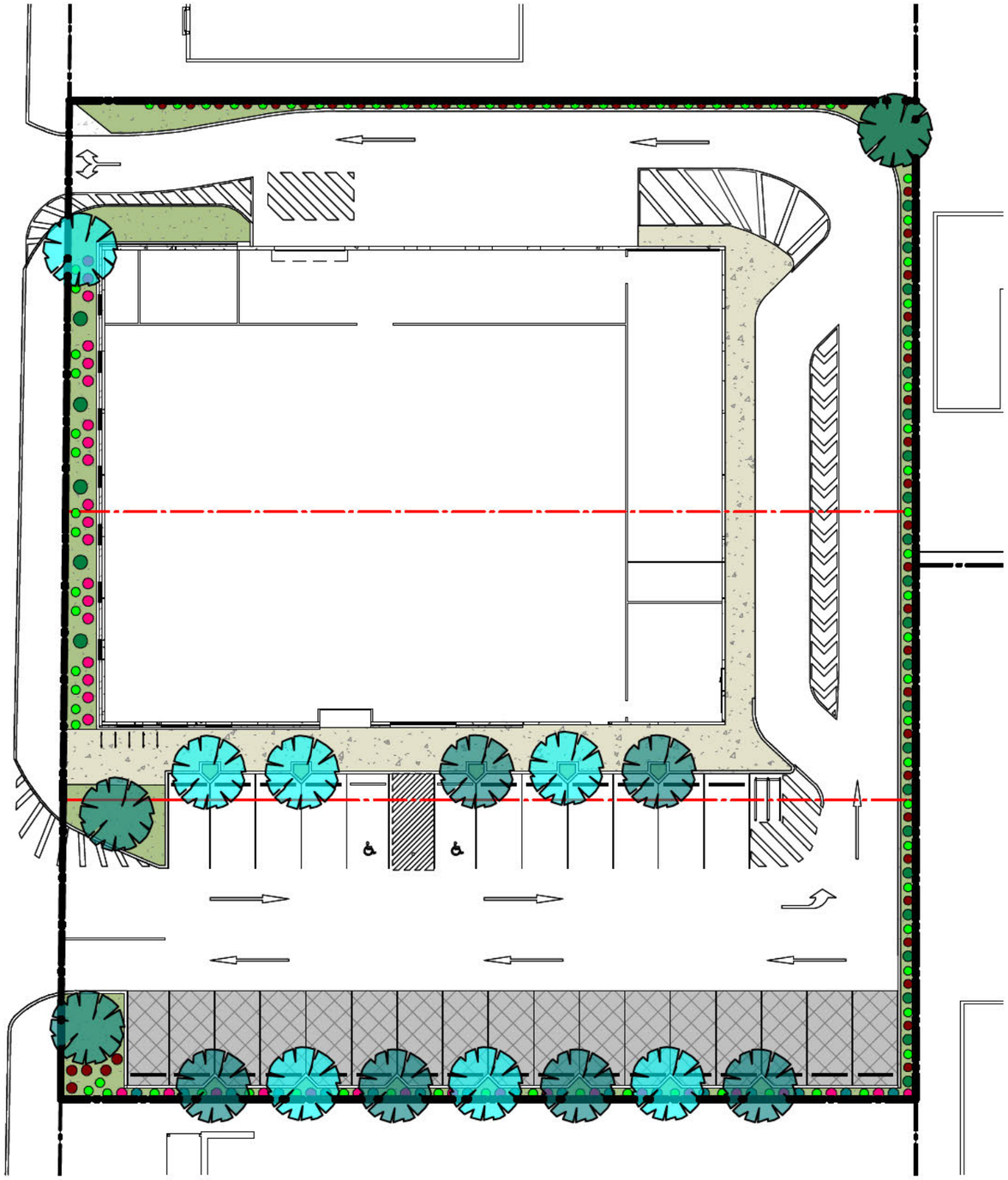
BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

SHADOW DIAGRAM

Scale 1 : 1300
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA06** Rev: **C** A3 SHEET



PLANTING GUIDE

PLANTED IN ASCENDING ORDER OF MATURE HEIGHT FROM FRONT OF KERB TO BACK OF LANDSCAPING BED

DT
DIANELLA TASMANIKA

0.6M HIGH X 0.6M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

KP
ANIGOZANTHOS 'BUSH SUNSET' RED KANGAROO PAW'

1.0M HIGH X 0.6M SPREAD

PLANT RANDOMLY AS HIGHLIGHT

WS
WESTRINGIA SMOKEY

1.0M HIGH X 1.5M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

CS
CUPRESSUS SEMPERVIRENS 'ITALIAN PENCIL PINE'

3.0M HIGH X 0.3M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

MP

PYRUS USSERIENSIS ' MANCHURIAN PEAR'

TREE

NOTE:
- TREE IS SUITABLE IN VERGES 1.0 TO 1.5M WIDE,
- GROWS TO A MATURE HEIGHT OF 8.0 METRES
- SHOULD BE PLANTED AT 6.0M SPACINGS.

PLANTING NOTES

- ALL GARDEN BEDS TO BE MULCHED 100MM MINIMUM DEEP AND DRIP IRRIGATED.
- MASS PLANTING TO SUIT AREAS, SCREENING AND/OR SIGHTLINES. GENERALLY TO HAVE LOW LEVEL PLANTING TO STREET FRONTAGES & MEDIUM TO HIGH LEVEL PLANTING TO THE REAR OF THE SITE.

FR

FRAXINUS PENSYLVANNICA 'CIMMARON'

TREE

HI

HELICHRYSUM ITALICUM

BUSH

NOTE:

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:47 PM

Rev	Amendment	Date
A	DA LANDSCAPE & CANOPY UPDATES	03.08.22
B	PLANNING UPDATES	06.02.23
C	ISSUE FOR LODGEMENT	09.02.23
D	TRAFFIC ENGINEERS UPDATES	13.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

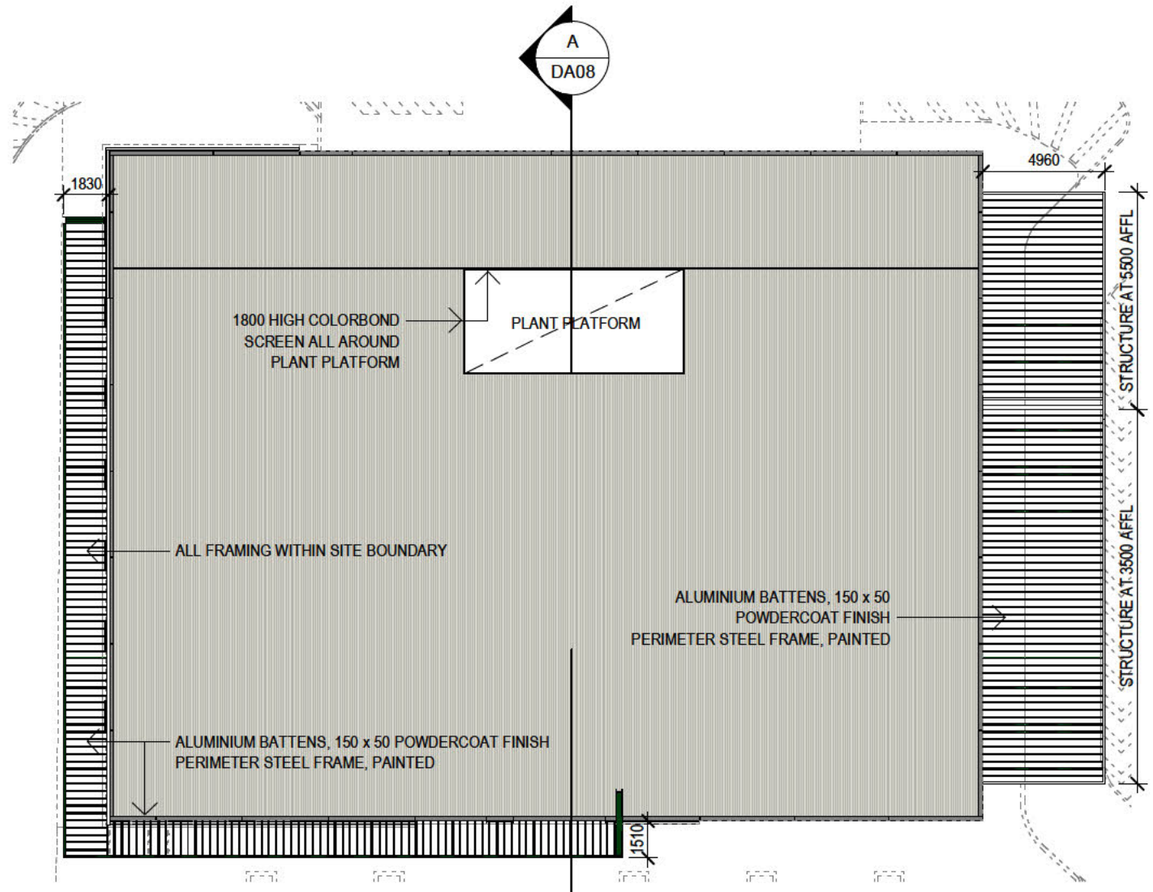
Catcorp

Dan Murphy's, Unley Road Malvern

LANDSCAPE PLAN

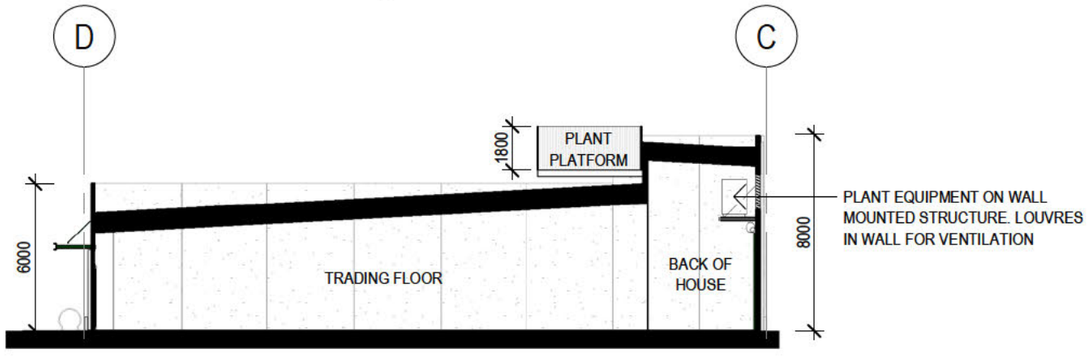
Scale As indicated
Drawn JL
Date NOV 2022
Job No. 2020111

Dwg No. **3395 DA07** Rev: **D** A3 SHEET



SITE PLAN

1 : 250



SECTION A

1 : 250

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:53 PM

Rev	Amendment	Date
A	PLANNING UPDATES	06.02.23
B	ISSUE FOR LODGEMENT	09.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

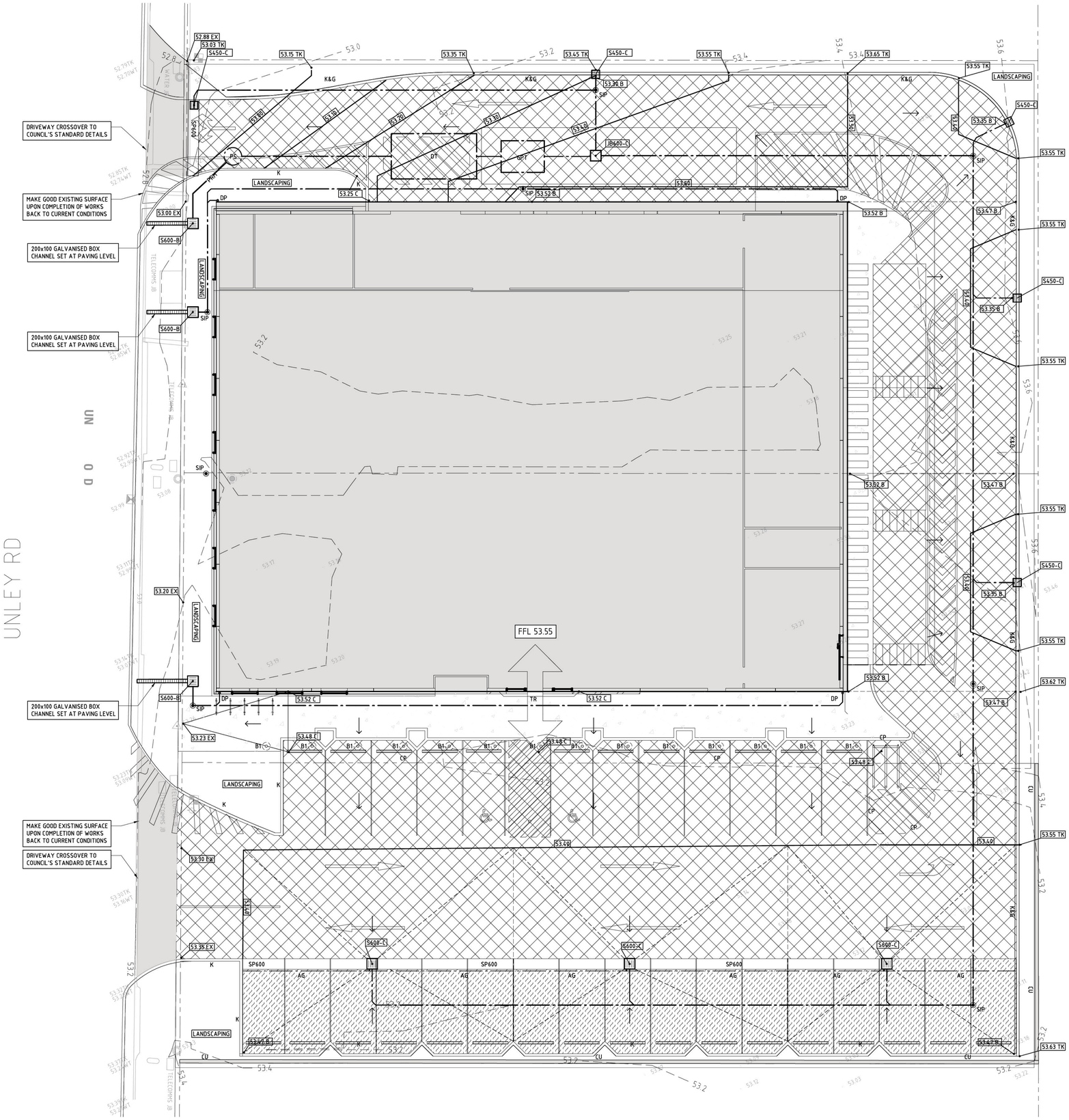
Dan Murphy's, Unley Road Malvern

ROOF PLAN & SECTION

Scale 1 : 250
Drawn WK
Date FEB 2023
Job No. 2020111

Dwg No. **3395 DA08** Rev: **B** A3 SHEET

ATTACHMENT 2



0 2 0 00 00

A 00 @B

AMENDED PLAN / DOCUMENT
DATE: 1/03/2023

PT Design
structural • civil • engineers

G N

SEWER GRADE PVC STORMWATER PIPE
SIZE AS NOTED
(S/S DENOTES SEALED SYSTEM)

S450-X 450 SQUARE GRATED SUMP
GRATE CLASS AS NOTED

JB450-X 450 SQUARE JUNCTION BOX
COVER CLASS AS NOTED

DP DOWNPIPE
ALL DOWNPIPES FOR SEALED SYSTEM ARE TO BE PVC

SIP SITE INSPECTION POINT

15.55 DESIGN LEVEL
P - PAVING
C - CONCRETE
B - BITUMEN
G - GROUND
Q - QUARRY RUBBLE
COV - COVER
INV - INVERT
WT - WATER TABLE
TK - TOP OF KERB

15.55 CONTOUR LINE

DIRECTION OF SURFACE FALL

GRADE LINE

K KERB

K&G KERB & GUTTER

CU CONCRETE UPSTAND

CP CONCRETE PLINTH

SP600 600 WIDE CONCRETE SPOON DRAIN

B1 BOLLARD BY ARCHITECTS DETAILS

DT 30.0 kL DETENTION TANK STRICTLY IN ACCORDANCE WITH MANUF'S DETAILS
PROVIDE INSPECTION OPENINGS STRICTLY IN ACCORDANCE WITH MANUF'S DETAILS. PROVIDE BREATHER VALVES TO ENSURE ADEQUATE VENTING OF AIR WITHIN TANK.

GPT ECOSOL STORM PIT (CLASS 2) - 20.0 L/sec
(OR EQUIVALENT) INSTALLED STRICTLY IN ACCORDANCE WITH THE MANUF'S REQUIREMENTS

PS PRE-PACKAGED PUMP STATION TO PUMP
MANUFACTURERS DETAILS
PUMP RATE - 20.0 L/sec

PRM PUMP RISING MAIN TO PUMP MANUFACTURERS DETAILS

AG 100ø AG. PIPE LAID AT FALL

35mm THICK HOTMIX BITUMEN
ON 100 THICK FINE CRUSHED ROCK (PM1/20QG / PM1/40QG)
ON 150 THICK COMPACTED QUARRY RUBBLE (PM2/20QG)

100 THICK CONCRETE SLAB WITH SL82 MESH TOP
(N25 CONCRETE)
PROVIDE TOOLED CONTROL JOINTS AT 3.0m MAX. C/C

60mm BIO PAVE PERMEABLE PAVER (OR EQUIVALENT)
REFER TO DETAIL

PU P NO

PUMP SHALL BE DUAL PUMP. THE PUMP CONTROLS SHALL BE SET UP TO ENABLE ALTERNATE PUMP OPERATION AT EACH START. IN THE EVENT THAT A PUMP FAILS TO OPERATE WHEN THE WATER LEVEL IN THE WELL REACHES THE PUMP START, THE OTHER PUMP SHALL BE ACTIVATED AND A VISIBLE ALARM INITIATED. IN THE EVENT THAT BOTH PUMPS FAIL TO OPERATE, AN AUDIBLE ALARM SHALL BE INITIATED. PROVIDE BACK-UP POWER SUPPLY IN CASE OF POWER FAILURE.

DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS AS A PACKAGE. REFER TO ARCHITECTS DRAWINGS FOR ALL SETOUT DIMENSIONS.

ALL LEVELS SHALL BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION. SHOULD ANY DISCREPANCY OCCUR THE CONTRACTOR SHALL CONTACT THIS OFFICE IMMEDIATELY FOR FURTHER INSTRUCTION.

ON R C R O

COVER LEVELS GIVEN FOR PITS ARE NOMINAL ONLY. COVER LEVELS SHALL MATCH FINISHED PAVING LEVELS.

WHERE EXISTING SERVICE COVERS ARE FOUND WITHIN THE SCOPE OF THE NEW WORKS, THE CONTRACTOR MUST ALLOW TO ADJUST THE COVERS TO SUIT THE PROPOSED FINISHED SURFACE LEVEL.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING LOCATION OF ALL UNDERGROUND SERVICES PRIOR TO COMMENCING ANY EXCAVATION WORK. ANY DAMAGE CAUSED TO ANY SERVICES SHALL BE REPORTED IMMEDIATELY TO THE SUPERINTENDENT & SHALL BE REPAIRED BY THE APPROPRIATE AUTHORITIES. ALL COSTS ASSOCIATED WITH REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE. PHONE 'DIAL BEFORE YOU DIG' (1100) FOR ASSISTANCE.

WHERE PROPRIETARY ITEMS ARE SPECIFIED, ALTERNATE EQUIVALENT PRODUCTS MAY BE ADOPTED WITH THE PRIOR WRITTEN APPROVAL OF THIS OFFICE.

27.02.23	ISSUE FOR PLANNING APPROVAL	-D-
17.11.22	ISSUE FOR PLANNING APPROVAL	-C-
17.08.22	ISSUE FOR PLANNING APPROVAL	-B-
08.07.22	PRELIMINARY ISSUE	-A-

PT Design

0

PR PO D
UN O D
M RN

D N MU PH

ND
DR N G OU

C D

FOR APPROVAL

y q

0

PT DESIGN Pty Ltd 141-149 Ifould Street Adelaide SA 5000 T [08 8412 4300] W [ptdesign.com.au] ABN [35 008 116 916] structural • civil • engineers

STORMWATER CALCULATIONS FOR PLANNING APPOVAL

DAN MURPHY'S UNLEY ROAD, MALVERN

Prepared by:

PT Design ABN 35 008 116 916
141-149 Ifould Street, ADELAIDE SA 5000
Tel: (08) 8412 4300

Project No:	22642
Revision:	-00-
Date of Issue:	17/08/2022

Project:	DAN MURPHY'S UNLEY ROAD, MALVERN	Project #	22642
		Date	17.08.2022
Design By:	JB	Page	1 of 2

DETENTION CALCULATIONS

CRITICAL 1 IN 100 YEAR DETENTION VOLUME

PRE DEVELOPMENT FLOW (MINOR STORM)

Storm Event	1 in 5	years
Time of Concentration	5	mins
Rainfall Intensity	84.20	mm/hr

Catchment Area	C	Area (m^2)			
Roof	0.9	1104	23.239		
Impervious	0.75	1516	26.593		
Pervious	0.2	150	0.702		20L/sec capped
		Total	**50.534**	L/sec	Allowable Flow from Site

BYPASS DETENTION - POST DEVELOPMENT

Roof	0.9	999	39.211	L/sec	
Impervious	0.75	0	0.000	L/sec	*(NEW Hardscape)*
Pervious	0.2	137	1.195	L/sec	*(NEW Softscape)*

REMAINING ALLOWABLE FLOW

Total	**10.128**	L/sec	Allowable Flow from Roof

	Dia (mm)	Area (m^2)	Head (m)	Flow (L/s)	Allowable Flow (L/s)
Orifice 1	55	0.0024	2.500	9.98	
			Total	9.98	10.13

POST DEVELOPMENT FLOW (MAJOR STORM)

Storm Event	100	years

Catchment Area	C	Area (m^2)			
Roof	0.9	0	0.000		*(NEW Proposed Roof)*
Impervious	0.75	1634	0.340		
Pervious	0.2	0	0.000		
		Total	**0.340**	X $^{100}I_t$	

Project:	DAN MURPHY'S UNLEY ROAD, MALVERN	Project #	22642
		Date	17.08.2022
Design By:	JB	Page	2 of 2

CRITICAL STORAGE VOLUME

Q in		**Q out**	
0.340	$^{y}I_{t}$	9.984	L/sec

Tc (mins)	Intensity, I (mm/hr)	Q in (L/sec)	Q out (L/sec)	V in (L)	V out (L)	V total (L)	
5	157	53.445	9.984	16034	2995	13039	
10	114	38.808	9.984	23285	4493	18792	
20	77.7	26.450	9.984	31740	7488	24253	
30	60.9	20.731	9.984	37316	10483	26834	
60	39.4	13.412	9.984	48285	19468	28817	Critical Storm
90	30.6	10.417	9.984	56250	28453	27797	
120	25.5	8.681	9.984	62501	37438	25062	
180	19.9	6.774	9.984	73162	55409	17754	
360	13	4.425	9.984	95589	109320	-13731	
720	8.55	2.911	9.984	125736	217143	-91406	

PEAK STORAGE REQUIRED 28817 L

Provide 30.0kL detention

ATTACHMENT 3

Dan Murphy's, Unley Road, Malvern

Environmental Noise Assessment

A220413RP1 Revision 0

Wednesday, 29 June 2022

Resonate

Document Information

Project	Dan Murphy's, Unley Road, Malvern
Client	Catcorp Pty Ltd
Report title	Environmental Noise Assessment
Project Number	A220413

Revision Table

Report revision	Date	Description	Author	Reviewer
0	29 June 2022	First issue	Jenna MacDonald	Deb James

Glossary

A-weighting	A spectrum adaption that is applied to measured noise levels to represent human hearing. A-weighted levels are used as human hearing does not respond equally at all frequencies.
Characteristic	Associated with a noise source, means a tonal, impulsive, low frequency or modulating characteristic of the noise that is determined in accordance with the Guidelines for the use of the Environment Protection (Noise) Policy (Noise EPP) to be fundamental to the nature and impact of the noise.
Continuous noise level	A-weighted noise level of a continuous steady sound that, for the period over which the measurement is taken using fast time weighting, has the same mean square sound pressure as the noise level which varies over time when measured in relation to a noise source and noise-affected premises in accordance with the Noise EPP
Day	Between 7 am and 10 pm as defined in the Noise EPP
dB	Decibel—a unit of measurement used to express sound level. It is based on a logarithmic scale which means a sound that is 3 dB higher has twice as much energy. We typically perceive a 10 dB increase in sound as a doubling of loudness.
dB(A)	Units of the A-weighted sound level.
Frequency (Hz)	The number of times a vibrating object oscillates (moves back and forth) in one second. Fast movements produce high frequency sound (high pitch/tone), but slow movements mean the frequency (pitch/tone) is low. 1 Hz is equal to 1 cycle per second.
Indicative noise level	Indicative noise level determined under clause 5 of the Noise EPP.
L_{90}	Noise level exceeded for 90 % of the measurement time. The L_{90} level is commonly referred to as the background noise level.
L_{eq}	Equivalent Noise Level—Energy averaged noise level over the measurement time.
L_{max}	The maximum instantaneous noise level.
Night	Between 10.00 p.m. on one day and 7.00 a.m. on the following day as defined in the Noise EPP
Noise source	Premises or a place at which an activity is undertaken, or a machine or device is operated, resulting in the emission of noise
Quiet locality	A locality is a quiet locality if the Planning & Design Code provisions that make land use rules for the locality principally promote land uses that all fall within either or both of the following land use categories: (a) Residential; (b) Rural Living;

Table of Contents

1 Introduction

This report outlines the environmental noise assessment for the proposed Dan Murphy's, Unley Road at 301 -305 Unley Road, Malvern. The development comprises of a main building with a click and collect station at the eastern side of the building.

The primary sources of the noise from the proposed development are expected to be:

- vehicle movements using the click and collect area
- vehicle movements in the car park area
- delivery truck movement onto the site
- delivery truck idling at loading bay
- mechanical plant on site.

The potential noise emissions from the development have been assessed against the requirements of:

- Planning & Design Code
- Environmental Protection (Noise) Policy 2007

2 Proposed development

2.1 Location

The site of the proposed development is located at 301 – 305 Unley Road, Malvern. The site is bounded by commercial premises on the northern boundary on Unley Road; residential properties along the eastern boundary on Cheltenham and Winchester Street; and bounded by a mix of commercial and residential premises on the south and west boundaries along Unley Road. Figure 1 shows the site with respect to nearby noise affected receptors and relevant Planning & Design Code Zones.

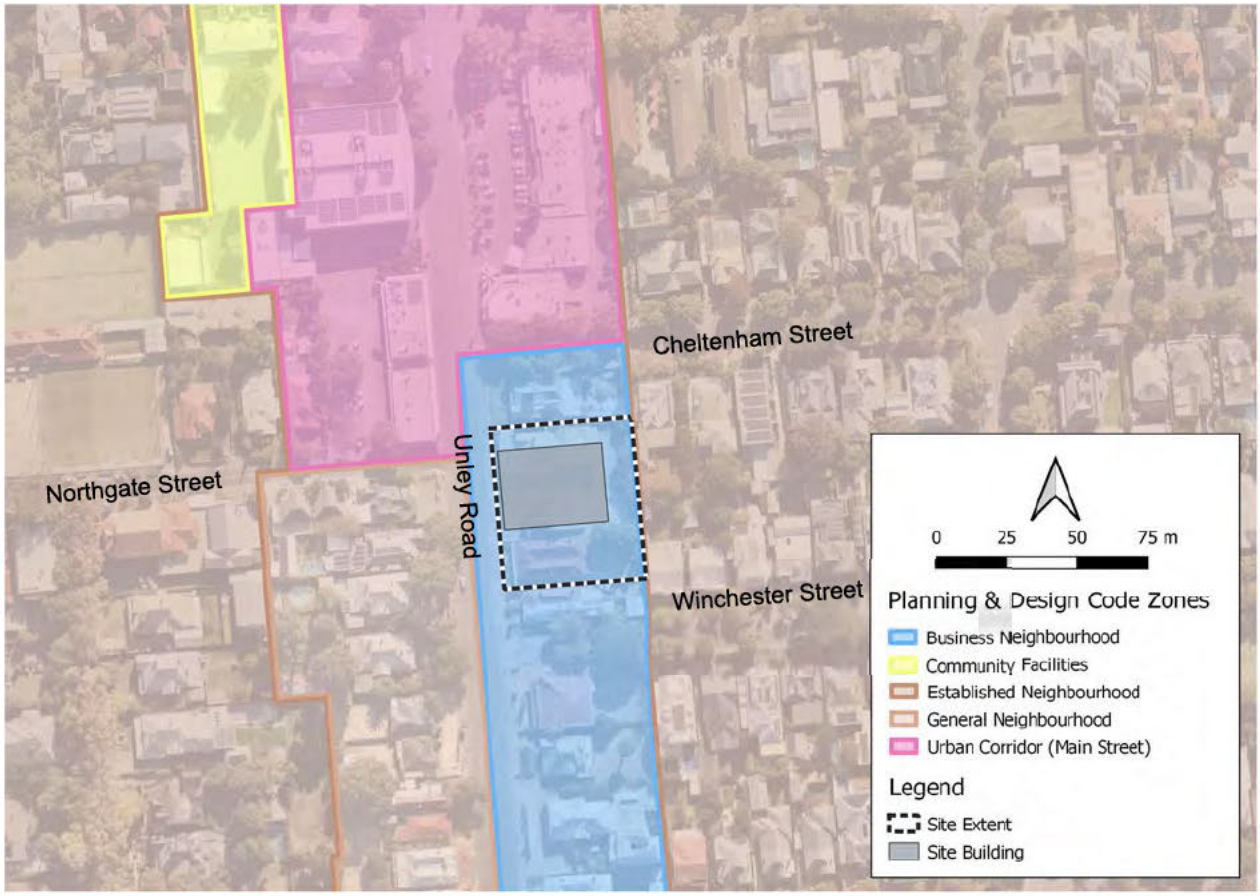


Figure 1 Locality of the site with respect to noise sensitive receivers and Planning & Design Code Zones

2.2 Operation

The proposed hours of operation are:

- Monday to Saturday: 9:00 am to 9:00 pm
- Sunday: 10:00 am to 7:00 pm

Noise sources associated with the operations of the Dan Murphy's development included in this assessment are:

- truck deliveries to site
- cars travelling through the site to access the click and collect
- cars travelling in and parking on site
- externally located mechanical plant.

It is proposed that deliveries are to occur during Monday to Saturday with the largest vehicle being a rigid truck with a dimension of 2.5 width and 3.3 m height and a weight of 16.5 tonnes.

It was estimated that the number of click and collect transactions is 150 per week on average with an anticipated increase during peak trading time during Christmas period with 400 click and collect transactions per week.

Resonate

3 Planning & Design Code

3.1 Zoning

3.1.1 Subject site

The subject site is located within the City of Unley Council in a Business Neighbourhood zone. The relevant Assessment Provisions are outlined in Table 1.

Table 1 Relevant Assessment Provisions—Business Neighbourhood Zone

Assessment Provisions	
Desired Outcomes	
DO 1	A variety of housing and accommodation types and compatible employment-generating land uses in an environment characterised by primarily low-rise buildings
DO 2	Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.
Performance Outcomes	**Deemed-to-Satisfy Criteria / Designated Performance Feature**
PO 1.1 Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.	DTS/DPF 1.1 Development comprises one or more of the following: 1) Community facility 2) Consulting room 3) Dwelling 4) Office 5) Residential flat building 6) Shop

3.1.2 Adjacent land

The closest receptors are located to the east of the site along Cheltenham Street and Winchester Street; and to the west of the subject site along Unley Road:

- The receptors to the north are located in the Urban Corridor (Main Street) zone, with the relevant Desired Outcomes listed in Table 2.
- The receptors to the east of the site are located in the Established Neighbourhood zone. The relevant Desired Outcomes for the Established Neighbourhood zone is outlined in Table 3.
- The receptors to the south of the site are located in the same zone as the subject site, that is, the Business Neighbourhood zone.
- The receptors to the west are located in the General Neighbourhood Area zone, with the relevant Desired Outcomes outlined in Table 4.

Table 2 Relevant Desired Outcome — Urban Corridor (Main Street) zone

Desired Outcome	
DO 1	A safe, walkable and vibrant shopping, entertainment and commercial main street precinct with an active day and evening economy supported by medium density residential development.
DO 2	Built form positively contributing to: (a) a streetscape that is visually interesting at human-scale comprising articulated buildings with a high level of fenestration and balconies oriented towards the street (b) a fine-grain public realm comprising buildings with active frontages that are designed to reinforce the street rhythm, that consider the facades, articulation and massing of existing buildings and any spaces between them, and provide narrow tenancy footprints at ground level.

Table 3 Relevant Desired Outcome — Establish Neighbourhood zone

Desired Outcome	
DO1	A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.
DO2	Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

Table 4 Relevant Desired Outcome — General Neighbourhood zone

Desired Outcome	
DO1	Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

3.2 Interface between land uses

Interface between Land Uses is a General Development Policy that is relevant to the subject site. The relevant Assessment Provisions relating to noise are outlined in Table 5.

Table 5 Relevant Assessment Provisions—Activities generating noise or vibration

Relevant Assessment Provisions	
Desired Outcome	
DO1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.
Performance Outcome	**Deemed-to-Satisfy Criteria / Designated Performance Feature**
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.
PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including: a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers c) housing plant and equipment within an enclosed structure or acoustic enclosure d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.	DTS/DPF 4.2 None are applicable.
PO 4.4 External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.	DTS/DPF 4.4 Adjacent land is used for residential purposes.

4 Noise criteria

As noted in DTS/DPF 4.1, environmental noise emissions from the subject site should comply with the *Environment Protection (Noise) Policy* 2007 (Noise EPP).

The noise goals in the Noise EPP are based on the zoning of the development and the closest noise affected premises. The land uses primarily promoted by the zones are used to determine the environmental noise criteria with the indicative noise factors shown in Table 6.

Table 6 Excerpt from Noise EPP—Table 2(subclause(1)(b))

Land use category	Indicative noise factor dB(A)	
	Day (7 am to 10 pm)	Night (10 pm to 7 am)
Rural living	47	40
Residential	52	45
Rural industry	57	50
Light industry	57	50
Commercial	62	55
General industry	65	55
Special industry	70	60

Based on the zoning and the relevant Assessment Provisions for the zones of the subject site and the adjacent receptors, the primarily promoted land uses and the relevant criteria for the receptors in each zone are outlined in Table 7. In accordance with Part 5 of the Noise EPP, the relevant criteria is the average of the relevant indicative noise factors less 5 dB(A). As the development is only proposed to operate during the day time hours (7 am to 10 pm), only the day time criteria is presented.

Table 7 Summary of zones, land uses, and Noise EPP criteria

Site	Zone	Land use(s)	Day time criteria (7 am to 10 pm), L_{eq} dB(A)
Subject site	Business Neighbourhood zone	Residential	N/A
Receptors to the north of the site along Unley Road	Urban Corridor (Main Street) zone	Residential, Commercial	50
Receptors to the east of the site along Cheltenham and Winchester Street	Established Neighbourhood zone	Residential	47
Receptors to the south of the site along Unley Road	Business Neighbourhood zone	Residential	47
Receptors to the west of the site along Unley Road	General Neighbourhood zone	Residential	47

Penalties can also be applied to a noise source for a variety of characteristics, such as impulsive, low frequency, modulating or tonal characters. For a characteristic penalty to be applied to a noise source it must be fundamental to

the impact of the noise and dominate the overall noise impact. Application of the characteristic penalty is discussed in the noise emission assessment.

We note that under Part 5, Clause 20(6) of the Noise EPP, exceedance of the recommended criterion does not necessarily mean action is required under the Noise EPP. Some of the following matters should be considered when considering action:

- the amount by which the criterion is exceeded (in dB(A))
- the frequency and duration for which the criterion is exceeded
- the ambient noise that has a noise level similar to the predicted noise level
- the times of occurrence of the noise source
- the number of persons likely to be adversely affected by the noise source and whether there is any special need for quiet.

5 Assessment

5.1 Noise modelling

5.1.1 Modelling parameters

Noise emissions from site have been modelled in SoundPLAN Environmental Software v8.2 program, using ISO-9613-2:1996 standard for outdoor noise propagation. The model takes into consideration:

- geometrical divergence
- screening by obstacles
- air absorption
- reflection from surfaces
- ground effects
- downwind conditions, or, equivalently, propagation under a well-developed moderate ground-based temperature inversion, such as commonly occurs at night.

5.1.2 Noise scenarios

Noise emissions from operation of the proposed development have been assessed for the scenario outlined in Table 8 for a 15-minute assessment period.

Table 8 Noise modelling scenario

Source	Activity
Car movements for car park use	• 30 car park bays • Each bay being used
Car movements for click and collect	• 3 cars entering the site, and • Idling at the click and collect bays for 3 minutes each, and then • Leaving the site
Truck delivery	• 1 rigid, non-refrigerated truck • Moving through the site • Unloading activities at the loading dock • No idling at the loading dock during unloading.
Roof top mechanical plant	• Indicative selections and noise levels as outlined in Section 5.1.5.

5.1.3 Car parking and on-site movements

Noise levels for the carparks were calculated in SoundPLAN based on the number of carparks in a parking lot and the amount of car movements into a park per hour, according to ISO 9613-1996 (Parkplatzlarmstudie 2007).

Noise levels for the movement of cars through the site were obtained from Resonate's database.

5.1.4 Boundary fencing

The boundary fence is indicated to be a 2.1 m solid fence to the northern, eastern and southern sides of the project site. The fence can be constructed from any solid material such as ColorBond or similar.

5.1.5 Mechanical plant

External mechanical plant is to include roof top mounted condensing units. At this stage of the development, specific unit selections have not yet been made. As such, to understand the potential impacts of the roof top units, sound power levels have been assumed based on the size of the units. A summary of the assumed sound power is provided in Table 9.

Table 9 Sound power levels

Expected equipment	Indicative selection	Quantity on site and location	Sound power level, dB(A)
Condensing units	CU-1	1	90
	CU-2	1	82
	CU-3	1	82

The final selections and layout is to be reviewed during the detailed design process to ensure that the noise emissions from the roof top units comply with the relevant Noise EPP criteria.

5.2 Predicted noise levels

A summary of the predicted noise levels at the receptors based on the scenario outlined in Table 8 is presented in Table 10.

Table 10 Predicted noise levels

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise EPP day time criteria, L_{eq} dB(A)
Receptors at the northern side of the subject site along Unley Road	47	50
Receptors at the eastern side of the subject site along Cheltenham Street	47	47
Receptors at the eastern side of the subject site along Winchester Street	46	
Receptors at the southern side of the subject site along Unley Road	47	
Receptors to the west of the subject site along Unley Road	44	

5.3 Rubbish removal

According to the Noise EPP, if noise from garbage removal activities exceeds a maximum noise level of 60 dB(A) at a noise sensitive receptor it must only occur between 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day. Note that this is unless it can be shown that a high noise environment exists.

Note that if garbage removal is restricted to 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day, there will be no noise restrictions under the Noise EPP.

6 Conclusion

An environmental noise impact assessment has been undertaken for the proposed Dan Murphy's at 301 -305 Unley Road, Malvern.

This assessment has demonstrated that, with the modelled scenario outlined below, the noise emissions from the operation of the proposed development will be able to comply with the relevant environmental noise criteria.

Source	Activity
Car movements for car park use	• 30 car park bays • Each bay being used
Car movements for click and collect	• 3 cars entering the site, and • Idling at the click and collect bays for 3 minutes each, and then • Leaving the site
Truck delivery	• 1 rigid, non-refrigerated truck • Moving through the site • Unloading activities at the loading dock • No idling at the loading dock during unloading.
Roof top mechanical plant	• 2 smaller condensing units with a sound power of 82 dB(A) • 1 larger condensing unit with a sound power of 90 dB(A).

On this basis the proposed development will be able to operate within the relevant noise provisions in the Planning & Design Code and Environmental Protection (Noise) Policy.

ATTACHMENT 4

Thursday, 23 February 2023

Project number: A220413
Reference: A220413LT1

Cosimo Dichiera
Catcorp Pty Ltd
102 Halifax Street
Adelaide SA 5000

Dear Cosimo,

Dan Murphy's, Unley Road, Malvern
Update to Environmental Noise Impact Assessment

1 Introduction

This letter provides an update to the environmental noise impact assessment for the proposed Dan Murphy's development at Unley Road, Malvern. In particular it addresses:

- comments raised in an independent peer review of Resonate's original acoustic report A220413RP1 revision 0 dated 29th of June 2022 by Sonus (S7554C1), and
- references the Development Approval Issued drawings for the development, dated February 2023.

2 Peer review

2.1 Gas forklift

Peer review comment

The Report does not consider noise associated with use of gas forklift within the loading area (which may also include a reversing tone). Gas forklifts are commonly used within the loading areas at comparable retail premises, including other Dan Murphy's stores. Photos of gas forklifts at existing Dan Murphy's stores are attached to this letter.

Response

The use of electric forklifts with broadband reversing beepers has been confirmed. This has been included in the updated model with the results presented in Section 3.

2.2 Characteristics penalties

Peer review comment

The report notes the following:

> *"Penalties can also be applied to a noise source for a variety of characteristics, such as impulsive, low frequency, modulating or tonal characters. For a characteristic penalty to be applied to a noise source it must be fundamental to the impact of the noise and dominate the overall noise impact. Application of the characteristic penalty is discussed in the noise emission assessment."*

The application of penalties is not discussed further in the Report. Without background noise monitoring, two penalties would typically apply under the Environment Protection (Noise) Policy 2007 (the Policy) for the use of forklift with a reversing tone and for truck movements adjacent to the rear boundary.

Response

As noted above, the forklifts will be fitted with broadband reversing beepers and as such a characteristic penalty is not warranted to this source.

The noise from truck movements through the site is similar in nature to existing traffic noise along Unley Road. As such, no characteristic penalty is warranted to this noise source.

2.3 Fencing height

Peer review comment

The Report notes that 2.1 metre high fencing is indicated to the northern, eastern and southern sides of the project site. This would not be tall enough to control noise from truck exhausts that discharge at high level.

Response

For slow moving trucks, the noise is controlled by the engine noise and typically noise from exhausts is not an issue. For trucks moving at speed along road networks, a correction of - 8dB is applied to the overall noise level. For the purposes of addressing this comment, the model has been updated to include truck exhaust noise as noted.

2.3.1 Refrigerated trucks

Peer review comment

The Report does not consider the use of refrigerated trucks for deliveries as will occur for deliveries for some products (such as pre-packed ice). Truck-mounted refrigeration units can be a significant noise source, and as they are typically mounted above the cab of the truck can be difficult to control without high fencing.

Response

The client has confirmed that the only deliveries requiring refrigeration will be for ice deliveries that will provided with small vans entering and exiting the site through the main entry. Deliveries will be made using the carparking area to access the ice machine located at the southern entry. The vans will have a sound level and character similar to the cars using Unley Road as well as the carparking area. Deliveries are expected to occur 3 times per week.

On this basis, refrigerated deliveries is not expected to have an adverse impact on the adjacent receptors.

2.3.2 Refrigerated equipment

Peer review comment

The Report considers indicative selections for air conditioning condensers, but does not appear to consider refrigeration equipment (including condensers associated with fridges and cool rooms, and an external freezer for pre-packed ice). While air conditioning could be expected to operate during nominated opening hours only (which fall entirely within the Policy day period), refrigeration equipment would be expected to operate 24 hours per day. The report does not provide goal noise levels for the night period, indicating that an assessment of noise impact at night may not have been conducted as part of the assessment

Response

Additional information regarding the refrigeration plant for the cool rooms has been obtained and has been included in the updated model. Predicted noise levels included the refrigeration plant is presented in Section 3.

We note that the ice machine is recessed into the building on the southern facade adjacent to the entry. Noise from the front of the ice machine will not have an adverse impact on amenity.

3 Updated modelling results

Updated modelling results are presented in Table 2 and Table 3 for night and day time activity respectively, based on:

- Updated planning documentation dated February 2023.
- Updated information regarding refrigeration plant (refer to Table 1), to be located within the building with louvres to the north. Louvres to be acoustically equivalent to Fantech SBL1 acoustic louvres.
- Updated information regarding mechanical plant (refer to Table 1), to be located on the roof with a 1.8 m Colorbond barrier to all sides of the plant platform.
- Inclusion of truck exhaust noise.
- Inclusion of electric forklift activity.

Table 1 Updated mechanical and refrigeration plant information

Source	Unit
Roof top mechanical plant	• 1 x Temperzone OPA 960 • 1 x Temperzone ISD 171
Internal refrigeration plant	• 1 x APS33.6ML2-1 • 4 x CH4C2/35-1 • 1 x APS6.0ML2-1 • 4 x CH4B2/35-1

The activity assessed for each period is:

- Night time operations include noise from refrigeration plant only.
- Day time operation includes noise from all noise sources:
  - Car activity within the car park and click and collect
  - Truck movements
  - Forklift activity
  - Refrigeration plant
  - Mechanical plant.

Table 2 Predicted noise levels—Night time

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise EPP night time criteria, L_{eq} dB(A)
Receptors at the northern side of the subject site along Unley Road	40	43
Receptors at the eastern side of the subject site along Cheltenham Street	30	40
Receptors at the eastern side of the subject site along Winchester Street	25	
Receptors at the southern side of the subject site along Unley Road	23	
Receptors to the west of the subject site along Unley Road	26	

The predicted noise levels at all receptors comply with the night time criteria.

Table 3 Predicted noise levels—Day time

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise EPP day time criteria, L_{eq} dB(A)
Receptors at the northern side of the subject site along Unley Road	50	50
Receptors at the eastern side of the subject site along Cheltenham Street	45	47
Receptors at the eastern side of the subject site along Winchester Street	43	
Receptors at the southern side of the subject site along Unley Road	45	
Receptors to the west of the subject site along Unley Road	42	

The predicted noise levels at all receptors comply with the day time criteria. Note that the predicted levels from the updated modelling are generally lower than the previously presented results as they were controlled by the roof top units (for which limiting noise levels were provided). The updated model includes real selections with a 1.8 m barrier around all sides of the plant platform.

4 Conclusion

This assessment has demonstrated that, with the modelled scenario outlined below, the noise emissions from the operation of the proposed development will be able to comply with the relevant environmental noise criteria.

Source	Activity
Car movements for car park use	• 30 car park bays • Each bay being used
Car movements for click and collect	• 3 cars entering the site, and • Idling at the click and collect bays for 3 minutes each, and then • Leaving the site
Truck delivery	• 1 rigid, non-refrigerated truck • Moving through the site • Unloading activities at the loading dock • No idling at the loading dock during unloading • Broadband reversing beeper
Forklift	• 1 electric forklift • Broadband reversing beeper
Roof top mechanical plant	• Units to be acoustically equivalent to: – 1 x Temperzone OPA 960 – 1 x Temperzone ISD 171 • 1.8 m Colorbond barrier to all sides of the plant platform
Refrigeration plant	• Units to be acoustically equivalent to: – 1 x APS33.6ML2-1 – 4 x CH4C2/35-1 – 1 x APS6.0ML2-1 – 4 x CH4B2/35-1 • Located within the southern internal plantroom • Louvres to the south to be equivalent to Fantech SBL1 acoustic louvres

We trust that this addresses the items raised in the peer review comments. Please let me know if you have any queries or wish to discuss the above.

Yours sincerely,

Deb James
Director
p +61 8 8155 5888
m +61 422 047 275
deb.james@resonate-consultants.com

ATTACHMENT 5

DAN MURPHY'S
301-305 UNLEY ROAD, MALVERN

TRAFFIC AND PARKING REPORT

DISCLAIMER

DOCUMENT CONTROL

Report title:	Dan Murphy's - 301-305 Unley Road, Malvern Traffic and Parking report
Project number:	20396
Client:	Catcorp
Client contact:	Cosimo Dichiera

Version	Date	Details/status	Prepared by	Approved by
Draft	11 Jul 22	For review	ABH	TAW
V1	17 Aug 22	For submission	ABH	TAW
V1.1	19 Aug 22	Updated plan	ABH	TAW
V1.2	10 Mar 23	Reversed site flow	ABH/TAW	TAW

CIRQA Pty Ltd
ABN 12 681 029 983
PO Box 144, Glenside SA 5065
150 Halifax Street, Adelaide SA 5000
(08) 7078 1801
www.cirqa.com.au

1. INTRODUCTION

CIRQA has been engaged to provide design and assessment advice for a proposed Dan Murphy's bottle shop at 301-305 Unley Road, Malvern. Specifically, CIRQA has been engaged to provide advice in respect to traffic and parking aspects of the proposal.

This report provides a review of the subject site, the proposed development, its access and parking provisions and the associated traffic impact on the adjacent road network. The traffic and parking assessments have been based upon plans prepared by Brown Falconer (drawing no. 3395 DA03, Rev K, dated August 2022).

2. BACKGROUND

2.1 SUBJECT SITE

The subject site is located on the eastern side of Unley Road. The site is bound by a commercial property to the north, residential dwellings to the east, commercial properties to the south and Unley Road to the west.

The Planning and Design Code identifies that the site is located within a Business Neighbourhood Zone, with the following overlays applicable:

- Airport Building Heights (Regulated) (All structures over 45 metres);
- Prescribed Wells Area;
- Regulated and Significant Tree;
- Traffic Generating Development; and
- Urban Transport Routes.

The subject site comprises three allotments, each of which is currently occupied by commercial tenancies. Vehicle access is provided to each allotment is provided via one crossover, at which all turning movements are permitted.

Figure 1 illustrates the location of the subject site with respect to the adjacent road network.

Figure 1 – Location of the subject site with respect to the adjacent road network

2.2 ADJACENT ROAD NETWORK

Unley Road is an arterial road under the care and control of the Department for Infrastructure and Transport (DIT). Adjacent the site, Unley Road comprises two traffic lanes and a bicycle lane in each direction. Clearways are operational between 7:00 am and 9:00 am, Monday to Friday, for northbound traffic, and between 4:30 pm to 6:00 pm, Monday to Friday, for southbound traffic. Unrestricted on-street parking is permitted on Unley Road outside of Clearway operation hours. Footpaths are provided on both sides of Unley Road, accommodating both pedestrian and cyclist movements. Adjacent the site, a 60 km/h speed limit applies on Unley Road.

Traffic data obtained from DIT indicates that this section of Unley Road has an Annual Average Daily Traffic (AADT) volume in the order of 26,800 vehicles per day (vpd), of which approximately 2% are commercial vehicles.

Northgate Street is a collector road under the care and control of City of Unley Council. Northgate Street comprises a 7.8 m wide carriageway (approximate) facilitate two-way vehicle movements. On-street parking is generally unrestricted on the northern side of Northgate Street, while prohibited (at all times) on the southern side. Parking is however prohibited on both sides of Northgate Street within approximately 100 m of its intersection with Unley Road. Footpaths are provided on both sides of Northgate Street, facilitating both pedestrian and cyclist movements. Cyclist movements are also accommodated

on-street under a standard shared arrangement. A 40 km/h speed limit applies on Northgate Street.

Traffic data obtained from DIT indicates that Northgate Street has an AADT in the order of 2000 vpd, of which approximately 2.5% are commercial vehicles. It should be noted that this data was recorded in April 2000, however a comparison of traffic volumes on Unley Road indicates that volumes have decreased since this time. As such, the traffic data obtained for Northgate Street has been adopted for the below traffic assessment.

Unley Road and Unley Street form a priority-controlled T-intersection (with priority assigned to Unley Road). All turning movements are permitted at the intersection.

2.3 PUBLIC TRANSPORT

Public bus services operate regularly in the vicinity of the subject site. Bus stops are located approximately 100 m south of the subject site on both sides of Unley Road. These stops are serviced by the following bus routes:

- Route 190 – Glenelg Interchange to City;
- Route 190B – City to Mitcham Square;
- Route 195, 195F, 196, 196F – Blackwood Interchange to City;
- Route 674 – Blackwood High School to City; and
- Route AO24 – Mitcham Square to Adelaide Oval.

3. PROPOSED DEVELOPMENT

3.1 LAND USE AND YIELD

The proposed development comprises the demolition of the existing infrastructure on the subject site and the construction of a 999 m^2 Dan Murphy's.

3.2 ACCESS AND PARKING DESIGN

The site will be serviced by a total of 32 parking spaces, of which two (2) spaces will be reserved exclusively for use by people with disabilities. Three parking spaces will also be reserved exclusively for use by customers collecting online pick-up orders, while a further two (2) spaces (immediately adjacent the site's primary Unley Road access) will be reserved for use by staff only in order to limit their turnover (and associated parking manoeuvres within the vicinity of the access).

The parking area will comply with the requirements of the Australian/New Zealand Standards for "*Parking Facilities Part 1: Off-street car parking*" (AS/NZS

2890.1:2004) and "*Parking Facilities Part 6: Off-street parking for people with disabilities*" (AS/NZS 2890.6:2009) in that:

- regular parking spaces will be 2.6 m wide and 5.4 m long;
- the disabled parking space will be 2.4 m wide and 5.4 m long (with an adjacent shared space of the same dimension);
- staff parking spaces will be 2.4 m wide and 5.4 m long;
- the parking aisle will be at least 6.2 m wide adjacent 90-degree parking areas;
- the parking aisle will be at least 3.6 m wide adjacent parallel parking areas;
- a turn-around bay will be provided at the end of the parking aisle;
- 0.3 m clearance will be provided to all objects greater than 0.15 m in height.

Vehicle access to the site proposed via two (2) access points on Unley Road, namely:

- Primary access – an all-movement crossover, providing vehicle access to the site's primary 29-space parking area; and
- Secondary access – an egress only crossover, facilitating vehicle egress movements from the three (3) 'customer loading' parking spaces and the site's back-of-house loading area.

The site's primary access has been designed to facilitate simultaneous 12.5 m Heavy Rigid Vehicle (HVR, the largest vehicle permitted to access the site) and B99 light vehicle movements, with appropriate clearances. A plan illustrating a 12.5 m HRV accessing the subject site simultaneously whilst a B99 is exiting the site is attached in Appendix B.

It should be noted that the proposed egress crossover will be located in the same location as an existing crossover on Unley Road (albeit marginally widened to the south in order to appropriately facilitate vehicle exit movements). While the egress will be located opposite the Unley Road/Northgate Street intersection, the proposed access has been restricted to egress only movements in order to minimise its interaction with the intersection's operation (further discussion is provided in Section 5 below).

Furthermore, the egress will facilitate appropriate commercial vehicle movements to and from the site and enable efficient circulation throughout (further discussion in relation to commercial vehicle movements is provided in Section 3.3 below). All vehicles (HRVs and B99s) will be able to be driven to and from the site in a forward direction.

Pedestrian sightline requirements will be able to be achieved on both sides of the site's primary access (albeit technically only required on the southern side) and on both sides of the site's 'egress only' access. All landscaping within the pedestrian sightline 'triangle' shall be kept below 900 mm in height. Such provisions comply with, and exceed, the requirements of AS/NZS 2890.1:2004.

All redundant crossovers will be closed and reinstated as Council-standard upright kerb.

3.3 SERVICE AND REFUSE COLLECTION

The site will be serviced by commercial vehicles up to 12.5 m in length, such as HRVs. Commercial vehicles are proposed to access the site via the primary (two-way) access, before circulating around the site and storing within a dedicated commercial vehicle loading area. Such vehicles will then be able to be drive from the loading area to the site's egress only, and on to Unley Road.

Based upon the above, commercial vehicles will be able to access the site without having to undertake a reverse movement. Such an arrangement is considered desirable, maximising the safety associated with their movement throughout the site. Furthermore, all vehicles will be able to be driven to and from the site in a forward direction.

It is noted that the northern access will also be utilised by light vehicles existing the site from the 'customer loading' spaces adjacent the eastern side of the building (i.e. for the collection of online orders). While commercial and light vehicles will be required to utilise the same internal circulation/parking aisles, commercial vehicle movements will occur outside of regular business hours when public (light) vehicle movements will not be prevalent.

A plan illustrating a 12.5 m HRV accessing and manoeuvring within the subject site is attached in Appendix B.

Refuse collection will be undertaken on-site via a private contractor with the associated manoeuvres accommodated as described above (forward-in via the primary access and forward-out via the secondary egress). Such movements would occur via commercial vehicles up to 11.0 m in length. Given the site has been designed to accommodate commercial vehicles up to 12.5 m in length, refuse collection vehicle movements will be readily accommodated.

It should be noted that the customer pick-up spaces are proposed to be located beneath a cantilevered canopy. The canopy comprises a staggered roof such that commercial vehicles are able to safely pass beneath without conflict (a clear height of 5.5 m will be provided beneath this area). As such, no supporting

columns will be required, nor will the canopy prohibit commercial vehicle movements around the building.

4. PARKING ASSESSMENT

4.1 CAR PARKING

The Planning and Design Code identifies the following parking requirement applicable to the proposed development:

- Non-residential development – 3 spaces per 100 m^2 of gross floor area.

Based upon the above rate, the proposed development would have a theoretical requirement for 30 parking spaces. Given that 32 spaces will be provided throughout the site, the parking requirements of the Planning and Design Code will be satisfied.

It is reiterated that three (3) parking spaces will be provided as 'customer loading' spaces within the subject site. The provisions of such spaces are understood to facilitate customers ordering online as opposed to accessing the store (as would typically be required). The facilitation of online ordering at the site will reduce the duration of stay of typical parking demands, thereby assisting to reduce peak parking demands enabling additional parking for use by customers wishing to access the store.

Notwithstanding the above, the total parking provision across the subject site will exceed the minimum requirements of the Planning and Design Code.

4.2 BICYCLE PARKING

The Planning and Design Code identifies the following bicycle parking requirement applicable to the proposed development:

- Shop
  - Employee – 1 space per 300 m^2 of gross leasable floor area; plus
  - Visitor – 1 space per 600 m^2 of gross leasable floor area.

Based upon the above rates, the proposed development would have a theoretical requirement for four (4) employee and two (2) visitor bicycle parking spaces (6 bicycle parking spaces in total). While no bicycle parking spaces have been nominated on the site plans, adequate area is available to provide three (3) bicycle rails (capable of accommodating six (6) bicycles). The location of these spaces can be determined during the detailed stage of the project and conditioned accordingly (if desired by the relevant assessment authority).

5. TRAFFIC ASSESSMENT

The RTA's "*Guide to Traffic Generating Developments*" (the RTA Guide), and its subsequent updates, identifies a peak hour (Thursday) traffic generation of 12.3 peak hour trips per 100 m² of gross leasable floor area for shopping centres with a total floor area between 0 and 10,000 m².

However, such a rate is not considered to be appropriate for application to the subject proposal. This is due to the large-scale nature and variety of offerings of a shopping centre compared to that of a standalone building. In reality, it would be expected that the proposal would generate in the order of 7.5 to 9.0 pm peak hour trips per 100 m² of floor area, with a rate equivalent to 50% applicable for analyses during an am peak hour (i.e. 3.75 to 4.5 am peak hour trips per 100 m^2 of floor area). Whilst these rates were identified by another traffic engineering consultancy (based upon their available data), such rates are commonly applied (and have recently been adopted and accepted) to retail shops throughout metropolitan Adelaide.

Notwithstanding, recent survey data collected by CIRQA at a First Choice Liquor store (Port Road, Hindmarsh) has identified a traffic generation rate of 5.16 trips per 100 m^2 of floor area during the site's peak hour, and a traffic generation rate of 3.89 trips per 100 m^2 during the network (pm) peak hour. Such rates are lower than those commonly applied to typical retail shop land uses.

For the purposes of this assessment, and in order to provide a degree of conservatism, traffic generation rates of 4.5 am and 9.0 pm trips per 100 m² have been adopted for this assessment.

Based on the above, it is forecast that the proposal will generate in the order of 45 am and 90 pm peak hour vehicle movements. However, it is noted that this forecast does not consider the vehicle movements generated by the site's existing uses. In reality, the additional trips generated by the proposed development will be less than that identified above. Notwithstanding, for the purposes of this assessment, the above forecasts have been adopted in order to provide a conservative assessment.

Due the site's location on Unley Road (i.e. adjacent the southbound traffic lanes, departing from the CBD), it is considered that a large portion of vehicle movements associated with the proposed development would, in reality, be associated with 'passing trade' (i.e. vehicles already on the surrounding road network and not 'new' vehicle movements).

Notwithstanding, in order to provide a conservative assessment, vehicle movements have been assumed to be distributed relatively equally between the north and south on Unley Road. Furthermore, considering the site's proposed use,

vehicle movements are forecast to be distributed relatively equal between ingress and egress movements.

With regard to access distribution, the site's northern access will facilitate only egress movements, associated primarily with site's commercial and customer loading areas. It is therefore forecast that in the order of 10% of egress movements would utilise the proposed northern (secondary) access. Based upon the above, this equates to in the order of three (3) am and five (5) pm peak hour vehicle movements. Such volumes are very low and would be readily accommodated at the egress with negligible impact upon the operation of Unley Road (due to being required to give way to all traffic on the frontage road).

Based upon SIDRA Intersection analyses (modelling software), it is forecast that the north access (egress) will have an 95th percentile queue length of 3.5 m during the am peak hour, and an average queue length of 4.0 m during the pm peak hour (both of which are equivalent to less than one (1) vehicle).

With regard to the primary access, 95th percentile queue lengths of 10.1 m and 30.8 m were reported during the am and pm peak hours (equivalent to less than two (2) and five (5) vehicles respectively) for egress movements from the site.

While delays associated with both egress points were reported with a Level of Service 'F', the delays are associated with right turn movements from the site. In reality, platooning of traffic flows will be realised as a result surrounding signalised intersections and Pedestrian Actuated Crossings (PACs), thereby providing gaps for drivers to exit the site. Furthermore, in the event that significant delays were realised, drivers would likely undertake a left turn from the site and utilise alternate routes to reach their destination. Such an arrangement is common at the various site access points along Unley Road, as well as at side streets intersecting along its length. Importantly, any queues or delays associated with egress movements from the site will not impact upon the operation of the adjacent road network.

While it is noted that right-turn ingress movements will be accommodated at the site's ingress (i.e. right turn movements from Unley Road into the site), the presence of vehicles storing whilst waiting for an acceptable gap in southbound traffic is not uncommon on Unley Road. Furthermore, average delays of 17.5 seconds and 69.8 seconds were reported in the am and pm peak hours. Again, in reality, platooning of traffic flows on Unley Road (particularly southbound) would present gaps for drivers to enter the site. Importantly, ingress movements (both left turn and right turn) are not forecast to impact upon the operation on Unley Road, with both northbound and southbound traffic flows retaining a Level of Service 'A' upon completion and occupation of the proposed development.

Detailed SIDRA analyses are attached to this report in Appendix C.

Based upon the above, the forecast traffic generation will be readily accommodated at the site's proposed access points with little impact upon the operation of Unley Road. Importantly, traffic volumes forecast will not impact upon the function or hierarchy of Unley Road, nor are they considered to detrimentally impact upon its safe operation.

Furthermore, DIT (the relevant road authority of Unley Road) has also been consulted with regard to the proposed development. A previous iteration of the site plan proposed access around the building in a clockwise direction (ingress via the northern access, and two-way access via the southern access), however upon consultation, DIT recommended that the traffic direction be reversed. Subsequently, the current version of the site plan has been development, with DIT confirming acceptance of the proposed access arrangements (acknowledging the proposed development use).

6. SUMMARY

The proposal comprises the construction of a 999 m^2 Dan Murphy's, with associated access and parking provisions. Vehicle access to the site will be provided via two crossovers on Unley Road (one of which will be restricted to egress movements only). The site has been designed such that all movements can enter and exit in a forward direction.

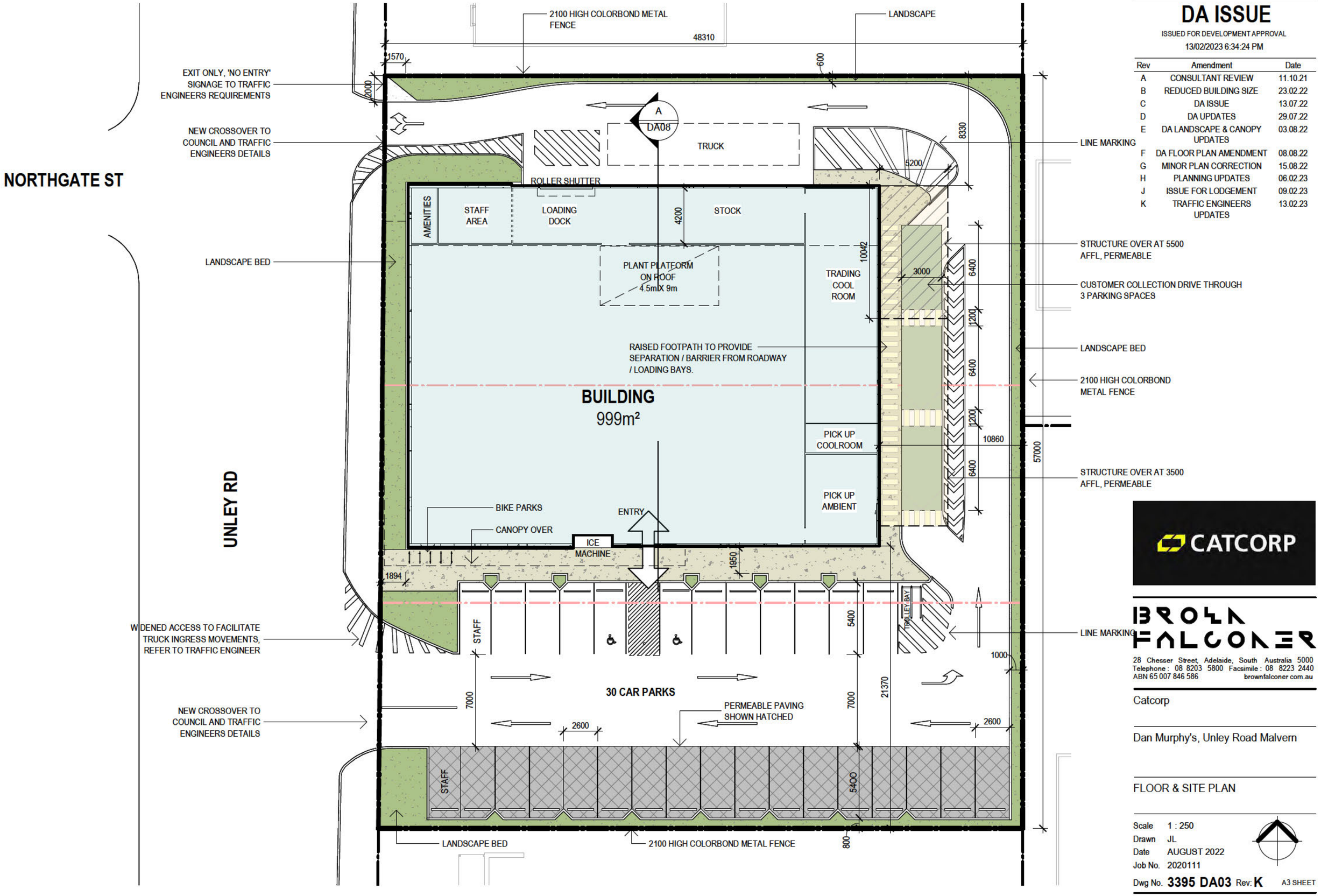
A total of 32 parking spaces will be provided on-site. Such a provision will satisfy the parking requirements of the Planning and Design Code. The parking area will be provided in accordance with the relevant Australian Standard.

The Planning and Design Code identifies a requirement for six (6) bicycle parking spaces to be provided on-site. While no dedicated bicycle parking spaces have been nominated, adequate area is available. Space locations can be determined during detailed design and their provision conditioned accordingly.

The proposal is forecast to generate in the order of 45 am and 90 pm peak hour trips. Taking into account the site's location and the surrounding road network, it is forecast that vehicle movements will be distributed relatively evenly north and south of the site on Unley Road. Analyses of the site's access points indicate that the proposed development (upon completion and occupation) will have negligible impact upon the operation of Unley Road, or its intersection with Northgate Street, and will not detrimentally impact upon their safe operation. Furthermore, such volumes will be readily accommodated on Unley Road without impact upon its function or hierarchy.

APPENDIX A

PLANS PREPARED BY BROWN FALCONER



DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:24 PM

Rev	Amendment	Date
A	CONSULTANT REVIEW	11.10.21
B	REDUCED BUILDING SIZE	23.02.22
C	DA ISSUE	13.07.22
D	DA UPDATES	29.07.22
E	DA LANDSCAPE & CANOPY UPDATES	03.08.22
F	DA FLOOR PLAN AMENDMENT	08.08.22
G	MINOR PLAN CORRECTION	15.08.22
H	PLANNING UPDATES	06.02.23
J	ISSUE FOR LODGEMENT	09.02.23
K	TRAFFIC ENGINEERS UPDATES	13.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

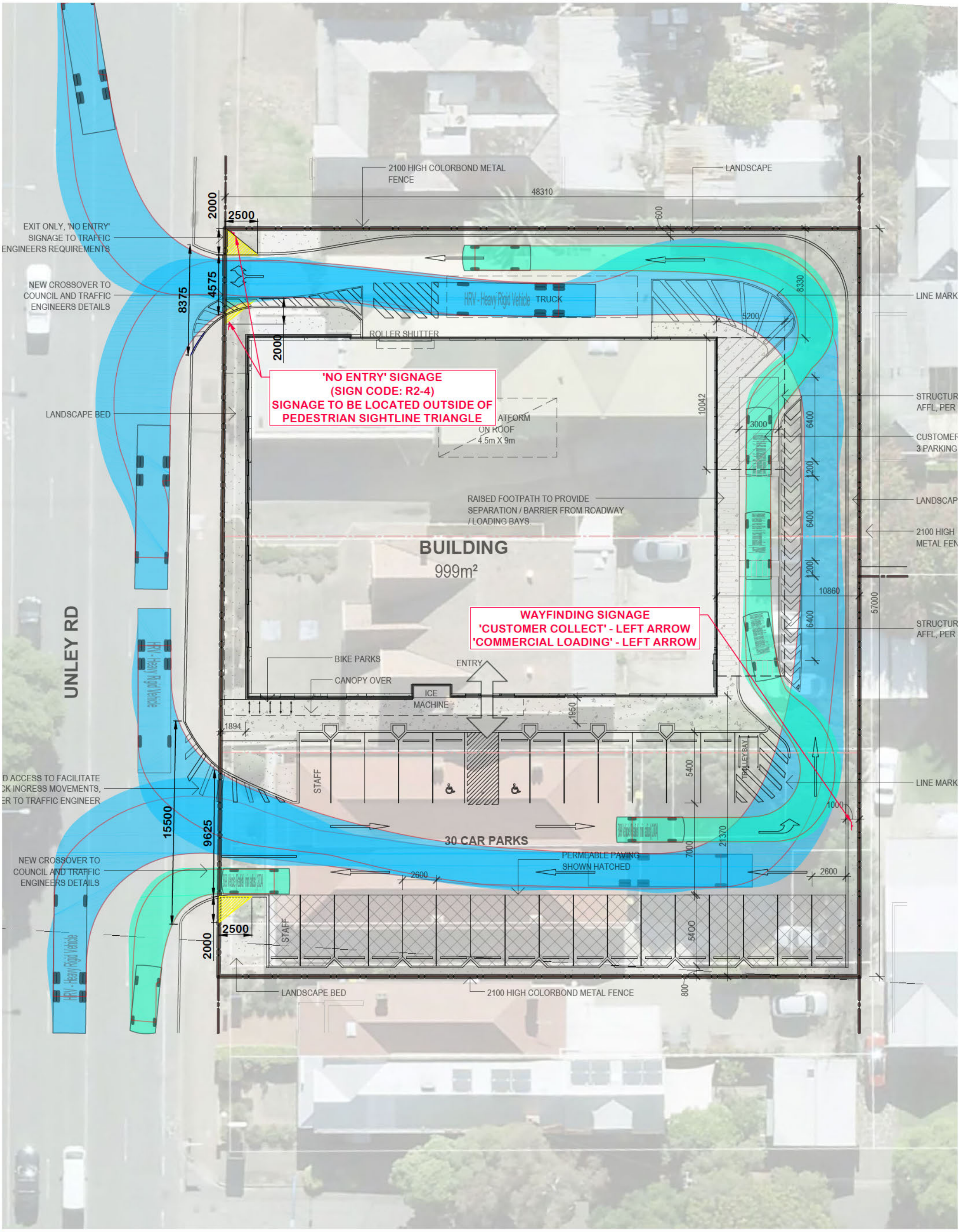
Dan Murphy's, Unley Road Malvern

FLOOR & SITE PLAN

Scale 1 : 250
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA03** Rev: **K** A3 SHEET

APPENDIX B

TURN PATH OF A 12.5 m HRV ACCESSING AND MANOEUVRING WITHIN THE SUBJECT SITE



CIRQA™

ABN: 12 681 029 983 | PO Box 144, Glenside SA 5065 | E: info@cirqa.com.au

DRAWING AMENDMENTS

REV	DATE	DESCR PTION	DWN	CHK
E	----------	DESIGN COMMENTS	TAW	TAW
F	13/02/2023	ADDITIONAL LANDSCAPING	TAW	TAW
G	17/02/2023	MINOR UPDATE	TAW	TAW
H	10/03/2023	FOR SUBMISSION	TAW	TAW

C20396_02H.DWG 10/3/2023 10:00 AM

N
1:250
@ A3

DAN MURPHY'S MALVERN

301-305 UNLEY ROAD, MALVERN
VEHICLE ACCESS (BLUE = 12.5 m HRV, GREEN = B99)

PROJECT # 20396 SHEET # 02_SH02

APPENDIX C
DETAILED SIDRA SUMMARIES

MOVEMENT SUMMARY

▽ Site: 101 [FUAM - NORTHGATE STREET / UNLEY ROAD / SITE ACCESS (Site Folder: FUTURE)]

New Site
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Unley Road (S)														
1	L2	39	0	41	0.0	0.571	5.8	LOS A	0.0	0.0	0.00	0.02	0.00	57.8
2	T1	2015	39	2121	1.9	0.571	0.3	LOS A	0.0	0.0	0.00	0.01	0.00	59.4
Approach		2054	39	2162	1.9	0.571	0.4	NA	0.0	0.0	0.00	0.01	0.00	59.3
East: SITE ACCESS (E)														
4	L2	1	0	1	0.0	1.000	1224.3	LOS F	3.5	24.6	1.00	1.04	1.19	1.5
5	T1	1	0	1	0.0	1.000	2445.2	LOS F	3.5	24.6	1.00	1.04	1.19	1.4
6	R2	1	0	1	0.0	1.000	3877.8	LOS F	3.5	24.6	1.00	1.04	1.19	1.5
Approach		3	0	3	0.0	1.000	2515.8	LOS F	3.5	24.6	1.00	1.04	1.19	1.5
North: Unley Road (N)														
8	T1	770	26	811	3.4	0.393	7.5	LOS A	5.3	37.6	0.09	0.02	0.11	54.0
9	R2	19	0	20	0.0	0.393	95.5	LOS F	5.3	37.6	1.00	0.23	1.19	25.5
Approach		789	26	831	3.3	0.393	9.7	NA	5.3	37.6	0.11	0.03	0.13	52.7
West: NORTHGATE STREET (W)														
10	L2	143	0	151	0.0	1.454	460.9	LOS F	35.6	250.5	1.00	3.56	10.69	7.1
12	R2	4	1	4	25.0	1.454	1001.7	LOS F	35.6	250.5	1.00	3.56	10.69	7.1
Approach		147	1	155	0.7	1.454	475.6	LOS F	35.6	250.5	1.00	3.56	10.69	7.1
All Vehicles		2993	66	3151	2.2	1.454	28.7	NA	35.6	250.5	0.08	0.19	0.56	42.2

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Queue Model: SIDRA Standard.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

MOVEMENT SUMMARY

▽ Site: 101 [FUPM - NORTHGATE STREET / UNLEY ROAD / SITE ACCESS (Site Folder: FUTURE)]

New Site
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Unley Road (S)														
1	L2	33	4	35	12.1	0.232	5.7	LOS A	0.0	0.0	0.00	0.05	0.00	57.5
2	T1	802	11	844	1.4	0.232	0.1	LOS A	0.0	0.0	0.00	0.02	0.00	59.7
Approach		835	15	879	1.8	0.232	0.3	NA	0.0	0.0	0.00	0.02	0.00	59.6
East: SITE ACCESS (E)														
4	L2	2	0	2	0.0	1.000	874.8	LOS F	4.0	28.1	1.00	1.06	1.25	2.2
5	T1	1	0	1	0.0	1.000	2456.2	LOS F	4.0	28.1	1.00	1.06	1.25	2.0
6	R2	2	0	2	0.0	1.000	2212.9	LOS F	4.0	28.1	1.00	1.06	1.25	2.2
Approach		5	0	5	0.0	1.000	1726.3	LOS F	4.0	28.1	1.00	1.06	1.25	2.2
North: Unley Road (N)														
8	T1	1848	20	1945	1.1	0.590	1.6	LOS A	4.3	30.3	0.17	0.04	0.26	58.2
9	R2	89	0	94	0.0	0.590	16.9	LOS C	4.3	30.3	0.39	0.09	0.62	54.3
Approach		1937	20	2039	1.0	0.590	2.3	NA	4.3	30.3	0.18	0.04	0.28	58.0
West: NORTHGATE STREET (W)														
10	L2	33	0	35	0.0	3.547	2486.5	LOS F	33.4	233.7	1.00	2.24	4.88	1.4
12	R2	20	0	21	0.0	3.547	2626.5	LOS F	33.4	233.7	1.00	2.24	4.88	1.4
Approach		53	0	56	0.0	3.547	2539.3	LOS F	33.4	233.7	1.00	2.24	4.88	1.4
All Vehicles		2830	35	2979	1.2	3.547	52.3	NA	33.4	233.7	0.14	0.08	0.28	33.6

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Queue Model: SIDRA Standard.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

MOVEMENT SUMMARY

▽ Site: 101 [FUAM - UNLEY ROAD / SITE ACCESS (S) (Site Folder: FUTURE)]

New Site
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Unley Road (S)														
2	T1	2054	39	2162	1.9	0.580	0.3	LOS A	0.6	4.3	0.02	0.00	0.04	59.6
3	R2	11	0	12	0.0	0.580	17.5	LOS C	0.6	4.3	0.05	0.01	0.07	57.6
Approach		2065	39	2174	1.9	0.580	0.4	NA	0.6	4.3	0.02	0.00	0.04	59.6
East: SITE ACCESS (E)														
4	L2	10	0	11	0.0	1.766	1037.5	LOS F	10.1	70.4	1.00	1.56	2.91	2.8
6	R2	10	0	11	0.0	1.766	1318.0	LOS F	10.1	70.4	1.00	1.56	2.91	3.0
Approach		20	0	21	0.0	1.766	1177.8	LOS F	10.1	70.4	1.00	1.56	2.91	2.9
North: Unley Road (N)														
7	L2	11	0	12	0.0	0.217	5.6	LOS A	0.0	0.0	0.00	0.02	0.00	58.3
8	T1	763	26	803	3.4	0.217	0.1	LOS A	0.0	0.0	0.00	0.01	0.00	59.8
Approach		774	26	815	3.4	0.217	0.2	NA	0.0	0.0	0.00	0.01	0.00	59.8
All Vehicles		2859	65	3009	2.3	1.766	8.6	NA	10.1	70.4	0.02	0.02	0.05	52.9

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Queue Model: SIDRA Standard.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

MOVEMENT SUMMARY

▽ Site: 101 [FUPM - UNLEY ROAD / SITE ACCESS (S) (Site Folder: FUTURE)]

New Site
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance

Mov ID	Turn	INPUT VOLUMES [Total veh/h	HV] veh/h	DEMAND FLOWS [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE [Veh. veh	Dist] m	Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
South: Unley Road (S)														
2	T1	831	39	875	4.7	0.386	9.1	LOS A	7.4	53.8	0.18	0.03	0.22	52.8
3	R2	22	0	23	0.0	0.386	69.8	LOS F	7.4	53.8	1.00	0.14	1.22	32.0
Approach		853	39	898	4.6	0.386	10.7	NA	7.4	53.8	0.20	0.03	0.24	52.0
East: SITE ACCESS (E)														
4	L2	22	0	23	0.0	3.922	2810.7	LOS F	30.8	215.3	1.00	1.69	3.91	1.2
6	R2	22	0	23	0.0	3.922	2938.9	LOS F	30.8	215.3	1.00	1.69	3.91	1.3
Approach		44	0	46	0.0	3.922	2874.8	LOS F	30.8	215.3	1.00	1.69	3.91	1.3
North: Unley Road (N)														
7	L2	22	0	23	0.0	0.517	5.8	LOS A	0.0	0.0	0.00	0.01	0.00	58.0
8	T1	1848	20	1945	1.1	0.517	0.3	LOS A	0.0	0.0	0.00	0.01	0.00	59.5
Approach		1870	20	1968	1.1	0.517	0.3	NA	0.0	0.0	0.00	0.01	0.00	59.5
All Vehicles		2767	59	2913	2.1	3.922	49.2	NA	30.8	215.3	0.08	0.04	0.14	34.3

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).
Vehicle movement LOS values are based on average delay per movement.
Minor Road Approach LOS values are based on average delay for all vehicle movements.
NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.
Delay Model: SIDRA Standard (Geometric Delay is included).
Queue Model: SIDRA Standard.
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

ATTACHMENT 6

MEMORANDUM

THE CITY of Unley

TO	PLANNING AND DEVELOPMENT
FROM	TRANSPORT ENGINEER
DATE	5 OCTOBER 2022
FILE	
SUBJECT	**Traffic comments on development application 22030984 – 301-305 Unley Road, Malvern**

Proposal:

- Demolition of the existing single storey commercial buildings at 301-305 Unley Road and construct a 999sqm single storey retail liquor outlet (Dan Murphy's).
- Off-street parking for up to 32 vehicles, comprising:
  - 25 visitor spaces
  - 3 short term visitor spaces (online pick-up orders)
  - 2 staff parking spaces
  - 2 dedicated accessible parking spaces.
- Vehicle access is proposed via two (2) new crossovers to Unley Road, with the primary access to the sites car park being a 7.0m wide an all-movement access located at the southwest corner of the site and the secondary access to the sites loading areas being a 9.2m wide ingress only access located at the northwest corner of the site.
- A total of ten (10) off-street bicycle spaces are proposed on site, via 5 bicycle racks located along the store frontage.

Car Park Layout:

Vehicle Access:

- Vehicle access is proposed via two (2) new crossovers to Unley Road, with the primary access to the sites car park being a 7.0m wide an all-movement access located at the southwest corner of the site and the secondary access to the sites loading areas being a 9.2m wide ingress only access located at the northwest corner of the site. Access way dimensions have been provided in accordance with the relevant Australian Standards and the Planning and Design Code.
- The traffic report has provided a swept path assessment showing that a typical B99 design vehicle and HRV design vehicle is able to enter and exit the site simultaneously with suitable clearance, which is considered acceptable.
- The Landscape plan provided by the applicant indicates that a Manchurian Pear is proposed to be planted within the pedestrian sight triangle (2m x 2.5m) adjacent the southern most crossover. In order to allow appropriate sightlines in accordance with the relevant Australian Standards (AS2890.1), all landscaping within the sight triangle is to be kept below 900mm, noting the current tree location is not in accordance with the relevant standards.
- ***Therefore, could the plans please be updated to ensure any proposed tree's adjacent the southernmost crossover is kept clear of the driveway pedestrian sight triangle.***
- Given the site is located adjacent Unley Road, which is owned and maintained by the Department for Infrastructure and Transport (DIT), this application must be referred to DIT for review and approval.

Car parking spaces:

- The traffic report prepared by Cirqa, and plans provided by the applicant, indicate the following:
    - Staff Parking spaces – 2.6m wide, 5.4m length and 7.0m access aisle
    - Visitor Parking Spaces – 2.6m wide, 5.4m length and 7.0m access aisle
    - Accessible Parking Spaces – 2.6m wide, 5.4m length and 7.0m access aisle (with adjacent shared area of matching dimensions)
    - Visitor Loading Spaces – 3.0m wide, 6.4m length and access aisle at least 3.6m wide.
- Given the proposed use, the site will have a combination of Employee Parking (User Class 1A – AS2890.4) and short-term visitor parking (User Class 3A - AS2890.4). The Australian Standards for these parking spaces requires:
    - 90 Degree - User Class 1A – 2.4m width, 5.4m length and 5.8m aisle
    - 90 Degree - User Class 3A – 2.6m width, 5.4m length and 6.6m aisle
    - Parallel Parking – 2.1m width, 6.2m length and 3.6m one way aisle width
- Given the above, the proposed parking spaces either meet or exceed the Australian Standards which is considered acceptable.

Headroom and gradient of ramps:

- Plans provided by the applicant indicate that at least 5.5m height clearance has been provided above the canopy at the rear of the site, this exceeds the Australian Standards and is considered acceptable.

Parking provisions:

- The Planning and Design Code Table 2 – General Off-street car parking requirements in designated areas indicates that parking generation rates for non-residential developments in a Business Neighborhood Zone are:
    - Minimum Rate - 3 spaces per 100sqm of gross leasable floor area.
    - Maximum Rate - 3 spaces per 100sqm of gross leasable floor area
- Based on the above rates, the proposed 999sqm development would generate a minimum requirement of 30 off-street parking spaces and a maximum of 60 off-street parking spaces.
- Given the applicant proposes to provide 32 off-street parking spaces, this meets the Planning and Design Code for Table 2 and is considered acceptable.

On Street Parking:

- The existing on-street parking along Unley Road is a Clearway that operates from 4:30pm to 6:00pm Monday to Friday along the eastern side of Unley Road, including the section of roadway immediately adjacent to the subject site. Outside of this Clearway period, Kerbside parking is unrestricted adjacent No. 301-305 Unley Road.
- Staff/visitors of the development will not be eligible for parking permits and will need to abide by on-street parking restrictions**.**
- Council officers will not change any existing on-street parking restrictions along Unley Road or any nearby residential streets (i.e. Cheltenham Street, Northgate Street etc) to cater for either short term visitor parking or long term staff parking, noting the traffic report indicates that an appropriate quantity of on-site parking has been provided for the subject site.

Bicycles:

- The Planning and Design Code Table 3 – Off-street bicycle parking requirements indicates the parking generation for shop is:
    - Employees - 1 space per 300 sqm of gross leasable floor area, plus
    - Visitors - 1 space per 600 sqm of gross leasable floor area.
- Based on the above rates, the proposed 999sqm floor area will generate a requirement for 6 off street bicycle parking spaces, comprising 4 staff and 2 visitor spaces.
- Plans provided by the applicant indicate it is proposed to provide ten (10) off-street bicycle spaces, via 5 bicycle racks. This exceeds the planning and design code and is considered acceptable.

Loading and Waste Collection:

- The Planning and Design Code – PO 1.3 states Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimize potential conflict.
- The Planning and Design Code – PO 1.4 states that the Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.
- Plans provided by the applicant indicate that a dedicated commercial loading / waste collection area has been provided at the rear of the site (not adjacent the visitor car park), accessed via a separate vehicle crossover. The traffic report prepared by Cirqa has provided a swept path assessment which shows that a 12.5m Heavy Rigid Vehicle (HRV) is able to enter, circulate and exit the site in forwards direction and with suitable clearance. This is considered acceptable as all loading and waste vehicle maneuvering occurs wholly onsite and is separated from passenger vehicle car parking areas.
- Any Waste Management plan must be referred to Council's Waste Officer for assessment.

Traffic Generation and Impact:

- Traffic Generation rates adopted in the traffic report are based on the RTA's Guide to traffic generating development rate for shopping centers with a total floor area between 0 and 10,000sqm, which indicates the following peak hour rates:
    - 12.3 peak hour trips per 100sqm of floor area (Thursday)
    - 12.5 peak hour trips per 100sqm of floor area (Friday)
    - 16.3 peak hour trips per 100sqm of floor area (Saturday)
- The traffic report indicates that such a traffic rate is not considered appropriate for this site, given the large-scale nature of shopping centers compared to a standalone retail liquor store. However, the report then indicates that in reality the traffic generation rate would be in the order of 7.5-9.0 PM peak hour vehicle trips per 100sqm, as such rates have recently been adopted (and accepted) for retail shops throughout metropolitan Adelaide, noting that AM Peak hours rates for 'shops' are typically 50% of that associated with the PM peak hour.
- The traffic report also indicates that recent survey data has identified a traffic generation rate of 5 trips per 100sqm of floor area as applicable for assessment of the site's potential traffic impact in the Friday (PM) commuter peak hour.
- Based on the above, the traffic report has indicated an appropriate traffic generation rate of 4.5 AM Peak Hour and 9.0 PM Peak hour traffic movements per 100sqm has been adopted for the site. Adopting these rates indicates that the site will generate in the order of 45 AM Peak and 90 PM Peak hour traffic movements.
- ***In order for Council to determine the appropriateness of the above traffic generation rates, the applicant will need to provide council with the supporting evidence that has been referenced in the report, as currently no evidence has been provided to support the suggested rate.***
- The traffic report has indicated that traffic travelling to/from the site would be distributed evenly (50/50) between northbound and southbound traffic along Unley Road, in addition to traffic being split 10% / 90% between the northern (ingress only) and southern (all movements) crossovers. Given the sites location and layout, the proposed traffic distribution is considered acceptable.
- ***In order for Council to determine the impact of the traffic distribution on the road network, the applicant will need to provide the SIDRA outputs, noting the report makes reference to the impacts being only minor, however no evidence has been provided.***

Other:

- All redundant crossovers must be reinstated to Council satisfaction.
- All proposed crossovers must be installed to Council satisfaction.
- Any costs associated with changes to on-street parking signage and/or line marking is to be covered wholly by the applicant.

Jacob Avery
Transport Engineer

MEMORANDUM

THE CITY of Unley

TO	PLANNING AND DEVELOPMENT
FROM	TRANSPORT ENGINEER
DATE	6 MARCH 2023
FILE	
SUBJECT	**Traffic comments on development application 22030984 – 301-305 Unley Road, Malvern**

Proposal:

- Demolition of the existing single storey commercial buildings at 301-305 Unley Road and construct a 999sqm single storey retail liquor outlet (Dan Murphy's).
- Off-street parking for up to 32 vehicles, comprising:
  - 25 visitor spaces
  - 3 short term visitor spaces (online pick-up orders)
  - 2 staff parking spaces
  - 2 dedicated accessible parking spaces.
- Vehicle access is proposed via two (2) new crossovers to Unley Road, with the primary access to the sites car park and loading areas being a new all-movement crossover located at the southwest corner of the site and the secondary access to the sites loading areas being a egress only crossover located at the northwest corner of the site.
- A total of ten (10) off-street bicycle spaces are proposed on site, via 5 bicycle racks located along the store frontage.

Car Park Layout:

Vehicle Access:

- Vehicle access is proposed via two (2) new crossovers to Unley Road, with the primary access to the sites car park being an unknown width all-movement access located at the southwest corner of the site and the secondary access crossover for the sites loading areas being an unknown width egress only access located at the northwest corner of the site. Update plans provided by the applicant have not indicated the widths of the proposed crossovers. **In order to determine if the access way dimensions have been provided in accordance with the relevant Australian Standards and the Planning and Design Code, can the applicant please update plans to include widths of crossovers.**
- The previous traffic report provided a swept path assessment showing that a typical B99 design vehicle and HRV design vehicle is able to enter and exit the site simultaneously with suitable clearance. **Could the traffic report and swept paths please be updated based on the revised plans to ensure that a B99 design vehicle and HRV design vehicle is able to enter the site simultaneously with suitable clearance.**
- **Could plans please be updated to ensure pedestrian sight triangles (2m x 2.5m) adjacent all exit traffic lanes are provided in accordance with the relevant Australian Standards (AS2890.1) and all landscaping within the sight triangle is to be kept below 900mm.**

- Given the site is located adjacent Unley Road, which is owned and maintained by the Department for Infrastructure and Transport (DIT), this application must be referred to DIT for review and approval.

Car parking spaces:

- The previous traffic report prepared by Cirqa, and current plans provided by the applicant, indicate the following:
    - Staff Parking spaces – 2.6m wide, 5.4m length and 7.0m access aisle
    - Visitor Parking Spaces – 2.6m wide, 5.4m length and 7.0m access aisle
    - Accessible Parking Spaces – 2.6m wide, 5.4m length and 7.0m access aisle (with adjacent shared area of matching dimensions)
    - Visitor Loading Spaces – 3.0m wide, 6.4m length and access aisle at least 3.6m wide.
- Given the proposed use, the site will have a combination of Employee Parking (User Class 1A – AS2890.4) and short-term visitor parking (User Class 3A - AS2890.4). The Australian Standards for these parking spaces requires:
    - 90 Degree - User Class 1A – 2.4m width, 5.4m length and 5.8m aisle
    - 90 Degree - User Class 3A – 2.6m width, 5.4m length and 6.6m aisle
    - Parallel Parking – 2.1m width, 6.2m length and 3.6m one way aisle width
- Given the above, the proposed parking spaces either meet or exceed the Australian Standards which is considered acceptable.

Headroom and gradient of ramps:

- Plans provided by the applicant indicate that at least 5.5m height clearance has been provided above the canopy at the rear of the site, this exceeds the Australian Standards and is considered acceptable.

Parking provisions:

- The Planning and Design Code Table 2 – General Off-street car parking requirements in designated areas indicates that parking generation rates for non-residential developments in a Business Neighborhood Zone are:
    - Minimum Rate - 3 spaces per 100sqm of gross leasable floor area.
    - Maximum Rate - 3 spaces per 100sqm of gross leasable floor area
- Based on the above rates, the proposed 999sqm development would generate a minimum requirement of 30 off-street parking spaces and a maximum of 60 off-street parking spaces.
- Given the applicant proposes to provide 32 off-street parking spaces, this meets the Planning and Design Code for Table 2 and is considered acceptable.

On Street Parking:

- The existing on-street parking along Unley Road is a Clearway that operates from 4:30pm to 6:00pm Monday to Friday along the eastern side of Unley Road, including the section of roadway immediately adjacent to the subject site. Outside of this Clearway period, Kerbside parking is unrestricted adjacent No. 301-305 Unley Road.
- Staff/visitors of the development will not be eligible for parking permits and will need to abide by on-street parking restrictions**.**
- Council officers will not change any existing on-street parking restrictions along Unley Road or any nearby residential streets (i.e. Cheltenham Street, Northgate Street etc) to cater for either short term visitor parking or long term staff parking, noting the traffic report indicates that an appropriate quantity of on-site parking has been provided for the subject site.

Bicycles:

- The Planning and Design Code Table 3 – Off-street bicycle parking requirements indicates the parking generation for shop is:
    - Employees - 1 space per 300 sqm of gross leasable floor area, plus
    - Visitors - 1 space per 600 sqm of gross leasable floor area.
- Based on the above rates, the proposed 999sqm floor area will generate a requirement for 6 off street bicycle parking spaces, comprising 4 staff and 2 visitor spaces.
- Plans provided by the applicant indicate it is proposed to provide ten (10) off-street bicycle spaces, via 5 bicycle racks. This exceeds the planning and design code and is considered acceptable.

Loading and Waste Collection:

- The Planning and Design Code – PO 1.3 states Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimize potential conflict.
- The Planning and Design Code – PO 1.4 states that the Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.
- Plans provided by the applicant indicate that a dedicated commercial loading / waste collection area has been provided at the rear of the site (not adjacent the visitor car park), accessed via a shared vehicle crossover and exit via a separate vehicle crossover. The previous traffic report prepared by Cirqa provided a swept path assessment which showed that a 12.5m Heavy Rigid Vehicle (HRV) is able to enter, circulate and exit the site in forwards direction and with suitable clearance. **Could the traffic report and swept paths please be updated based on the revised plans to ensure that a 12.5m Heavy Rigid Vehicle (HRV) is able to enter, circulate and exit the site in forwards direction and with suitable clearance**
- Any Waste Management plan must be referred to Council's Waste Officer for assessment.

Traffic Generation and Impact:

- Traffic Generation rates adopted in the traffic report are based on the RTA's Guide to traffic generating development rate for shopping centers with a total floor area between 0 and 10,000sqm, which indicates the following peak hour rates:
    - 12.3 peak hour trips per 100sqm of floor area (Thursday)
    - 12.5 peak hour trips per 100sqm of floor area (Friday)
    - 16.3 peak hour trips per 100sqm of floor area (Saturday)
- The traffic report indicates that such a traffic rate is not considered appropriate for this site, given the large-scale nature of shopping centers compared to a standalone retail liquor store. However, the report then indicates that in reality the traffic generation rate would be in the order of 7.5-9.0 PM peak hour vehicle trips per 100sqm, as such rates have recently been adopted (and accepted) for retail shops throughout metropolitan Adelaide, noting that AM Peak hours rates for 'shops' are typically 50% of that associated with the PM peak hour.
- The traffic report also indicates that recent survey data has identified a traffic generation rate of 5 trips per 100sqm of floor area as applicable for assessment of the site's potential traffic impact in the Friday (PM) commuter peak hour.
- Based on the above, the traffic report has indicated an appropriate traffic generation rate of 4.5 AM Peak Hour and 9.0 PM Peak hour traffic movements per 100sqm has been adopted for the site. Adopting these rates indicates that the site will generate in the order of 45 AM Peak and 90 PM Peak hour traffic movements.
- ***In order for Council to determine the appropriateness of the above traffic generation rates, the applicant will need to provide council with the supporting evidence that has been referenced in the report, as currently no evidence has been provided to support the suggested rate.***
- The traffic report has indicated that traffic travelling to/from the site would be distributed evenly (50/50) between northbound and southbound traffic along Unley Road, in addition to traffic being split 10% / 90% between the northern (ingress only) and southern (all movements) crossovers. Given the sites location and layout, the proposed traffic distribution is considered acceptable.
- ***In order for Council to determine the impact of the traffic distribution on the road network, the applicant will need to provide the SIDRA outputs, noting the report makes reference to the impacts being only minor, however no evidence has been provided.***

Other:

- All redundant crossovers must be reinstated to Council satisfaction.
- All proposed crossovers must be installed to Council satisfaction.
- Any costs associated with changes to on-street parking signage and/or line marking is to be covered wholly by the applicant.

Jacob Avery
Transport Engineer

MEMORANDUM

THE CITY of Unley

TO	PLANNING AND DEVELOPMENT
FROM	TRANSPORT ENGINEER
DATE	15 MARCH 2023
FILE	
SUBJECT	**Traffic comments on development application 22030984 – 301-305 Unley Road, Malvern**

Proposal:

- Demolition of the existing single storey commercial buildings at 301-305 Unley Road and construct a 999sqm single storey retail liquor outlet (Dan Murphy's).
- Off-street parking for up to 32 vehicles, comprising:
  - 25 visitor spaces
  - 3 short term visitor spaces (online pick-up orders)
  - 2 staff parking spaces
  - 2 dedicated accessible parking spaces.
- Vehicle access is proposed via two (2) new crossovers to Unley Road, with the primary access to the sites car park and loading areas being a new all-movement crossover located at the southwest corner of the site and the secondary access to accommodate the sites loading areas being an egress only crossover located at the northwest corner of the site.
- A total of ten (10) off-street bicycle spaces are proposed on site, via 5 bicycle racks located along the store frontage.

Car Park Layout:

Vehicle Access:

- Vehicle access is proposed via two (2) new crossovers to Unley Road, with the primary access to the site's car park being an all-movement access located at the southwest corner of the site and the secondary access crossover for the sites loading area's being an egress only access located at the northwest corner of the site. Access way dimensions have been provided in accordance with the relevant Australian Standards and the Planning and Design Code.
- The applicant has provided an updated swept path assessment showing that a typical B99 design vehicle and HRV design vehicle is able to enter and exit the site simultaneously with suitable clearance, which is considered acceptable.
- Please ensure pedestrian sight triangles (2m x 2.5m) adjacent all exit traffic lanes are provided in accordance with the relevant Australian Standards (AS2890.1) and all landscaping within the sight triangle is to be kept below 900mm.
- Given the site is located adjacent Unley Road, which is owned and maintained by the Department for Infrastructure and Transport (DIT), this application must be referred to DIT for review and approval.

Car parking spaces:

- The updated transport report prepared by Cirqa, and current plans provided by the applicant, indicate the following:

    - Staff Parking spaces – 2.6m wide, 5.4m length and 7.0m access aisle
    - Visitor Parking Spaces – 2.6m wide, 5.4m length and 7.0m access aisle
    - Accessible Parking Spaces – 2.6m wide, 5.4m length and 7.0m access aisle (with adjacent shared area of matching dimensions)
    - Visitor Loading Spaces – 3.0m wide, 6.4m length and access aisle at least 3.6m wide.
- Given the proposed use, the site will have a combination of Employee Parking (User Class 1A – AS2890.4) and short-term visitor parking (User Class 3A - AS2890.4). The Australian Standards for these parking spaces requires:
    - 90 Degree - User Class 1A – 2.4m width, 5.4m length and 5.8m aisle
    - 90 Degree - User Class 3A – 2.6m width, 5.4m length and 6.6m aisle
    - Parallel Parking – 2.1m width, 6.2m length and 3.6m one way aisle width
- Given the above, the proposed parking spaces either meet or exceed the Australian Standards which is considered acceptable.

Headroom and gradient of ramps:

- Plans provided by the applicant indicate that at least 5.5m height clearance has been provided above the canopy at the rear of the site, this exceeds the Australian Standards and is considered acceptable.

Parking provisions:

- The Planning and Design Code Table 2 – General Off-street car parking requirements in designated areas indicates that parking generation rates for non-residential developments in a Business Neighborhood Zone are:
    - Minimum Rate - 3 spaces per 100sqm of gross leasable floor area.
    - Maximum Rate - 3 spaces per 100sqm of gross leasable floor area
- Based on the above rates, the proposed 999sqm development would generate a minimum requirement of 30 off-street parking spaces and a maximum of 60 off-street parking spaces.
- Given the applicant proposes to provide 32 off-street parking spaces, this meets the Planning and Design Code for Table 2 and is considered acceptable.

On Street Parking:

- The existing on-street parking along Unley Road is a Clearway that operates from 4:30pm to 6:00pm Monday to Friday along the eastern side of Unley Road, including the section of roadway immediately adjacent to the subject site. Outside of this Clearway period, Kerbside parking is unrestricted adjacent No. 301-305 Unley Road.
- Staff/visitors of the development will not be eligible for parking permits and will need to abide by on-street parking restrictions**.**
- Council officers will not change any existing on-street parking restrictions along Unley Road or any nearby residential streets (i.e. Cheltenham Street, Northgate Street etc) to cater for either short term visitor parking or long term staff parking, noting the traffic report indicates that an appropriate quantity of on-site parking has been provided for the subject site.

Bicycles:

- The Planning and Design Code Table 3 – Off-street bicycle parking requirements indicates the parking generation for shop is:
    - Employees - 1 space per 300 sqm of gross leasable floor area, plus
    - Visitors - 1 space per 600 sqm of gross leasable floor area.
- Based on the above rates, the proposed 999sqm floor area will generate a requirement for 6 off street bicycle parking spaces, comprising 4 staff and 2 visitor spaces.
- Plans provided by the applicant indicate it is proposed to provide ten (10) off-street bicycle spaces, via 5 bicycle racks. This exceeds the planning and design code and is considered acceptable.

Loading and Waste Collection:

- The Planning and Design Code – PO 1.3 states Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimize potential conflict.

- The Planning and Design Code – PO 1.4 states that the Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.
- Updated plans provided by the applicant indicate that a dedicated commercial loading / waste collection area has been provided at the rear of the site (not adjacent the visitor car park), accessed via a shared vehicle crossover and separate exit only crossover. Cirqa has provided an updated swept path assessment which shows that a 12.5m Heavy Rigid Vehicle (HRV) is able to enter, circulate and exit the site in forwards direction and with suitable clearance. This is considered acceptable as all loading and waste vehicle maneuvering occurs wholly onsite and is separated from passenger vehicle car parking areas.
- Plans provided by the applicant indicate that a dedicated commercial loading / waste collection area has been provided at the rear of the site (not adjacent the visitor car park), accessed via a separate vehicle crossover. The traffic report prepared by Cirqa has provided a swept path assessment which shows that a 12.5m Heavy Rigid Vehicle (HRV) is able to enter, circulate and exit the site in forwards direction and with suitable clearance. This is considered acceptable as all loading and waste vehicle maneuvering occurs wholly onsite and is separated from passenger vehicle car parking areas.
- Any updated Waste Management plan must be referred to Council's Waste Officer for assessment.

Traffic Generation and Impact:

- Traffic Generation rates adopted in the traffic report are based on the RTA's Guide to traffic generating development rate for shopping centers with a total floor area between 0 and 10,000sqm, which indicates the following peak hour rates:
    - 12.3 peak hour trips per 100sqm of floor area (Thursday)
    - 12.5 peak hour trips per 100sqm of floor area (Friday)
    - 16.3 peak hour trips per 100sqm of floor area (Saturday)
- The transport report indicates that such a traffic rate is not considered appropriate for this site, given the large-scale nature of shopping centers compared to a standalone retail liquor store. However, the report indicates that in reality the traffic generation rate would be in the order of 7.5-9.0 PM peak hour vehicle trips per 100sqm, as such rates have recently been adopted (and accepted) for retail shops throughout metropolitan Adelaide, noting that AM Peak hours rates for 'shops' are typically 50% of that associated with the PM peak hour.
- The transport report also indicates that recent survey data has identified a traffic generation rate of 5 trips per 100sqm of floor area as applicable for assessment of the site's potential traffic impact in the Friday (PM) commuter peak hour.
- Based on the above, the traffic report has indicated an appropriate traffic generation rate of 4.5 AM Peak Hour and 9.0 PM Peak hour traffic movements per 100sqm has been adopted for the site. Adopting these rates indicates that the site will generate in the order of 45 AM Peak and 90 PM Peak hour traffic movements.
- The traffic report has indicated that traffic travelling to/from the site would be distributed evenly (50/50) between northbound and southbound traffic along Unley Road, in addition to traffic being split 10% / 90% between the northern (egress only) and southern (all movements) crossovers. Given the sites location and layout, the proposed traffic distribution is considered acceptable.
- The transport report has provided SIDRA assessment outputs which indicates the site is able to cater for expected queue lengths within the site, at both access points. The SIDRA assessment also indicates that service levels along Unley Road will be between LOS C and LOS A, which is considered acceptable.

Other:

- All redundant crossovers must be reinstated to Council satisfaction.
- All proposed crossovers must be installed to Council satisfaction.
- Any costs associated with changes to on-street parking signage and/or line marking is to be covered wholly by the applicant.

Jacob Avery
Transport Engineer

ATTACHMENT 7

In reply please quote 2023/00467, Process ID: 0847
Enquiries to Mr Reece Loughron
Telephone (08) 7133 1665
E-mail dit.landusecoordination@sa.gov.au

Government of South Australia
Department for Infrastructure and Transport

TRANSPORT STRATEGY AND PLANNING DIVISION

Transport Assessment

GPO Box 1533
ADELAIDE SA 5001

ABN 92 366 288 135

24 March 2023

Mr Timothy Bourner
City of Unley
PO Box 1
UNLEY SA 5061
Tbourner@unley.sa.gov.au

Dear Mr Bourner

SCHEDULE 9 - REFERRAL RESPONSE

Development No.	22030984 – Amended (13 February 2023)
Applicant	Como Apartments (Malvern) Pty Ltd C/- Ms Zoe Garnaut, Ekistics
Location	301 Unley Road, Malvern
Proposal	Demolition of existing structures and construction of a single storey retail liquor outlet (shop) with associated car parking, lighting, site works, signage and landscaping

The above application has been referred to the Commissioner of Highways (CoH) in accordance with Section 122 of the *Planning, Development and Infrastructure Act 2016*, as the prescribed body listed in Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

CONSIDERATION

The subject development abuts Unley Road is an arterial road under the care, control and management of the CoH. Under the Department for Infrastructure and Transport's '*A Functional Hierarchy for South Australia's Land Transport Network'*, Unley Road is identified as a Peak Hour Route, a Priority Public Transport, a High Pedestrian Activity Area and a Major Cycling Route. At this location Unley Road carries approximately 26,800 vehicles per day (2% commercial vehicles) and has a posted speed limit of 60km/h.

Access

DIT has reviewed the Ekistics Planning Report (refer Final version dated 9 September 2022), the updated CIRQA Traffic Report (refer Project No. 20396) and Brown Falconer Plan set (refer Job No. 2020111 dated September 2022). During this assessment DIT raised issues concerning the proposed northern access being in a prohibited location (opposite Northgate Street) as per *Urban Transport Routes Overlay* DTS/DPF 4.1, a), and the potential for increased turning conflicts as a result of the development. To address this, DIT lodged an RFI in October 2022 for the applicant to undertake a review of the proposed access arrangements to/from the site.

Further discussions were undertaken with CIRQA during January 2023 to identify an access design that would address turning conflicts and still allow safe and efficient traffic movements through the site. As a result of these discussion, DIT recommended that the northern access be amended to cater for exit movements only thereby reducing right turn conflicts to/from

Northgate Street and the subject site. DIT supported the updated access concept subject to internal signage and line marking being incorporated into the design and providing a single lane exit path so that left and right turning vehicles do not restrict sightlines for each other. The updated Traffic Report (Version 1.2, dated 10 March 2023) has confirmed this design and Appendix B has illustrated the access design will function adequately for a 12.5m Heavy Rigid Vehicle.

In addition, on 8 March 2023 Ekistics provided a response to the RFI (Ref No: 01042-006, dated 1 March 2023) that incorporated amended plans which reflected the previous discussions with DIT. The amended Floor & Site Plan (refer Drawing No. 3395 DA03, Revision K dated 13 February 2023) shows that the main southern access will cater for two-way movements (including delivery/refuse vehicles) with an internal loop along the eastern and northern boundaries for delivery and click and collect (direct to boot) customers. The northern access will provide for egress movements only and incorporate line marking and signage to reinforce the desired movements.

Overall, DIT is satisfied that the amended plan has addressed the issues raised in the RFI. The applicant has shown that the internal loop road is suitably signed, and line marked as 'delivery vehicles' and or 'click and collect' customers only, with the southern access catering for general customers movements (refer CIRQA Appendix B).

ADVICE

The Department for Infrastructure and Transport supports the development, subject to addressing the issues raised above, and directs the following conditions to be applied:

1. All vehicular access to the site shall be gained via Unley Road as shown on Brown & Falconer, Floor & Site Plan, Drawing No. 3395 DA03, Revision K dated 13 February 2023 and be consistent with CIRQA Traffic Report, Project No. 20396, Version 1.2 dated 10 March 2023.

2. The largest vehicle to access the site shall be restricted to a 12.5m Heavy Rigid Vehicle. All egress movements for commercial/delivery vehicles shall be via the northern access point.

3. The Unley Road access points shall be suitably signed and line marked to reinforce the desired traffic flow. Chevron line-marking shall also be incorporated in the design to reduce the width of the access for passenger vehicles while still enabling delivery vehicle movements.

4. All vehicles shall enter and exit in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

5. Any landscaping adjacent the access points shall ensure that sightlines can be achieved as per *Urban Transport Routes Overlay*, 5.1, a) and b).

6. Any infrastructure within the road reserve (e.g. pit lids and signs) that is demolished, altered, removed or damaged during the construction of the project (including the side entry pit that will be impacted by the south-western access) shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

7. All off-street parking shall be constructed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009 with commercial vehicle parking constructed in accordance with AS2890.2:2018. All designated staff parking shall be clearly signed and or line marked to reinforce this operation.

8. All redundant crossovers shall be permanently closed and reinstated with kerb and gutter prior to the development becoming operational. All costs are to be borne by the applicant.

9. Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Yours sincerely

[redacted]

A/MANAGER, TRANSPORT ASSESSMENT
for **COMMISSIONER OF HIGHWAYS**

ATTACHMENT 8

ekistics

Dan Murphy's – Malvern
PLANNING STATEMENT

Proposed Dan Murphy's Store
301-305 Unley Road, Malvern

Prepared for:
Como Apartments (Malvern) Pty Ltd

Date:
September 2022

ekistics

Proprietary Information Statement

Document Control

Revision	Description	Author	Date
V1	Draft Planning Statement	ZG / BS	15 June 2022
V2	Final Planning Statement	ZG	17 August 2022
V3	Update to traffic swept paths	ZG	23 August 2022
Final	Update to signage elevations	ZG	9 September 2022

Approved by: ZG

Date: 9 September 2022

ekistics

Contents

Appendices

Figures

1. Executive Summary

Category	Details	
PROJECT	Dan Murphy's Store - Malvern	
ADDRESS OF SITE	301-305 Unley Road, Malvern	
CERTIFICATES OF TITLE	• Certificate of Title Volume 5453 Folio 110; Allotment 165 in Filed Plan 15583; • Certificate of Title Volume 6051 Folio 405, Allotment 185 in Filed Plan 15583; • Certificate of Title Volume 5913 Folio 202, Pieces 1 and 3 in Community Plan 22189; • Certificate of Title Volume 5913 Folio 203, Pieces 2 and 4 in Community Plan 22189; and • Certificate of Title Volume 5913 Folio 204, Common Property in Community Plan 22189.	
SITE AREA	2,768m^2 (approx.)	
FRONTAGE	• 57 metres – Unley Road (primary frontage)	
DEPTH	48.30 metres (approx.)	
LOCAL GOVERNMENT	City of Unley	
RELEVANT AUTHORITY	City of Unley Council Assessment Panel or Assessment Manager – Section 93(1)(a) or 96(a) of the *PDI Act, 2016*	
PLANNING AND DESIGN CODE	Version 2022.16 (1 September 2022)	
ZONING	Business Neighbourhood Zone	
OVERLAYS	• Airport Building Heights (Regulated) (All structures over 45 metres); • Prescribed Wells Area • Regulated and Significant Tree; • Traffic Generating Development; and • Urban Transport Routes.	
LOVAL VARIATION (TECHNICAL NUMERIC VARIATION)	• Maximum Building Height (Levels) *(Maximum building height is 2 levels); and* • Maximum Building Height (Metres) *(Maximum building height is 9m).*	
EXISTING USE	Four (4) single storey offices with associated carparking and landscaping.	
PROPOSAL DESCRIPTION	Demolition of existing structures and construction of a single storey retail liquor outlet (shop) with associated car parking, lighting, site works, signage and landscaping	
REFERRALS	**Commissioner of Highways** via the Department of Infrastructure and Transport (DIT)	
CLASSIFICATION OF DEVELOPMENT	Demolition	Exempt pursuant to Schedule 4 clause 10 of the *Planning, Development and Infrastructure (General) Regulations 2017.*
	Retail liquor outlet (shop)	Performance Assessed
	Advertisements	Performance Assessed
NOTIFICATION	Retail liquor outlet (shop)	Requires notice

	Advertisements	*Exempt* from notice under table 5 clause 3 of the Business Neighbourhood Zone
APPLICANT	Como Apartments (Malvern) Pty Ltd	
CONTACT PERSON	Zoë Garnaut– Ekistics Planning and Design – (08) 7231 0286	
OUR REFERENCE	01042-005	

2. Introduction/Background

This planning statement has been prepared in support of an application by Como Apartments (Malvern) Pty Ltd on behalf of Dan Murphy's to construct a new Retail Liquor Outlet (shop) over four (4) existing allotments containing single storey office buildings and associated carparking and landscaping located at 301-305 Unley Road in Malvern.

This planning statement provides information about the subject site and proposed development and addresses the merits of the development application against the relevant provisions of the Planning & Design Code (Version 2022.16 dated 1 September 2022).

This planning statement has been prepared on the basis of the plans, elevations and supporting documentation summarised below:

- **Appendix 1**: Certificates of Title
- **Appendix 2:** Site plans, floor plans, elevations, landscaping and section plans – Brown Falconer Architects
- **Appendix 3**: Traffic Impact Assessment – CIRQA Consulting
- **Appendix 4** Stormwater Management Plan – PT Design
- **Appendix 5** Environmental Noise Assessment – Resonate Consulting

3. The Site and Locality

3.1 The Site

The subject land is located at 301-305 Unley Road, Malvern and is formally identified within the following Certificates of Title (refer ***Appendix 1***):

- Certificate of Title Volume 5453 Folio 110 (Allotment 165 Filed Plan 15583);
- Certificate of Title Volume 6051 Folio 405 (Allotment 185 Filed Plan 15583);
- Certificate of Title Volume 5913 Folio 202 (Pieces 1 & 3 Community Plan 22189);
- Certificate of Title Volume 5913 Folio 204 (Common Property Community Plan 22189);
- Certificate of Title Volume 5913 Folio 203 (Pieces 2 & 4 Community Plan 22189).

Measuring 2,768m² the subject site comprises four (4) existing commerical offices contained within three (3) existing single storey buildings which were former dwellings. Existing development on the site is relatively uncoordinated in terms of vehicle circulation, signage, landscaping and architectural style. The former office buildings each have their own respective carparking areas with three (3) sperate crossovers to Unley Road. The former office buildings contain two (2) free standing signs as well as fascia signage.

Two (2) of the former office buildings at 301 and 305 Unley Road have recent brick and rendered additions forward of the original dwellings which provide generally blank brick façade with only small windows to Unley Road and provide little in the way of visual interest, articulation and passive surveillance. These structures are considered to detract from the overall amenity value of the locality.

The former office at 303 Unley Road is a Tudor style construction with high pitched roof and window presentation to Unley Road and provides a level of amenity value, however, is setback behind a hard paved carparking area.

None of the former dwellings contain any heritage listing nor are they identified as a 'Representative Buildings' by the South Australian Property and Planning Atlas (SAPPA).

The existing office buildings which comprise the subject site have a range of setbacks setback to Unley Road as follows:

- 301 Unley Road having - primary setback of 2m (approx.);
- 303 Unley Road – primary setback of 9.8m (approx.) with carparking located in front; and
- 305-305A Unley Road – primary setback of 4.2m (approx.).

Areas to the front and rear of the existing office buildings comprised generally hard paved or sealed surfaces for parking with minimal landscaping. Existing landscaping on the site generally comprises small trees, shrubs, hedges and ground covers.

The site has a frontage to Unley Road of approximately 57 metres. Unley Road is a 'State Maintained Road' under the care and control of the Department for Infrastructure and Transport (DIT). The section of Unley Road which adjoins the site contains clearway from 4.30pm to 6pm Monday to Friday. The carriageway also contains a bicycle lane which forms part of the bike direct network. There is no street furniture (i.e. bus stops or rubbish bins) nor street trees adjoining the subject site.

The subject site is illustrated in ***Figure 3.1*** below.

Figure 3.1 *Satellite image of the subject site*

While the site appears to be flat, it is noted that there is a slight grade down towards the west. Images of the site are provided in the figures over the page.

Figure 3.2 *View of the subject site looking north-east from Unley Road*

Figure 3.3 *View of subject site looking south-east from Unley Road*

Figure 3.4 *View of existing structure at 301 Unley Road looking south*

Figure 3.5 *View of 303 Unley Road looking south-east from accessway of 301 Unley Road.*

Figure 3.6 *View east between 299 and 301 Unley Road*

Figure 3.7 *View looking east to the rear of 301 and 303 Unley Road*

3.2 The Locality and Surrounding Development

The character of the locality is mixed in terms of land use and built form. Along the eastern side of Unley Road, located within the Business Neighbourhood Zone between of Cheltenham Street and Dover Street exists predominantly offices and consulting rooms located in converted single storey dwellings. South of Dover Street, on the eastern side of Unley Road, exists a 'Mitre 10' hardware store (Bulky Goods Outlet) and associated garden centre and carparking area.

On the western side of Unley Road, located within the General Neighbourhood Zone, between Northgate Street and Thornber Street is a similar mixture of offices, consulting rooms, dwellings and shops predominately located within former single storey dwellings. However, two groups of shops are located hard on the Unley Road frontage with verandahs over the footpath. These are located at 376 Unley Road and 384 Unley Road (opposite the 'Mitre 10' bulky goods outlet). Setbacks and building styles within this section of the locality are considerably varied. Setbacks on the eastern side of Unley Road range from 2m (approx.) to over 8m. On the western side of Unley Road in this section of the locality setbacks are similarly varied from being located on the primary boundary with verandah located over the footpath to being setback in excess of 14m.

To the northern side of Northgate Street and Cheltenham Street is the Urban Corridor (Main Street) Zone which comprises predominantly shopping, health and educational facilities as follows:

- Group of single storey shops and non-residential uses at 346-354 Unley Road (nil setback) comprising five (5) tenancies as follows:
  - 'Unley Park Dental Clinic;'
  - 'Latner Property' real estate agents;
  - 'Park Podiatry;
  - 'Physio Fit SA'; and
  - 'Bathroom Warehouse' display centre.

- Walford Anglican School for Girls (ELC to Year 12) with two storey educational building located on the Unley Road frontage (nil setback);
- Group of single storey shops at 291 Unley Road (nil setback on the corner of Cheltenham Street) comprising ten (10) tenancies including:
    - ‘Café Paparazzi;’
    - ‘Robyn May Flowers;’
    - ‘Bombay Vintage’ Indian restaurant;
    - ‘Brixton on Unley’ Hair and Beauty;
    - ‘Dulwich Bakery;’
    - ‘Johnny Marks Produce Store;’
    - ‘Chicken Central’ take away restaurant;
    - ‘Bloom Hearing Specialists;
    - ’TerryWhite/ Chemmart’ Chemist;
    - ‘IGA’ Supermarket;

The built from style within the adjoining Urban Corridor (Mainstreet Zone) can best be described as contemporary built form with materiality comprising painted concrete tilt-up panels, painted and rendered brick, face brick and glazed facades. Roof forms in this section of the locality are generally located behind a raised parapet. Landscaping is generally provided to soften carparking areas however the location and amount of landscaping is not consistent along the Unley Road frontage.

Beyond the properties that have a frontage to Unley Road are generally low density single and two storey housing located within the Established Neighbourhood Zone. The majority of dwellings to the east of the site are identified as ‘Representative Buildings’ by the SA Property and Planning Atlas (SAPPA).

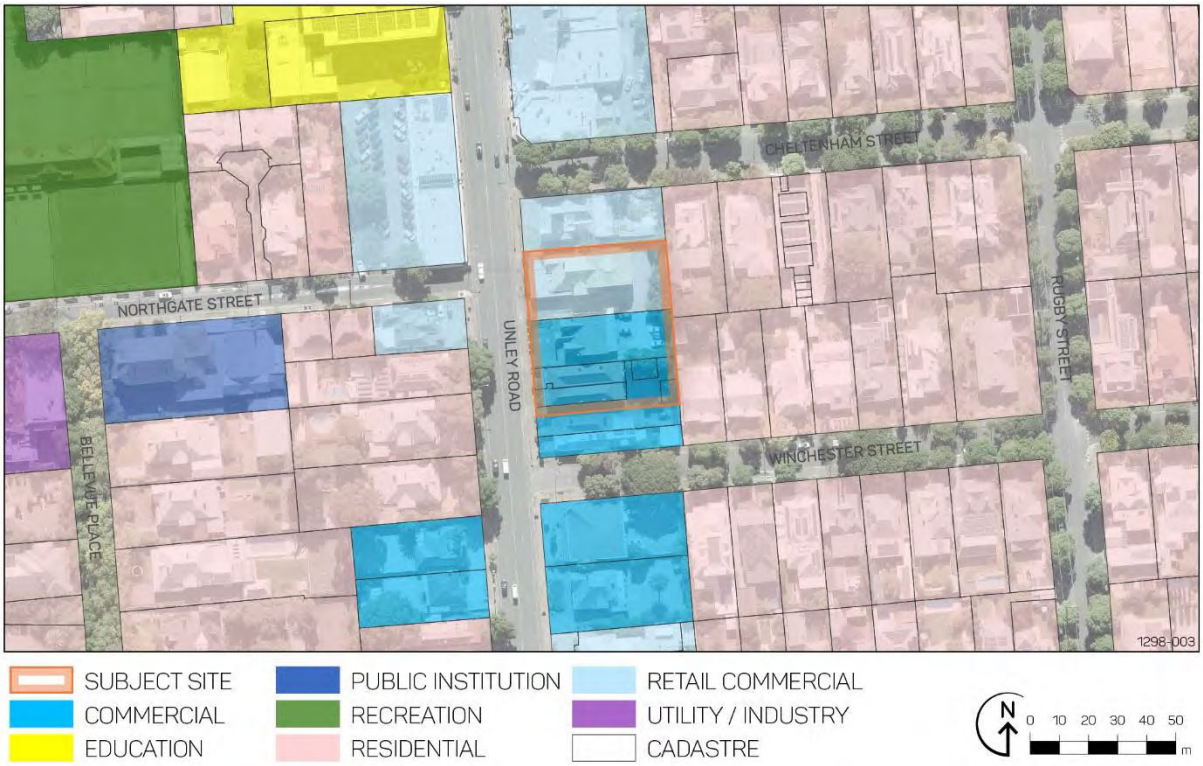
A Local Heritage Place is located within the Walford School Complex, however the extent of the Local Heritage listing comprises the “*Walford Junior School and Gates (former Hospital); External form, materials and detailing of the c1890 former dwelling and entrance gates. Any later additions or alterations are excluded from the listing*.” The portion of the school comprising the Local Heritage Place is located 133m north of the subject site on the opposite side of Unley Road and is separated by the modern two storey education building to the south of the Local Heritage Place. As such it is not considered the proposed Dan Murphy’s shop will have any impact on the heritage value of the place.

‘Go Zone’ high frequency bus stops are located to the north and south of the subject site as follows:

- Stop 7 Unley Road – East side located approximately 122m north of the subject site.
- Stop 8 Unley Road – East and west side, located approximately 92m south of the subject site;
    - Routes 190, 190B, 195, 195F, 196, 196F and A024

Figure 3.8 on the following page illustrates the mix of land uses in the locality.

Figure 3.8 *Surrounding Land Use Map*



Photographs of the locality have been included below:

Figure 3.9 *Group of ten (10) shops at 291 Unley Road*

Figure 3.10 *Group of shops at 346-354 Unley Road single across the road*

Figure 3.11 *Walford Anglican School for Girls*

Figure 3.12 *311 Unley Road (corner of Unley Road & Winchester Street)*

Figure 3.13 *Mitre 10 located south of the site*

4. Proposed Development

4.1 Land Use

The proposed development involves the demolition of the various commercial buildings and associated structures on the subject site and construction of a new single storey Retail Liquor Outlet (shop) to accommodate a Dan Murphy's store with gross leasable floor area (GLFA) of 999m^2.

Part 7 – Land Use Definitions of the Planning and Design Code defines a 'shop' as:

> *"Means:*
>
> *(a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or*
>
> *(b) a personal or domestic services establishment.*
>
> *Includes:*
>
> - *Bulky goods outlet;*
> - *Personal or domestic services establishment;*
> - *Restaurant*
>
> *Excludes:*
>
> - *Hotel;*
> - *Motor repair station;*
> - *Retail fuel outlet;*
> - *Service trade premises;*
> - *Wholesale plant nursery"*

Ancillary to the shop is a carparking area located to the south of the built form, to provide convenient parking for customers with a primary vehicle access provided by the southern cross-over on Unley Road.

The development will proceed in stages as follows:

- ***Stage 1:*** Demolition and site works; and
- ***Stage 2:*** Construction of the Dan Murphy's Store and balance of works.

4.1.1 Operational Aspects

The proposed Dan Murphy's store will have the following hours of operation:

- Monday to Saturday 9am to 9pm
- Sunday and Public Holidays 10.00am to 7pm

Dan Murphy's 'click and collect' is able to be undertaken in one of two ways. The first is an in-store collection with the second a 'direct to boot' option. Both 'click and collect' methods are proposed to be available at this location. It is anticipated that on average there will be 150 'click and collect' customers, with two thirds (or anticipated at 100 per week) of these orders being 'direct to boot'. During the Christmas period it is anticipated that the 'click and collect' service will peak of 400 transactions per week. A direct to boot collection

parking/loading area to accommodate three (3) vehicles is proposed adjoining the eastern (rear) wall of the store and is accessed via the northern cross-over on Unley Road.

Customers who have pre-ordered via Dan Murphy's app or website and have received a notification via SMS message that their order is ready for collection can park in the designated 'direct to boot' collection area. When customers arrive at the 'direct to boot' area they can open the SMS and select on their phone 'bring to my boot.' Dan Murphy's staff will then check the driver's ID and place the order in the boot of the car.

4.2 Siting and Built Form

The proposal seeks the construction of a single storey building to be used as a Dan Murphy's Retail Liquor Outlet (Shop). The shop will be setback 1.89 metres from Unley Road (primary street frontage) behind a landscaped bed. The shop will be setback 8.07 metres from the northern (side) boundary, 21.2 metres from southern (side) boundary and 10.86 metres off the eastern (rear) boundary.

A designated loading area for a Heavy Rigid Vehicle ((HRV) the largest vehicle anticipated on the site)) is located immediately adjoining the northern façade of the building, with a sufficient distance for a B85 vehicle to pass in order to access the 'direct to boot' collection area.

The proposed shop will have a maximum height of approximately 8 metres, measured from ground floor level to the highest point that accommodates the plant. However, the majority of the building will have a height of 6 metres above finished floor level.

The main entrance to the Dan Murphy's will be located on the southern (side) façade directly accessible from the carparking area. This façade will feature glass automatic doors at the entrance along with side windows. Further windows will be located between the main entrance and the Unley Road frontage, with high level windows being incorporated to the Unley Road façade. A canopy will wrap around from the entry to the Unley Road front façade to provide shelter for customers and create additional visual interest.

The proposed store will be primarily constructed of the following materials and colours:

- Precast concrete panel walls on the north, south, east and west elevations – painted 'Corporate Green';
- The eastern elevation wall (below the canopy) is partially painted 'corporate yellow' to assist with wayfinding of the 'direct to boot' service;
- Face brick walls on the south, west and north elevations – 'white' & 'grey';
- Compressed fibre cement cladding to the drive thru structure and the advertising display above the main entrance – painted 'corporate green';
- Steel powdercoat capping – colour to match adjacent precast panel finish;
- Steel powdercoat canopy posts – 'corporate green'
- Custom orb cladding to the southern elevation of the plant room – 'surfmist';
- Roller door for loading access – 'corporate green';

Full details of the proposed external materials and finishes are contained on the elevation plans prepared by Brown Falconer Architects (***Appendix 2***).

4.3 Fencing Design

The northern, eastern and southern boundaries shall consist of 2.1m high Good Neighbour Colorbond® fencing, in accordance with the recommendations provided by Resonate Consulting ('Resonate'), refer to ***Appendix 6***. The proposed fencing will assist with protecting the adjoining dwellings from noise relating to the truck deliveries, customers using the click and collect and activity within the car park.

4.4 Transport, Parking and Access

CIRQA Consultants have undertaken a detailed traffic and parking assessment to confirm that the proposed access/egress, vehicle manoeuvring, and parking arrangements are feasible, safe and achieve the relevant Australian Standards (refer to ***Appendix 3***). CIRQA's report sets out an assessment of the anticipated traffic implications of the proposed development, including:

- Existing traffic and parking conditions surrounding the site;
- Parking demand likely to be generated by the proposed development;
- Suitability of the proposed parking in terms of supply (quantum) and layout;
- Traffic generation characteristics of the proposed development;
- Service vehicle and refuse collection arrangements on site;
- Proposed access arrangements for the site; and
- Traffic impact of the development proposal on the surrounding road network.

4.4.1 Access/Egress

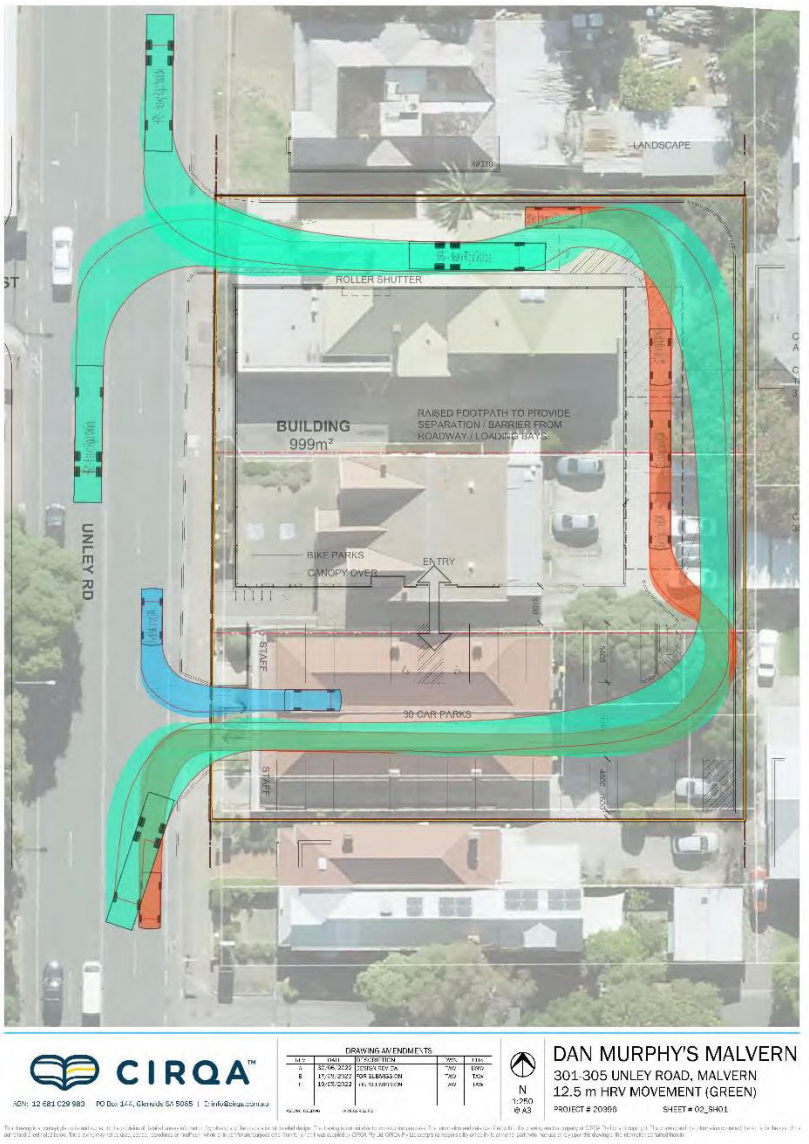
Vehicular access to the site will occur via two (2) access points on Unley Road as described below:

- Primary access – an all-movement crossover, providing vehicle access to the site's primary 29-space parking area; and
- Secondary access – an ingress only crossover, providing vehicle access to the site's commercial vehicle loading area and three (3) 'customer loading/ click and collect' parking spaces.

CIRQA's notes that the secondary access is replacing an existing access on Unley Road. It has been restricted to ingress only movements to minimise its interaction with the Unley Road/Northgate Street intersection across the road. Where vehicles access the site via the ingress, the layout has been designed to allow circulation of these vehicles to exit via the primary access to the south. Enabling all vehicles to enter and exit in a forward motion.

The layout enables all private refuse collection to be managed on site and to the northern side of the building. ***Figure 4.1*** demonstrate the turning movements of a 12.5m HRV manoeuvring within the subject site. All redundant crossovers will be closed and reinstated as Council-standard upright kerb.

Figure 4.1 *12.5m HRV vehicle movements on site (Source: CIRQA)*



4.4.2 *Parking*

The site will be serviced by a total of 32 parking spaces, of which two (2) spaces will be reserved exclusively for use by people with disabilities. Three (3) parking spaces will also be reserved exclusively for use by customers collecting online pick-up orders, while a further two (2) spaces (immediately adjacent the site's primary Unley Road access) will be reserved for use by staff only in order to limit their turnover (and associated parking manoeuvres within the vicinity of the access).

Five (5) bicycle rails (capable of accommodating ten (10) bicycles) have been located at the Unley Road forecourt and are located under the canopy providing protection from the weather and passive surveillance in front of the shop's windows.

4.4.3 *Pedestrian and Cyclist Accessibility*

The subject land is well served by pedestrian infrastructure with footpaths located on both sides of Unley Road and a signalised pedestrian crossing located approx. 160m north of the site. Unley Road comprises bicycle lanes in each direction. The subject site is also well serviced by public transport with buses travelling in both directions along Unley Road.

4.5 Landscaping

A Landscape Plan prepared by Brown Falconer, is included in ***Appendix 2***.

The design allows landscape beds are along the site boundaries and abutting forward of the building's front façade. Brown Falconer propose a variety of tree and shrub species that will be planted on site and are referenced in ***Figure 4.2***.

Figure 4.2 *Planning Schedule (Source: Brown Falconer)*

Two (2) Manchurian pear trees will be planted at the Unley Road primary access to assist with screening the car park, and an additional Manchurian pear tree located in the north-eastern corner of the site.

Landscaping beds abutting the site boundaries consist of a patterned design including 'tanika', 'red kangaroo paw', 'cushion bush' and 'Italian pencil pine' species, providing a varied landscape. The Italian pencil pines have been selected to assist with softening views of the building from the residential properties to the east.

The landscaping beds forward of the front façade incorporate 'tanika', 'red kangaroo paw', 'cushion bush' and 'Italian pencil pine species', contributing towards the Unley Road streetscape and assisting to soften the appearance of the building.

4.6 Signage

The application proposes to erect ten (10) non illuminated signage displays/images across the building. There are no freestanding advertising displays proposed. The signage displays per elevation are described below:

West Elevation (Unley Road)

- One (1) x 'Dan Murphy's' logo signage display flush with the parapet above the canopy;
- One (1) x 'click and collect' corporate 'yellow' flag signage display protruding forward of the building in line with the canopy orientated towards north and south bound traffic;

South Elevation

- One (1) x 'Dan Murphy's' signage display flush with the parapet the canopy;
- One (1) x small 'Dan Murphy's' signage display flush with the main entrance parapet wall;

- One (1) x signage display abutting the main entrance, that will accommodation changeable promotional advertising for the store;

East Elevation

- One (1) x 'Dan Murphy's' signage display flush with the cladding of the drive through canopy;
- Two (2) x signage displays that are associated with the 'direct to boot' facility, located beneath the canopy and flush with the wall;

North Elevation

- One (1) x 'Dan Murphy's' signage display flush with the brickwork abutting the secondary access; and
- One (1) x signage display that is flush with the cladding of the drive through canopy and associated with the 'direct to boot' facility.

Specific details of each proposed sign are outlined in the Brown Falconer's drawings located in ***Appendix 2***.

4.7 Stormwater Management

PT Design have prepared a 'Site Levels and Drainage Layout' plan for the proposal (refer to ***Appendix 4***). The plans demonstrate that the following Stormwater Management Systems will be implemented to the design:

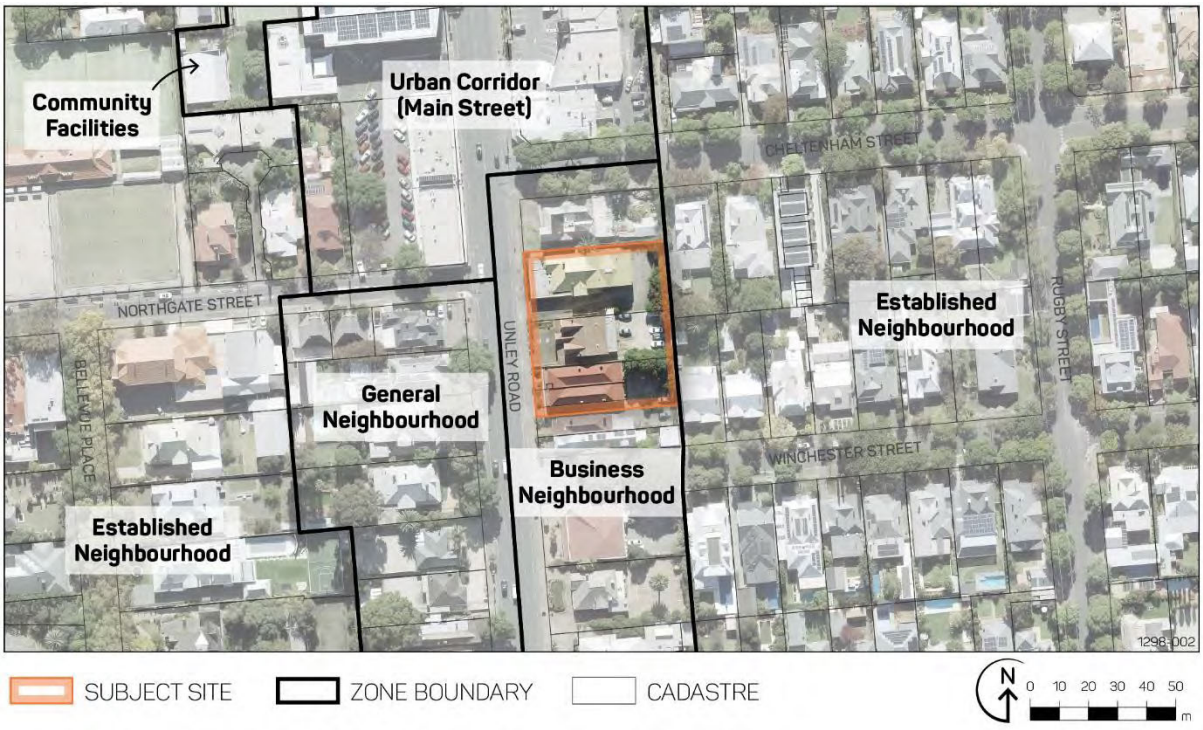
- A 30kL detention tank is located north of the building beneath the internal driveway, to capture stormwater run off. The detention tank is accompanied by an Ecosol Storm Pit (class 2 – 20.0 L/sec) to assist with trapping any solid waste and coarse sediment before reaching the tank. Before discharging stormwater to the Unley Road connection point, a pre-packaged pump station (pump rate 20.0 L/sec) shall manage the flow rate;
- To capture the stormwater runoff across the site, the car park and pedestrian paths have been graded towards the internal 600mm wide spoon drains, that connect to the northern detention tank; and
- Roof water is disposed of directly to the connection points along Unley Road, via a separate system for the downpipes.

The proposed earthworks have been kept to a minimum where possible given the existing levels and do not require any retaining walls as the bitumen required for the car park and driveways is setback from the boundary.

5. Procedural Requirements

The relevant Code is Version 2022.16 (1 September 2022), and the site is located within the **Business Neighbourhood Zone**, as demonstrated to in ***Figure 5.1***.

Figure 5.1 *Zoning of the site and surrounding*



5.2 Nature of Development

Further to the development description provided in ***Section 4***, the proposal is best described as the *'demolition of existing structures and construction of a single storey retail liquor outlet (shop) with associated car parking, lighting, site works, signage and landscaping'.*

Part 7 (Land Use Definitions) of the Code defines a 'shop' as:

(a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or

(b) a personal or domestic services establishment.

The following elements have been identified as forming part of the nature of development:

- Shop; and
- Advertising display.

Within Table 3 (Applicable Policies for Performance Assessed Development) of the Business Neighbourhood Zone, each proposed element (i.e. 'shop' and 'advertising displays') are classified as **'Performance Assessed'**

forms of development. Accordingly, the entire development will be 'Performance Assessed' against the relevant Code provisions outlined in Table 3 of the Zone.

5.3 Relevant Authority

The relevant authority to determine the development application is the City of Unley Council Assessment Panel or Assessment Manager, as per Section 93(1)(a) and Section 96 of the *Planning, Development and Infrastructure, Act 2016*.

5.4 Overlays

The Overlays listed below apply to the site and assessment of the proposed development:

- Airport Building Heights (Regulated) *(All structures over 45 metres)*
- Prescribed Wells Area
- Regulated and Significant Tree
- Traffic Generating Development
- Urban Transport Routes

5.5 Local Variation (Technical Numeric Variation)

The following Technical Numeric Variations (TNV) listed below are applicable to the site and have informed our assessment:

- Maximum Building Height (Metres) *(Maximum building height is 9m)*
- Maximum Building Height (Levels) *(Maximum building height is 2 levels)*

5.6 Agency Referrals

5.6.1 Commissioner of Highways

The site fronts a State Maintained Road (Unley Road) and as a result is located within the Urban Transport Routes Overlay. The proposal requires the creation of new accesses and alterations to existing accesses located on Unley Road. We therefore understand that the application will be referred to the Commissioner of Highways via the Department for Infrastructure and Transport ('DIT').

5.6.2 Environment Protection Authority

The existing buildings on site currently operate as 'office' uses. Referring to Part 9.1 of the Code (and Practice Direction 14, Site Contamination Assessment 2021), 'shop' and 'office' uses are both classified as 'Commercial Class 1' land uses, as per *Table 1: Land Use Sensitivity Hierarchy* (refer to Practice Direction 14). The proposal is therefore not considered to be a 'change in the use of land to a more sensitive use' and does not trigger a State Agency referral to the Environment Protection Authority.

5.7 Notification

We understand that the application will be **subject to notification**, pursuant to clause 4(c) of Table 5 (Procedural Matters (PM) – Notification) of the Zone, as the proposal comprises a 'shop' that exceeds a gross leasable floor area of 250m^2 (DPF 1.2), and therefore will not be exempt in this instance..

6. Planning Assessment

6.1 Land Use

The proposed development involves the construction of a Dan Murphy's store (shop) within the Business Neighbourhood Zone.

The Business Neighbourhood Zone prescribes the following relevant Desired Outcomes (DO's) and Performance Outcomes (PO's) relating to land use:

> ***DO 1 (Business Neighbourhood Zone)*** *A variety of housing and accommodation types and compatible employment-generating land uses in an environment characterised by primarily low-rise buildings.*
>
> ***PO 1.1 (Business Neighbourhood Zone)*** *Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.*
>
> ***PO 1.2 (Business Neighbourhood Zone)*** *Business and commercial land uses complement and enhance the prevailing or emerging neighbourhood character.*
>
> [Our emphasis]

The proposed shop is a compatible employment-generating land use that will continue to contribute towards the Unley Road commercial character. A 'shop' use is identified in DPF 1.1 of the Zone as one example of achieving the relevant Performance Outcome. ***Section 6.4*** of the report demonstrates how the proposed shop will not materially impact on residential amenity towards the eastern dwellings, to further demonstrate that the proposed shop aligns with PO 1.1.

The proposal consolidates four (4) smaller allotments providing a larger site to accommodate a Dan Murphy's store, that results in consolidated accesses and car parking and a consistent built form and landscaping design across the site that will complement the prevailing commercial character along Unley Road (PO 2.1 Zone).

We note properties fronting Unley Road north of Cheltenham Street and Northgate Street are located within the Urban Corridor (Main Street) Zone. The Unley Shopping Centre located approx. 1km north of the site is located within the Suburban Activity Centre Zone. These properties are considered to be located within an *'Activity Centre'* as per the definition from Part 8 (Administrative Terms and Definitions) of the Code:

> *"Activity Centre: Means land contained in a…Suburban Activity Centre Zone…Urban Corridor (Main Street) Zone…"*

The Out of Activity Centre Development General Development Policies seeks non-residential development outside of Activity Centres to not diminish the role of Activity Centres. The three (3) closest liquor stores located within an Activity Centre to the site include the following:

- First Choice Liquor Market (430m) – Urban Corridor (Main Street) Zone;
- Thirsty Camel associated with the Cremorne Hotel (710m) – Urban Corridor (Main Street) Zone; and

- BWS at the Unley Shopping Centre (1km) – Suburban Activity Centre Zone.

Arguably the First Choice Liquor Market is of a similar business model to Dan Murphy's, providing a wider selection of products. PO 1.2 (Out of Activity Centre Development) refers to sites that are located at the edge of an Activity Centre and that cannot be accommodated within an existing Activity Centre as being acceptable, where they expand on the range of services on offer and support the role of the Activity Centre. We consider the proposed use is suitable and will complement and support the Activity Centre for the following reasons:

- The site adjoins two (2) Activity Centre hubs consisting of a variety of shops and non-residential uses at 291 Unley Road and 346-354 Unley Road. This enables customers to easily visit multiple businesses in a single trip, providing convenient access, as envisaged in DO 1 (Out of Activity Centre Development);
- Unley Road consists of a consistent 'Activity Centre' for approx. 2km from Northgate Street to Greenhill Road. Within this Activity Centre there is only one (1) existing large Retail Liquor Outlet (i.e. First Choice Liquor Market), with the introduction of a Dan Murphy's store we do not consider this to unreasonably impact on the existing Retail Liquor Outlet. In fact, we expect it will provide benefits to the community with competitive pricing and an increased range in products that will attract new customers to the Activity Centre, supporting the Unley Road businesses; and
- Given the size of the site required to accommodate a Dan Murphy's, it is unlikely that a suitable parcel of land will be available without removing established businesses within the Activity Centre. The site proposed, provides the opportunity to consolidate four (4) allotments and provide a consistent design and layout across the site.

For the reasons above, we are of the opinion that the proposed use and site aligns with the following General Development Provisions of the Code:

> ***DO 1 (Out of Activity Centre Development)*** *The role of Activity Centres in contributing to the form and pattern of development and enabling equitable and convenient access to a range of shopping, administrative, cultural, entertainment and other facilities in a single trip is maintained and reinforced.*
>
> ***PO 1.1 (Out of Activity Centre Development)*** *Non-residential development outside Activity Centres of a scale and type that does not diminish the role of Activity Centres:*
>
> *(a) as primary locations for shopping, administrative, cultural, entertainment and community services;*
>
> *(b) as a focus for regular social and business gatherings; and*
>
> *(c) in contributing to or maintaining a pattern of development that supports equitable community access to services and facilities.*
>
> ***PO 1.2 (Out of Activity Centre Development)*** *Out-of-activity centre non-residential development complements Activity Centres through the provision of services and facilities:*
>
> *(a) that support the needs of local residents and workers, particularly in underserviced locations*

(b) *at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre.*

[Our emphasis]

We are of the opinion that the proposed shop will complement and contribute positively to Unley Road and support the Activity Centre to the north, therefore aligning with the relevant Zoning and General Development Provisions referenced above.

6.2 Built Form

6.2.1 Architectural Expression

The Business Neighbourhood Zone and Design in Urban Areas General Development Policies contain provisions that seek to ensure development is of a high architectural standard and complements the character of the locality. Key provisions are set out below:

DO 2 (Business Neighbourhood Zone) *Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.*

PO 2.1 (Business Neighbourhood Zone) *Buildings are of a scale and design that complements surrounding built form, streetscapes and local character.*

PO 2.3 (Business Neighbourhood Zone) *Site coverage is limited to provide space for landscaping, open space and pervious areas.*

PO 3.1 (Business Neighbourhood Zone) *Buildings are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of the locality.*

PO 3.2 (Business Neighbourhood Zone) *Buildings are set back from primary street boundaries consistent with the existing streetscape.*

DO 1 (Design in Urban Areas) *Development is:*

(a) *contextual – by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality*

(b) *durable – fit for purpose, adaptable and long lasting*

(c) *inclusive – by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors*

(d) *sustainable – by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.*

PO 1.1 (Design in Urban Areas) *Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).*

PO 1.3 (Design in Urban Areas) *Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.*

PO 1.4 (Design in Urban Areas) *Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:*

(a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces

(b) screening rooftop plant and equipment from view

(c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.

PO 1.5 (Design in Urban Areas) *The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.*

PO 14.2 (Design in Urban Areas) *Development incorporates sustainable design techniques and features such as window orientation, eaves and shading structures, water harvesting and use, green walls and roof designs that enable the provision of rain water tanks (where they are not provided elsewhere on site), green roofs and photovoltaic cells.*

[our emphasis]

As sought by the Zone and Design in Urban Areas of the General Development Policy provisions of the Code, the proposed Dan Murphy's store is of a high architectural standard which responds to the character of the locality – particularly the existing non-residential character along Unley Road. By necessity, it also represents a practical and functional design outcome which reflects the overarching retail nature of the development.

In our opinion the development is aligned with the relevant design-related provisions of the Code for the reasons summarised below:

- The proposal has been designed to address its primary frontage to Unley Road, with a balanced approach resulting in the car park being located south of the building and only occupying less than a third of the site's frontage, resulting in the Dan Murphy's store being the prominent feature of the site (rather than a carpark);
- The front façade includes three (3) different materials and colours, windows and a canopy above. Soft landscaping will create visual interest and positively contribute towards the Unley Road streetscape;

- The main entrance to the shop is clearly identified with a canopy, pedestrian pathway accessed from Unley Road, fenestration and signage;
- The proposed material palette and external building finishes avoids highly reflective materials that could cause glare to neighbouring properties, drivers and cyclists;
- The proposed building height (measured from ground floor level) of 6m and 8m (plant room) is consistent with the recommended building height of two storeys prescribed by PO 3.1 and DPF 3.1;
- Landscape beds along the site perimeter and throughout the carpark (particularly at the primary access) will positively contribute to the appearance of the development when viewed from the public realm as well as adjoining properties (discussed further in ***Section 6.5*** below);
- The building has been sited to maximise separation from dwellings to the east and adjoining non-residential uses north and south of the site, with generous side and rear setbacks. Landscaping has been proposed to provide a transition from the shop use to the Established Neighbourhood Zone to the east and softening the view of the building;
- The building footprint results in a 42% site coverage, aligning with the Zone's recommended maximum 60% site coverage (DPF 2.3);
- Mechanical plant has been designed to be concealed from public view, within the northern portion of the building; and
- The loading and service area is located north of the building with a roller door allowing access for deliveries and managing bins that are stored internally and screened from the public realm. This location is desirable as the proposed building and abutting property will assist with screening trucks that are unloading / loading and provides a further setback from the dwellings to the east.

6.2.2 Safety and Design

The safety provisions within the Code seek to ensure development is designed to discourage criminal activity and anti-social behaviour:

> ***PO 2.1 (Design in Urban Areas)*** *Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.*
>
> ***PO 2.3 (Design in Urban Areas)*** *Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.*
>
> ***PO 2.4 (Design in Urban Areas)*** *Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.*

The proposed development provides direct pedestrian access from Unley Road to the front entrance of the shop. The south elevation of the building provides windows that provide views towards the customer car park, and street beyond allowing for passive casual surveillance.

The car parking area will include lighting to Australian Standards and signage will be provided to assist with wayfinding and to highlight the entrances and pathways to and within the site (lighting will be finalised at the detailed design stage of the project).

It is noted that the proposed landscaping will maintain view-lines to entrances and exits as well as allowing clear views to areas where people may gather. In this way, potential entrapment spots will be avoided, and a number of choices will remain available to pedestrians to avoid movement predictors.

The articulation of the building combined with clearly defined entrances and transparent windows will assist visitors and staff to orient themselves and gain an understanding of their surroundings.

The risk of vandalism and graffiti will be minimised through the use of a variety of building materials and colours and through the opportunities for casual surveillance which have been built into the design of the development.

For the reasons outlined above, the proposed development satisfies the relevant Crime Prevention provisions of the Code.

6.3 Transport, Access and Parking

The Code contains numerous provisions which seek to ensure that traffic can move efficiently and safely while also ensuring that an appropriate amount of car parking is provided to meet the demands generated by the development. The most relevant overlay and traffic, access and parking provisions which apply to the proposed development have been reproduced below.

> ***DO 1 (Urban Transport Routes Overlay)*** *Safe and efficient operation of Urban Transport Routes for all road users..*
>
> ***DO 2 (Urban Transport Routes Overlay)*** *Provision of safe and efficient access to and from urban transport routes.*
>
> ***PO 1.1 (Urban Transport Routes Overlay)*** *Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State maintained roads.*
>
> ***PO 2.1 (Urban Transport Routes Overlay)*** *Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and maintain safe vehicle movements.*
>
> ***PO 4.1 (Urban Transport Routes Overlay)*** *New access points are spaced apart from any existing access point or public road junction to manage impediments to traffic flow and maintain safe and efficient operating conditions on the road.*
>
> ***PO 1.1 (Traffic Generating Development Overlay)*** *Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.*

PO 1.2 (Traffic Generating Development Overlay) *Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.*

PO 1.3 (Traffic Generating Development Overlay) *Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network.*

DO 1 (Transport, Access and Parking) *A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.*

PO 1.4 (Transport, Access and Parking) *Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.*

PO 3.1 (Transport, Access and Parking) *Safe and convenient access minimises impact or interruption on the operation of public roads.*

PO 3.3 (Transport, Access and Parking) *Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.*

PO 3.5 (Transport, Access and Parking) *Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.*

PO 3.8 (Transport, Access and Parking) *Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.*

PO 4.1 (Transport, Access and Parking) *Development is sited and designed to provide safe, dignified and convenient access for people with a disability.*

PO 5.1 (Transport, Access and Parking) *Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:*

- *(a) availability of on-street car parking*
- *(b) shared use of other parking areas*
- *(c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared*
- *(d) the adaptive reuse of a State or Local Heritage Place.*

PO 6.1 (Transport, Access and Parking) *Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.*

PO 6.6 (Transport, Access and Parking) *Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.*

PO 9.1 (Transport, Access and Parking) *The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.*

PO 9.2 (Transport, Access and Parking) *Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.*

PO 10.1 (Transport, Access and Parking) *Development is located and designed to ensure drivers can safely turn into and out of public road junctions.*

A Traffic Impact Assessment prepared by CIRQA is attached at ***Appendix 3.***

6.3.1 Car Parking

CIRQA's assessment confirms that the site is located within a 'designated area' due to it being within close proximity to high frequency bus services along Unley Road and within the Business Neighbourhood Zone. The Code prescribes the following minimum and maximum car parking rates for non-residential development within the Designated Area:

Table 2 – Off-Street Car Parking Requirements in Designated Areas

Non-residential development (excluding tourist accommodation):	*Minimum number of spaces: 3 spaces per 100m² of gross leasable floor area.* *Maximum number of spaces: 6 spaces per 100m² of gross leasable floor area.*

The proposal has a theoretical minimum requirement for 30 parking spaces. The layout accommodates 32 parking spaces, exceeding the theoretical minimum requirement prescribed by the Code.

CIRQA states the following in regards to the 'customer loading/ Click and Collect' spaces:

> *"It is reiterated that three (3) parking spaces will be provided as 'customer loading' spaces within the subject site. The provisions of such spaces are understood to facilitate customers ordering online as opposed to accessing the store (as would typically be required). The facilitation of online ordering at the site will reduce the duration of stay of typical parking demands, thereby assisting to reduce peak parking demands enabling additional parking for use by customers wishing to access the store."*

As part of the design phase of the project, CIRQA reviewed the plans and provided feedback to the project team to ensure that the proposed layout complies with the requirements of the Australian/New Zealand Standards for *"Parking Facilities Part 1: Off-street car parking"* (AS/NZS 2890.1:2004) and *"Parking Facilities Part 6: Off-street parking for people with disabilities"* (AS/NZS 2890.6:2009).

As outlined in Section 4.4, all cars will be able to manoeuvre in a forwards direction to/from the site with the primary entrance providing clearly site lines to Unley Road.

6.3.2 Bicycle Parking

Similar to the above, the site is classified as being within a 'designated area' in regards to bicycle parking, with the following prescribed bicycle parking rate:

Table 3 – Off-Street Bicycle Parking Requirements

Shop:	Employee – 1 space per 300m^2 of gross leasable floor area; and
	Visitor – 1 space per 600m^2 of gross leasable floor area.

Based upon the above rates, the proposed development would have a theoretical requirement for four (4) employee and two (2) visitor bicycle parking spaces (6 bicycle parking spaces in total). The proposal exceeds this minimum theoretical requirement with a total of ten (10) bicycle parking spaces on site. They are conveniently located at the front of the shop beneath the canopy. Their positioning allows for protection against the weather and passive surveillance from customers, shoppers and people walking by along Unley Road.

6.3.3 Traffic Assessment

The Traffic Impact Assessment notes that the RTA's *"Guide to Traffic Generating Developments"* (the RTA Guide), and its subsequent updates, identifies a peak hour (Thursday) traffic generation of 12.3 peak hour trips per 100m² of gross leasable floor area for shopping centres with a total floor area between 0 and 10,000m².

CIRQA provided the following response within their assessment regarding peak hour generation:

> *"… such a rate is not considered to be appropriate for application to the subject proposal. This is due to the large-scale nature and variety of offerings of a shopping centre compared to that of the proposal (i.e. the proposed Dan Murphy's is a standalone site). In reality, it would be expected that the proposal would generate in the order of 7.5 to 9.0 pm peak hour trips per 100 m² of floor area. Such rates have recently been adopted (and accepted) for retail shops throughout metropolitan Adelaide.*
>
> *It should also be noted that the am peak hour generation of 'shops' is typically 50% of that associated with the pm peak hour. As such, (for conservatism) rates of 4.5 am and 9.0 pm trips per 100 m² have been adopted for this assessment."*

Based on the above, CIRQA forecasts that the proposal will generate in the order of 45 (am) and 90 (pm) peak hour vehicle movements. Notwithstanding, this does not consider movements already generated by the site's existing uses (i.e. the additional trips generated would be less than the figures identified). The above forecasts have been adopted providing a conservative assessment.

CIRQA has concluded the following as part of their assessment:

- Vehicle movements have been assumed to be distributed relatively equally between the north and south on Unley Road;
- Vehicle movements are forecast to be distributed relatively equal between ingress and egress movements given the proposed use;
- The secondary access (northern) is forecast to generate in the order of 10% of ingress vehicle movements given its intended purpose. CIRQA notes this volume to be very low and can be easily accommodated at the ingress with negligible impact on Unley Road;
- Right-turn movements will be accommodated at the site's ingress (i.e. right turn movements from Unley Road into the site), the presence of vehicles storing whilst waiting for an acceptable gap in southbound traffic is not uncommon on Unley Road. Furthermore, SIDRA Intersection (modelling software) analyses indicate that such movements will not be associated with excessive delays (less than 18 seconds), with northbound movements on Unley Road continuing to operate with a Level of Service 'A';
- Turning movements associated with the site's ingress have been identified to have negligible impact upon the existing operation of the Unley Road/Northgate Street intersection. Specifically, queues on Northgate Street would be expected to increase by less than half a vehicle during both the am and pm peak hours. Such an increase is negligible and would be akin to daily fluctuations in traffic movements.
- All remaining vehicle movements are forecast to utilise the site's primary two-way crossover adjacent the site's southern boundary (in the order of 11 am and 22 pm peak hour vehicle movements per turning movement). Based upon SIDRA Intersection analyses, ingress movements associated with the proposal development will not detrimentally impact upon the operation on of Unley Road, with both northbound and southbound 'through' movements retaining a Level of Service 'A' upon completion and occupation of the proposed development;
- Any queuing from vehicles undertaking right turn egress movements shall be contained solely within the site; and
- The forecast traffic generation will be readily accommodated at the site's proposed access points with negligible impact upon the operation of Unley Road. Importantly, traffic volumes forecast will not impact upon the function or hierarchy of Unley Road, nor are they considered to detrimentally impact upon its safe operation.

Based on CIRQA's assessment and conclusions, the proposed development satisfies the relevant provisions of the Code relating to transport, access and parking.

6.4 Interface between Land Uses

Noting the development's proximity to adjoining residential development, the following interface provisions have been considered in the assessment of the application:

> ***PO 1.1 (Business Neighbourhood Zone)*** *Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.*

PO 3.6 (Business Neighbourhood Zone) *Buildings are set back from side boundaries to provide:*

(a) separation between dwellings in a way that complements the established character of the locality

(b) access to natural light and ventilation for neighbours.

PO 3.7 (Business Neighbourhood Zone) *Buildings are set back from rear boundaries to provide:*

(a) separation between dwellings in a way that complements the established character of the locality

(b) access to natural light and ventilation for neighbours

…

DO 1 (Interface between Land Uses) *Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.*

PO 1.2 (Interface between Land Uses) *Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.*

PO 2.1 (Interface between Land Uses) *Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:*

(a) the nature of the development

(b) measures to mitigate off-site impacts

(c) the extent to which the development is desired in the zone

(d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.

PO 3.1 (Interface between Land Uses) *Overshadowing of habitable room windows of adjacent residential land uses in:*

(a) a neighbourhood-type zone is minimised to maintain access to direct winter sunlight

(b) other zones is managed to enable access to direct winter sunlight.

PO 3.2 (Interface between Land Uses) *Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:*

(a) a neighbourhood type zone is minimised to maintain access to direct winter sunlight

(b) other zones is managed to enable access to direct winter sunlight.

PO 4.1 (Interface between Land Uses) *Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).*

PO 4.2 (Interface between Land Uses) *Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:*

(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers

(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers

(c) housing plant and equipment within an enclosed structure or acoustic enclosure

(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.

PO 6.1 (Interface between Land Uses) *External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).*

PO 9.1 (Design in Urban Areas) *Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.*

[Our emphasis]

Noting that the subject site adjoins a number of existing dwellings located to the east in the Established Neighbourhood Zone, the proposed Dan Murphy's has been designed to adequately address any potential negative impacts on adjoining residences to the east including impacts relating to the transfer of noise and visual impact. Each of these matters are addressed below, and our assessment also considers the existing and long-standing office uses on the site, that include on-site parking to the rear of each allotment.

6.4.1 Noise

In order to confirm that the proposed development satisfies the requirements of the Code, Resonate have prepared an Environmental Noise Assessment (***Appendix 5***). Resonate have reviewed the proposal against the relevant provisions of the Code, which also references the *Environment Protection (Noise) Policy 2007* ('Noise EPP'). Resonate have considered potential noise generating activities including noise from:

- Truck deliveries to site;
- Cars travelling through the site to access the click and collect;
- Cars travelling in and parking on site; and

- Externally located mechanical plant (however noting that plant in this instance will be housed within the roof).

Resonate notes that the proposed hours of operation will be:

- Monday to Saturday: 9:00am to 9:00pm; and
- Sunday (and public holidays): 10:00am to 7:00pm.

Deliveries will be restricted to only occur Monday to Saturday, with the large vehicle being a rigid truck with a dimension width of 2.5m and 3.3m in height and a weight of 16.5 tonnes.

Resonate's assessment has used the following estimate, that the number of click and collect transactions is 150 per week on average with an anticipated increase during peak trading time during Christmas period with 400 click and collect transactions per week.

Below is a summary of the current zoning, land uses and day time Noise EPP criteria for each of the abutting / adjoining receptors to the site (refer to ***Figure 6.1***).

Figure 6.1 *Summary of Zones, land uses and Noise EPP criteria (Source: Resonate)*

Site	Zone	Land use(s)	Day time criteria (7 am to 10 pm), L_{eq} dB(A)
Subject site	Business Neighbourhood zone	Residential	N/A
Receptors to the north of the site along Unley Road	Urban Corridor (Main Street) zone	Residential, Commercial	50
Receptors to the east of the site along Cheltenham and Winchester Street	Established Neighbourhood zone	Residential	47
Receptors to the south of the site along Unley Road	Business Neighbourhood zone	Residential	47
Receptors to the west of the site along Unley Road	General Neighbourhood zone	Residential	47

Resonate undertook a 'noise modelling scenario' for a 15 minute assessment period, to assist with concluding their recommendations ***Figure 6.2*** below outlines the types of activity that have been factored into the scenario.

Figure 6.2 *Noise modelling scenario (Source: Resonate)*

Source	Activity
Car movements for car park use	• 30 car park bays • Each bay being used
Car movements for click and collect	• 3 cars entering the site, and • Idling at the click and collect bays for 3 minutes each, and then • Leaving the site
Truck delivery	• 1 rigid, non-refrigerated truck • Moving through the site • Unloading activities at the loading dock • No idling at the loading dock during unloading.
Roof top mechanical plant	• Indicative selections and noise levels as outlined in Section 5.1.5.

The proposed fencing for the noise modelling scenario consisted of 2.1m high Colorbond® (or similar) fencing to the northern, eastern and southern boundaries.

From the noise modelling scenario it has been demonstrated that the noise emissions from the proposed use and operation shall not exceed the Noise EPP day time criteria, as referenced in ***Figure 6.3***. On this basis the proposed development will be able to operate within the relevant noise provisions in the Code and Noise EPP.

Figure 6.3 *Predicted noise levels (Source: Resonate)*

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise EPP day time criteria, L_{eq} dB(A)
Receptors at the northern side of the subject site along Unley Road	47	50
Receptors at the eastern side of the subject site along Cheltenham Street	47	47
Receptors at the eastern side of the subject site along Winchester Street	46	
Receptors at the southern side of the subject site along Unley Road	47	
Receptors to the west of the subject site along Unley Road	44	

Regarding refuse collection Resonate concludes the following:

> *"According to the Noise EPP, if noise from garbage removal activities exceeds a maximum noise level of 60 dB(A) at a noise sensitive receptor it must only occur between 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day. Note that this is unless it can be shown that a high noise environment exists.*
>
> *Note that if garbage removal is restricted to 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day, there will be no noise restrictions under the Noise EPP."*

The refuse collection shall be managed on site and comply with the Noise EPP guidelines discussed above regarding refuse collection. The refuse storage area is internal to the loading area and will be suitable managed by the waste contractor.

6.4.2 Visual Impact & Overshadowing – Residential Interface

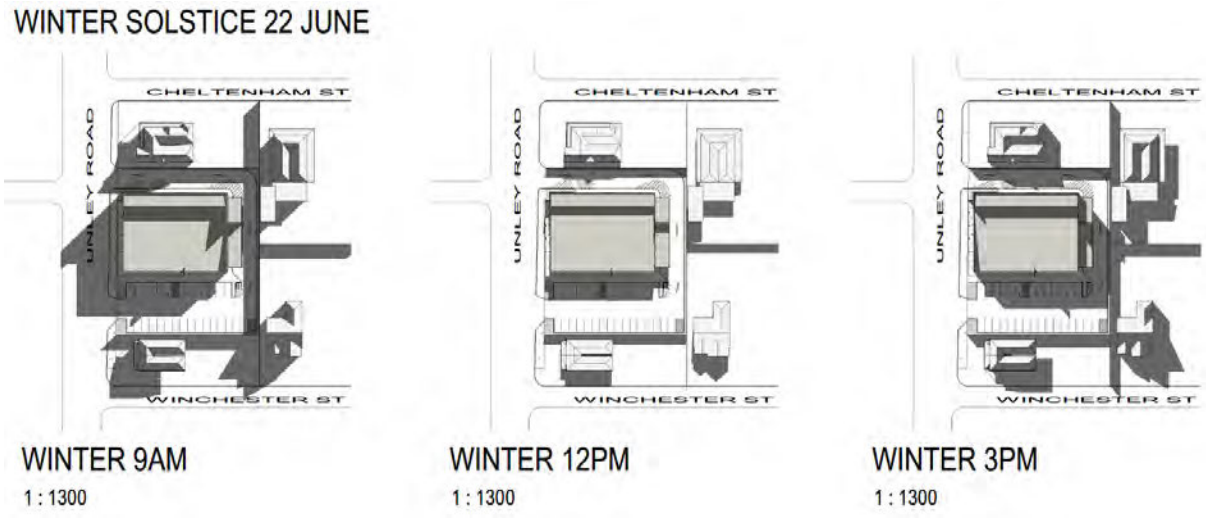
As mentioned above, the proposed building is setback 10.86m from the rear boundary that abuts two (2) residential allotments. The drive through canopy to the rear (max height of 6m from the ground floor level) has a rear setback of 5.9m.

Brown Falconer have prepared overshadowing diagrams demonstrating the impact of the proposed development, refer to ***Figure 6.4***.

The winter solstice overshadowing diagrams demonstrate that overshadowing from the proposed building will have minimal impact on adjoining properties. The diagrams include the overshadowing impact from the 2.1m high fencing that is located along the eastern boundary. The overshadowing from the building does not extend beyond the boundary fence's overshadowing impact, except for the small northern portion of the building. Notwithstanding, the overshadowing impact aligns with the guidelines outlined in DPF(s) 3.1 and 3.2 of the Interface between Land Uses (GDP) section of the Code and will not cause unreasonable overshadowing towards adjoining properties.

The summer solstice overshadowing diagrams also demonstrate that impact during summer will be negligible.

Figure 6.4 *Overshadowing diagram – winter solstice 22 June (Source: Brown Falconer)*



When considering DPF 3.2 of the Zone, the proposal exceeds the minimum rear setback guidelines by more than double. The proposed development is sufficiently setback from the rear residential allotments to not cause unreasonable overshadowing or visual impact, and includes Italian pencil pines along the boundaries to soften the built form design and provide a transition to the residential allotments. This will be a significant improvement on the minimal landscaping adjoining the existing commercial carparking as shown in Figure 6.5.

Figure 6.5 *Existing carparking and landscaping along the eastern boundary*

The boundary treatment includes 2.1m high Good Neighbour Colorbond® fencing. The proposed fencing height is common practice for commercial and residential allotments and does not require Development Approval, as per Schedule 4, Clause 4(1)(d) of the *PDI Regulations 2017*.

6.5 Landscape Design

The Code provisions that follow are considered directly relevant to the landscape design proposed for the development:

> ***PO 2.2 (Business Neighbourhood Zone)*** *Development provides attractive landscaping to the primary street frontage.*
>
> ***PO 3.1 (Design in Urban Areas)*** *Soft landscaping and tree planting are incorporated to:*
>
> *(a) minimise heat absorption and reflection*
>
> *(b) maximise shade and shelter*
>
> *(c) maximise stormwater infiltration*
>
> *(d) enhance the appearance of land and streetscapes.*

PO 7.4 (Design in Urban Areas) *Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.*

PO 7.5 (Design in Urban Areas) *Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.*

PO 7.6 (Design in Urban Areas) *Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.*

The proposed landscaping has been designed to contribute positively to the streetscape, provide screening to the car park and improve the boundary treatment across the site, including the following:

- Three (3) trees planted across the site;
- Two (2) Manchurian pear trees will be planted at the Unley Road primary access to assist with screening the car park, and an additional Manchurian pear tree located in the north-eastern corner of the site;
- Landscaping beds abutting the site boundaries that consist of a patterned design including 'tanika', 'red kangaroo paw', 'cushion bush' and 'Italian pencil pine' species, providing a varied landscape. The 'Italian pencil pines' have been selected to assist with softening views of the building from the residential properties to the east;
- The landscaping beds forward of the front façade incorporate 'tanika', 'red kangaroo paw', 'cushion bush' and 'Italian pencil pine' species, contributing towards the Unley Road streetscape; and
- The selection of plantings and placements of trees will maintain sightlines for passive surveillance, in accordance with the relevant safety provisions of the Code.

The proposed landscaping results in a consistent design across the site. We consider this to be an improvement compared to the existing disjointed landscaping, and is similar to like developments within the immediate locality. Figure 6.6 on the following page illustrates the typical landscaping within the immediate locality for other commercial developments.

Figure 6.6 *Landscaping at 311 Unley Road (corner of Winchester Street)*

Further to the above discussion, the proposed landscape design satisfies the relevant Design in Urban Areas provisions of the Code relating to the landscaping.

6.6 Stormwater Management

The Code also seeks to ensure that stormwater is managed appropriately to improve the quality of stormwater, minimising pollutant transfer to receiving waters, protect downstream receiving waters from high levels of flow or flooding and minimise the concentrated discharge of stormwater from the site.

The Code provisions that follow are considered directly relevant to the issue of stormwater management:

> ***PO 42.1 (Design in Urban Areas)*** *Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.*
>
> ***PO 42.2 (Design in Urban Areas)*** *Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.*

PO 42.3 (Design in Urban Areas) *Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.*

PT Design have designed the stormwater run off and roof water to be managed appropriately. Stormwater run off will be filtered through an Ecosol Storm Pit (gross pollutant trap) to capture any sediments, solids or oils and preventing them from reaching the stormwater disposal outlet. PT Design have recommended a pump rate of 20.0 L/sec for the pre-packaged pump station to manage the rate of stormwater discharge to the street.

On this basis, the proposed development satisfies the relevant provisions of the Code in relation to the management of stormwater.

6.7 Advertising

The Code contains a number of provisions which seek to ensure that advertising signage is sensitively designed and integrated with the associated building design while avoiding visual clutter. In addition, the Code seeks to ensure that advertisements do not distract drivers from the task of driving or obstruct a driver's view of other vehicles.

The Business Neighbourhood Zone and Advertisements General Development Policies contain the following provisions that are considered directly relevant to the issue of signage:

PO 5.1 (Business Neighbourhood Zone) *Advertisements complement the scale of buildings and are not visually dominant within the locality.*

DO 1 (Advertisements) *Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.*

PO 1.1 (Advertisements) *Advertisements are compatible and integrated with the design of the building and/or land they are located on.*

PO 1.2 (Advertisements) *Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.*

PO 1.3 (Advertisements) *Advertising does not encroach on public land or the land of an adjacent allotment.*

PO 1.5 (Advertisements) *Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.*

PO 2.1 (Advertisements) *Proliferation of advertisements is minimised to avoid visual clutter and untidiness.*

PO 2.3 (Advertisements) *Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.*

PO 3.1 (Advertisements) *Advertisements are limited to information relating to the lawful use of land they are located on to assist is the ready identification of the activity or activities on the land and avoids unrelated content that contributes to visual clutter and untidiness.*

PO 5.1 (Advertisements) *Advertisements and/or advertising hoardings erected on a verandah or projecting from a building wall are designed and located to allow for safe and convenient pedestrian access.*

PO 5.3 (Advertisements) *Advertisements and/or advertising hoardings do not create a hazard to drivers by:*

(a) being liable to interpretation by drivers as an official traffic sign or signal;

(b) obscuring or impairing drivers' view of official traffic signs or signals;

(c) obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings.

PO 5.4 (Advertisements) *Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.*

PO 5.5 (Advertisements) *Advertisements and/or advertising hoardings provide sufficient clearance from the road carriageway to allow for safe and convenient movement by all road users.*

Our assessment of the proposed advertising displays has considered the design and nature of existing advertising displays evident within the locality.

Further to our inspection of the site and locality, each non-residential use has their own freestanding advertising displays and/or fascia signs attached to the building (including the existing offices on site). Generally, the larger commercial hubs will have larger signage displays given the size of their sites.

Taking into account the existing character of the locality, the proposed development is consistent with the relevant advertising provisions within the Code, given that:

- The existing uncoordinated design signage along the Unley Road frontage of the site (which includes a number of freestanding signs), will be replaced by predominantly four (4) advertising displays that will be prominently visible from the public realm;
- The remaining signage displays are positioned to be visible internally and/or directing customers to the 'direct to boost' facility at the rear of the site;
- The location, siting, design, materials and shape of the proposed signs are coordinated with, and complimentary to, the architectural form and design of the proposed building;
- The content of the advertising displays will be limited to information relating to the legitimate use of the subject land;

- Advertising displays are contained within the boundaries of the subject land;
- The advertising displays are designated to clearly identify the retail activity to passing traffic and clearly identify the access points into the site to facilitate safe traffic movements, and are non illuminated; and
- The proposed advertising displays are consistent with existing examples of signage displays for commercial businesses along Unley Road.

For these reasons, the signage associated with the proposed development satisfies the relevant provisions of the Code.

7. Conclusion

This development application seeks planning consent to construct a Dan Murphy's store within the Business Neighbourhood Zone of the Code. The site is well suited for its intended use for retail development given the land's location, the existing non-residential development occupying the site and its ability to provide convenient access for customers and delivery trucks.

Following an inspection of the subject land and locality, a review of the proposed plans and associated documentation as well as a detailed assessment of the proposed development against the relevant provisions of the Code, we have formed the opinion that the proposed development represents appropriate and orderly development which is not seriously at variance with the Code and demonstrates substantial merit for the following key reasons:

- The Dan Murphy's store will contribute positively towards an active commercial community along Unley Road, with a new neighbourhood-scale shop, supporting the daily and weekly shopping needs of the community, as envisaged by the Zone. Whilst, importantly complementing and supporting the Unley Road Activity Centre;
- The shop will amalgamate four (4) existing commercial premises into a co-ordinated development;
- The proposed built form exhibits architectural merit and will positively contribute to the Unley Road streetscape;
- The development has been designed to minimise interface impacts by:
    - Providing a generous setback of 10.86m from the rear boundary adjoining the eastern dwellings which will mitigate any unreasonable overshadowing or visual impacts;
    - Achieving the relevant provisions of the Noise EPP as per Resonate's assessment, and the boundary treatment only requiring a 2.1m high Colorbond® fence;
    - Landscape plantings and trees abutting the adjoining properties, providing visual relief;
- The traffic report prepared by CIRQA demonstrates that the carpark and access points have been designed to accommodate safe and convenient vehicle access and movements, and includes sufficient on-site parking to cater for anticipated demand;
- Proposed advertising will clearly and concisely identify the intended use, while also achieving consistency with the architectural style of the building; and
- The stormwater management plan prepared by PT Design demonstrates that the development has been designed to effectively manage the collection and disposal of stormwater.

For the reasons outlined above, we are of the opinion that the proposed development is aligned with the relevant provisions of the Planning and Design Code and warrants Planning Consent.

Appendix 1. Certificates of Title

LAND SERVICES SA

Product	Register Search Plus (CT 5453/110)
Date/Time	30/09/2020 03:33PM
Customer Reference	956850
Order ID	20200930011118

REAL PROPERTY ACT, 1886
South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR - GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5453 Folio 110

Parent Title(s) CT 2367/180

Creating Dealing(s) CONVERTED TITLE

Title Issued 26/09/1997 **Edition** 4 **Edition Issued** 25/01/2016

Estate Type

FEE SIMPLE

Registered Proprietor

COMO APARTMENTS (MALVERN) PTY. LTD. (ACN: 606 030 111)
OF L 2 89 KING WILLIAM STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 165 FILED PLAN 15583
IN THE AREA NAMED MALVERN
HUNDRED OF ADELAIDE

Easements

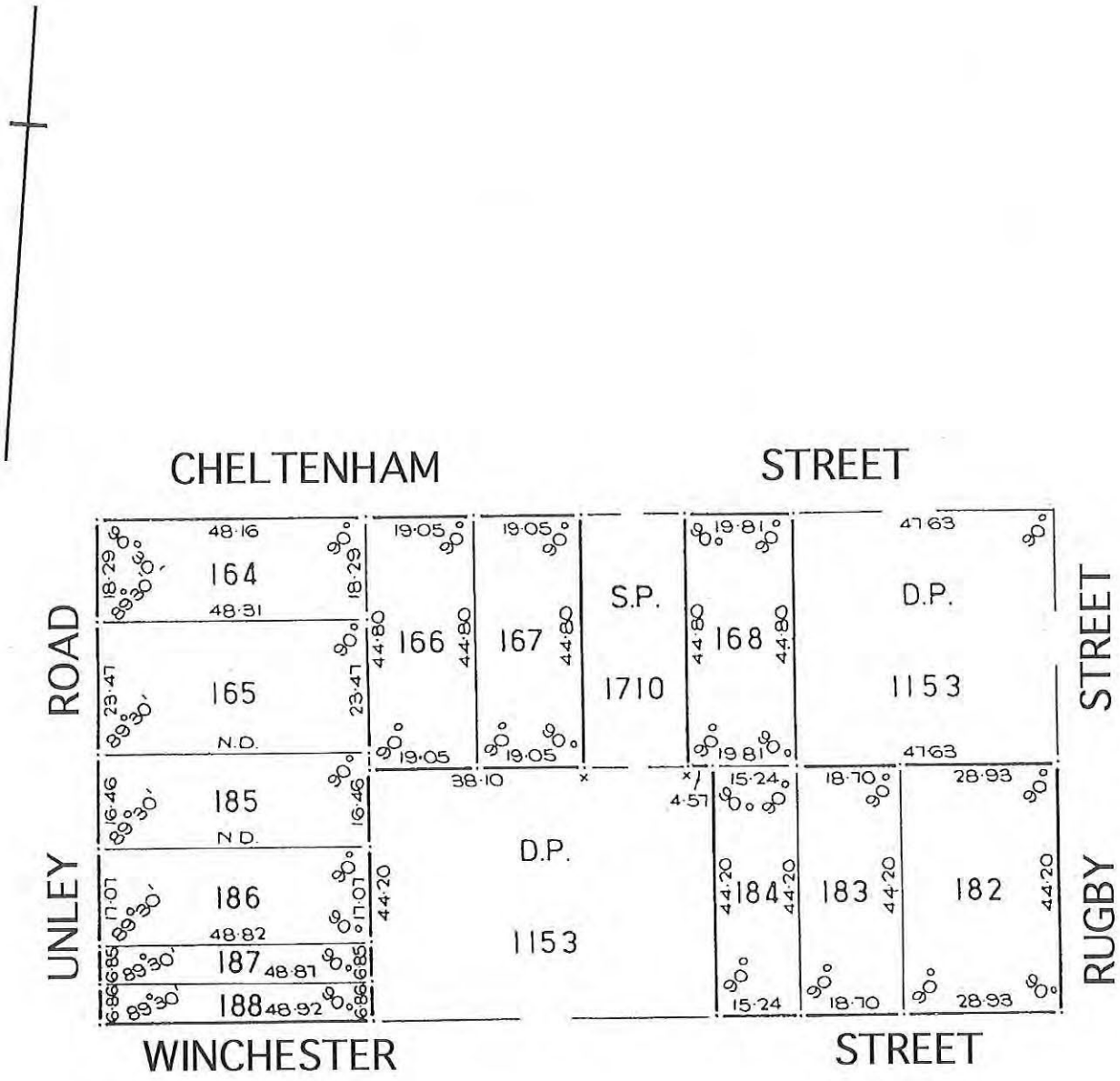
NIL

Schedule of Dealings

Dealing Number	Description
12404208	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

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



LAND SERVICES SA

Product	Register Search Plus (CT 6051/405)
Date/Time	30/09/2020 03:31PM
Customer Reference	956850
Order ID	20200930011095

REAL PROPERTY ACT, 1886
South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR-GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 6051 Folio 405

Parent Title(s)	CT 5108/926				
Creating Dealing(s)	SC 11315262				
Title Issued	13/01/2010	**Edition**	3	**Edition Issued**	25/01/2016

Estate Type

FEE SIMPLE

Registered Proprietor

COMO APARTMENTS (MALVERN) PTY. LTD. (ACN: 606 030 111)
OF L 2 89 KING WILLIAM STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 185 FILED PLAN 15583
IN THE AREA NAMED MALVERN
HUNDRED OF ADELAIDE

Easements

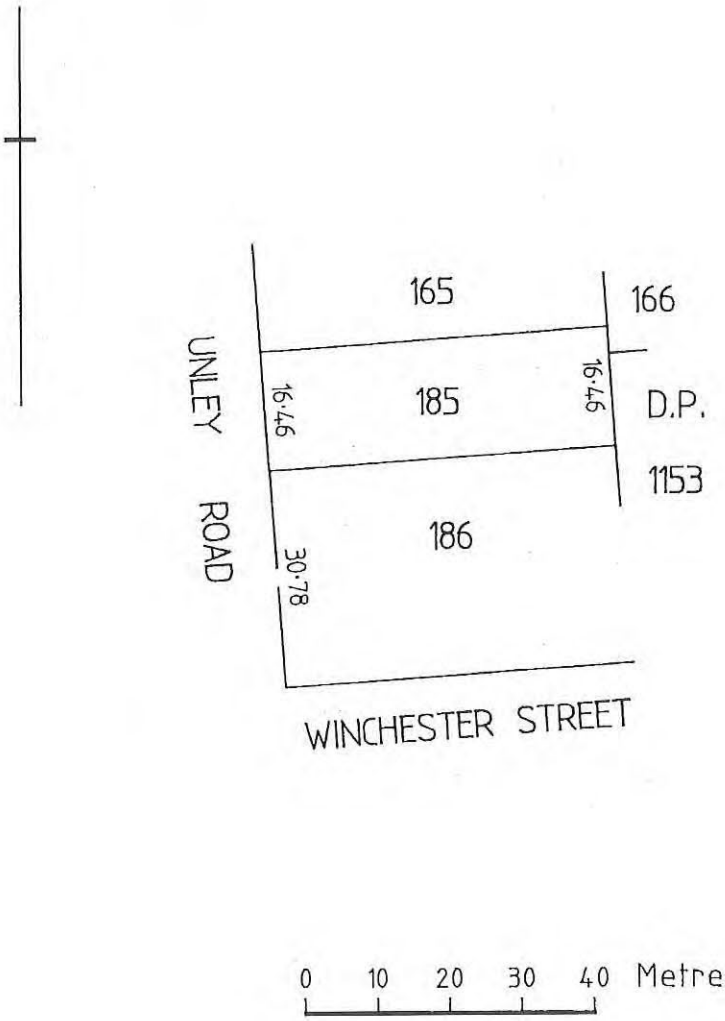
NIL

Schedule of Dealings

Dealing Number	Description
12404208	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

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



LAND SERVICES SA

Product	Register Search Plus (CT 5913/202)
Date/Time	30/09/2020 03:34PM
Customer Reference	956850
Order ID	20200930011145

REAL PROPERTY ACT, 1886
South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR-GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5913 Folio 202

Parent Title(s) CT 5410/823

Creating Dealing(s) ACT 9787852

Title Issued 15/03/2004 **Edition** 3 **Edition Issued** 25/01/2016

Estate Type

FEE SIMPLE

Registered Proprietor

COMO APARTMENTS (MALVERN) PTY. LTD. (ACN: 606 030 111)
OF L 2 89 KING WILLIAM STREET ADELAIDE SA 5000

Description of Land

LOT COMPRISING PIECES 1 AND 3 PRIMARY COMMUNITY PLAN 22189
IN THE AREA NAMED MALVERN
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12404208	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan

Lodgement Date	Dealing Number	Description	Status
19/02/2004	9787853	SCHEME DESCRIPTION	FILED
19/02/2004	9787854	BY-LAWS	FILED

Registrar-General's Notes NIL

Administrative Interests NIL

LAND SERVICES SA

Product	Register Search Plus (CT 5913/203)
Date/Time	30/09/2020 03:36PM
Customer Reference	956850
Order ID	20200930011217

REAL PROPERTY ACT, 1886
South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

Certificate of Title - Volume 5913 Folio 203

Parent Title(s) CT 5410/823

Creating Dealing(s) ACT 9787852

Title Issued 15/03/2004 **Edition** 4 **Edition Issued** 25/01/2016

Estate Type

FEE SIMPLE

Registered Proprietor

COMO APARTMENTS (MALVERN) PTY. LTD. (ACN: 606 030 111)
OF L 2 89 KING WILLIAM STREET ADELAIDE SA 5000

Description of Land

LOT COMPRISING PIECES 2 AND 4 PRIMARY COMMUNITY PLAN 22189
IN THE AREA NAMED MALVERN
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12404208	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan

Lodgement Date	Dealing Number	Description	Status
19/02/2004	9787853	SCHEME DESCRIPTION	FILED
19/02/2004	9787854	BY-LAWS	FILED

Registrar-General's Notes NIL

Administrative Interests NIL

Appendix 2. Proposed Plans and Elevations

(Brown Falconer)

DAN MURPHY'S MALVERN
301-305 UNLEY ROAD, MALVERN

PLANNING APPLICATION - DEVELOPMENT APPROVAL ISSUE
SEPTEMBER 2022

ARCHITECURAL DRAWING SCHEDULE

DA01	COVER SHEET	D	06.09.22
DA02	EXISTING CONDITIONS	B	29.07.22
DA03	FLOOR & SITE PLAN	G	15.08.22
DA04	STREET ELEVATIONS	B	03.08.22
DA05	ELEVATIONS	E	06.09.22
DA06	SHADOW DIAGRAM	A	29.07.22
DA07	LANDSCAPE PLAN	A	03.08.22

SUPERSEDED

DA ISSUE
ISSUED FOR DEVELOPMENT APPROVAL
6/09/2022 4:27:16 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	DA LANDSCAPE & CANOPY UPDATES	03.08.22
D	SIGN AMENDMENTS	06.09.22

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

COVER SHEET

Scale 1 : 2000
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA01** Rev: **D** A3 SHEET

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

TOTAL SITE AREA 2768M²

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

SUPERSEDED

EXISTING SITE / DEMOLITION

1 : 500

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

8/08/2022 3:01:59 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22

CATCORP

BROWN FALCONER

28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

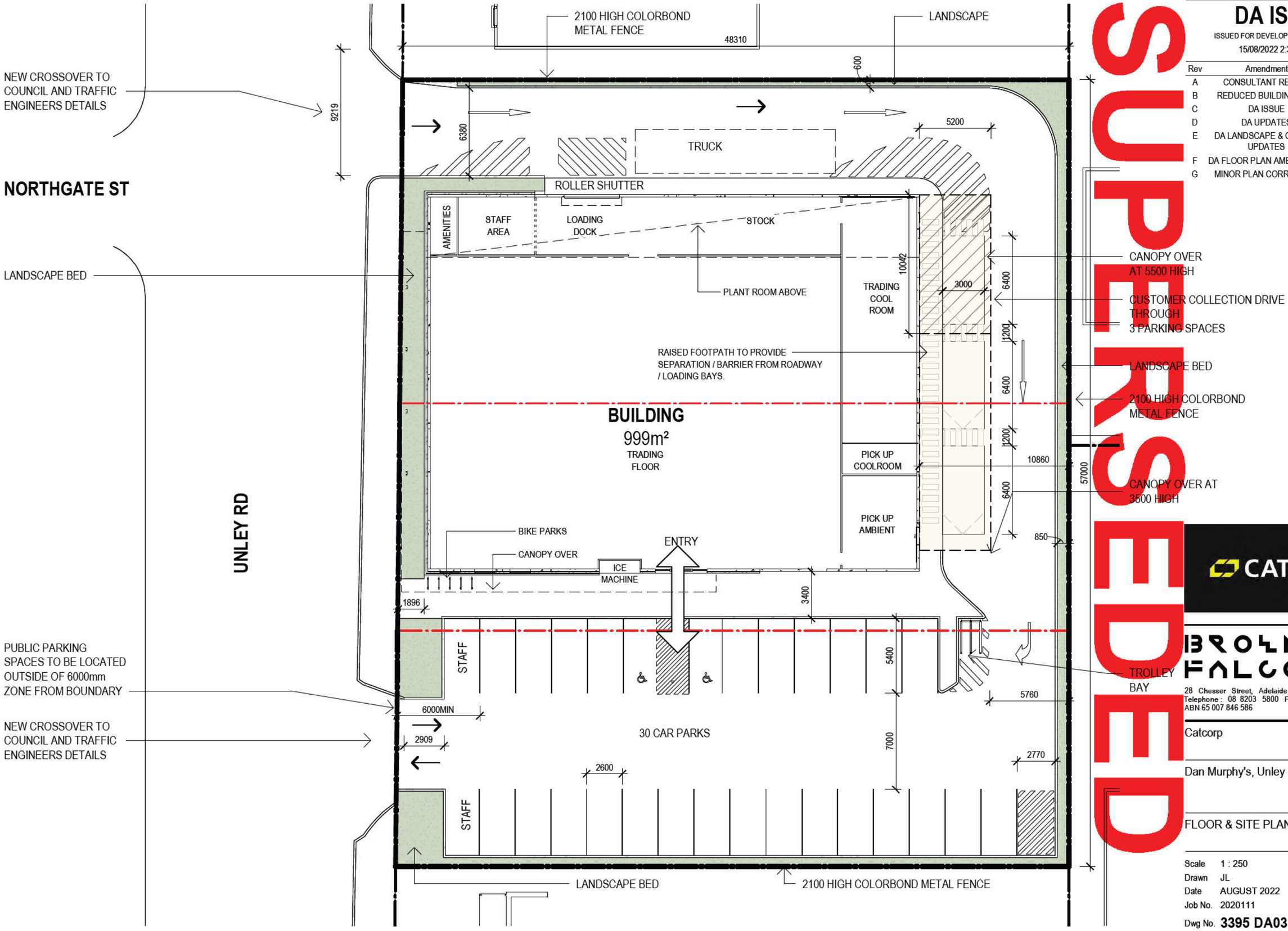
Catcorp

Dan Murphy's, Unley Road Malvern

EXISTING CONDITIONS

Scale 1 : 500
Drawn JL
Date AUGUST 2022
Job No. 2020111

Dwg No. **3395 DA02** Rev: **B** A3 SHEET



SUPERSEDED

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

15/08/2022 2:36:13 PM

Rev	Amendment	Date
A	CONSULTANT REVIEW	11.10.21
B	REDUCED BUILDING SIZE	23.02.22
C	DA ISSUE	13.07.22
D	DA UPDATES	29.07.22
E	DA LANDSCAPE & CANOPY UPDATES	03.08.22
F	DA FLOOR PLAN AMENDMENT	08.08.22
G	MINOR PLAN CORRECTION	15.08.22

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

FLOOR & SITE PLAN

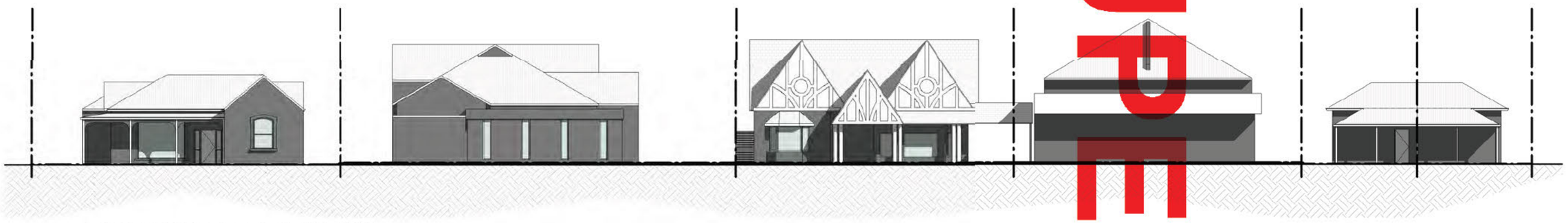
Scale 1 : 250
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA03** Rev: **G** A3 SHEET

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

6/09/2022 4:46:57 PM

Rev	Amendment	Date
A	DA UPDATES	29.07.22
B	DA LANDSCAPE & CANOPY UPDATES	03.08.22
C	SIGN AMENDMENTS	06.09.22



EXISTING STREET ELEVATION

1 : 250

PROPOSED STREET ELEVATION

1 : 250

SUPERSEDED

CATCORP

BROWN FALCONER

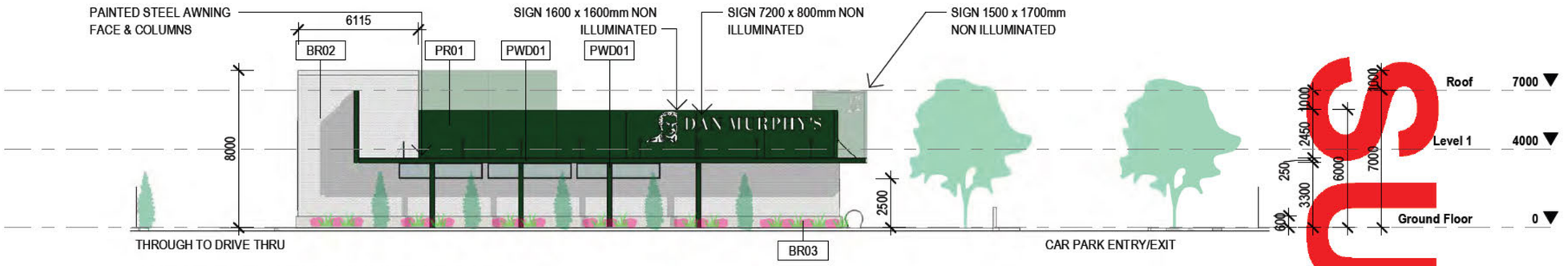
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

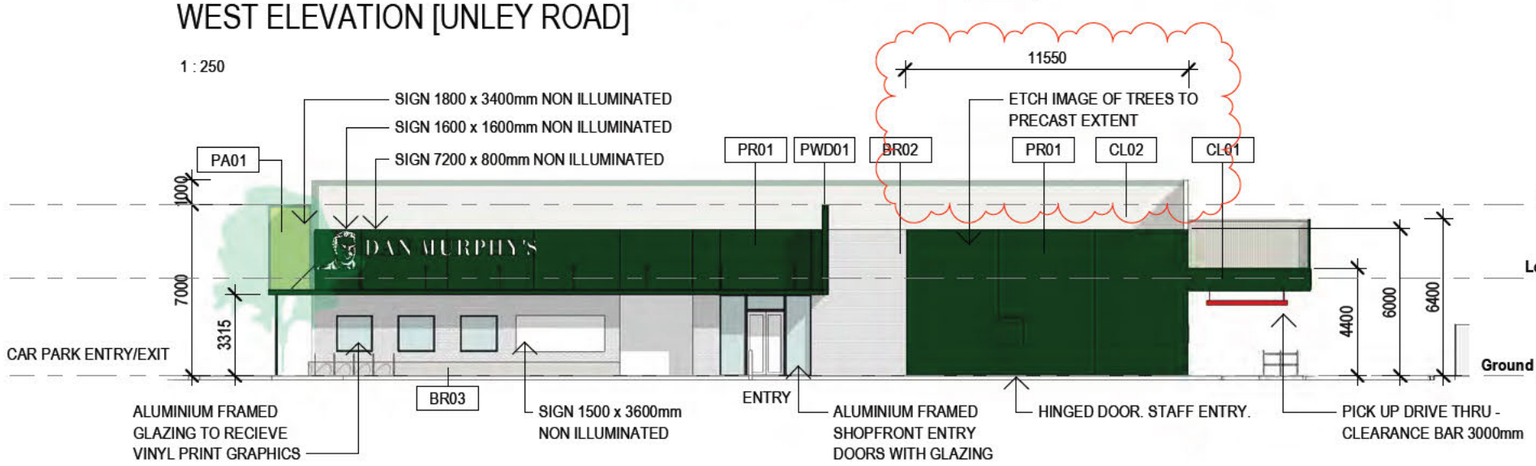
STREET ELEVATIONS

Scale 1 : 250
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA04** Rev: **C** A3 SHEET



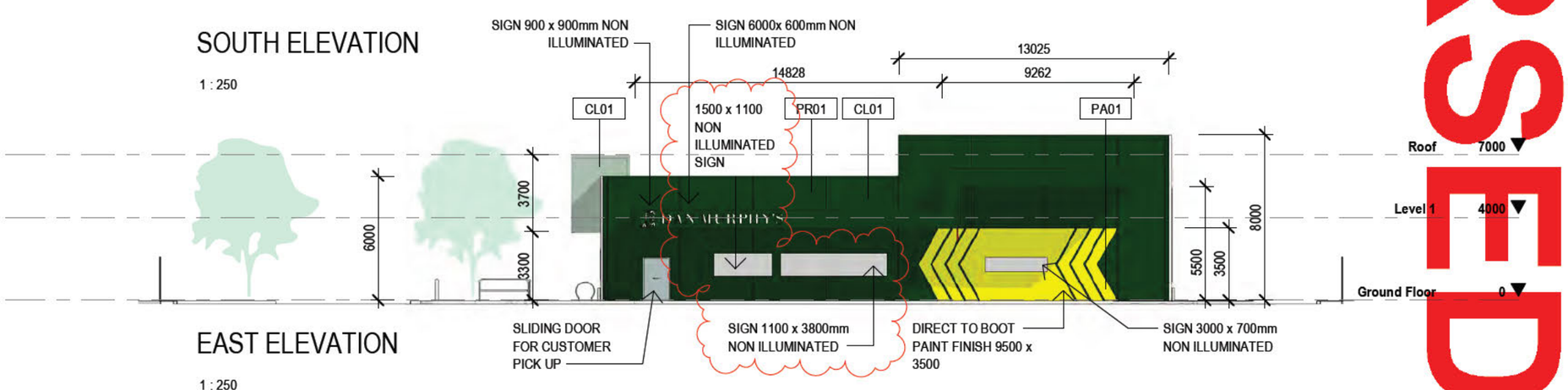
WEST ELEVATION [UNLEY ROAD]

1 : 250



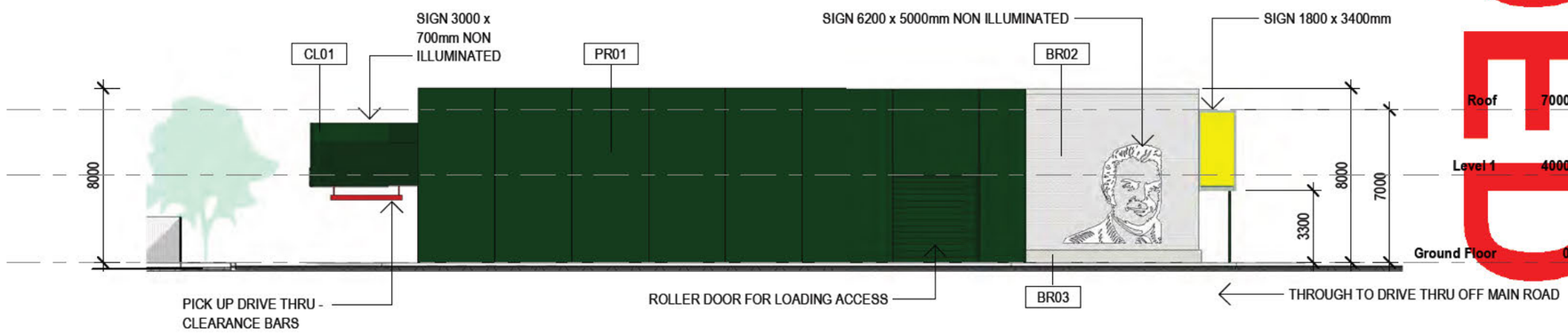
SOUTH ELEVATION

1 : 250



EAST ELEVATION

1 : 250



NORTH ELEVATION

1 : 250

SUPERSEDED

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

6/09/2022 4:27:26 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	DA LANDSCAPE & CANOPY UPDATES	03.08.22
D	DA FLOOR PLAN AMENDMENT	08.08.22
E	SIGN AMENDMENTS	06.09.22

MATERIAL LEGEND

BR02	FACE BRICK - WHITE
BR03	FACE BRICK - GREY
CL01	PAINTED CFC
CL02	CUSTOM ORB CLADDING: SURFMIST
PA01	PAINT FINISH. CORPORATE YELLOW.
PR01	PRECAST PANEL. PAINT FINISH . CORPORATE GREEN.
PWD01	STEEL. POWDERCOAT FINISH. CORPORATE GREEN.

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

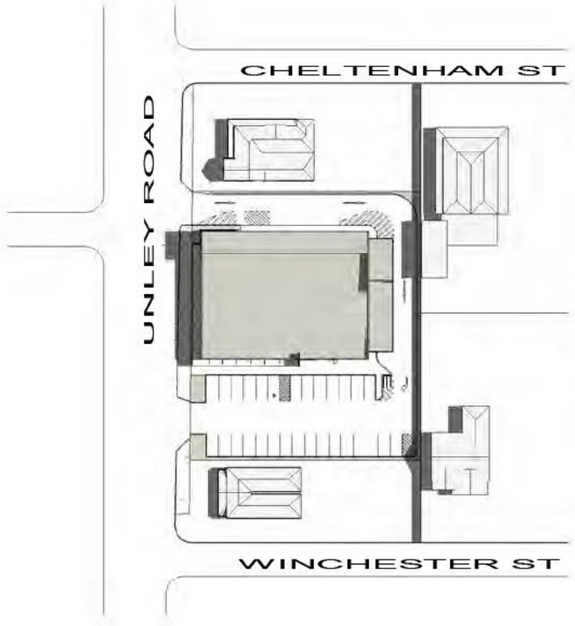
Catcorp

Dan Murphy's, Unley Road Malvern

ELEVATIONS

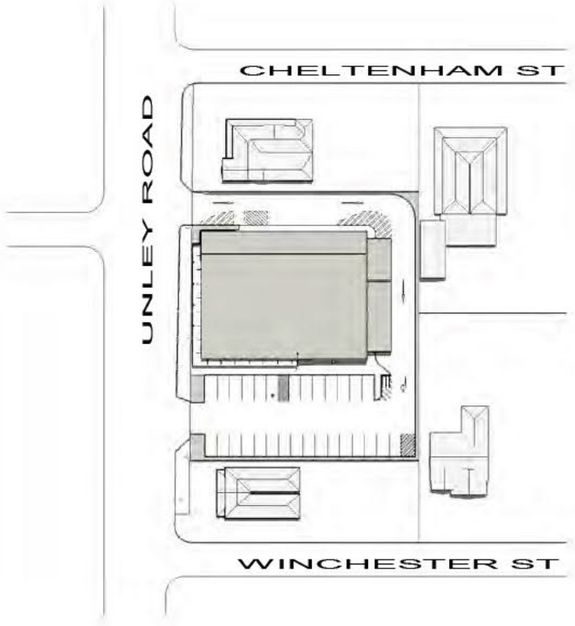
Scale 1 : 250
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA05** Rev: **E** A3 SHEET

SUMMER SOLSTICE 22 DECEMBER



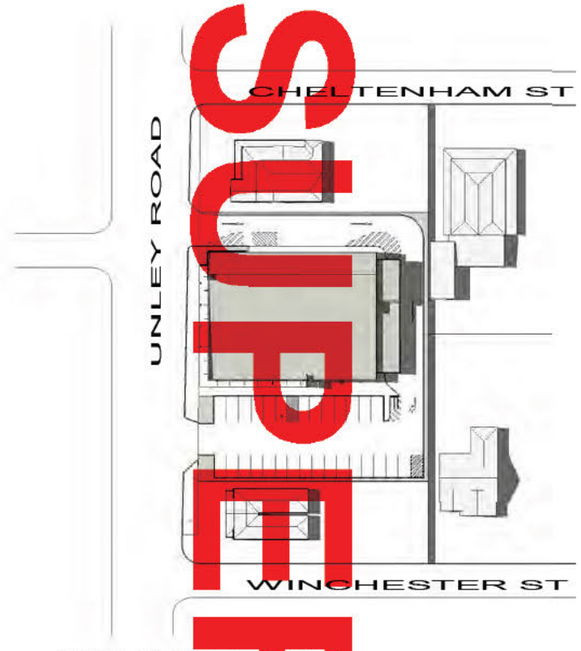
SUMMER 9AM

1 : 1300



SUMMER 12PM

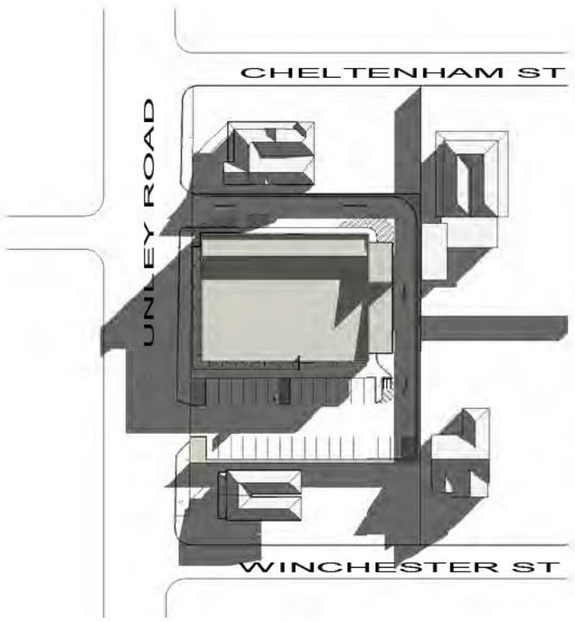
1 : 1300



SUMMER 3PM

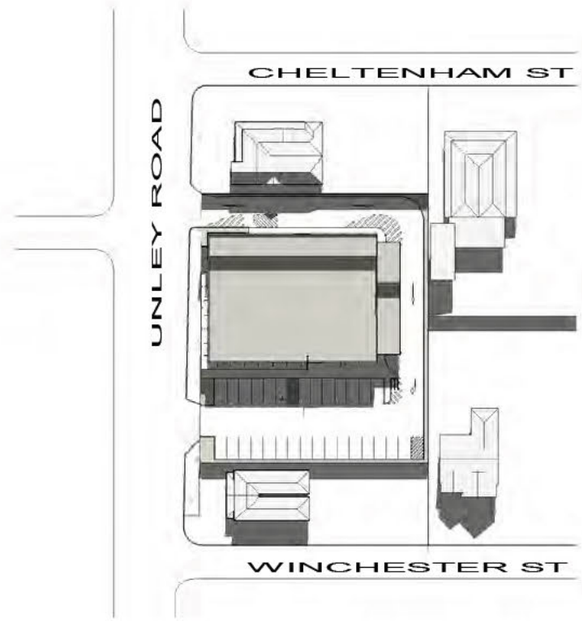
1 : 1300

WINTER SOLSTICE 22 JUNE



WINTER 9AM

1 : 1300



WINTER 12PM

1 : 1300

WINTER 3PM

1 : 1300

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

8/08/2022 3:02:24 PM

Rev	Amendment	Date
A	DA UPDATES	29.07.22

0 2000 4000 6000 8000

1:2000

CATCORP

BROWN FALCONER

28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

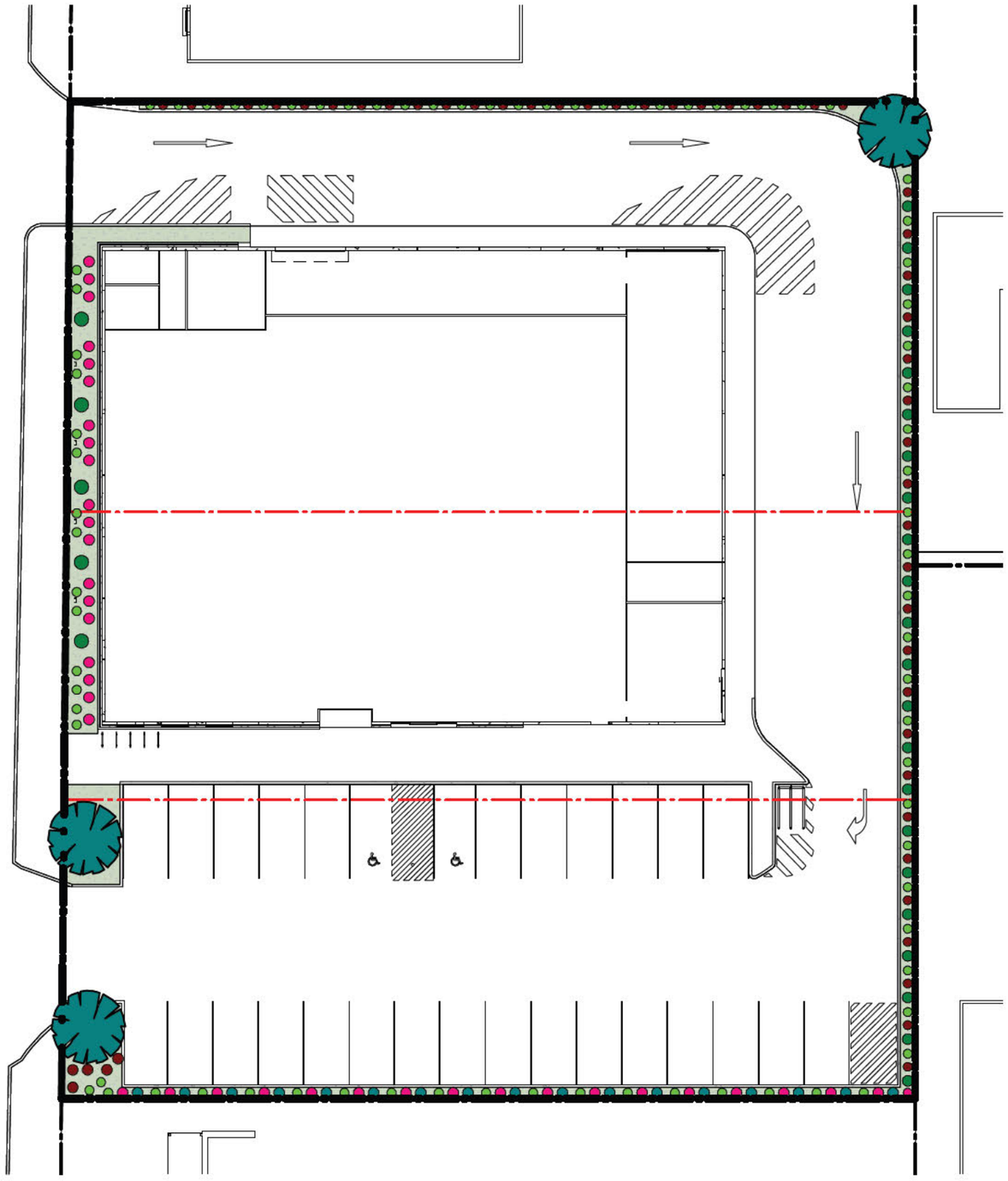
Catcorp

Dan Murphy's, Unley Road Malvern

SHADOW DIAGRAM

Scale 1 : 1300
Drawn JL
Date AUGUST 2022
Job No. 2020111

Dwg No. **3395 DA06** Rev: **A** A3 SHEET



PLANTING GUIDE

PLANTED IN ASCENDING ORDER OF MATURE HEIGHT FROM FRONT OF KERB TO BACK OF LANDSCAPING BED

LM
LOMANDRA LONGIFOLIA ' TANIKA'

0.6M HIGH X 0.6M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

KP
ANIGOZANTHOS 'BUSH SUNSET' RED KANGAROO PAW'

1.0M HIGH X 0.6M SPREAD

PLANT RANDOMLY AS HIGHLIGHT

CB
LEUCOPHYTA BROWNII ' CUSHION BUSH'

1.0M HIGH X 1.5M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

CS
CUPRESSUS SEMPERVIRENS 'ITALIAN PENCIL PINE'

3.0M HIGH X 0.3M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

MP
PYRUS USSERIENSIS ' MANCHURIAN PEAR'

TREE

NOTE:
- TREE IS SUITABLE IN VERGES 1.0 TO 1.5M WIDE,
- GROWS TO A MATURE HEIGHT OF 8.0 METRES
- SHOULD BE PLANTED AT 6.0M SPACINGS.

PLANTING NOTES

- ALL GARDEN BEDS TO BE MULCHED 100MM MINIMUM DEEP AND DRIP IRRIGATED.
- MASS PLANTING TO SUIT AREAS, SCREENING AND/OR SIGHTLINES. GENERALLY TO HAVE LOW LEVEL PLANTING TO STREET FRONTAGES & MEDIUM TO HIGH LEVEL PLANTING TO THE REAR OF THE SITE.

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

8/08/2022 3:02:29 PM

Rev	Amendment	Date
A	DA LANDSCAPE & CANOPY UPDATES	03.08.22

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

LANDSCAPE PLAN

Scale As indicated
Drawn JL
Date AUGUST 2022
Job No. 2020111

Dwg No. **3395 DA07** Rev: **A** A3 SHEET

Appendix 3. Traffic Impact Assessment

(CIRQA)

SUPERSEDED

DAN MURPHY'S
301-305 UNLEY ROAD, MALVERN

TRAFFIC AND PARKING REPORT

DISCLAIMER

DOCUMENT CONTROL

Report title:	Dan Murphy's - 301-305 Unley Road, Malvern Traffic and Parking report
Project number:	20396
Client:	Catcorp
Client contact:	Cosimo Dichiera

Version	Date	Details/status	Prepared by	Approved by
Draft	11 Jul 22	For review	ABH	TAW
V1	17 Aug 22	For submission	ABH	TAW
V1.1	19 Aug 22	Updated plan	ABH	TAW

CIRQA Pty Ltd
ABN 12 681 029 983
PO Box 144, Glenside SA 5065
150 Halifax Street, Adelaide SA 5000
(08) 7078 1801
www.cirqa.com.au

1. INTRODUCTION

CIRQA has been engaged to provide design and assessment advice for a proposed Dan Murphy's bottle shop at 301-305 Unley Road, Malvern. Specifically, CIRQA has been engaged to provide advice in respect to traffic and parking aspects of the proposal.

This report provides a review of the subject site, the proposed development, its access and parking provisions and the associated traffic impact on the adjacent road network. The traffic and parking assessments have been based upon plans prepared by Brown Falconer (job no. 2020111, drawing no. 3395 DA03 Rev G & DA05 Rev C, dated August 2022, refer Appendix A).

2. BACKGROUND

2.1 SUBJECT SITE

The subject site is located on the eastern side of Unley Road. The site is bound by a commercial property to the north, residential dwellings to the east, commercial properties to the south and Unley Road to the west.

The Planning and Design Code identifies that the site is located within a Business Neighbourhood Zone, with the following overlays applicable:

- Airport Building Heights (Regulated) (All structures over 45 metres);
- Prescribed Wells Area;
- Regulated and Significant Tree;
- Traffic Generating Development; and
- Urban Transport Routes.

The subject site comprises three allotments, each of which is currently occupied by commercial tenancies. Vehicle access is provided to each allotment is provided via one crossover, at which all turning movements are permitted.

Figure 1 illustrates the location of the subject site with respect to the adjacent road network.

Figure 1 – Location of the subject site with respect to the adjacent road network

2.2 ADJACENT ROAD NETWORK

Unley Road is an arterial road under the care and control of the Department for Infrastructure and Transport (DIT). Adjacent the site, Unley Road comprises two traffic lanes and a bicycle lane in each direction. Clearways are operational between 7:00 am and 9:00 am, Monday to Friday, for northbound traffic, and between 4:30 pm to 6:00 pm, Monday to Friday, for southbound traffic. Unrestricted on-street parking is permitted on Unley Road outside of Clearway operation hours. Footpaths are provided on both sides of Unley Road, accommodating both pedestrian and cyclist movements. Adjacent the site, a 60 km/h speed limit applies on Unley Road.

Traffic data obtained from DIT indicates that this section of Unley Road has an Annual Average Daily Traffic (AADT) volume in the order of 26,800 vehicles per day (vpd), of which approximately 2% are commercial vehicles.

Northgate Street is a collector road under the care and control of City of Unley Council. Northgate Street comprises a 7.8 m wide carriageway (approximate) facilitate two-way vehicle movements. On-street parking is generally unrestricted on the northern side of Northgate Street, while prohibited (at all times) on the southern side. Parking is however prohibited on both sides of Northgate Street within approximately 100 m of its intersection with Unley Road. Footpaths are provided on both sides of Northgate Street, facilitating both pedestrian and cyclist movements. Cyclist movements are also accommodated

on-street under a standard shared arrangement. A 40 km/h speed limit applies on Northgate Street.

Traffic data obtained from DIT indicates that Northgate Street has an AADT in the order of 2000 vpd, of which approximately 2.5% are commercial vehicles. It should be noted that this data was recorded in April 2000, however a comparison of traffic volumes on Unley Road indicates that volumes have decreased since this time. As such, the traffic data obtained for Northgate Street has been adopted for the below traffic assessment.

Unley Road and Unley Street form a priority-controlled T-intersection (with priority assigned to Unley Road). All turning movements are permitted at the intersection.

2.3 PUBLIC TRANSPORT

Public bus services operate regularly in the vicinity of the subject site. Bus stops are located approximately 100 m south of the subject site on both sides of Unley Road. These stops are serviced by the following bus routes:

- Route 190 – Glenelg Interchange to City;
- Route 190B – City to Mitcham Square;
- Route 195, 195F, 196, 196F – Blackwood Interchange to City;
- Route 674 – Blackwood High School to City; and
- Route AO24 – Mitcham Square to Adelaide Oval.

3. PROPOSED DEVELOPMENT

3.1 LAND USE AND YIELD

The proposed development comprises the demolition of the existing infrastructure on the subject site and the construction of a 999 m^2 Dan Murphy's.

3.2 ACCESS AND PARKING DESIGN

The site will be serviced by a total of 32 parking spaces, of which two (2) spaces will be reserved exclusively for use by people with disabilities. Three parking spaces will also be reserved exclusively for use by customers collecting online pick-up orders, while a further two (2) spaces (immediately adjacent the site's primary Unley Road access) will be reserved for use by staff only in order to limit their turnover (and associated parking manoeuvres within the vicinity of the access).

The parking area will comply with the requirements of the Australian/New Zealand Standards for "*Parking Facilities Part 1: Off-street car parking*" (AS/NZS

2890.1:2004) and "*Parking Facilities Part 6: Off-street parking for people with disabilities*" (AS/NZS 2890.6:2009) in that:

- regular parking spaces will be 2.6 m wide and 5.4 m long (or 4.8 m long with 0.6 m overhang);
- the disabled parking space will be 2.4 m wide and 5.4 m long (with an adjacent shared space of the same dimension);
- the parking aisle will be at least 6.2 m wide adjacent 90-degree parking areas;
- the parking aisle will be at least 3.6 m wide adjacent parallel parking areas;
- a turn-around bay will be provided at the end of the parking aisle;
- 0.3 m clearance will be provided to all objects greater than 0.15 m in height; and
- pedestrian sightlines will be provided where a vehicle egress intersects with the site's property boundary.

Vehicle access to the site proposed via two (2) access points on Unley Road, namely:

- Primary access – an all-movement crossover, providing vehicle access to the site's primary 29-space parking area; and
- Secondary access – an ingress only crossover, providing vehicle access to the site's commercial vehicle loading area and three (3) 'customer loading' parking spaces.

It should be noted that the proposed ingress crossover will be located in the same location as an existing crossover on Unley Road (albeit marginally widened to the south in order to appropriately facilitate vehicle entry movements). While the ingress will be located opposite the Unley Road/Northgate Street intersection, the proposed access has been restricted to ingress only movements in order to minimise its interaction with the intersection's operation (further discussion is provided in Section 5 below).

Furthermore, the ingress will facilitate appropriate commercial vehicle movements to and from the site, and enable efficient circulation throughout (further discussion in relation to commercial vehicle movements is provided in Section 3.3 below).

All redundant crossovers will be closed and reinstated as Council-standard upright kerb.

Simultaneous turning movements will be accommodated at the site's primary access. All vehicles will be able to be driven to and from the site in a forward direction.

3.3 SERVICE AND REFUSE COLLECTION

The site will be serviced by commercial vehicles up to 12.5 m in length, such as Heavy Rigid Vehicles (HRVs). Commercial vehicles are proposed to access the site via the ingress only and will be able to store within a dedicated commercial vehicle loading area. Such vehicles will then be able to be driven from the loading area in a forward direction to circulate clockwise around the site, before exiting the site back on to Unley Road.

Based upon the above, commercial vehicles will be able to access the site without having to undertake a reverse movement. Such an arrangement is considered desirable, maximising the safety associated with their movement throughout the site. Furthermore, all vehicles will be able to be driven to and from the site in a forward direction.

It is noted that the northern access will also be utilised by light vehicles accessing the 'customer loading' spaces adjacent the eastern side of the building (i.e. for the collection of online orders). While commercial and light vehicles will be required to utilise the same internal circulation/parking aisles, commercial vehicle movements will occur outside of regular business hours when public (light) vehicle movements will not be prevalent.

A plan illustrating a 12.5 m HRV access and manoeuvring within the subject site is attached in Appendix B.

Refuse collection will be undertaken on-site via a private contractor with the associated manoeuvres accommodated as described above (forward-in at the northern access and forward-out at the southern access). Such movements would occur via commercial vehicles up to 11.0 m in length. Given the site has been designed to accommodate commercial vehicles up to 12.5 m in length, refuse collection vehicle movements will be readily accommodated.

It should be noted that the customer pick-up spaces are proposed to be located beneath a cantilevered canopy. Furthermore, the canopy comprises a staggered roof such that commercial vehicles are able to safely pass beneath without conflict (a clear height of 5.5 m will be provided beneath this area). As such, no supporting columns will be required, nor will the canopy prohibit commercial vehicle movements around the building.

4. PARKING ASSESSMENT

4.1 CAR PARKING

The Planning and Design Code identifies the following parking requirement applicable to the proposed development:

- Non-residential development – 3 spaces per 100 m^2 of gross floor area.

Based upon the above rate, the proposed development would have a theoretical requirement for 30 parking spaces. Given that 32 spaces will be provided throughout the site, the parking requirements of the Planning and Design Code will be satisfied.

It is reiterated that three (3) parking spaces will be provided as 'customer loading' spaces within the subject site. The provisions of such spaces are understood to facilitate customers ordering online as opposed to accessing the store (as would typically be required). The facilitation of online ordering at the site will reduce the duration of stay of typical parking demands, thereby assisting to reduce peak parking demands enabling additional parking for use by customers wishing to access the store.

Notwithstanding the above, the total parking provision across the subject site will exceed the minimum requirements of the Planning and Design Code.

4.2 BICYCLE PARKING

The Planning and Design Code identifies the following bicycle parking requirement applicable to the proposed development:

- Shop
  - Employee – 1 space per 300 m^2 of gross leasable floor area; plus
  - Visitor – 1 space per 600 m^2 of gross leasable floor area.

Based upon the above rates, the proposed development would have a theoretical requirement for four (4) employee and two (2) visitor bicycle parking spaces (6 bicycle parking spaces in total). While no bicycle parking spaces have been nominated on the site plans, adequate area is available to provide three (3) bicycle rails (capable of accommodating six (6) bicycles). The location of these spaces can be determined during the detailed stage of the project and conditioned accordingly (if desired by the relevant assessment authority).

5. TRAFFIC ASSESSMENT

The RTA's "*Guide to Traffic Generating Developments*" (the RTA Guide), and its subsequent updates, identifies a peak hour (Thursday) traffic generation of 12.3 peak hour trips per 100 m² of gross leasable floor area for shopping centres with a total floor area between 0 and 10,000 m².

However, such a rate is not considered to be appropriate for application to the subject proposal. This is due to the large-scale nature and variety of offerings of a shopping centre compared to that of the proposal (i.e. the proposed Dan Murphy's is a standalone site). In reality, it would be expected that the proposal would generate in the order of 7.5 to 9.0 pm peak hour trips per 100 m² of floor area. Such rates have recently been adopted (and accepted) for retail shops throughout metropolitan Adelaide. It should also be noted that the am peak hour generation of 'shops' is typically 50% of that associated with the pm peak hour.

Furthermore, recent survey data has identified a traffic generation rate of 5 trips per 100 m^2 of floor area as applicable for assessment of the site's potential traffic impact in the Friday (pm) commuter peak hour.

Notwithstanding the above, for conservatism, traffic generation rates of 4.5 am and 9.0 pm trips per 100 m² have been adopted for this assessment.

Based on the above, it is forecast that the proposal will generate in the order of 45 am and 90 pm peak hour vehicle movements. However, it is noted that this forecast does not consider the vehicle movements generated by the site's existing uses. In reality, the additional trips generated by the proposed development will be less than that identified above. Notwithstanding, for the purposes of this assessment, the above forecasts have been adopted in order to provide a conservative assessment.

Due the site's location on Unley Road (i.e. adjacent the southbound traffic lanes, departing from the CBD), it is considered that a large portion of vehicle movements associated with the proposed development would, in reality, be associated with 'passing trade' (i.e. vehicles already on the surrounding road network and not 'new' vehicle movements).

Notwithstanding, in order to provide a conservative assessment, vehicle movements have been assumed to be distributed relatively equally between the north and south on Unley Road. Furthermore, considering the site's proposed use, vehicle movements are forecast to be distributed relatively equal between ingress and egress movements.

With regard to access distribution, as the site's northern access is will only facilitate ingress movements, and primarily only provide access to the site's

commercial and customer loading areas, it is forecast that in the order of 10% of ingress vehicle movements would utilise the proposed northern access. Based upon the above, this equate to in the order of three am and five pm peak hour vehicle movements. Such volumes are very low and would be readily accommodated at the ingress with negligible impact upon the operation of Unley Road.

While it is noted that right-turn movements will be accommodated at the site's ingress (i.e. right turn movements from Unley Road into the site), the presence of vehicles storing whilst waiting for an acceptable gap in southbound traffic is not uncommon on Unley Road. Furthermore, SIDRA Intersection (modelling software) analyses indicate that such movements will not be associated with excessive delays (less than 18 seconds), with northbound movements on Unley Road continuing to operate with a Level of Service 'A'.

In a similar manner, turning movements associated with the site's ingress have been identified to have negligible impact upon the existing operation of the Unley Road/Northgate Street intersection. Specifically, queues on Northgate Street would be expected to increase by less than half a vehicle during both the am and pm peak hours. Such an increase is negligible and would be akin to daily fluctuations in traffic movements.

All remaining vehicle movements are forecast to utilise the site's primary two-way crossover adjacent the site's southern boundary (in the order of 11 am and 22 pm peak hour vehicle movements per turning movement). Based upon SIDRA Intersection analyses, ingress movements associated with the proposal development will not detrimentally impact upon the operation on of Unley Road, with both northbound and southbound 'through' movements retaining a Level of Service 'A' upon completion and occupation of the proposed development.

While delays may be associated with right turn movements from the subject site (i.e. right turn egress movements), the operation of Unley Road will not be detrimentally impacted upon. This is due to associated queues being contained solely within the site. Notwithstanding, in reality, in the event delays associated with turning right from the subject site are realised, users are likely to simply undertake a left-turn movement and utilise the surrounding road network to reach their destination. Such an arrangement is common at the various site access points along Unley Road, as well as at side streets intersecting along its length.

Based upon the above, the forecast traffic generation will be readily accommodated at the site's proposed access points with little impact upon the operation of Unley Road. Importantly, traffic volumes forecast will not impact

upon the function or hierarchy of Unley Road, nor are they considered to detrimentally impact upon its safe operation.

6. SUMMARY

The proposal comprises the construction of a 999 m^2 Dan Murphy's, with associated access and parking provisions. Vehicle access to the site will be provided via two crossovers on Unley Road (one of which will be restricted to ingress movements only). The site has been designed such that all movements can enter and exit in a forward direction.

A total of 32 parking spaces will be provided on-site. Such a provision will satisfy the parking requirements of the Planning and Design Code. The parking area will be provided in accordance with the relevant Australian Standard.

The Planning and Design Code identifies a requirement for six (6) bicycle parking spaces to be provided on-site. While no dedicated bicycle parking spaces have been nominated, adequate area is available. Space locations can be determined during detailed design and their provision conditioned accordingly.

The proposal is forecast to generate in the order of 45 am and 90 pm peak hour trips. Taking into account the site's location and the surrounding road network, it is forecast that vehicle movements will be distributed relatively evenly north and south of the site on Unley Road. Analyses of the site's access points indicate that the proposed development (upon completion and occupation) will have negligible impact upon the operation of Unley Road or its intersection with /Northgate Street intersection, and will not detrimentally impact upon their safe operation. Furthermore, such volumes will be readily accommodated on Unley Road without impact upon its function or hierarchy.

APPENDIX A

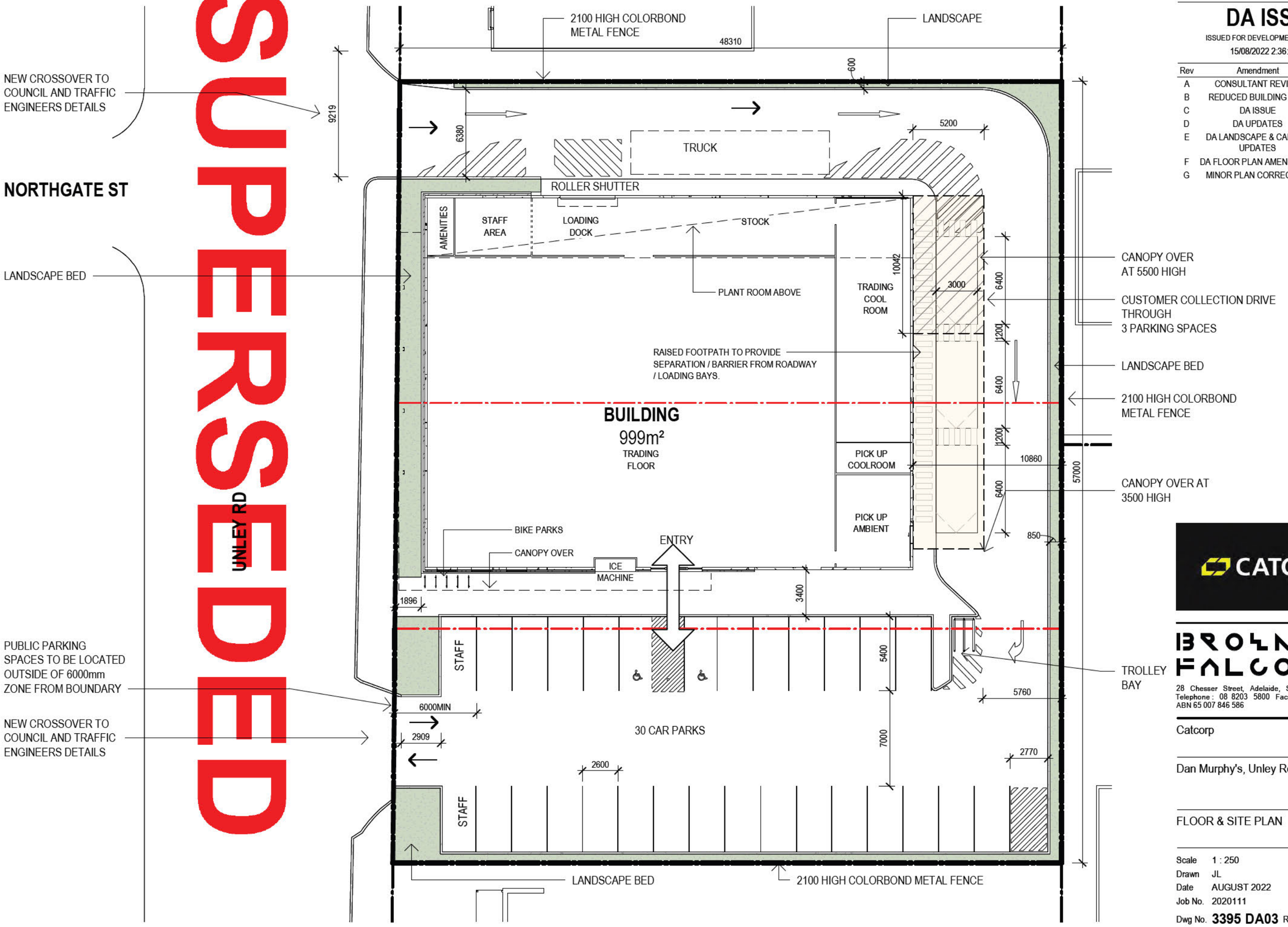
PLANS PREPARED BY BROWN FALCONER

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

15/08/2022 2:36:13 PM

Rev	Amendment	Date
A	CONSULTANT REVIEW	11.10.21
B	REDUCED BUILDING SIZE	23.02.22
C	DA ISSUE	13.07.22
D	DA UPDATES	29.07.22
E	DA LANDSCAPE & CANOPY UPDATES	03.08.22
F	DA FLOOR PLAN AMENDMENT	08.08.22
G	MINOR PLAN CORRECTION	15.08.22



CATCORP

BROWN FALCONER

28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

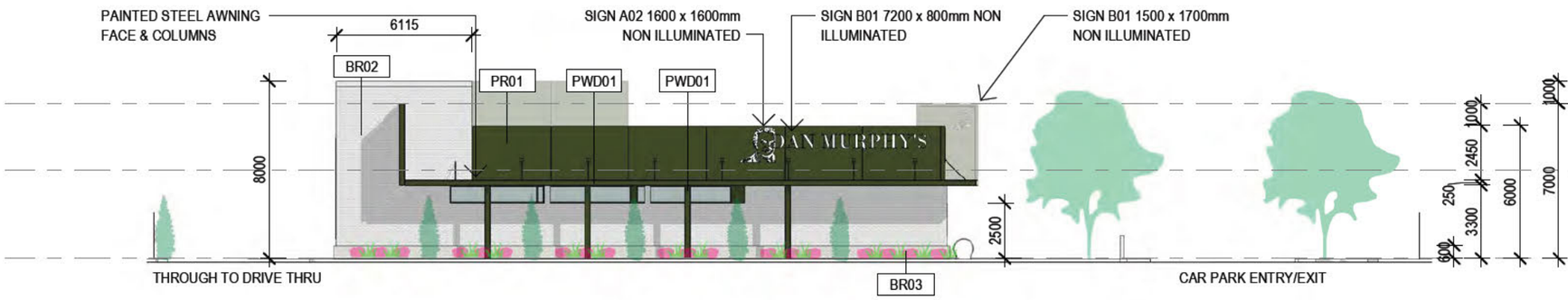
Catcorp

Dan Murphy's, Unley Road Malvern

FLOOR & SITE PLAN

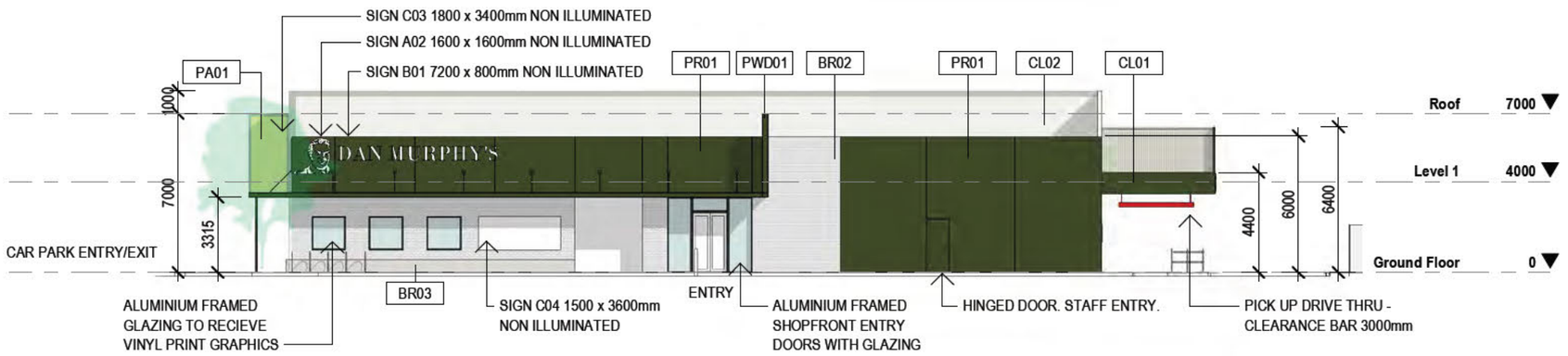
Scale 1 : 250
Drawn JL
Date AUGUST 2022
Job No. 2020111

Dwg No. **3395 DA03** Rev: **G** A3 SHEET



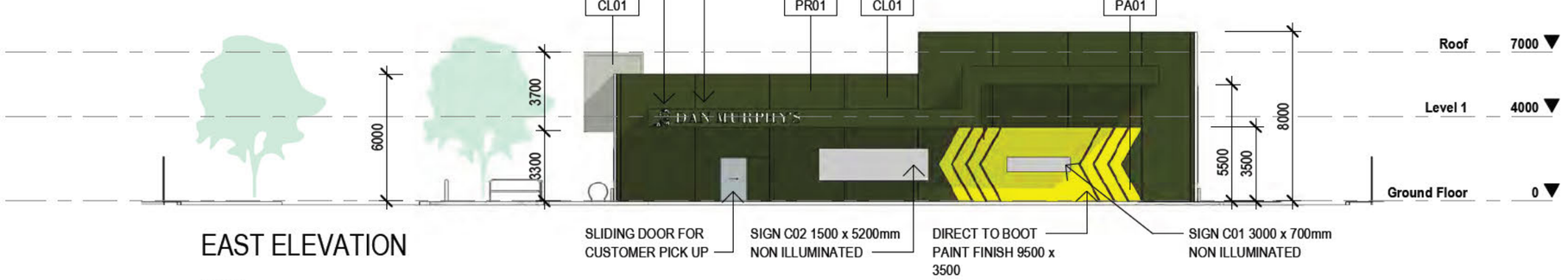
WEST ELEVATION [UNLEY ROAD]

1 : 250



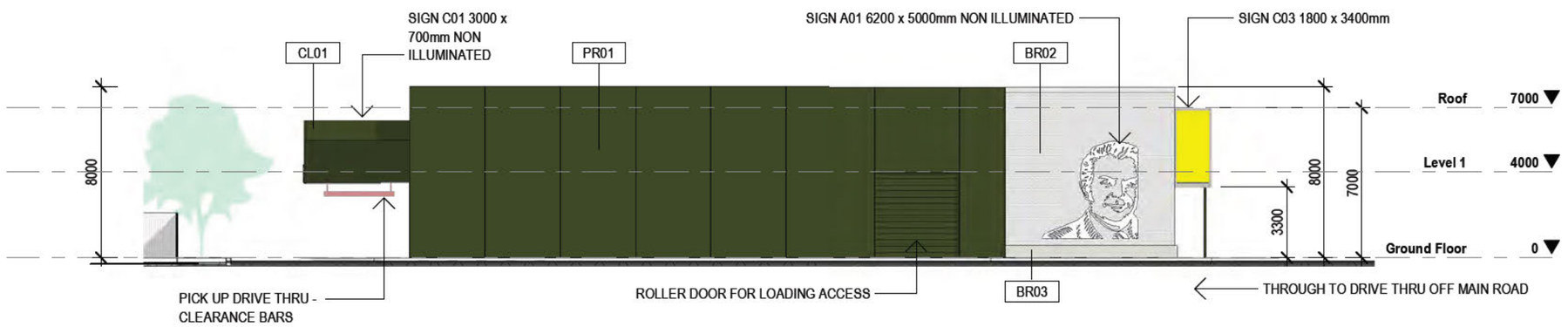
SOUTH ELEVATION

1 : 250



EAST ELEVATION

1 : 250



NORTH ELEVATION

1 : 250

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

3/08/2022 5:25:48 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	DA LANDSCAPE & CANOPY UPDATES	03.08.22

MATERIAL LEGEND

BR02	FACE BRICK - WHITE
BR03	FACE BRICK - GREY
CL01	PAINTED CFC
CL02	CUSTOM ORB CLADDING: SURFMIST
PA01	PAINT FINISH. CORPORATE YELLOW.
PR01	PRECAST PANEL. PAINT FINISH . CORPORATE GREEN.
PWD01	STEEL. POWDERCOAT FINISH. CORPORATE GREEN.

SUPERSEDED

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

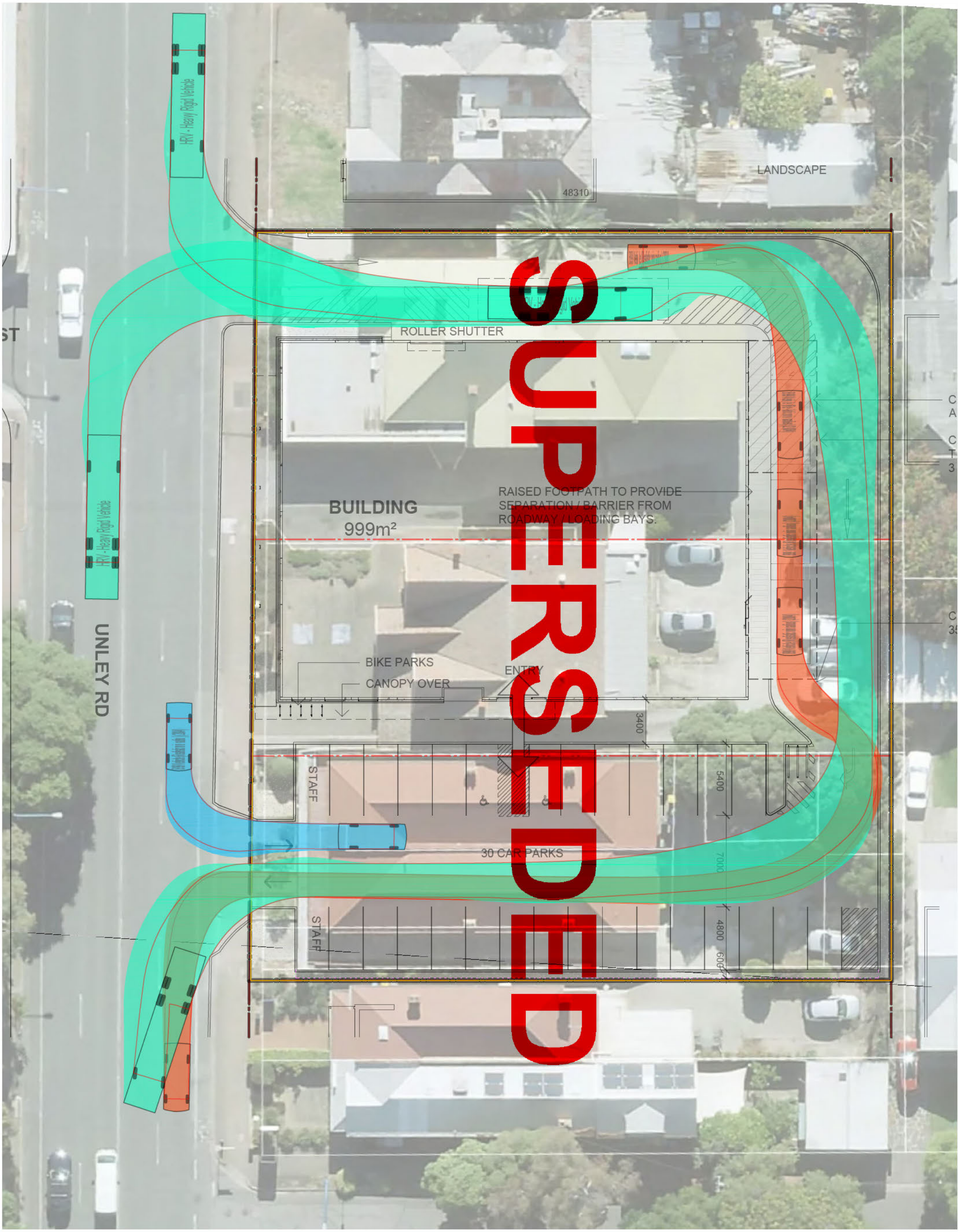
Dan Murphy's, Unley Road Malvern

ELEVATIONS

Scale 1 : 250
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA05** Rev: **C** A3 SHEET

APPENDIX B

TURN PATH OF A 12.5 m HRV ACCESSING AND MANOEUVRING WITHIN THE SUBJECT SITE



CIRQA™

ABN: 12 681 029 983 | PO Box 144, Glenside SA 5065 | E: info@cirqa.com.au

DRAWING AMENDMENTS

REV	DATE	DESCR PTION	DWN	CHK
A	30/06/2022	DESIGN REVIEW	TAW	BNW
B	17/08/2022	FOR SUBMISSION	TAW	TAW
C	19/08/2022	FOR SUBMISSION	TAW	TAW

C20396_02C.DWG 19/8/2022 4 53 PM

N
1:250
@ A3

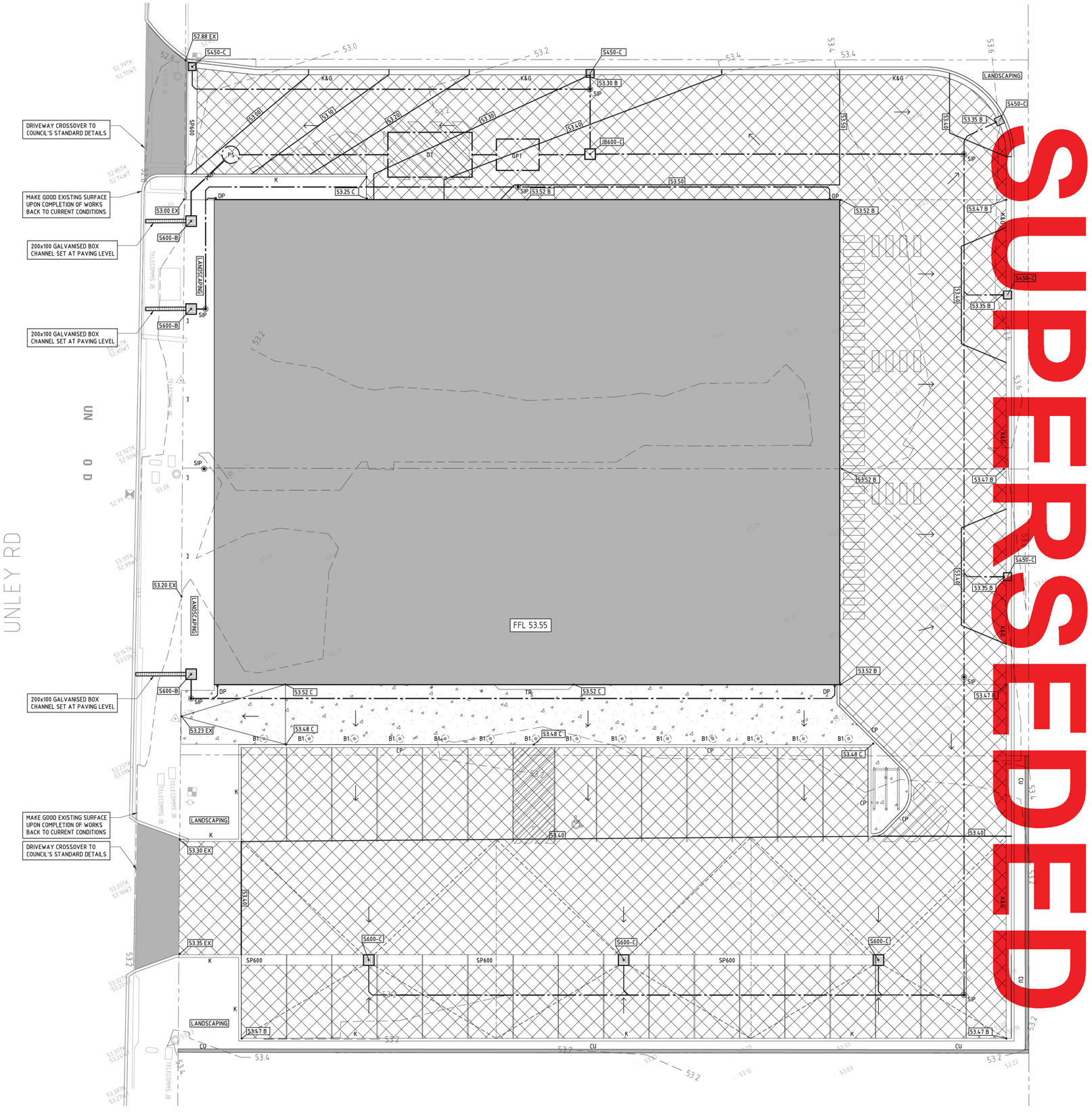
DAN MURPHY'S MALVERN

301-305 UNLEY ROAD, MALVERN
12.5 m HRV MOVEMENT (GREEN)

PROJECT # 20396 SHEET # 02_SH01

Appendix 4. Stormwater Management Plan

(PT Design)



0 2 0 0 0 0 0

A 00 @B

PT Design

structural • civil • engineers

G ND

- SEWER GRADE PVC STORMWATER PIPE — SIZE AS NOTED (S/S DENOTES SEALED SYSTEM)
- S450-X — 450 SQUARE GRATED SUMP, GRATE CLASS AS NOTED
- JB450-X — 450 SQUARE JUNCTION BOX, COVER CLASS AS NOTED
- DP — DOWNPIPE, ALL DOWNPIPES FOR SEALED SYSTEM ARE TO BE PVC
- SIP — SITE INSPECTION POINT
- 55.55 — DESIGN LEVEL (P - PAVING, C - CONCRETE, B - BITUMEN, G - GROUND, Q - QUARRY RUBBLE, COV - COVER, INV - INVERT, WT - WATER TABLE)
- 55.55 — CONTOUR LINE
- DIRECTION OF SURFACE FALL
- GRADE LINE
- K — KERB
- K&G — KERB & GUTTER
- CU — CONCRETE UPSTAND
- CP — CONCRETE PLINTH
- SP600 — 600 WIDE CONCRETE SPOON DRAIN
- B1 — BOLLARD BY ARCHITECTS DETAILS
- DT — 30.0 kL DETENTION TANK STRICTLY IN ACCORDANCE WITH MANUF'S DETAILS. PROVIDE INSPECTION OPENINGS STRICTLY IN ACCORDANCE WITH MANUF'S DETAILS. PROVIDE BREATHER VALVES TO ENSURE ADEQUATE VENTING OF AIR WITHIN TANK
- GPT — ECOSOL STORM PIT (CLASS 2) - 20.0 L/sec (OR EQUIVALENT) INSTALLED STRICTLY IN ACCORDANCE WITH THE MANUF'S REQUIREMENTS
- PS — PRE-PACKAGED PUMP STATION TO PUMP MANUFACTURERS DETAILS, PUMP RATE - 20.0 L/sec
- PRM — PUMP RISING MAIN TO PUMP MANUFACTURERS DETAILS
- 35mm THICK HOTMIX BITUMEN ON 100 THICK FINE CRUSHED ROCK (PM5/20QG / PM5/40QG) ON 150 THICK COMPACTED QUARRY RUBBLE (PM2/20QG)
- 100 THICK CONCRETE SLAB WITH SL82 MESH TOP (N25 CONCRETE) PROVIDE TOOLED CONTROL JOINTS AT 3.0m MAX. C/C

PU P NO

PUMP SHALL BE DUAL PUMP. THE PUMP CONTROLS SHALL BE SET UP TO ENABLE ALTERNATE PUMP OPERATION AT EACH START. IN THE EVENT THAT A PUMP FAILS TO OPERATE WHEN THE WATER LEVEL IN THE WELL REACHES THE PUMP START, THE OTHER PUMP SHALL BE ACTIVATED AND A VISIBLE ALARM INITIATED. IN THE EVENT THAT BOTH PUMPS FAIL TO OPERATE, AN AUDIBLE ALARM SHALL BE INITIATED. PROVIDE BACK-UP POWER SUPPLY IN CASE OF POWER FAILURE.

DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS AS A PACKAGE. REFER TO ARCHITECTS DRAWINGS FOR ALL SETOUT DIMENSIONS.

ALL LEVELS SHALL BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION. SHOULD ANY DISCREPANCY OCCUR THE CONTRACTOR SHALL CONTACT THIS OFFICE IMMEDIATELY FOR FURTHER INSTRUCTION.

ON R C R O

COVER LEVELS GIVEN FOR PITS ARE NOMINAL ONLY. COVER LEVELS SHALL MATCH FINISHED PAVING LEVELS.

WHERE EXISTING SERVICE COVERS ARE FOUND WITHIN THE SCOPE OF THE NEW WORKS, THE CONTRACTOR MUST ALLOW TO ADJUST THE COVERS TO SUIT THE PROPOSED FINISHED SURFACE LEVEL.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING LOCATION OF ALL UNDERGROUND SERVICES PRIOR TO COMMENCING ANY EXCAVATION WORK. ANY DAMAGE CAUSED TO ANY SERVICES SHALL BE REPORTED IMMEDIATELY TO THE SUPERINTENDENT & SHALL BE REPAIRED BY THE APPROPRIATE AUTHORITIES. ALL COSTS ASSOCIATED WITH REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE. PHONE "DIAL BEFORE YOU DIG" (1100) FOR ASSISTANCE.

WHERE PROPRIETARY ITEMS ARE SPECIFIED, ALTERNATE (EQUIVALENT) PRODUCTS MAY BE ADOPTED WITH THE PRIOR WRITTEN APPROVAL OF THIS OFFICE.

17.08.22	ISSUE FOR PLANNING APPROVAL	-B-
08.07.22	PRELIMINARY ISSUE	-A-

FOR APPROVAL

PT Design

0

PR PO D
UN O D
M RN

D N MU PH

ND
DR N G OU

C B

y g

PT DESIGN Pty Ltd 141-149 Ifould Street Adelaide SA 5000 T [08 8412 4300] W [ptdesign.com.au] ABN [35 008 116 916] structural • civil • engineers

STORMWATER CALCULATIONS FOR PLANNING APPOVAL

DAN MURPHY'S UNLEY ROAD, MALVERN

Prepared by:

PT Design ABN 35 008 116 916
141-149 Ifould Street, ADELAIDE SA 5000
Tel: (08) 8412 4300

Project No:	22642
Revision:	-00-
Date of Issue:	17/08/2022

Project:	DAN MURPHY'S UNLEY ROAD, MALVERN	Project #	22642
		Date	17.08.2022
Design By:	JB	Page	1 of 2

DETENTION CALCULATIONS

CRITICAL 1 IN 100 YEAR DETENTION VOLUME

PRE DEVELOPMENT FLOW (MINOR STORM)

Storm Event	1 in 5	years
Time of Concentration	5	mins
Rainfall Intensity	84.20	mm/hr

Catchment Area	C	Area (m^2)			
Roof	0.9	1104	23.239		
Impervious	0.75	1516	26.593		
Pervious	0.2	150	0.702		20L/sec capped
		Total	**50.534**	L/sec	Allowable Flow from Site

BYPASS DETENTION - POST DEVELOPMENT

Roof	0.9	999	39.211	L/sec	
Impervious	0.75	0	0.000	L/sec	*(NEW Hardscape)*
Pervious	0.2	137	1.195	L/sec	*(NEW Softscape)*

REMAINING ALLOWABLE FLOW

Total	**10.128**	L/sec	Allowable Flow from Roof

	Dia (mm)	Area (m^2)	Head (m)	Flow (L/s)	Allowable Flow (L/s)
Orifice 1	55	0.0024	2.500	9.98	
			Total	9.98	10.13

POST DEVELOPMENT FLOW (MAJOR STORM)

Storm Event	100	years

Catchment Area	C	Area (m^2)			
Roof	0.9	0	0.000		*(NEW Proposed Roof)*
Impervious	0.75	1634	0.340		
Pervious	0.2	0	0.000		
		Total	**0.340**	X $^{100}I_t$	

Project:	DAN MURPHY'S UNLEY ROAD, MALVERN	Project #	22642
		Date	17.08.2022
Design By:	JB	Page	2 of 2

CRITICAL STORAGE VOLUME

Q in	**Q out**
0.340 $^{y}I_{t}$	9.984 L/sec

Tc (mins)	Intensity, I (mm/hr)	Q in (L/sec)	Q out (L/sec)	V in (L)	V out (L)	V total (L)	
5	157	53.445	9.984	16034	2995	13039	
10	114	38.808	9.984	23285	4493	18792	
20	77.7	26.450	9.984	31740	7488	24253	
30	60.9	20.731	9.984	37316	10483	26834	
60	39.4	13.412	9.984	48285	19468	28817	Critical Storm
90	30.6	10.417	9.984	56250	28453	27797	
120	25.5	8.681	9.984	62501	37438	25062	
180	19.9	6.774	9.984	73162	55409	17754	
360	13	4.425	9.984	95589	109320	-13731	
720	8.55	2.911	9.984	125736	217143	-91406	

PEAK STORAGE REQUIRED 28817 L

Provide 30.0kL detention

Appendix 5. Environmental Noise Assessment

(Resonate)

Dan Murphy's, Unley Road, Malvern

Environmental Noise Assessment

A220413RP1 Revision 0

Wednesday, 29 June 2022

Resonate

Document Information

Project	Dan Murphy's, Unley Road, Malvern
Client	Catcorp Pty Ltd
Report title	Environmental Noise Assessment
Project Number	A220413

Revision Table

Report revision	Date	Description	Author	Reviewer
0	29 June 2022	First issue	Jenna MacDonald	Deb James

Glossary

A-weighting	A spectrum adaption that is applied to measured noise levels to represent human hearing. A-weighted levels are used as human hearing does not respond equally at all frequencies.
Characteristic	Associated with a noise source, means a tonal, impulsive, low frequency or modulating characteristic of the noise that is determined in accordance with the Guidelines for the use of the Environment Protection (Noise) Policy (Noise EPP) to be fundamental to the nature and impact of the noise.
Continuous noise level	A-weighted noise level of a continuous steady sound that, for the period over which the measurement is taken using fast time weighting, has the same mean square sound pressure as the noise level which varies over time when measured in relation to a noise source and noise-affected premises in accordance with the Noise EPP
Day	Between 7 am and 10 pm as defined in the Noise EPP
dB	Decibel—a unit of measurement used to express sound level. It is based on a logarithmic scale which means a sound that is 3 dB higher has twice as much energy. We typically perceive a 10 dB increase in sound as a doubling of loudness.
dB(A)	Units of the A-weighted sound level.
Frequency (Hz)	The number of times a vibrating object oscillates (moves back and forth) in one second. Fast movements produce high frequency sound (high pitch/tone), but slow movements mean the frequency (pitch/tone) is low. 1 Hz is equal to 1 cycle per second.
Indicative noise level	Indicative noise level determined under clause 5 of the Noise EPP.
L_{90}	Noise level exceeded for 90 % of the measurement time. The L_{90} level is commonly referred to as the background noise level.
L_{eq}	Equivalent Noise Level—Energy averaged noise level over the measurement time.
L_{max}	The maximum instantaneous noise level.
Night	Between 10.00 p.m. on one day and 7.00 a.m. on the following day as defined in the Noise EPP
Noise source	Premises or a place at which an activity is undertaken, or a machine or device is operated, resulting in the emission of noise
Quiet locality	A locality is a quiet locality if the Planning & Design Code provisions that make land use rules for the locality principally promote land uses that all fall within either or both of the following land use categories: (a) Residential; (b) Rural Living;

Table of Contents

1 Introduction

This report outlines the environmental noise assessment for the proposed Dan Murphy's, Unley Road at 301 -305 Unley Road, Malvern. The development comprises of a main building with a click and collect station at the eastern side of the building.

The primary sources of the noise from the proposed development are expected to be:

- vehicle movements using the click and collect area
- vehicle movements in the car park area
- delivery truck movement onto the site
- delivery truck idling at loading bay
- mechanical plant on site.

The potential noise emissions from the development have been assessed against the requirements of:

- Planning & Design Code
- Environmental Protection (Noise) Policy 2007

2 Proposed development

2.1 Location

The site of the proposed development is located at 301 – 305 Unley Road, Malvern. The site is bounded by commercial premises on the northern boundary on Unley Road; residential properties along the eastern boundary on Cheltenham and Winchester Street; and bounded by a mix of commercial and residential premises on the south and west boundaries along Unley Road. Figure 1 shows the site with respect to nearby noise affected receptors and relevant Planning & Design Code Zones.

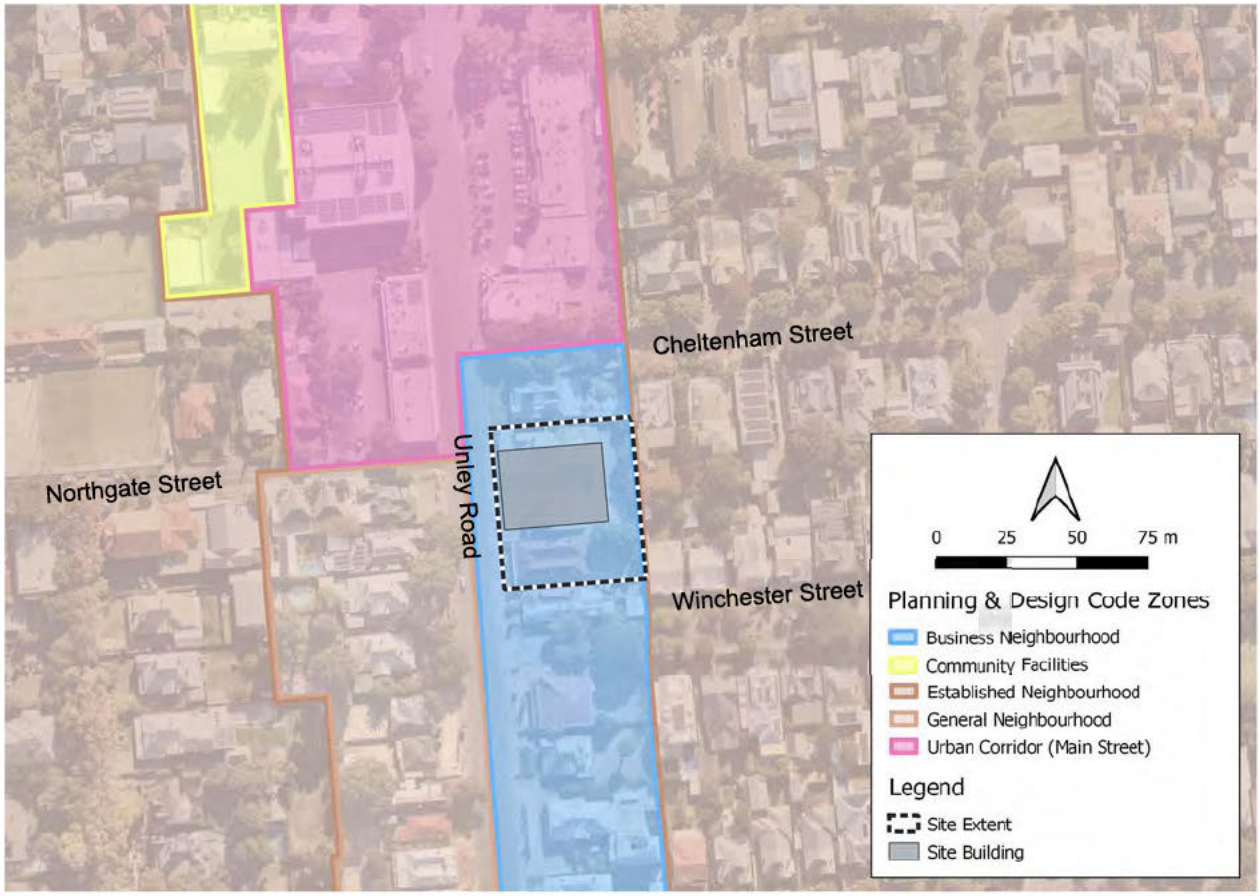


Figure 1 Locality of the site with respect to noise sensitive receivers and Planning & Design Code Zones

2.2 Operation

The proposed hours of operation are:

- Monday to Saturday: 9:00 am to 9:00 pm
- Sunday: 10:00 am to 7:00 pm

Noise sources associated with the operations of the Dan Murphy's development included in this assessment are:

- truck deliveries to site
- cars travelling through the site to access the click and collect
- cars travelling in and parking on site
- externally located mechanical plant.

It is proposed that deliveries are to occur during Monday to Saturday with the largest vehicle being a rigid truck with a dimension of 2.5 width and 3.3 m height and a weight of 16.5 tonnes.

It was estimated that the number of click and collect transactions is 150 per week on average with an anticipated increase during peak trading time during Christmas period with 400 click and collect transactions per week.

3 Planning & Design Code

3.1 Zoning

3.1.1 Subject site

The subject site is located within the City of Unley Council in a Business Neighbourhood zone. The relevant Assessment Provisions are outlined in Table 1.

Table 1 Relevant Assessment Provisions—Business Neighbourhood Zone

Assessment Provisions	
Desired Outcomes	
DO 1	A variety of housing and accommodation types and compatible employment-generating land uses in an environment characterised by primarily low-rise buildings
DO 2	Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.
Performance Outcomes	**Deemed-to-Satisfy Criteria / Designated Performance Feature**
PO 1.1 Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.	DTS/DPF 1.1 Development comprises one or more of the following: 1) Community facility 2) Consulting room 3) Dwelling 4) Office 5) Residential flat building 6) Shop

3.1.2 Adjacent land

The closest receptors are located to the east of the site along Cheltenham Street and Winchester Street; and to the west of the subject site along Unley Road:

- The receptors to the north are located in the Urban Corridor (Main Street) zone, with the relevant Desired Outcomes listed in Table 2.
- The receptors to the east of the site are located in the Established Neighbourhood zone. The relevant Desired Outcomes for the Established Neighbourhood zone is outlined in Table 3.
- The receptors to the south of the site are located in the same zone as the subject site, that is, the Business Neighbourhood zone.
- The receptors to the west are located in the General Neighbourhood Area zone, with the relevant Desired Outcomes outlined in Table 4.

Table 2 Relevant Desired Outcome — Urban Corridor (Main Street) zone

Desired Outcome	
DO 1	A safe, walkable and vibrant shopping, entertainment and commercial main street precinct with an active day and evening economy supported by medium density residential development.
DO 2	Built form positively contributing to: (a) a streetscape that is visually interesting at human-scale comprising articulated buildings with a high level of fenestration and balconies oriented towards the street (b) a fine-grain public realm comprising buildings with active frontages that are designed to reinforce the street rhythm, that consider the facades, articulation and massing of existing buildings and any spaces between them, and provide narrow tenancy footprints at ground level.

Table 3 Relevant Desired Outcome — Establish Neighbourhood zone

Desired Outcome	
DO1	A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.
DO2	Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

Table 4 Relevant Desired Outcome — General Neighbourhood zone

Desired Outcome	
DO1	Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

3.2 Interface between land uses

Interface between Land Uses is a General Development Policy that is relevant to the subject site. The relevant Assessment Provisions relating to noise are outlined in Table 5.

Table 5 Relevant Assessment Provisions—Activities generating noise or vibration

Relevant Assessment Provisions	
Desired Outcome	
DO1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.
Performance Outcome	**Deemed-to-Satisfy Criteria / Designated Performance Feature**
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.
PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including: a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers c) housing plant and equipment within an enclosed structure or acoustic enclosure d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.	DTS/DPF 4.2 None are applicable.
PO 4.4 External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.	DTS/DPF 4.4 Adjacent land is used for residential purposes.

4 Noise criteria

As noted in DTS/DPF 4.1, environmental noise emissions from the subject site should comply with the *Environment Protection (Noise) Policy* 2007 (Noise EPP).

The noise goals in the Noise EPP are based on the zoning of the development and the closest noise affected premises. The land uses primarily promoted by the zones are used to determine the environmental noise criteria with the indicative noise factors shown in Table 6.

Table 6 Excerpt from Noise EPP—Table 2(subclause(1)(b))

Land use category	Indicative noise factor dB(A)	
	Day (7 am to 10 pm)	Night (10 pm to 7 am)
Rural living	47	40
Residential	52	45
Rural industry	57	50
Light industry	57	50
Commercial	62	55
General industry	65	55
Special industry	70	60

Based on the zoning and the relevant Assessment Provisions for the zones of the subject site and the adjacent receptors, the primarily promoted land uses and the relevant criteria for the receptors in each zone are outlined in Table 7. In accordance with Part 5 of the Noise EPP, the relevant criteria is the average of the relevant indicative noise factors less 5 dB(A). As the development is only proposed to operate during the day time hours (7 am to 10 pm), only the day time criteria is presented.

Table 7 Summary of zones, land uses, and Noise EPP criteria

Site	Zone	Land use(s)	Day time criteria (7 am to 10 pm), L_{eq} dB(A)
Subject site	Business Neighbourhood zone	Residential	N/A
Receptors to the north of the site along Unley Road	Urban Corridor (Main Street) zone	Residential, Commercial	50
Receptors to the east of the site along Cheltenham and Winchester Street	Established Neighbourhood zone	Residential	47
Receptors to the south of the site along Unley Road	Business Neighbourhood zone	Residential	47
Receptors to the west of the site along Unley Road	General Neighbourhood zone	Residential	47

Penalties can also be applied to a noise source for a variety of characteristics, such as impulsive, low frequency, modulating or tonal characters. For a characteristic penalty to be applied to a noise source it must be fundamental to

the impact of the noise and dominate the overall noise impact. Application of the characteristic penalty is discussed in the noise emission assessment.

We note that under Part 5, Clause 20(6) of the Noise EPP, exceedance of the recommended criterion does not necessarily mean action is required under the Noise EPP. Some of the following matters should be considered when considering action:

- the amount by which the criterion is exceeded (in dB(A))
- the frequency and duration for which the criterion is exceeded
- the ambient noise that has a noise level similar to the predicted noise level
- the times of occurrence of the noise source
- the number of persons likely to be adversely affected by the noise source and whether there is any special need for quiet.

5 Assessment

5.1 Noise modelling

5.1.1 Modelling parameters

Noise emissions from site have been modelled in SoundPLAN Environmental Software v8.2 program, using ISO-9613-2:1996 standard for outdoor noise propagation. The model takes into consideration:

- geometrical divergence
- screening by obstacles
- air absorption
- reflection from surfaces
- ground effects
- downwind conditions, or, equivalently, propagation under a well-developed moderate ground-based temperature inversion, such as commonly occurs at night.

5.1.2 Noise scenarios

Noise emissions from operation of the proposed development have been assessed for the scenario outlined in Table 8 for a 15-minute assessment period.

Table 8 Noise modelling scenario

Source	Activity
Car movements for car park use	• 30 car park bays • Each bay being used
Car movements for click and collect	• 3 cars entering the site, and • Idling at the click and collect bays for 3 minutes each, and then • Leaving the site
Truck delivery	• 1 rigid, non-refrigerated truck • Moving through the site • Unloading activities at the loading dock • No idling at the loading dock during unloading.
Roof top mechanical plant	• Indicative selections and noise levels as outlined in Section 5.1.5.

5.1.3 Car parking and on-site movements

Noise levels for the carparks were calculated in SoundPLAN based on the number of carparks in a parking lot and the amount of car movements into a park per hour, according to ISO 9613-1996 (Parkplatzlarmstudie 2007).

Noise levels for the movement of cars through the site were obtained from Resonate's database.

5.1.4 Boundary fencing

The boundary fence is indicated to be a 2.1 m solid fence to the northern, eastern and southern sides of the project site. The fence can be constructed from any solid material such as ColorBond or similar.

5.1.5 Mechanical plant

External mechanical plant is to include roof top mounted condensing units. At this stage of the development, specific unit selections have not yet been made. As such, to understand the potential impacts of the roof top units, sound power levels have been assumed based on the size of the units. A summary of the assumed sound power is provided in Table 9.

Table 9 Sound power levels

Expected equipment	Indicative selection	Quantity on site and location	Sound power level, dB(A)
Condensing units	CU-1	1	90
	CU-2	1	82
	CU-3	1	82

The final selections and layout is to be reviewed during the detailed design process to ensure that the noise emissions from the roof top units comply with the relevant Noise EPP criteria.

5.2 Predicted noise levels

A summary of the predicted noise levels at the receptors based on the scenario outlined in Table 8 is presented in Table 10.

Table 10 Predicted noise levels

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise EPP day time criteria, L_{eq} dB(A)
Receptors at the northern side of the subject site along Unley Road	47	50
Receptors at the eastern side of the subject site along Cheltenham Street	47	47
Receptors at the eastern side of the subject site along Winchester Street	46	
Receptors at the southern side of the subject site along Unley Road	47	
Receptors to the west of the subject site along Unley Road	44	

5.3 Rubbish removal

According to the Noise EPP, if noise from garbage removal activities exceeds a maximum noise level of 60 dB(A) at a noise sensitive receptor it must only occur between 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day. Note that this is unless it can be shown that a high noise environment exists.

Note that if garbage removal is restricted to 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day, there will be no noise restrictions under the Noise EPP.

6 Conclusion

An environmental noise impact assessment has been undertaken for the proposed Dan Murphy's at 301 -305 Unley Road, Malvern.

This assessment has demonstrated that, with the modelled scenario outlined below, the noise emissions from the operation of the proposed development will be able to comply with the relevant environmental noise criteria.

Source	Activity
Car movements for car park use	• 30 car park bays • Each bay being used
Car movements for click and collect	• 3 cars entering the site, and • Idling at the click and collect bays for 3 minutes each, and then • Leaving the site
Truck delivery	• 1 rigid, non-refrigerated truck • Moving through the site • Unloading activities at the loading dock • No idling at the loading dock during unloading.
Roof top mechanical plant	• 2 smaller condensing units with a sound power of 82 dB(A) • 1 larger condensing unit with a sound power of 90 dB(A).

On this basis the proposed development will be able to operate within the relevant noise provisions in the Planning & Design Code and Environmental Protection (Noise) Policy.

ATTACHMENT 9

Details of Representations

Application Summary

Application ID	22030984
Proposal	Demolition of existing structures and construction of a single storey retail liquor outlet (shop) with associated car parking, lighting, site works, signage and landscaping
Location	301 UNLEY RD MALVERN SA 5061, 303 UNLEY RD MALVERN SA 5061, 305 UNLEY RD MALVERN SA 5061, 305 UNLE..

Representations

Representor 1 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	07/10/2022 08:54 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development

Reasons
This will be fantastic for Unley Road. Nothing better than a bit of competition! Also a great employee which will create jobs for locals. I'm loving all the development at the moment happening along Unley Road - exactly what a major arterial road like this should be used for.

Attached Documents

Representations

Representor 2 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	07/10/2022 12:01 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons
City of Unley does not need a new liquor store. This Development would be close to Walford Early Learning Centre and poses a risk to the community. It is completely inappropriate and unnecessary.

Attached Documents

Representations

Representor 3 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	13/10/2022 04:43 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns

Reasons

We own the properties on [redacted]. We have concerns about the storm water management of this development & wish to be advised of how the developer and/or council will handle storm water in the event of flooding. This is in relation to a major flooding event that occurred approx. 10 years ago where the whole area flooded & majority of it went through our property to the area of 305 Unley Road. Obviously if this area is now built up, that water has no where to go. It will affect our property & the surrounding residential properties. We would also like to be advised if we are liable for any fencing costs. Additionally, the backyard of [redacted] be inaccessible due to the construction of a fence. A fact we were aware of when we bought the property. Is there any possibility of having a lockable gate installed in case we need future access to the rear of the property? The plan has also indicated the planting of Manchurian Pear trees near the carpark on Unley Road - once fully grown these trees will significantly block the signage of the business in [redacted] Unley Road. When you are travelling South down Unley Road, the trees will block the signage & will make it difficult for the business's clients to locate the premises until they have gone past. We request a smaller variety of plant is substituted. Thank you for your time. Please contact either [redacted] if you need us to clarify any of the above.

Attached Documents

Representations

Representor 4 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	24/10/2022 08:46 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns

Reasons

As an adjoining property owner my concerns are listed below • Noise issues have not been adequately addressed. Solutions offered in the proposed development are not adequate. (2.1 metre good neighbour fencing is not acceptable, in reference to noise, privacy and screening). • Car parking – An estimate of 2 staff car parks appears insufficient. I foresee numerous staff members parking in local streets. • Light spill from the Dan Murphy's flooding our rear garden nightly.

Attached Documents

Representations

Representor 5 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	25/10/2022 08:35 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons Please see attached submission	

Attached Documents

Planning-Submission-Response-301-305-Unley-Road-1133883.pdf

Dear Assessment Panel/Assessment Manager at City of Unley,

Please find herein our objection to the planning application for a bulky retail liquor, Dan Murphy's.

For clarity, we are residents directly impacted by the proposed development at [redacted] and share the common boundary fence with the proposed development.

The basis of our objection is:

- Excessive Scale

We note shops are a restricted form of development in the Business Neighbourhood Zone where the gross leasable floor area ("**GLFA**") exceeds 1,000 sqm.

The Planning and Design Code defines GLFA as *"the total floor area of a building excluding public or common tenancy areas such as malls, hallways, verandas, public or shared tenancy toilets, common storage areas and loading docks."*

In the Matter of "**PARABANKS SHOPPING CENTRE PTY LTD v THE CITY OF SALISBURY & ANOR [2013] SASC 168 (8 November 2013)"**[1] case law determined that covered loading areas were to be included in GLFA calculations where they were not "common" to multiple tenancies.

In the context of the proposed development, the covered loading areas defined as "Click and Collect" on the eastern side of the built form have a single tenancy use and are therefore not excludable from the GLFA.

The Consultant Planner's Report states that the GLFA is 999 sqm. The Click and Collect area contributes circa 137 sqm floor area, thus taking the total GLFA to circa 1,136 sqm which exceeds 1,000 sqm. It is our submission therefore that the nature of the proposed development has been incorrectly determined and this matter should therefore be assessed by the State Planning Commission as Restricted Development.

In addition to having a Restricted Development Trigger, the Business Neighbourhood Zone Policies provide guidance for maximum floor area of retail development in the Zone in order to satisfy the performance outcome for Business and Commercial Land Uses (PO 1.2).

> *DO 2 (Business Neighbourhood Zone)*
> *Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.*

[1] ***https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/sa/SASC/2013/168.html?context=1;query=saints%20road;mask_path=au/cases/sa/SASC***

PO 1.2 (Business Neighbourhood Zone)
Business and commercial land uses complement and enhance the prevailing or emerging neighbourhood character.

DTS/DPF 1.2
Shops, offices and consulting rooms (or any combination thereof) ***do not exceed 250m² in gross leasable floor area****.*

The proposed development significantly exceeds the maximum floorspace guidance of 250 square metres, in fact the GLFA is at least 400% of the maximum guidance and exceeds the Restricted Floorspace trigger. While we note that the floor space guideline is one way of achieving the Performance Outcome, it sets an expected standard. To exceed the 250 sqm floor area there would need to be substantive justification which is not evident in the application documents. Consequently, the scale and design of the development **does not complement and enhance** the surrounding built form, streetscapes and local character of the area.

It is critical to note that the Performance Outcome requires business and commercial Land Uses to both Complement and Enhance the prevailing or emerging character. The proposed development does neither.

Furthermore, when considered in the context of PO 1.2 and DO 2, the scale is excessive and has not been assessed or justified in the Consultant Planner's Report.

- Landscaping

The Consultant Planner's Report outlines minimal landscaping to be included in the development.

PO 3.1
Soft landscaping and tree planting are incorporated to:
(a) minimise heat absorption and reflection
(b) maximise shade and shelter
(c) maximise stormwater infiltration
(d) enhance the appearance of land and streetscapes.

Given that residential developments are required to provide 25% landscaping on sites greater than 450 square meters, it is not unreasonable to expect the same from Business or Commercial development within a Business Neighbourhood area to ensure that the scale and appearance of the development complements and enhances the character of the area.

PO 7.4
Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.

DTS/DPF 7.4
Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.

Shade trees with mature canopies of 4m have not been included for each 10 car parking spaces provided. Furthermore, we note established native bottlebrush trees along the perimeter are to be removed. These trees provide significant foliage, aesthetic benefits and privacy to our property from the subject site. Removal of these trees will negatively impact the aesthetics and privacy this foliage provides to us from the site and Unley Road. Indeed, the proposal will result in clear visual sight lines to the carpark and bulk building.

- <u>Interface between land uses</u>

The Acoustic report is very general and does not specifically identify west facing habitable room windows of our dwelling located at 111 Cheltenham Street, Malvern. These rooms are bedrooms. Windows sit above the 2.1m high good neighbour colorbond fence so it is very questionable how there cannot be a detrimental acoustic impact upon our property.

PO 1.2 (Interface between Land Uses)
Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

Furthermore, delivery hours of operation are specified as being Monday to Saturday however the frequency and exact hours are not confirmed. This raises two issues:

1. Should they occur within business hours of operation, no Consultant reports accompanying the application actually confirms how potential conflicts between service vehicles and customers will be managed given that a truck will need to travel past the customer collection drive through and the staff car parking area.

2. Should they occur outside business hours, no Consultant reports address the acoustic impact.

PO 2.1 (Interface between Land Uses)
Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:
(a) the nature of the development
(b) measures to mitigate off-site impacts
(c) the extent to which the development is desired in the zone
(d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.

DTS/DPF 2.1 (Interface between Land Uses)
Development operating within the following hours:

Class of Development:

Shop, other than any one or combination of the following:

a) *restaurant*
b) *cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone*

Hours of Operation:

7am to 9pm, Monday to Friday
8am to 5pm, Saturday and Sunday

PO 4.1 (Interface between Land Uses)
Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

DTS/DPF 4.1 (Interface between Land Uses)
Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.

The Consultant reports do not give consideration to the refrigeration plant required to service a Dan Murphy's facility which will operate throughout the day and the night. A plantroom is referenced on the Brown Falconer Drawing 3395DA03 Rev G August 2022 above the loading dock, but the plant considered in the Consultant report is roof mounted (and appears to be related to air conditioning systems only).

The Consultant report is based on an unrefrigerated truck unloading. Refrigerated trucks generate higher noise levels and no Consultant reports accompanying the application address whether refrigerated trucks will be required to service the facility.

The unloading process between the truck and the loading dock / storage is not specified in the Consultant report. If forklift unloading is to occur at the site, no Consultant reports address the acoustic impact.

It is unclear whether any acoustic reflections from horizontal surfaces above the height of the fence have been considered, i.e. reflections off the underside of the canopy above the Click and Collect area.

The Home Delivery method is not outlined, making it unclear if the Consultant report includes instances where, for example, there may be use of refrigerated commercial vans.

Given the proximity of the Click and Collect area and the truck transit route to dwellings to the east, our bedroom windows, it is not clear whether the area will be subject to alarms or audible notification methods associated with collection, and that speed bumps, grates or any other road features will not be on, or part of, the vehicle movement paths, which could generate impact noise when driven over.

The site has been designed to accommodate a 12.5m HRV truck. Such trucks will often have exhaust systems which can extend above a 2.1m fence height. It is unclear if activity from these trucks has been included in the Consultant report.

PO 4.2 (Interface between Land Uses)
Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers
(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers
(c) housing plant and equipment within an enclosed structure or acoustic enclosure
(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.

It also assumed the acoustics report has been assessed using a model rather than an actual assessment based on fact. We seek clarity around the assessment including the time of day is has been assessed at. The development designs have audaciously omitted any consideration of our reasonable amenity being that the designs include a loading dock, loading bays and direct to boot facilities abutting our common boundary. This design will force all vehicle movements to pass by the common side boundary in close proximity to the main habitable areas of our home which will mean constant vehicle traffic at our side boundary. The frequency, conservative assessments in 'idle' time and acoustic impact is sub-standard and completely ignorant of our residency. The appropriateness of a Colourbond fence is highly questionable and provides very little acoustic insulation to the noise generated.

There is no identification of proposed generators or back up powers as it is not located on the plans. If a generator or back up power is proposed, there is no noise assessment associated with it.

PO 6.1 (Interface between Land Uses)
External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).

A lighting plan has not been included in any Consultant reports that are accompanying the application and therefore it is impossible to assess the impact that lighting may have on our general amenity. Given that the main habitable areas of our home are west facing and adjacent to the proposed development, the position and type of lighting will be

critical as will the hours of operation they are on. We also note no identification or comments regarding security camera's or CCTV and details of the span of such equipment.

- Traffic

Given the size and scale, the proposed development is likely to result in increased vehicular traffic through the residential neighbourhood particularly along Cheltenham Street. There are a number of traffic matters that concern us. Specifically:

- Traffic flowing south through to the loading entrance – again, no information and details as to the frequency of deliveries has been considered. Furthermore, the plans show heavy vehicles accessing the site from the northern entrance however not vehicles. Clarity is required around vehicular access to the northern entrance.

- It is not clear if trucks and vehicles will be permitted to turn right out of the site. If permitted, how will Council address truck and long vehicles turning right and the impact that has to Cheltenham Street vehicles who have the ability to turn right. In addition, Northgate Street t-intersection is in extremely close proximity to the northern entrance.

- Unley Road, particularly at this location in peak hours is extremely busy and congested as parents use the carpark at Walford Early Learning Centre to collect children. We have concerns around road safety and traffic congestion given the implications of vehicles turning in and out of the proposed site and the higher incidence for traffic accidents.

- Community Impacts

The location of a commercial sized, package liquor store within metres of an early learning centre and adjoining established residential housing is not appropriate. We note the Walford Early Learning Centre is ~150 metres of the northern boundary of the site and question the values placed on community responsibility, promotion and advertising be it by prominent logos at such close proximity which negatively impacts the community health and safety of the area. The presence of this brand effectively aids in normalising the use of alcohol in our community which is extremely concerning given the location of the school and early learning centre. There is a substantial body of evidence that claim children exposed to images of alcohol before the age of 18 results in drinking earlier (underage drinking) and drinking at hazardous levels. See link:
https://fare.org.au/policy/marketing/

Research shows there is a strong link between proximity of packaged liquor outlets, alcohol consumption and incidences of family violence. Whilst some members of the community are not alarmed at this, it is well known that alcohol is the most widely legal drug in our community. It is also noted that the community is already well serviced by 7 packaged liquor outlets withing 2km of the proposed site plus further restaurants and clubs all licensed to serve liquor. The proliferation of liquor outlets has far reaching impacts to the health and safety of the community which we should be protecting. It

contributes to ill health, premature death and addiction. To permit a further packaged liquor outlet, indeed the largest of them all does not positively promote the health and wellbeing of our Unley community and in fact, the chances of community harm may increase.

Large scale bulky goods liquor stores by their very nature also attract unacceptable social behaviour and crime. Dan Murphy's stores have not been immune to opportunistic youth crime and indeed, the level of opportunistic crime in the Unley area appears to be on the rise evidence only recently in the home invasion and stabbing of a young women and child. It is of concern that carparking lot will be an area for congregation. Having an adjoining boundary fence with young children causes great mental anguish and serious concerns around security and safety.

- Other

- There is no indication on the proposed plans for trolley bays. Presumably, this will be part of the proposed development. How will these be controlled and fixed to the site to prevent theft and abandonment around the adjoining residential properties. Invariably trolleys left on residential streets will negatively impact the aesthetics and tidiness of the residential areas not to mention anger residents.

I'd like to further note that large scale bulky packaged liquor outlets are generally located and belong in commercial zones where there is high pedestrian movement and commercial business. The decision to allow such a development next to houses would be unique and set a precedent for how these types of developments are prioritised over residents. I am not aware of any such large scale Dan Murphy's permitted to be located next to houses. Not only is the development completely out of character with the area, the position of it against my boundary causes mental anguish as to the safety and security of our house and young children.

We reserve our right to make verbal submissions in support of our objection to the proposed development when the matter is determined by the Council Assessment Panel. (Noting our submissions that the application should however be processed as Restricted Development and assessed by the State Planning Commission.)

In the event that Council continues the erroneously process the application as Performance Assessed we respectfully request to be advised of the date and time of the meeting at which the Council Assessment Panel will determine the application so that we (or a nominative representative) can make verbal submissions in support of our position.

Representations

Representor 6 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	25/10/2022 10:18 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns

Reasons

As a nearby homeowner I am concerned with the following points: 1. 2 staff car parks seem inadequate and I am concerned with staff then parking in our local streets. Our streets already are filled with surrounding businesses staff cars, and this may also be the case on weekends now. 2. The landscaping example that was given is adjacent to our property. It is unfavourable looking, provides a lot of mess in our driveway without significant noise reduction from the carpark. We would hope that more appropriate trees and shrubs are used to help redcue the level of noise and give nice street appeal to the beautiful Malvern area. 3. This leads on to our community concerns of noise pollution. The proposed development solutions of 2.1 metre good neighbour fencing is not acceptable, in regards to the level of noise that would be generated, privacy, safety and screening as well as light fill. This is not an adequate solution. Kind Regards, [redacted]

Attached Documents

Representations

Representor 7 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	25/10/2022 10:28 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns

Reasons
Car parking – An estimate of 2 staff car parks appears insufficient. I foresee numerous staff members parking on local streets. Noise issues have not been adequately addressed. The solutions offered in the proposed development are not adequate. (2.1metre good neighbour fencing is not acceptable regarding noise, privacy, safety and screening). Light spill flooding surrounding areas

Attached Documents

Representations

Representor 8 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	25/10/2022 11:23 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns

Reasons

Upon review of the proposed development of the subject site, I wish to raise the following concerns/objections to the proposal based on the impact the proposal will have on my property adjoining the site. In priority order of concern; 1. Noise - I am concerned that noise omitted from the 7-day operations of the business will impact me adversely. I am not comfortable that a 2.1m Colourbond fence adequately addresses this concern. I also reference the report attached from Sonus (S7554C1) which supports my concern. 2. Car Parking - an allowance of 2 parking spaces for staff appears to be insufficient. I am concerned that Winchester St will be consumed with staff parking. It is difficult to find a park on this street without the additional demand. 3. Location of click and collect customers - the current location for customers to wait for their online order is close to the eastern boundary and therefore close to my residential boundary, this will result in cars idling for periods of time. My concern is both noise and air quality, but primarily noise. A better acoustic barrier is necessary to separate the properties. 4. Light Spill - Lights proposed are to be directional and must not spill over adjoining properties and adversely impact their/our amenity. 5. Refuse Areas - Consideration must be given to assuring that refuse areas are not adjacent to habitable room windows causing concerns with odor and noise when bins are continuously opened and closed.

Attached Documents

Application-ID_22030984_Acoustic-Review-1134026.pdf

sonus.

[redacted]

S7554C1

Attention: [redacted] **20 October 2021**

Dear [redacted]

DAN MURPHY'S MALVERN
ACOUSTIC REVIEW

As requested, we have reviewed the Environmental Noise Assessment report (**the Report**) submitted as part of the Planning Application for the proposed Dan Murphy's store at 301-305 Unley Road, Malvern SA (prepared by Resonate Consultants, reference A220413RP1 Revision 0, dated 29/6/2022).

Based on our review of the Report, we note the following items which have not been appropriately considered:

- The Report does not consider noise associated with use of a gas forklift within the loading area (which may also include a reversing tone). Gas forklifts are commonly used within loading areas at comparable retail premises, including other Dan Murphy's stores. Photos of gas forklifts at existing Dan Murphy's stores are attached to this letter.

- The Report notes the following:

  > *"Penalties can also be applied to a noise source for a variety of characteristics, such as impulsive, low frequency, modulating or tonal characters. For a characteristic penalty to be applied to a noise source it must be fundamental to the impact of the noise and dominate the overall noise impact. Application of the characteristic penalty is discussed in the noise emission assessment."*

  The application of penalties is not discussed further in the Report. Without background noise monitoring, two penalties would typically apply under the *Environment Protection (Noise) Policy 2007* (**the Policy**) for the use of a forklift with a reversing tone and for truck movements adjacent to the rear boundary.

- The Report notes that 2.1 metre high fencing is indicated to the northern, eastern and southern sides of the project site. This would not be tall enough to control noise from truck exhausts that discharge at high level.

Sonus Pty Ltd **17 Ruthven Avenue ADELAIDE SA 5000** **www.sonus.com.au**

- The Report does not consider the use of refrigerated trucks for deliveries, as will occur for deliveries of some products (such as pre-packaged ice). Truck-mounted refrigeration units can be a significant noise source, and as they are typically mounted above the cab of the truck can be difficult to control without high fencing.

- The Report considers indicative selections for air conditioning condensers, but does not appear to consider refrigeration equipment (including condensers associated with fridges and cool rooms, and an external freezer for pre-packaged ice). While air conditioning could be expected to operate during the nominated opening hours only (which fall entirely within the Policy day period), refrigeration equipment would be expected to operate 24 hours per day. The report does not provide goal noise levels for the night period, indicating that an assessment of noise impacts at night may not have been conducted as part of the assessment.

Based on the above, there is the potential for noise impacts to your property above and beyond those presented in the Report. On this basis, the Report should be amended to consider the above items, with revised noise mitigation measures identified should these be required to achieve compliance with the *Planning and Design Code* and the Policy.

If you have any questions or require clarification, please call me.

Yours faithfully
Sonus Pty Ltd

[redacted]

Chris Turnbull
Principal

+61 417 845 720
ct@sonus.com.au

Attachment A – Typical Forklifts at Existing Dan Murphy's Stores

Dan Murphy's Welland

Dan Murphy's St Peters

Representations

Representor 9 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	25/10/2022 07:36 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons See attached letter.	

Attached Documents

Objection-to-Dan-Murphys-1134440.pdf

Tuesday, October 25, 2022

Unley City Council
Assessment Panel/Assessment Manager

Dear Panel,

Ref: Development Application ID 22030
Properties: 301, 303 & 305 Unley Road, Malvern, SA 5061

I am a resident and owner of our family home at [redacted] with my partner, [redacted]. Our home directly adjoins the referenced properties and is the most impacted property of the proposed development. [redacted]has submitted a detailed objection on our behalf however I want to take the opportunity to provide my own objections for reasons personal to me.

[redacted] the property for two years and recently moved into it. We have two young children - 3 and 5 years of age. As you can appreciate, we received the notice a month into our occupation of the premises. Since receiving a note advising of a massive bulk packaged liquor outlet along our property boundary this has caused me, to be quite frank, nothing but distress and mental anguish heightened by personal experiences in having an alcoholic father – the effects of which ultimately contributed to his death last year during COVID. To say I've had sleepless nights since receiving the notice is an understatement and has been impacting my mental health. This is a family neighbourhood and no one in their right mind would choose to expose their impressionable young children to live next door to a retail shop selling cheap alcohol. Indeed, my son's walk to the early learning centre across the road would result in daily exposure to branding and the liquor shop. Whilst that might be the case in general shopping, most people in this country do not have to look at that on a daily basis directly outside their home or over their fence. This is indeed what we will be incurring. The social and moral considerations must be considered as they seem to have been completely ignored by the developer. The audacity of the developer to even think a 2.1m Colourbond fence - which provides no acoustic insulation protection - points to how much value and consideration they have had to the neighbouring properties this development impacts. Furthermore, replacement of the fence will remove our green wall and the removal of established mature trees that provide visual protection and replacement with narrow pencil trees means every time I hang out the washing, I'm looking at a carpark and massive booze shop. It's is not unneighborly and the imposition of it onto residential properties is disgusting. I am curious as to where a retail liquor outlet of this size and scale has been allowed to be developed adjoining a family home.

I take exception to the description by Ekistics of the location and the brief mention of low-density housing beyond Unley Road. It is more than that, they fail to highlight the proposed development directly adjoins residential houses and habitable rooms. I note the Ekistics report and associated appendices refers to the noise and use of the existing commercial uses. Glaringly obvious, these buildings have not been properly used for quite some time and the state they are in is reflective of the developers neglect for self-purposing reasons. I find it rather a stretch that this reference is made as a basis for having already established basis for noise and other matters frequently referred to. The acoustics report in particularly is highly questionable and very limited / influenced to achieve an outcome for the developer. Anyone for example that has undertaken a 'click and collect' shop for example knows 3mins idle time is optimistic at the best of times. In a practical sense, the impact of a 3 min click and collect over the Christmas period using their forecast 400 uses actually results in noise to our premises at an average of, 2.8 hours a day. Merry Christmas to us. I'm also particularly concerned at how vehicles will be stopped from accessing the northern entrance. In a practical sense, that will be near impossible to control and will result in cars using the northern access to circle round to the carpark. Again, the circulation of the vehicles is exceptionally close to habitable rooms and our bedroom

windows. As a result, I have serious concerns around the accuracy and purported compliance of it being in a permitted range.

Given I have young children and work fulltime (generally from home) I am an early to bed-early to rise person. The trading hours proposed means I'm in bed before the store closes. It means the noise from cars and trucks that circling around the perimeter of the property are directly outside my bedroom windows (single glass panes) and whilst no lighting plan was provided or seemingly considered relevant by the developer in their submission, lighting presumably will be through our windows. I fail to see given the location of the click and collect spaces and loading docks how security lighting wouldn't be installed. However, nowhere in the report is this considered.

Carparks are an area people also congregate in and liquor shops by their very nature attract criminal activity – either directly or indirectly to the community. Theft and burglary – noticeably. As economic headwinds increase, people get desperate and the attraction of unsocial, criminal activity rises. What will this massive packaged liquor store bring to this neighbourhood? My concerns for safety and security of our home is of paramount concern. Unfortunately given the recent home invasions and assaults in the area being on the news, my daughter has had nightmares of people entering our property and harming her. The introduction of big liquor bottle shop next door does nothing to help quash those concerns and in fact only heightens my concern for the potential mental health impact that might result in as she grows up. As a side note, for car parks, I note of the 32 spaces, 3 are reserved for click and collect with a further two spaces for staff. Will Council therefore restrict staffing to 2 persons at any one time? I would think that impossible given the nature of the proposed use and expected security requirements. Invariably, staff parking will encroach the parking provided or dare I say, we'll see them taking up parking on the streets. The size and scale of the proposed development will also result in more traffic, particularly through Cheltenham Street and beyond as people use these roads to cut through to the store exacerbating the problem.

I'd like to point out that alcohol is not and should not be considered an essential service. Nevertheless, the area is already very well serviced by bottle shops (7 within a 2km radius of the site) and numerous licensed restaurants. I find it hard to see how a massive retail bottle shop provides further services to an area already well serviced. Whilst probably not given consideration by the panel, the impact this will have on the value of our property and our ability to divest the property is likely to be negatively impacted given it is a family sized home and what family would choose to live next door to a bulky goods packaged liquor shop the size and scale of which is commensurate with shopping centre precincts. This is a large-scale commercial business with a corporate identity that sells Australia's most readily available drug – it is hardly 'neighbourhood' and it is not appropriate for it to be located next door to an established family home.

These matters substantially impact the livability and enjoyment of our family home and substantially comprises our residential amenity. I'm more than happy to show Council our property to ensure those making the decisions on this development have a real appreciation and understanding of its impact.

Regards,

[redacted]

Representations

Representor 10 - [redacted]

Name	[redacted]
Address	[redacted]
Submission Date	25/10/2022 09:44 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

I do NOT support the development. Please refer to the attached supporting document for further details. In summary: 1. The proposed development does not support or promote trees on private land. 2. The development is an undesirable amenity. 3. The proposal does not align with Unley Road Design Guidelines. 4. The site does not adequately plan for draining and stormwater management. 5. The building facade does not provide architectural interest for the community. 6. The building will substantially increase vehicle light pollution for surrounding residents at night.

Attached Documents

[redacted]

Thank you for the opportunity to submit DA application 22030984 feedback

We are submitting feedback as the property owners of [redacted]. Our house is located directly opposite the proposed development and is used for residential family purposes.

We are not supportive of this proposed development application due to the following reasons:

- **Decreased Greening:** The proposed development does not support or promote trees on Private Land as per the City of Unley endorsed Tree Strategy and the State Government's 30 Year Plan for Greater Adelaide. It currently decreases tree canopy cover and does not align with the state government's targets to increase greening by 20%.
- **Undesirable Amenity:** The development occupancy does not promote positive social behaviour in the local community or add to the community amenity.
- **Alignment with Unley Road Design Guidelines:** The proposal does not indicate partnerships or alignment with the endorsed City of Unley 'Unley Road Public Design Guidelines' to revitalise Unley Road during changing landuse.
- **Impermeable Ground Surfaces:** The site plan does not propose adequate permeable surfaces and a stormwater plan does not promote sustainable stormwater management on site.
- **Building Façade:** The design of the building façade does not provide architectural interest at pedestrian level and limits the amount of shopfront interaction with minimal windows on all sides of the building. Particularly the interface (western elevation) with the main road. There is little shopfront activation with the building design outcome. This does not align with positive SEPTED building outcomes or the design language.
- **Vehicle Light Pollution:** This is an especial concern during peak periods as stated in the application to be between 7-9pm (Mon-Sat). The proposed carpark will increase the light pollution of vehicle headlights. The direct headlights from vehicles will shine directly into the adjacent residential properties' bedrooms as shown in the diagram below.

We propose the following to consider for approval of the DA Application:

- **Reduce Vehicle Headlights:** Adjacent resident compensation/contribution from the developer to increase the height of the front residential fences to 2.5m. The increased fence height will assist with vehicles headlights shinning directly into residential properties' bedrooms and create privacy screening from the development.
- **Review Landscape Plan Proposal:** Include significantly more vegetation and trees to reduce the generated heat of the bitumen car park area and approve alignment with Council's strategic

greening objectives. The increase in trees and understorey vegetation will improve the increased noise generated from this development, as well as improve the overall contribution of this development to create a more liveable city.

- **Review Stormwater Management:** There are better ways to manage the stormwater on site through permeable paving and water run-off into the garden beds.
- **Partner with the City of Unley:** To implement the Unley Road Urban Design Guidelines; specifically, the creation of new public realm along the development. This will improve the street amenity and the interface between the proposed development and the public space.
- **Façade Treatment:** Improve the façade treatment with more interest and variety. This may include introducing varied textures, and most importantly, windows for more visual activation of the building faced.

Thank you for taking these considerations into account. We look forward to hearing from you and action on the proposed suggestions.

Kind regards,

[redacted]

[redacted]

Representations

Representor 11 - [redacted]

Name	[redacted]
[redacted]	[redacted]
Submission Date	26/10/2022 08:39 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons Traffic, Parking & Noise	

Attached Documents

DaApplicationId_22030984-4134108.pdf

From: B Smith
To: [redacted]
Subject: DA application ID: 22030984
Date: Tuesday, 25 October 2022 2:03:30 PM

To Development Services, City of Unley

As adjoining owners affected by the above development we received notice of the above proposed development. We own and occupy land in [redacted], located between Rugby and Unley Road.

Notwithstanding Zoning rules and technicalities, the proposal represents a significant change to the use of the subject land properties, as converted former residential houses, have been used as single storey office spaces for decades. Those uses were typically limited to standard "9-5, Monday to Friday" occupancy. As such we and our neighbours have been inconvenienced over the years by apparent office workers and customers/visitors seemingly preferring to park in Winchester Street rather than use whatever parking was available at the rear of the office spaces. However, in recent months we have enjoyed the noticeable reduction in vehicles being parked in our street coinciding with the office buildings becoming unoccupied.

We note, in particular, the operating hours of the proposed retail outlet would be significantly greater than the former use. Previously, at least when office workers were departing for the day at around 5pm, on-street parking in Winchester Street would gradually become available for residents returning home from daily activities, and family or friends wanting to visit. Naturally, weekend on-street parking has rarely been used by these office workers.

We note the DA suggests the liquor outlet would be open until 9pm most days of the year. By definition, this means workers and customers would not be departing until *well after 9pm* most days of the year.

Therefore, we oppose the application until such time as it or any approval process satisfactorily addresses a number of issues. These include:

1. Manifestly inadequate car parking provision. For example: two spaces for employees. Whilst it is possible that some employees could walk or ride a bike to work, the applicant has provided insufficient evidence to demonstrate two car parks would cover the parking required for all rostered shifts. To mitigate the known preference (after years of observation) that workers and customers seem to have for parking in quieter side streets, we suggest as a minimum there should be 2hour limited and/or Permit holders (2 per household) parking in Dover, Winchester and Cheltenham Streets at least up to Rugby Street.

2. Manifestly inadequate noise barrier proposed for boundaries. Nowhere in our research have we been able to locate any expert evidence suggesting 2.1metre high steel sheeting less than half a millimetre thick (as per Colorbond or similar "Good Neighbour" fencing) constitutes adequate noise barrier. We reject the information provided by "Resonate" as it does not adequately take into consideration real-world noise pollution created by this type of liquor retail outlet. For example, car doors slamming shut, car boot lids slamming shut, loud voices within metres of the boundary, trolleys containing boxes of bottles, rattling, being rolled across a carpark, trolleys being returned to the trolley bay and typically

pushed and crashing into other trolleys, car engines revving to reverse out of a parking bay and exit, and so forth, all until quite late most evenings of the year, and all weekend. As such, much of the noise pollution is sudden and piercing, unlike the idling of a car or truck engine as included in Resonate's submission. We would suggest a more appropriate material be used on and all around the boundary, one that has industry recognised, noise absorbing qualities, to a minimum height of three (3) metres.

3. Inadequate or completely non-existent acknowledgement of the potential for increased pedestrian traffic attempting to cross Unley Road, generated by this new retail outlet. For many years we have observed dangerous attempts by pedestrian behaviour. For example, dozens of Concordia School students walk along Winchester Street and use Bus Stop 8 on Unley Road. Existing retail outlets on that part of Unley Road already generate considerable pedestrian traffic attempting to cross this major arterial road.

It is some 760 metres between Cross Road and the Pedestrian crossing adjacent Walford School. Another safe location for pedestrians to cross Unley Road, somewhere roughly centred between Cross Road and Marlborough Streets, is long overdue. This proposed large, additional, retail outlet, selling products appealing to a wide range of demographics, makes such a provision all the more necessary.

ATTACHMENT 10

1 March 2023 REF No.: 01042-006

Development & Regulatory Services
City of Unley
181 Unley Road,
Unley SA 5061

Attention: Gary Brinkworth- Manager Development and Regulatory
By Email: gbrinkworth@unley.sa.gov.au

Dear Gary,

RE: RESPONSE TO REPRESENTATIONS AND AGENCY COMMENTS– DAN MURPHY'S, MALVERN– 301-305 UNLEY ROAD, MALVERN

We refer to the City of Unley Council (the 'Council') correspondence dated 27th October 2022 concerning representations received as part of the performance assessed pathway public notification process for the development application for a new Dan Murphy's store at 301-305 Unley Road, Malvern (DA 22030984).

We also refer to the following correspondence and comments provided in relation to the proposed development application:

- A request for additional information from the Commissioner of Highways – Department for Infrastructure and Transport (DIT) dated 7th October 2022 seeking to resolve potential traffic movement conflicts due to the proposed delivery vehicle access on the northern side of the site. DIT required an updated Traffic Impact Assessment and revised site plan that addresses the following:
  - Redesign of the proposed delivery vehicle access on the northern side of the site to include physical restriction so that it caters for left turn in movements only;
    - Revised turn path assessment and access concept illustrating that access will be physically restricted to left turn in movements;
    - Review SIDRA models to include the impact of the blockage; and
    - Acknowledge excessive delays for exiting movements from the (primary) southern two-way access.
- City of Unley responses which provided the following comments:
  - **Stormwater** (correspondence dated 16th November 2022)
    - The plans should document the top of kerb level (K&G on plan) on the eastern side of the property to ensure that in a 100yr (1% AEP) storm or pit/pipe blockage the water

will be contained on site and flow out to Unley Road rather than into the adjoining properties.

» **Urban Design** (correspondence dated 18th November 2022)

- Feedback was provided to improve the verge and public realm adjacent the subject site and improve the overall tree canopy of the immediate site and locality which includes the following measures:
  - Retain proposed *Cupressus sempervirens* 'glauca' Italian Pencil Pine along fence line and frontage;
  - Consider WSUD roof water run off for stormwater management into existing garden beds;
  - Revise tree selection option to provide better shade coverage of the car park area to help Urban Heat Island Effect.
    - *Pyrus Usseriensis* 'Manchurian pear' not preferred for car park areas; *Fraxinus pennsylvanica* 'Cimmaron' and *Zelkova serrata* 'Green Vase' are recommended as the alternatives;
    - *Anigozanthos* 'Bush Sunset' Kangaroo Paw to be retained;
    - *Lomandra longifolia* 'Tanika' and *Leucophyta browni* 'Cushion Bush' to be replaced with *Dianella tasmanica* 'Tasred' and Westringia Smokey. *Cyperus vaginatus* and *Ficinia nodosa* are the suggested WSUD planting options.
  - Install tree planting along northern side of parking to provide natural shade and reduce urban heat island effect;
  - Improve the site stormwater management with permeable pavement areas in the carpark, which will reduce the cost of stormwater management;
  - Reduce width of driveway from 7000mm to 6200mm in accordance with guidelines 'Parking spaces for urban places'; and
  - Increase planting bed width to provide adequate space for tree planting and a shade car park area.
- Opportunity to develop the public realm collaboratively with Council to improve streetscape amenity in coordination with the development.

Pursuant to Section 107 subsection 3 (c) of *the Planning, Development and Infrastructure Act, 2016,* on behalf of the Applicant, this letter provides a formal response to the relevant planning matters raised within the valid representations, as well as those maters raised above by the Commissioner of Highways – Department for Infrastructure and Transport (DIT) and the City of Unley.

This letter should be read in conjunction with our original Planning Statement (9th September 2022).

In further support of our collated response, the following documents are provided as appendices to this letter:

- **Appendix 1:** Amended set of Site plans, floor plans, elevations, landscaping and section plans – Brown Falconer Architects
- **Appendix 2** Amended Stormwater Management Plan – PT Design
- **Appendix 3** Amended Environmental Noise Assessment – Resonate Consulting; and
- **Appendix 4** Botten Levinson Lawyers Advice

The content of these plans and advice will be discussed within the body of this letter, however we note the following key amendments to the plans that were the subject of public notification:

- Replacement of canopy over 'click and collect' parking bay and front garden bed with permeable slatted pergola;
- Plant platform confirmed to be on roof and surrounded by 1.8m high Colorbond screen;
- Confirmation that plant equipment will be secured to internal side wall via a wall mounted structure with external louvres for ventilation;
- Revised landscape plan to include tree plantings within carparking area and amended tree species;
- Reversed traffic flow through site and 'no entry' on northern 'exit only' egress cross-over;
- Southern carparking bay to incorporate permeable paving;
- Revised stormwater management plan to Council specifications; and
- Aluminium framed glazing to Unley Road elevation replacing high level windows.

1. Summary of Representations

We note that the development application was subject to Performance Assessed pathway public notification and 11 valid representations were received. Eight (8) of the representors have expressed a desire to be 'heard' by the City of Unley Council Assessment Panel (CAP).

Table 1.1 on the following page provides a list of those persons who submitted a representation while **Figure 1.2** displays the location/affected address of the representors, relative to the subject site.

Table 1.1 *List of Valid Representors*

Representor Identifier	Name	Address	Oppose/Support	Wish to be Heard	Submitted By
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Having regard to the content of the valid representations, the relevant planning matters of concern have been addressed in Section 2.0 below. Further, an amended set of Architectural Plans are provided (refer ***Appendix 1)***.

Before addressing valid planning considerations, we note one (1) of the representations raised a concern regarding the perceived impact of the development on property values. In this regard, we note that the Environment, Resources and Development (ERD) Court has (on numerous occasions) confirmed that property values should not be considered when assessing the planning merits of an application[1]. As such, this concern has not been considered in formulating our submission.

2. Response to Planning Matters

2.1 Procedural Matters: Classification of Development

One (1) of the representors raised a procedural issue regarding the classification of the proposed development as a 'Code Assessed- Performance Assessed' form of development within Business Neighbourhood Zone, with reference to the proposed gross leasable floor area ('GLFA'), when inclusive of proposed internal plant, front verandah and roofed Click and Collect area, exceeding 1,000 sqm, based on a determination of Justice Blue in the *Parabanks Shopping Centre Pty Ltd v Salisbury & Anor [2013] SASC 138*, and pursuant to *Business Neighbourhood Zone: Table 4 – Restricted Development Classification* which identifies shops with a gross

[1] *For example – refer to matter of Lazzarino v the Corporation of the City of Campbelltown & ANOR [2015] SAERDC 5 (10 March 2015)*

leasable floor area GLFA exceeding 1,000 sqm as restricted form of development in the Business Neighbourhood Zone.

In response to this issue, the applicant engaged Botten Levinson who prepared an independent legal opinion (refer to **Appendix 4**) which confirmed that the front verandah and click and collect canopy should be excluded from the calculation of the GLFA, pursuant to the definition under the Code. Pursuant to Part 8 – Administrative Terms and Definitions of The Code *"Gross leasable floor area Means the total floor area of a building excluding public or common tenancy areas such as malls, hallways, verandahs, public or shared tenancy toilets, common storage areas and loading docks."* Both the verandah to Unley Road and the canopy over the 'click and collect' area publicly accessible. Additionally, the canopy over the 'click and collect' area is also a 'loading dock.'

Notwithstanding that it is not required, to avoid any doubt about the interpretation of the GLFA definition amended plans have been provide (refer to **Appendix 1**) which alter the canopy over proposed front verandah and Click and Collect to incorporate permeable slatted pergola. The revised plans clarify that the proposed internal plant would be located on wall mounted brackets and does not form a mezzanine form, therefore on a without prejudice bases reaffirms that the proposed GLFA is 999 sqm.

We therefore reiterate that in our opinion the proposal constitutes a 'shop with a GLFA under 1000sqm' and the development application therefore is a 'Code Assessed- Performance Assessed' form of development pursuant to *Business Neighbourhood Zone: Table 3 – Applicable Policies for Performance Assessed Development*.

2.2 Public Realm and Design

2.2.1 Social Behaviour

A key theme of concern for many of the representations was around the nature of the development as a liquor store and potential impact/risk on the community. Some representors raised concerns about the proximity to Walford Early Learning Centre, located to the northwest of the subject site, and neighbouring residential neighbourhood to the east. These matters will be considered and assessed during the Community Impact Assessment which forms part of the Liquor Licence application (that occurs following Planning Consent being granted).

The proposed development comprises a number of measures to minimise any potential interface impacts , such as landscaping along the perimeter of the subject site to soften the visual impact of built form, provision of ample setbacks along the eastern boundary to create separation from existing residential land uses within the adjoining Established Neighbourhood Zone.

Additionally, while the proposed development comprises both 'click and collect' methods, in-store collection and 'direct to boot', at subject site, no on-site consumption of alcohol (other than small in-store tasting samples) will occur, which further reduces the risk of anti-social activities at site.

The proposal allows for visual permeability to the car parking spaces from Unley Road, which is likely to hinder anti-social behaviour at site.

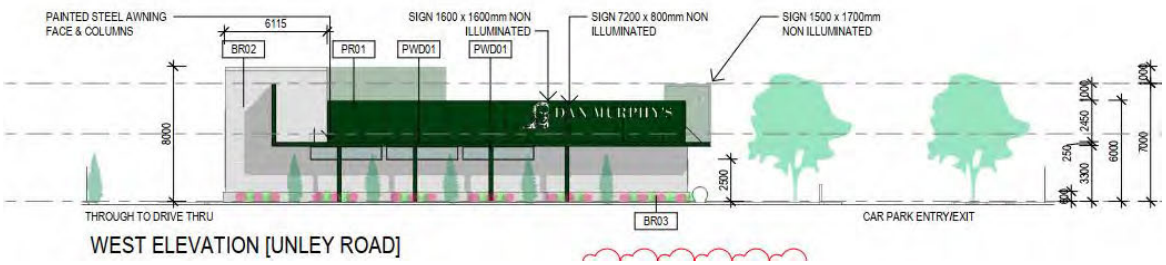
Additional one of the representors, acknowledged the applicant as a great employer and the proposal as opportunity for creating jobs for the locals.

2.2.2 *Streetscape & Façade*

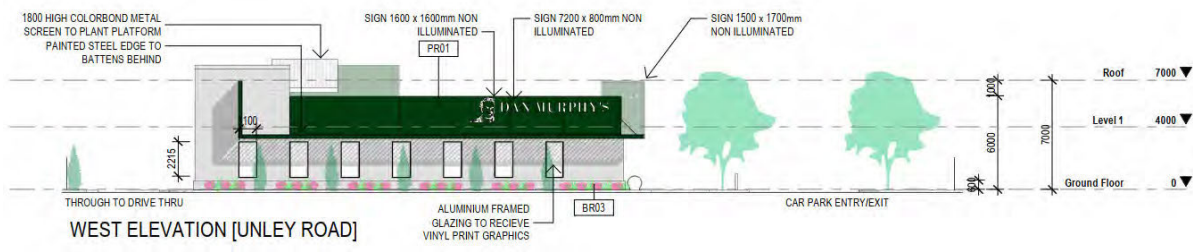
One (1) of the representors raised a concern regarding alignment with the endorsed City of Unley 'Unley Road Public Design Guidelines' to revitalise Unley Road during changing land use and lack of façade articulation along Unley Road.

In response to this issue, and recommendations by Council's City Design Team, amended plans have been developed which have revised the western elevation along Unley Road to feature a number of windows to create a visual interest at human scale and includes three (3) different materials and colours and a permeable pergola above. Soft landscaping will create visual interest and positively contribute towards the Unley Road streetscape and further improve the pedestrian realm. Figure

Figure 2.1 *Previous vs Amended Façade Design*



Previous Unley Road Elevation



Revised Unley Road Elevation

2.2.3 *Site Layout*

Refuse Storage and Collection

One (1) representor raised concern regarding the location of the refuse area with regard to potential odour and noise impacts to adjacent residence. All waste shall be stored internal to the building within the loading dock area in bulk bins to be collected by a private waste contractor. Waste collection vehicles will utilise the 'truck loading bay' along the northern façade of the building for collection. The noise associated with waste collection will be similar to that of a delivery truck. Resonate acoustic engineers have provided a revised assessment of

acoustic impacts resulting from the amended plans contained within **Appendix 1**. This assessment revealed that the noise emissions from the operation, including truck movements will comply with the relevant environmental noise criteria.

The revised plans therefore continue to satisfy Code General Interface between Land Uses PO 1.2 which seeks that "*development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts*."

Trolley Bay Location

One (1) representor raised concern regarding the lack of identification of trolley bay(s) and potential theft and abandonment of the trolleys in the neighbouring streets disturbing the amenity and aesthetics of the locality. However, we note that the location of the trolley bays have been identified in the Architectural Plan (Drawing No: 3395 DA03 by Brown Falconer) submitted with the development application package. The trolley bays are located to the west of the northern car parking bay lane and would be clearly visible by both staff within the shop and from the Unley Road frontage.

In addition, Dan Murphy's offer a 'Trolley Tracker' services that enables the community to report a wayward trolley via a mobile app or the Dan Murphy's website. This service results in improved public safety, fewer trolley's 'dumped' in the environment and faster return of trolleys to the storey for customers to use.

Location of 'Click and Collect' Area

Two (2) representors raised concern regarding the location of the 'click and collect' area with regard to potential air and noise impacts to adjacent residence. The matters regarding the noise impacts are discussed in detail under the heading 'Acoustic Amenity' in **Section 2.5** below.

2.3 Landscaping and Trees

Several of the representors raised a concern regarding the removal of green cover and lack of adequate replacement vegetation on site as part of the proposed development. Council's City Design Team also recommended revised plans that increase canopy coverage within the parking area, along with revised species recommendations.

The revised planting schedule has been provided by Brown Falconer within **Appendix 1** which clearly delineates the increased number of plantings along the site boundaries and within car parking spaces to improve the green cover and provide better shade coverage of the car park area to help Urban Heat Island Effect, including the following:

- Sixteen (16) trees will be planted across the site;
- Two (2) Manchurian pear trees will be planted at the Unley Road primary access to assist with screening the car park, and an additional Manchurian pear tree located in the north-eastern corner of the site- the placement has been rearranged to match the revised form of the landscape beds;
- One (1) Cimmaron tree will be planted at the southern landscape bed of the northern egress to Unley Road;

- Six (6) Cimmaron trees and six (6) Manchurian pear trees will be planted within the landscape beds in the parking area;
- 'Tanika' and 'Cushion Bush' have been replaced with 'Dianella tasmanika', 'Westringia smokey' and 'Helichrysum italicum';
- Landscaping beds abutting the site boundaries consist of a patterned design including 'Dianella tasmanika', 'Westringia smokey', 'red kangaroo paw', 'Helichrysum italicum' and 'Italian pencil pine' species, providing a varied landscape; and
- The landscaping beds forward of the front façade incorporate 'Dianella tasmanika', 'red kangaroo paw' and 'Italian pencil pine' species, contributing towards the Unley Road streetscape.

The selection of plantings and the placements of the plantings have been amended to include satisfy the following Code Design in Urban Areas provisions:

> ***PO 3.1*** *Soft landscaping and tree planting are incorporated to:*
>
> *(a) minimise heat absorption and reflection*
>
> *(b) maximise shade and shelter*
>
> *(c) maximise stormwater infiltration*
>
> *(d) enhance the appearance of land and streetscapes.*
>
> ***PO 7.2*** *Vehicle parking areas appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.*
>
> ***PO 7.4*** *Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.*
>
> ***PO 7.5*** *Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.*
>
> ***PO 7.6*** *Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.*
>
> [our emphasis]

2.4 Lighting and Light Spill

Concerns were raised by seven (7) of representors in relation to the potential for light spill into their properties. We confirm that all lighting on the site will confirm with 'Australian Standard AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting'. Lighting adjoining residential properties will be directed downwards into the site and if required will be fitted with shields and baffles to satisfy Australian Standards. The applicant has no objection to a condition of approval to this effect.

One (1) of the representors raised a concern regarding the vehicular light spill into their property located on the opposite side of Unley Road. Given the proposed house of operation between 9.00am and 9.00pm Monday to Saturday and 10.00am and 7.00pm on Sunday and public holidays any impacts would be limited in duration and likely to occur during the winter months only. It is also acknowledged that Unley Road is a State Maintained Road with an estimated 20,000-50,000 vehicle movements per day. As such the impact of headlights resulting from the proposed development is not considered to exacerbate lights generated from Unley Road traffic.

2.5 Acoustic Amenity

Eight (8) representors raised concerns in relation to lack of sufficient treatments/ buffer measures and potential noise impacts on adjoining residential properties, including from the following:

- Noise impacts associated use of a forklift within the loading area (including any reversing tones);
- Noise due to truck movements and truck exhausts along the rear boundary on adjoining residential habitable rooms;
- Noise implication pertaining to refrigerated trucks used for deliveries;
- Noise emanating from refrigeration equipment (including condensers associated with fridges and cool rooms and external freezer for pre-packaged ice);
- Noise impacts emanating from cars idling in the 'click and collect' area;
- Height of proposed fencing; and
- Clarification on delivery hours at the site.

A comprehensive Environmental Noise Assessment was prepared for the proposal by Resonate Consulting and formed parted of the lodgement package. Furthermore, an update assessment based on the revised plans and details has been prepared by Resonate consulting in response to the concerns raised, provided as **Appendix 3**.

2.5.1 Forklifts and Characteristics Penalties

The updated Resonate acoustic assessment confirms that the proposed Dan Murphy's shop will use electric forklifts with broadband reversing beepers. Resonate confirmed that the forklifts will be fitted with broadband reversing beepers and as such a characteristic penalty in the noise assessment is not warranted to this source.

Additionally, the update notes that the noise from truck movements through the site to be similar in nature to existing traffic noise along Unley Road.

2.5.2 Refrigerated Trucks

The update confirms that refrigerated truck (small vans) will carry out only ice deliveries using the carparking area to access the ice machine located at the southern entry while entering and exiting the site through the main entry. The vans will have a sound level and character similar to the cars using Unley Road as well as the carparking area and deliveries are expected to occur 3 times per week during operating hours. On this basis, the refrigerated deliveries are not expected to have an adverse impact on the adjacent receptors.

2.5.3 Truck Exhaust Noise

The update states that for slow moving trucks, the noise is controlled by the engine noise and typically noise from exhausts is not an issue. Furthermore, the revised modelling has taken into account the noise impact for exhaust noise of trucks moving at speed along road networks, a correction of – 8dB is applied to the overall noise level.

2.5.4 Refrigerated Equipment

The update notes that the ice machine is recessed into the building on the southern façade adjacent to the entry, hence noise from the front of the ice machine will not have an adverse impact on amenity.

Other plant equipment will be mounted to the northern internal wall of the storage area/loading dock with louvres for ventilation.

Resonate has included this detail in their revised assessment discussed in Section 2.5.5 below.

2.5.5 Updated Modelling Results

The updated modelling takes into account the following:

- Updated planning documentation dated February 2023;
- Updated information regarding refrigeration plant, to be located within the building with louvres to the north. Louvres to be acoustically equivalent to Fantech SBL1 acoustic louvres;
- Updated information regarding mechanical plant, to be located on the roof behind a 1.8m Colorbond screen;
- Inclusion of truck exhaust noise; and
- Inclusion of electric forklift activity.

The Resonate assessment has demonstrated that, with the modelled scenario outlined above, the noise emissions from the operation of the proposed development will be able to comply with the relevant Environmental Noise Criteria. Additionally, we note that the predicted levels from the updated modelling are generally lower than the previously presented results and that the fence heights proposed are adequate to mitigate anticipated noise. The proposal therefore continues to satisfy the following General Interface Between Land Use provisions of the Code:

> ***PO 4.1*** *Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers)*
>
> ***DTS/DPF 4.1*** *Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.*
>
> ***PO 4.2*** *Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones*

primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers

(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers

(c) housing plant and equipment within an enclosed structure or acoustic enclosure

providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary

[our emphasis]

2.6 Stormwater Management

Two (2) of the representors raised concerns about stormwater management, one (1) raised a need to maximise stormwater infiltration at site and one raised concern regarding the lack of permeable surfaces at subject site as part of the proposed development.

A comprehensive Stormwater Management Plan (SMP) was prepared for the proposal by PT Design and formed parted of the lodgement package.

The City of Unley in their response correspondence dated 16 November 2022 confirmed that the stormwater engineer generally has no issues with the provided plan for the reason that the plan included the following:

- *'A spoon drain across northern access point to prevent uncontrolled flow over footpath.*
- *Have provided a 30,000kL detention tank.*
- *Have provided for adequate pollutant treatment'.*

The proposed site plan has been revised to incorporate use permeable pavers for the southern car parking spaces to increase stormwater infiltration at site, and additionally the revised plan identifies the top of kerb level on the eastern side of the property which ensures that in a 100yr (1% AEP) storm or pit/pipe blockage the water will be contained on site and flow out to Unley Rd rather than into the adjoining properties.

The proposal is therefore considered to have adequately addressed stormwater and flood management and satisfies the relevant provisions of the Code in relation to the management of stormwater.

Design In Urban Areas

PO 42.3 *Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.*

2.7 Parking, Traffic and Access

Seven (7) representations raised concern regarding the lack of sufficient staff parking provisions and were concerned about the potential impact on neighbouring street due to on street parking by customers and staff.

The Planning and Design Code identifies the site as a 'Designated Area' pursuant to Table 2- Off-Street Car parking Requirements in Designated Areas that specifies the following minimum parking rate: Non-residential development – 3 spaces per 100 m^2 of gross floor area. The Code does not specify a differentiation between staff and visitor on-site parking provision, however staff spaces have been indicated near the Unley Road entry to reduce the number of vehicle within proximity to Unley Road. The proposal with a GLFA of 999 m^2 would require 30 spaces (rounded up). The proposal provides 32 car parking spaces which satisfies the parking requirements of the Planning and Design Code. The parking area will be provided in accordance with the relevant Australian/New Zealand Standards for "*Parking Facilities Part 1: Off-street car parking*" (AS/NZS 2890.1:2004) and "*Parking Facilities Part 6: Offstreet parking for people with disabilities*" (AS/NZS 2890.6:2009).

In response to matters raised by Department for Infrastructure and Transport (DIT), and in consultation with DIT, the vehicular movement flow has been reversed at site, with egress only via the northern access point while the southern access point allows for both ingress and egress of site. The revised traffic flow will result in cars and trucks queuing within the site, rather than on Unley Road and removes the right turn conflicts with the existing median opening to Northgate Street. Additionally, the crossovers, driveways, and signages have been revised to accommodate the new traffic flow, such that all movements can enter and exit in a forward direction. The updated plans are attached in Appendix 1.

Some representors expressed concerns over the number of additional traffic movements that would arise as a result of the proposal, along Unley Road and Cheltenham Street, and consequently concerns for pedestrian safety.

The revised plan has improved the northern driveway design to achieve clear pedestrian sightlines and identifies that signages will be located outside the pedestrian sightline triangle. CIRQA's traffic analysis provided as part of the lodgement package concluded that the proposal is forecast to generate in the order of 45 am and 90 pm peak hour trips. In consideration of the site's location and the surrounding road network, it is forecast that vehicle movements will be distributed relatively evenly north and south of the site on Unley Road. Analyses of the site's access points indicate that the proposed development (upon completion and occupation) will have negligible impact upon the operation of Unley Road or its intersection with /Northgate Street intersection and will not detrimentally impact upon their safe operation. Furthermore, such volumes will be readily accommodated on Unley Road without impact upon its function or hierarchy.

3. Conclusion

This letter seeks to provide a response to the issues raised by the Performance Assessed pathway public notification representations.

The key issues raised including development classification, social behaviour risks, streetscape and facade design, site layout, site lighting, landscaping, noise and traffic have been addressed.

Thank you for the opportunity to respond and we trust this submission offers a constructive response to the matters raised.

We welcome the opportunity to attend and present at the Council Assessment Panel meeting in due course.

Yours Sincerely,

Zoë Garnaut

Senior Associate

Appendix 1. Amended set of Site plans, floor plans, elevations, landscaping and section plans – *Brown Falconer Architects*

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:02 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	DA LANDSCAPE & CANOPY UPDATES	03.08.22
D	SIGN AMENDMENTS	06.09.22
E	PLANNING UPDATES	06.02.23
F	ISSUE FOR LODGEMENT	09.02.23
G	TRAFFIC ENGINEERS UPDATES	13.02.23

DAN MURPHY'S MALVERN

301-305 UNLEY ROAD, MALVERN

PLANNING APPLICATION - DEVELOPMENT APPROVAL ISSUE
FEBRUARY 2023

ARCHITECURAL DRAWING SCHEDULE

DA01	COVER SHEET	G	13.02.23
DA02	EXISTING CONDITIONS	D	09.02.23
DA03	FLOOR & SITE PLAN	K	13.02.23
DA04	STREET ELEVATIONS	E	09.02.23
DA05	ELEVATIONS	G	09.02.23
DA06	SHADOW DIAGRAM	C	09.02.23
DA07	LANDSCAPE PLAN	D	13.02.23
DA08	ROOF PLAN & SECTION	B	09.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

COVER SHEET

Scale 1 : 2000
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA01** Rev: **G** A3 SHEET

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

TOTAL SITE AREA 2768M²

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

EXISTING BUILDING TO BE DEMOLISHED
SITE TO BE CLEARED

EXISTING SITE / DEMOLITION

1 : 500

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:18 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	PLANNING UPDATES	06.02.23
D	ISSUE FOR LODGEMENT	09.02.23

CATCORP

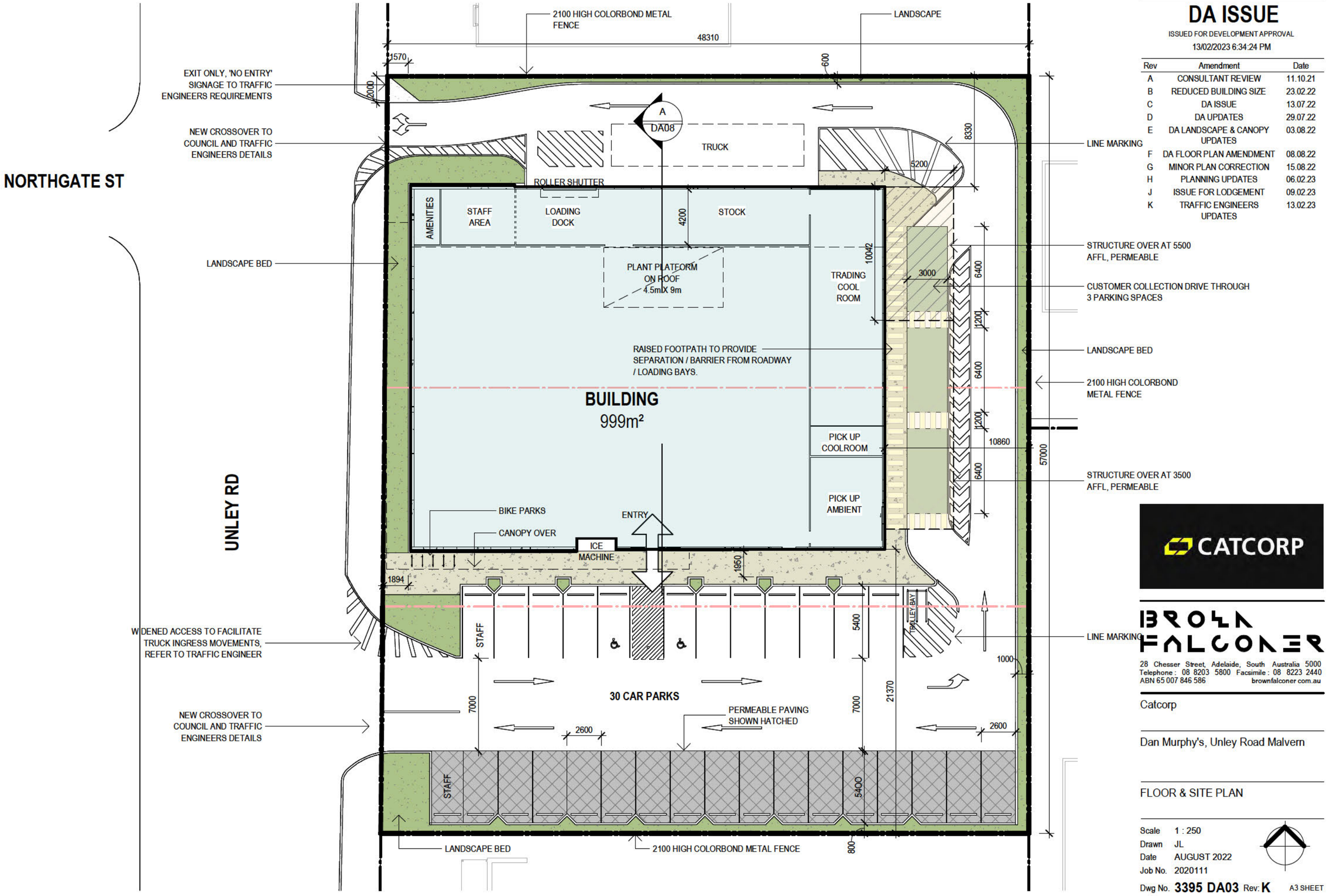
BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

EXISTING CONDITIONS

Scale 1 : 500
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA02** Rev: **D** A3 SHEET



DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:24 PM

Rev	Amendment	Date
A	CONSULTANT REVIEW	11.10.21
B	REDUCED BUILDING SIZE	23.02.22
C	DA ISSUE	13.07.22
D	DA UPDATES	29.07.22
E	DA LANDSCAPE & CANOPY UPDATES	03.08.22
F	DA FLOOR PLAN AMENDMENT	08.08.22
G	MINOR PLAN CORRECTION	15.08.22
H	PLANNING UPDATES	06.02.23
J	ISSUE FOR LODGEMENT	09.02.23
K	TRAFFIC ENGINEERS UPDATES	13.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

FLOOR & SITE PLAN

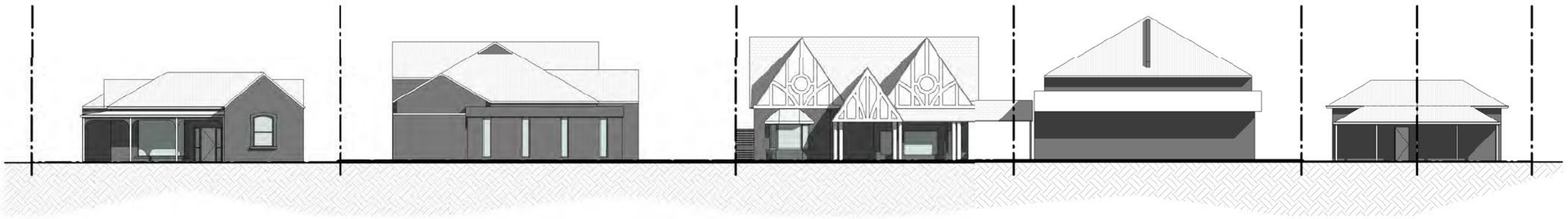
Scale 1 : 250
Drawn JL
Date AUGUST 2022
Job No. 2020111
Dwg No. **3395 DA03** Rev: **K** A3 SHEET

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:29 PM

Rev	Amendment	Date
A	DA UPDATES	29.07.22
B	DA LANDSCAPE & CANOPY UPDATES	03.08.22
C	SIGN AMENDMENTS	06.09.22
D	PLANNING UPDATES	06.02.23
E	ISSUE FOR LODGEMENT	09.02.23



EXISTING STREET ELEVATION

1 : 250

PROPOSED STREET ELEVATION

1 : 250

BROWN FALCONER

28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

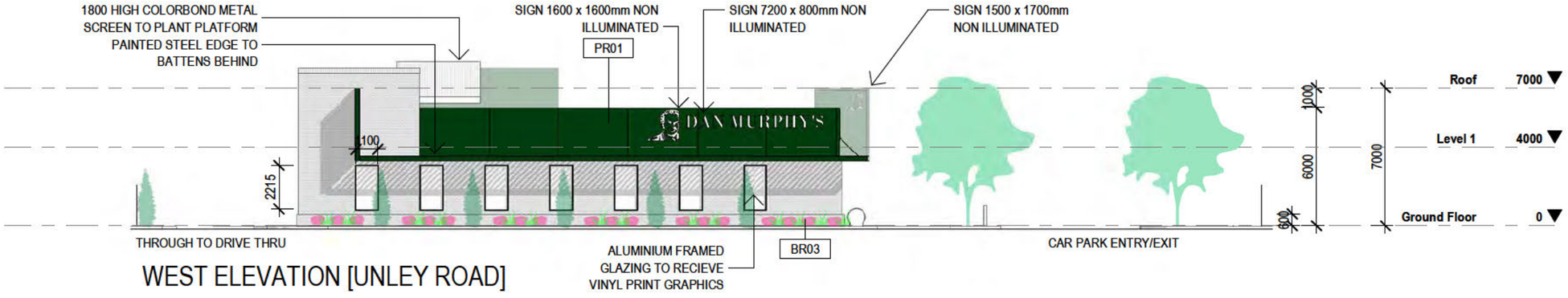
Catcorp

Dan Murphy's, Unley Road Malvern

STREET ELEVATIONS

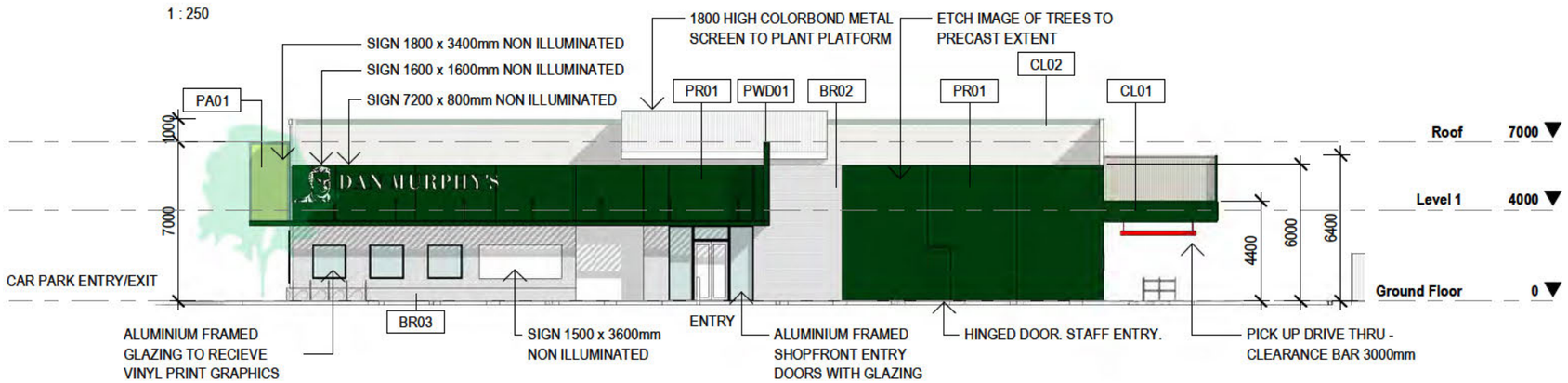
CATCORP

Scale 1 : 250
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA04** Rev: **E** A3 SHEET



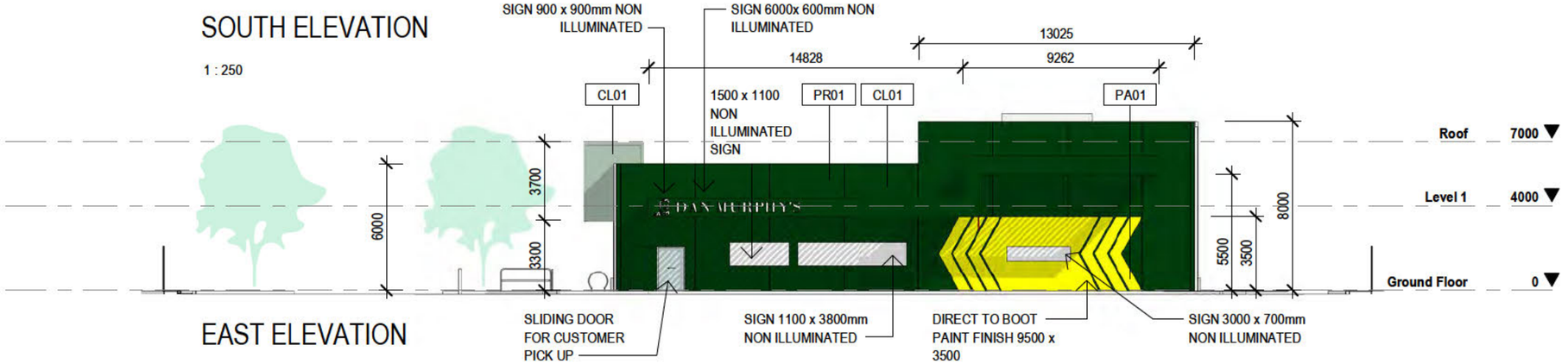
WEST ELEVATION [UNLEY ROAD]

1 : 250



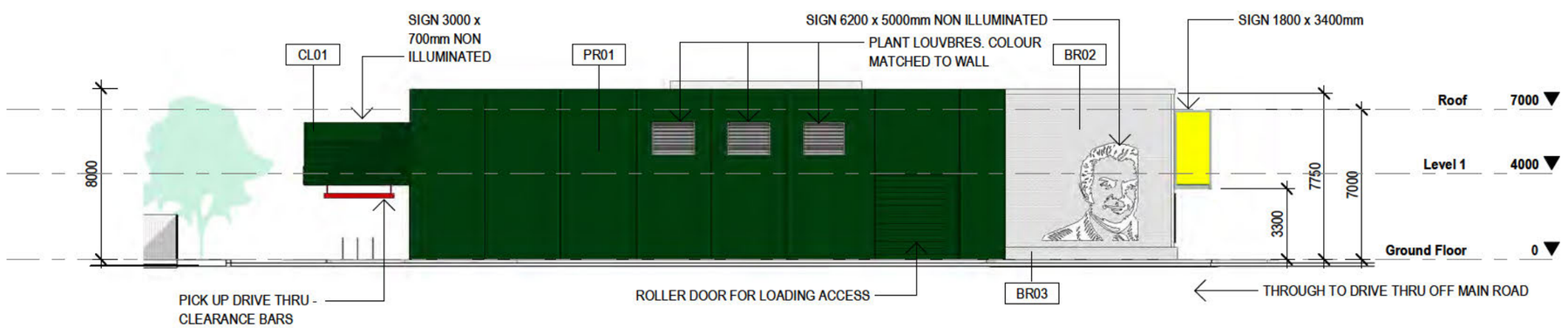
SOUTH ELEVATION

1 : 250



EAST ELEVATION

1 : 250



NORTH ELEVATION

1 : 250

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:35 PM

Rev	Amendment	Date
A	DA ISSUE	13.07.22
B	DA UPDATES	29.07.22
C	DA LANDSCAPE & CANOPY UPDATES	03.08.22
D	DA FLOOR PLAN AMENDMENT	08.08.22
E	SIGN AMENDMENTS	06.09.22
F	PLANNING UPDATES	06.02.23
G	ISSUE FOR LODGEMENT	09.02.23

MATERIAL LEGEND

BR02	FACE BRICK - WHITE
BR03	FACE BRICK - GREY
CL01	PAINTED CFC
CL02	CUSTOM ORB CLADDING: SURFMIST
PA01	PAINT FINISH. CORPORATE YELLOW.
PR01	PRECAST PANEL. PAINT FINISH . CORPORATE GREEN.
PWD01	STEEL. POWDERCOAT FINISH. CORPORATE GREEN.

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

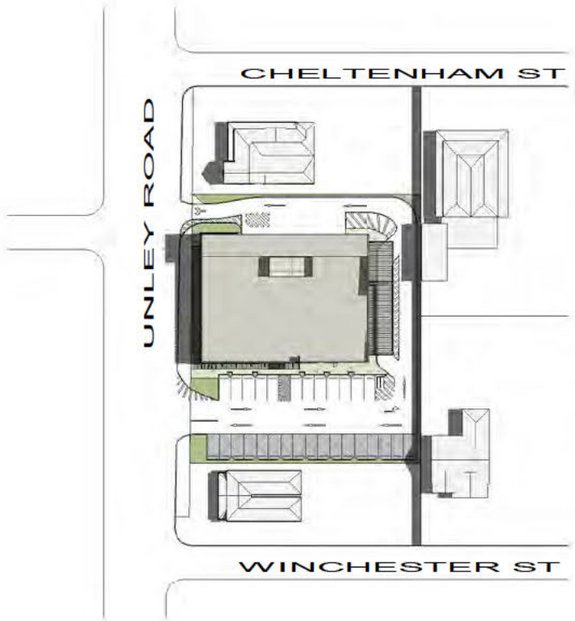
Catcorp

Dan Murphy's, Unley Road Malvern

ELEVATIONS

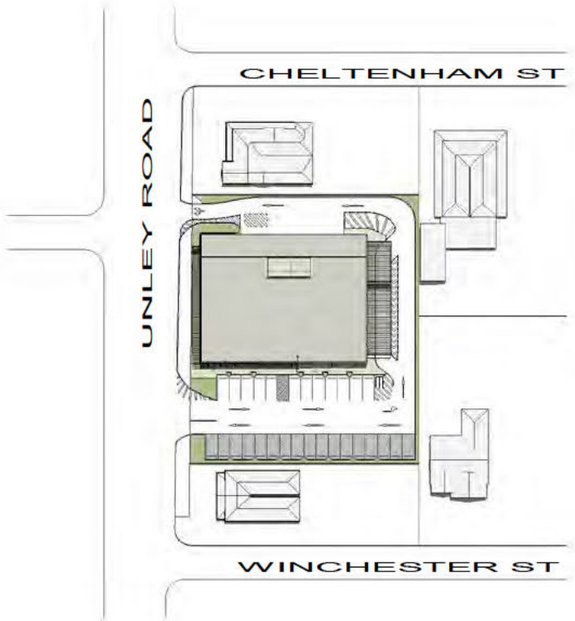
Scale 1 : 250
Drawn JL
Date SEPTEMBER 2022
Job No. 2020111
Dwg No. **3395 DA05** Rev: **G** A3 SHEET

SUMMER SOLSTICE 22 DECEMBER



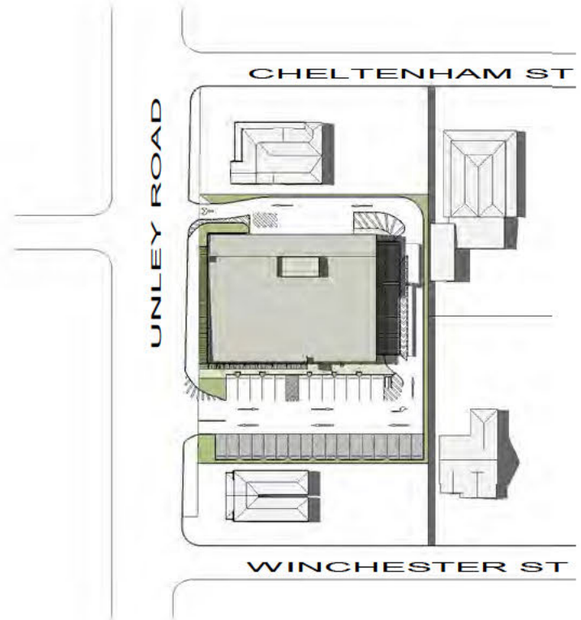
SUMMER 9AM

1 : 1300



SUMMER 12PM

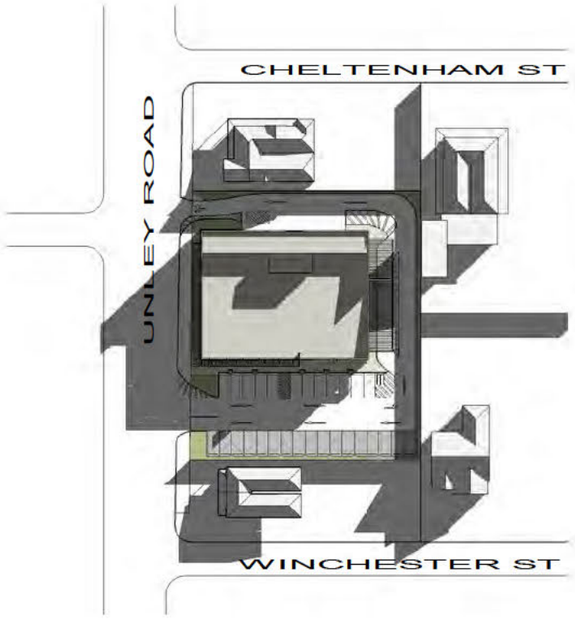
1 : 1300



SUMMER 3PM

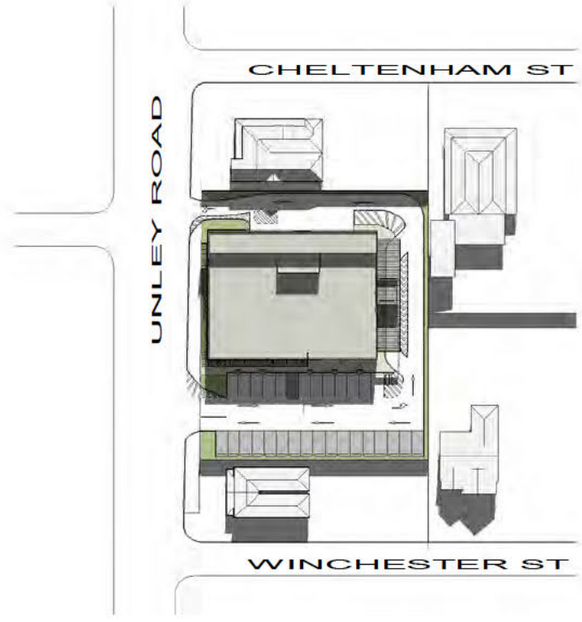
1 : 1300

WINTER SOLSTICE 22 JUNE



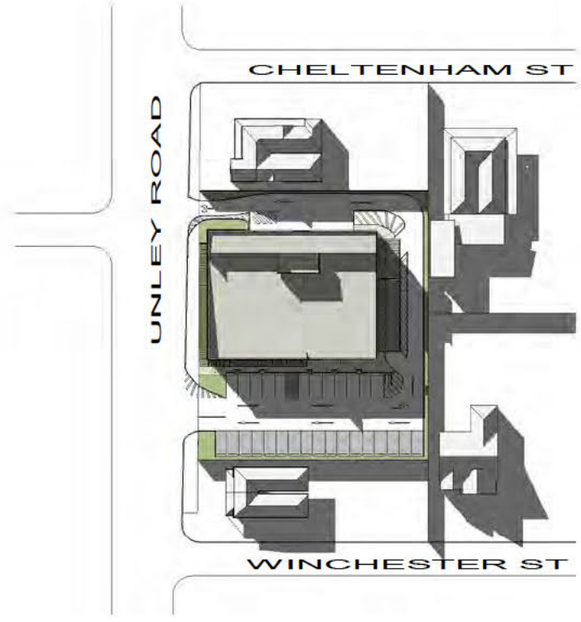
WINTER 9AM

1 : 1300



WINTER 12PM

1 : 1300



WINTER 3PM

1 : 1300

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL
13/02/2023 6:34:41 PM

Rev	Amendment	Date
A	DA UPDATES	29.07.22
B	PLANNING UPDATES	06.02.23
C	ISSUE FOR LODGEMENT	09.02.23

0 2000 4000 6000 8000

1:2000

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

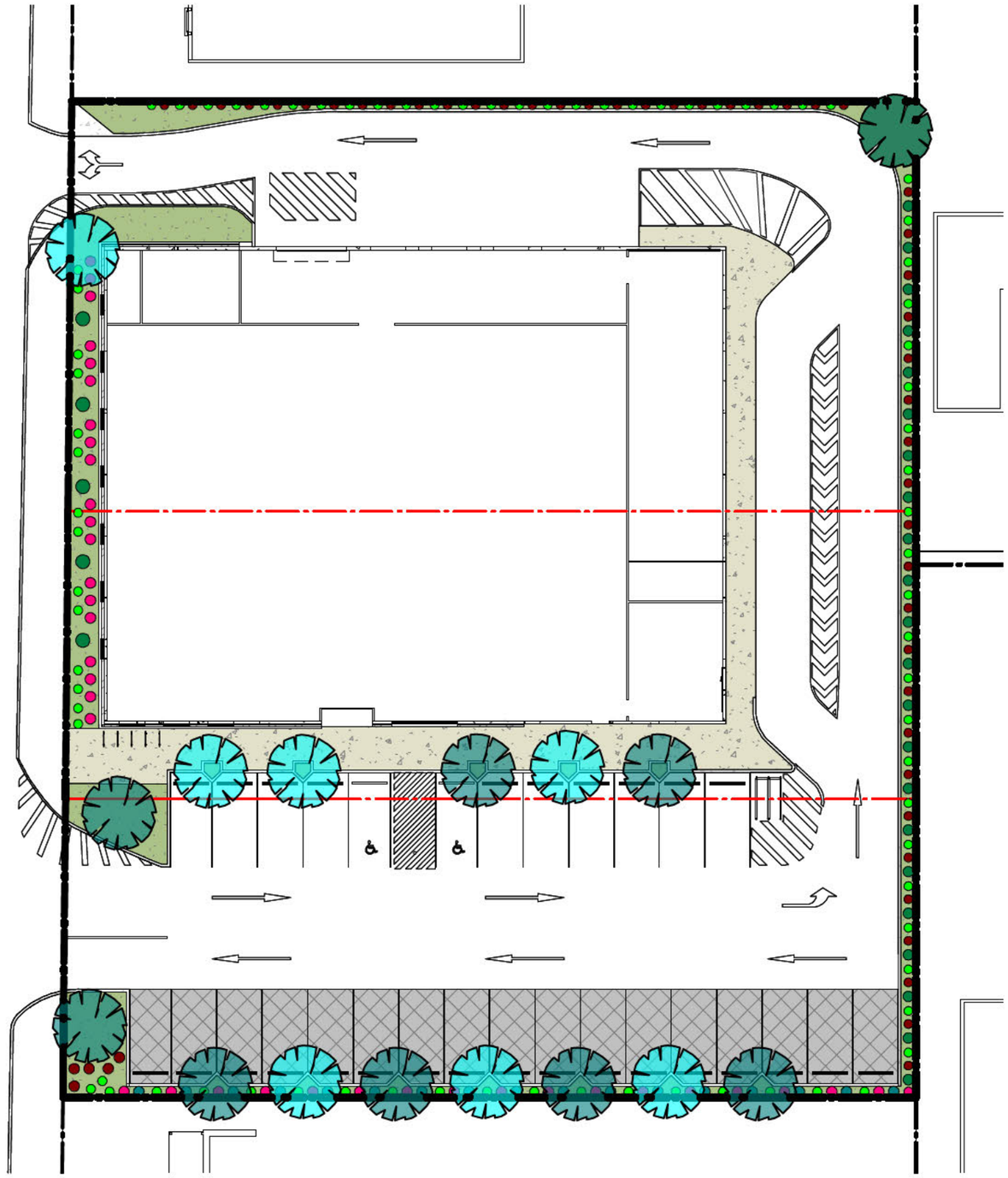
Catcorp

Dan Murphy's, Unley Road Malvern

SHADOW DIAGRAM

Scale 1 : 1300
Drawn JL
Date AUGUST 2022
Job No. 2020111

Dwg No. **3395 DA06** Rev: **C** A3 SHEET



PLANTING GUIDE

PLANTED IN ASCENDING ORDER OF MATURE HEIGHT FROM FRONT OF KERB TO BACK OF LANDSCAPING BED

DT
DIANELLA TASMANIKA

0.6M HIGH X 0.6M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

KP
ANIGOZANTHOS 'BUSH SUNSET' RED KANGAROO PAW'

1.0M HIGH X 0.6M SPREAD

PLANT RANDOMLY AS HIGHLIGHT

WS
WESTRINGIA SMOKEY

1.0M HIGH X 1.5M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

CS
CUPRESSUS SEMPERVIRENS 'ITALIAN PENCIL PINE'

3.0M HIGH X 0.3M SPREAD

PLANT IN CENTRE OF BEDS OR AGAINST FENCES, WALLS ,ETC

MP

PYRUS USSERIENSIS ' MANCHURIAN PEAR'

TREE

NOTE:
- TREE IS SUITABLE IN VERGES 1.0 TO 1.5M WIDE,
- GROWS TO A MATURE HEIGHT OF 8.0 METRES
- SHOULD BE PLANTED AT 6.0M SPACINGS.

PLANTING NOTES

- ALL GARDEN BEDS TO BE MULCHED 100MM MINIMUM DEEP AND DRIP IRRIGATED.
- MASS PLANTING TO SUIT AREAS, SCREENING AND/OR SIGHTLINES. GENERALLY TO HAVE LOW LEVEL PLANTING TO STREET FRONTAGES & MEDIUM TO HIGH LEVEL PLANTING TO THE REAR OF THE SITE.

FR

FRAXINUS PENSYLVANNICA 'CIMMARON'

TREE

HI

HELICHRYSUM ITALICUM

BUSH

NOTE:

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:47 PM

Rev	Amendment	Date
A	DA LANDSCAPE & CANOPY UPDATES	03.08.22
B	PLANNING UPDATES	06.02.23
C	ISSUE FOR LODGEMENT	09.02.23
D	TRAFFIC ENGINEERS UPDATES	13.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

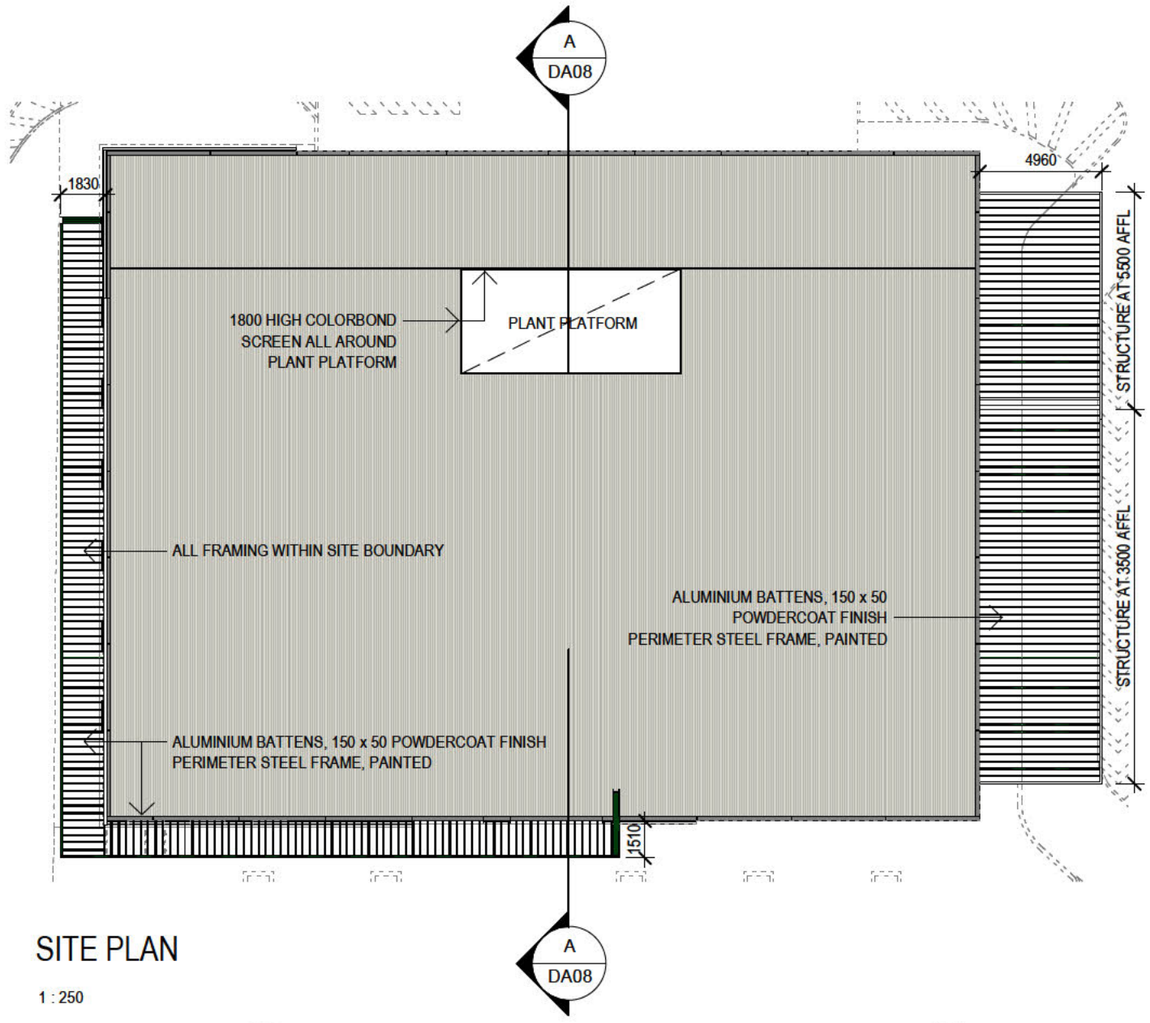
Catcorp

Dan Murphy's, Unley Road Malvern

LANDSCAPE PLAN

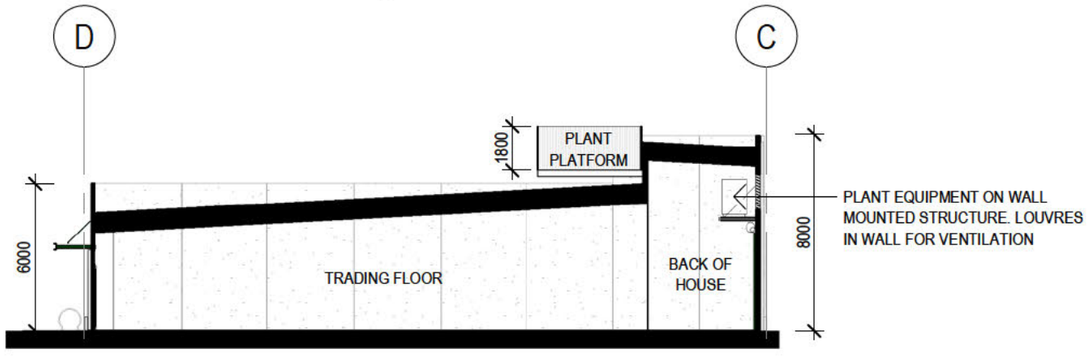
Scale As indicated
Drawn JL
Date NOV 2022
Job No. 2020111

Dwg No. **3395 DA07** Rev: **D** A3 SHEET



SITE PLAN

1 : 250



SECTION A

1 : 250

DA ISSUE

ISSUED FOR DEVELOPMENT APPROVAL

13/02/2023 6:34:53 PM

Rev	Amendment	Date
A	PLANNING UPDATES	06.02.23
B	ISSUE FOR LODGEMENT	09.02.23

CATCORP

BROWN FALCONER
28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer com.au

Catcorp

Dan Murphy's, Unley Road Malvern

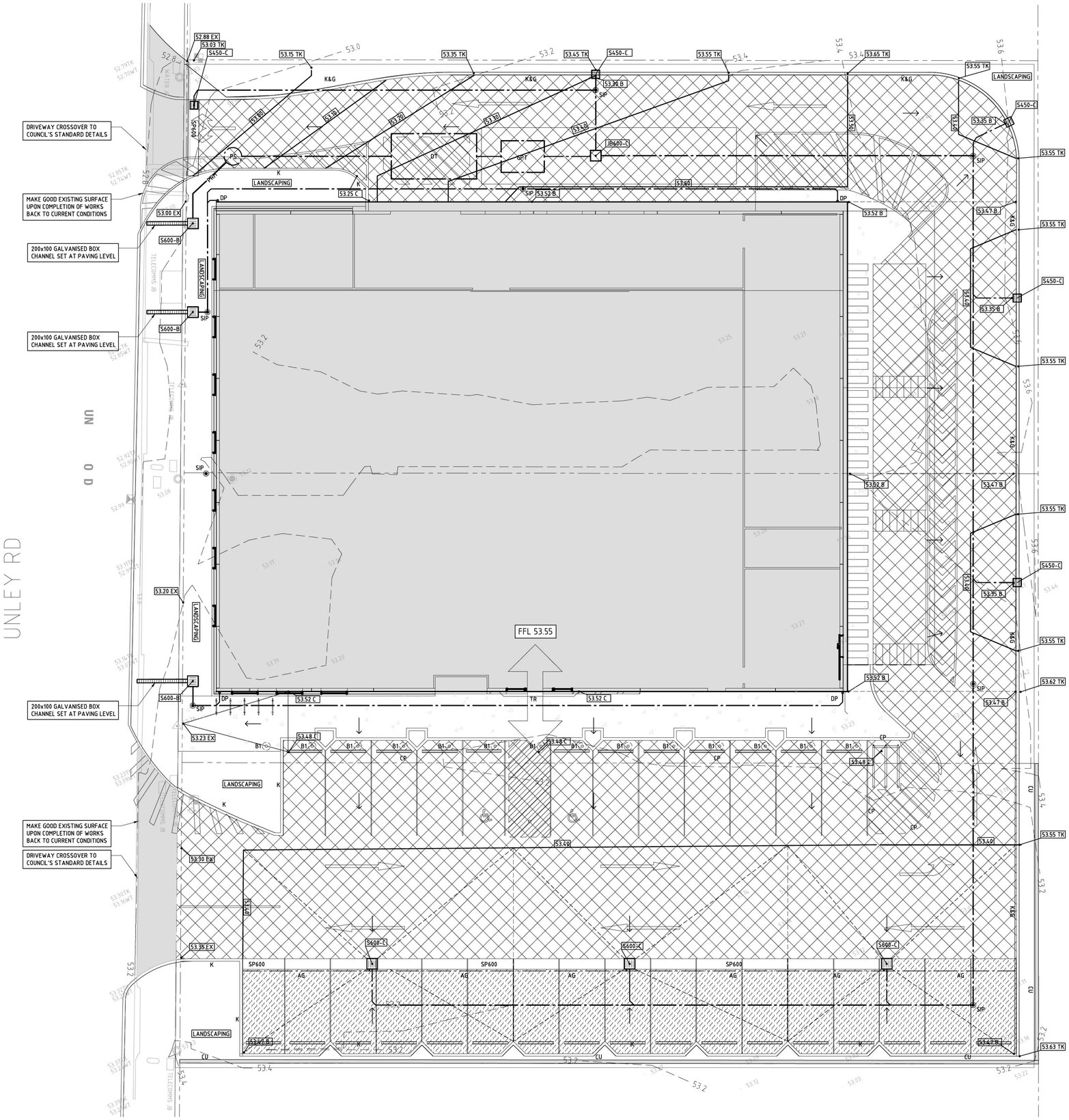
ROOF PLAN & SECTION

Scale 1 : 250
Drawn WK
Date FEB 2023
Job No. 2020111

Dwg No. **3395 DA08** Rev: **B** A3 SHEET

Appendix 2. Amended Stormwater Management Plan

PT Design



0 2 0 00 00

A 00 @B

PT Design

structural • civil • engineers

G N

- SEWER GRADE PVC STORMWATER PIPE — SIZE AS NOTED (S/S DENOTES SEALED SYSTEM)
- S450-X — 450 SQUARE GRATED SUMP, GRATE CLASS AS NOTED
- JB450-X — 450 SQUARE JUNCTION BOX, COVER CLASS AS NOTED
- DP — DOWNPIPE, ALL DOWNPIPES FOR SEALED SYSTEM ARE TO BE PVC
- SIP — SITE INSPECTION POINT
- 15.55 — DESIGN LEVEL (P - PAVING, C - CONCRETE, B - BITUMEN, G - GROUND, Q - QUARRY RUBBLE, COV - COVER, INV - INVERT, WT - WATER TABLE, TK - TOP OF KERB)
- 15.55 — CONTOUR LINE
- DIRECTION OF SURFACE FALL
- GRADE LINE
- K — KERB
- K&G — KERB & GUTTER
- CU — CONCRETE UPSTAND
- CP — CONCRETE PLINTH
- SP600 — 600 WIDE CONCRETE SPOON DRAIN
- B1 — BOLLARD BY ARCHITECTS DETAILS
- DT — 30.0 kL DETENTION TANK STRICTLY IN ACCORDANCE WITH MANUF'S DETAILS. PROVIDE INSPECTION OPENINGS STRICTLY IN ACCORDANCE WITH MANUF'S DETAILS. PROVIDE BREATHER VALVES TO ENSURE ADEQUATE VENTING OF AIR WITHIN TANK
- GPT — ECOSOL STORM PIT (CLASS 2) - 20.0 L/sec (OR EQUIVALENT) INSTALLED STRICTLY IN ACCORDANCE WITH THE MANUF'S REQUIREMENTS
- PS — PRE-PACKAGED PUMP STATION TO PUMP MANUFACTURERS DETAILS. PUMP RATE - 20.0 L/sec
- PRM — PUMP RISING MAIN TO PUMP MANUFACTURERS DETAILS
- AG — 100ø AG. PIPE LAID AT FALL
- 35mm THICK HOTMIX BITUMEN ON 100 THICK FINE CRUSHED ROCK (PM1/20QG / PM1/40QG) ON 150 THICK COMPACTED QUARRY RUBBLE (PM2/20QG)
- 100 THICK CONCRETE SLAB WITH SL82 MESH TOP (N25 CONCRETE). PROVIDE TOOLED CONTROL JOINTS AT 3.0m MAX. C/C
- 60mm BIO PAVE PERMEABLE PAVER (OR EQUIVALENT) REFER TO DETAIL

PU PNO

PUMP SHALL BE DUAL PUMP. THE PUMP CONTROLS SHALL BE SET UP TO ENABLE ALTERNATE PUMP OPERATION AT EACH START. IN THE EVENT THAT A PUMP FAILS TO OPERATE WHEN THE WATER LEVEL IN THE WELL REACHES THE PUMP START, THE OTHER PUMP SHALL BE ACTIVATED AND A VISIBLE ALARM INITIATED. IN THE EVENT THAT BOTH PUMPS FAIL TO OPERATE, AN AUDIBLE ALARM SHALL BE INITIATED. PROVIDE BACK-UP POWER SUPPLY IN CASE OF POWER FAILURE.

DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS AS A PACKAGE. REFER TO ARCHITECTS DRAWINGS FOR ALL SETOUT DIMENSIONS.

ALL LEVELS SHALL BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION. SHOULD ANY DISCREPANCY OCCUR THE CONTRACTOR SHALL CONTACT THIS OFFICE IMMEDIATELY FOR FURTHER INSTRUCTION.

ON R C R O

COVER LEVELS GIVEN FOR PITS ARE NOMINAL ONLY. COVER LEVELS SHALL MATCH FINISHED PAVING LEVELS.

WHERE EXISTING SERVICE COVERS ARE FOUND WITHIN THE SCOPE OF THE NEW WORKS, THE CONTRACTOR MUST ALLOW TO ADJUST THE COVERS TO SUIT THE PROPOSED FINISHED SURFACE LEVEL.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING LOCATION OF ALL UNDERGROUND SERVICES PRIOR TO COMMENCING ANY EXCAVATION WORK. ANY DAMAGE CAUSED TO ANY SERVICES SHALL BE REPORTED IMMEDIATELY TO THE SUPERINTENDENT & SHALL BE REPAIRED BY THE APPROPRIATE AUTHORITIES. ALL COSTS ASSOCIATED WITH REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE. PHONE 'DIAL BEFORE YOU DIG' (1100) FOR ASSISTANCE.

WHERE PROPRIETARY ITEMS ARE SPECIFIED, ALTERNATE EQUIVALENT PRODUCTS MAY BE ADOPTED WITH THE PRIOR WRITTEN APPROVAL OF THIS OFFICE.

27.02.23	ISSUE FOR PLANNING APPROVAL	-D-
17.11.22	ISSUE FOR PLANNING APPROVAL	-C-
17.08.22	ISSUE FOR PLANNING APPROVAL	-B-
08.07.22	PRELIMINARY ISSUE	-A-

PT Design

0

PR PO D
UN O D
M RN

D N MU PH

ND
DR N G OU

C D

FOR APPROVAL

y g

Appendix 3. Update to Environmental Noise Assessment

Resonate Consulting

Thursday, 23 February 2023

Project number: A220413
Reference: A220413LT1

Cosimo Dichiera
Catcorp Pty Ltd
102 Halifax Street
Adelaide SA 5000

Dear Cosimo,

Dan Murphy's, Unley Road, Malvern
Update to Environmental Noise Impact Assessment

1 Introduction

This letter provides an update to the environmental noise impact assessment for the proposed Dan Murphy's development at Unley Road, Malvern. In particular it addresses:

- comments raised in an independent peer review of Resonate's original acoustic report A220413RP1 revision 0 dated 29th of June 2022 by Sonus (S7554C1), and
- references the Development Approval Issued drawings for the development, dated February 2023.

2 Peer review

2.1 Gas forklift

Peer review comment

The Report does not consider noise associated with use of gas forklift within the loading area (which may also include a reversing tone). Gas forklifts are commonly used within the loading areas at comparable retail premises, including other Dan Murphy's stores. Photos of gas forklifts at existing Dan Murphy's stores are attached to this letter.

Response

The use of electric forklifts with broadband reversing beepers has been confirmed. This has been included in the updated model with the results presented in Section 3.

2.2 Characteristics penalties

Peer review comment

The report notes the following:

> *"Penalties can also be applied to a noise source for a variety of characteristics, such as impulsive, low frequency, modulating or tonal characters. For a characteristic penalty to be applied to a noise source it must be fundamental to the impact of the noise and dominate the overall noise impact. Application of the characteristic penalty is discussed in the noise emission assessment."*

The application of penalties is not discussed further in the Report. Without background noise monitoring, two penalties would typically apply under the Environment Protection (Noise) Policy 2007 (the Policy) for the use of forklift with a reversing tone and for truck movements adjacent to the rear boundary.

Response

As noted above, the forklifts will be fitted with broadband reversing beepers and as such a characteristic penalty is not warranted to this source.

The noise from truck movements through the site is similar in nature to existing traffic noise along Unley Road. As such, no characteristic penalty is warranted to this noise source.

2.3 Fencing height

Peer review comment

The Report notes that 2.1 metre high fencing is indicated to the northern, eastern and southern sides of the project site. This would not be tall enough to control noise from truck exhausts that discharge at high level.

Response

For slow moving trucks, the noise is controlled by the engine noise and typically noise from exhausts is not an issue. For trucks moving at speed along road networks, a correction of - 8dB is applied to the overall noise level. For the purposes of addressing this comment, the model has been updated to include truck exhaust noise as noted.

2.3.1 Refrigerated trucks

Peer review comment

The Report does not consider the use of refrigerated trucks for deliveries as will occur for deliveries for some products (such as pre-packed ice). Truck-mounted refrigeration units can be a significant noise source, and as they are typically mounted above the cab of the truck can be difficult to control without high fencing.

Response

The client has confirmed that the only deliveries requiring refrigeration will be for ice deliveries that will provided with small vans entering and exiting the site through the main entry. Deliveries will be made using the carparking area to access the ice machine located at the southern entry. The vans will have a sound level and character similar to the cars using Unley Road as well as the carparking area. Deliveries are expected to occur 3 times per week.

On this basis, refrigerated deliveries is not expected to have an adverse impact on the adjacent receptors.

2.3.2 Refrigerated equipment

Peer review comment

The Report considers indicative selections for air conditioning condensers, but does not appear to consider refrigeration equipment (including condensers associated with fridges and cool rooms, and an external freezer for pre-packed ice). While air conditioning could be expected to operate during nominated opening hours only (which fall entirely within the Policy day period), refrigeration equipment would be expected to operate 24 hours per day. The report does not provide goal noise levels for the night period, indicating that an assessment of noise impact at night may not have been conducted as part of the assessment

Response

Additional information regarding the refrigeration plant for the cool rooms has been obtained and has been included in the updated model. Predicted noise levels included the refrigeration plant is presented in Section 3.

We note that the ice machine is recessed into the building on the southern facade adjacent to the entry. Noise from the front of the ice machine will not have an adverse impact on amenity.

3 Updated modelling results

Updated modelling results are presented in Table 2 and Table 3 for night and day time activity respectively, based on:

- Updated planning documentation dated February 2023.
- Updated information regarding refrigeration plant (refer to Table 1), to be located within the building with louvres to the north. Louvres to be acoustically equivalent to Fantech SBL1 acoustic louvres.
- Updated information regarding mechanical plant (refer to Table 1), to be located on the roof with a 1.8 m Colorbond barrier to all sides of the plant platform.
- Inclusion of truck exhaust noise.
- Inclusion of electric forklift activity.

Table 1 Updated mechanical and refrigeration plant information

Source	Unit
Roof top mechanical plant	• 1 x Temperzone OPA 960 • 1 x Temperzone ISD 171
Internal refrigeration plant	• 1 x APS33.6ML2-1 • 4 x CH4C2/35-1 • 1 x APS6.0ML2-1 • 4 x CH4B2/35-1

The activity assessed for each period is:

- Night time operations include noise from refrigeration plant only.
- Day time operation includes noise from all noise sources:
  - Car activity within the car park and click and collect
  - Truck movements
  - Forklift activity
  - Refrigeration plant
  - Mechanical plant.

Table 2 Predicted noise levels—Night time

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise EPP night time criteria, L_{eq} dB(A)
Receptors at the northern side of the subject site along Unley Road	40	43
Receptors at the eastern side of the subject site along Cheltenham Street	30	40
Receptors at the eastern side of the subject site along Winchester Street	25	
Receptors at the southern side of the subject site along Unley Road	23	
Receptors to the west of the subject site along Unley Road	26	

The predicted noise levels at all receptors comply with the night time criteria.

Table 3 Predicted noise levels—Day time

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise EPP day time criteria, L_{eq} dB(A)
Receptors at the northern side of the subject site along Unley Road	50	50
Receptors at the eastern side of the subject site along Cheltenham Street	45	47
Receptors at the eastern side of the subject site along Winchester Street	43	
Receptors at the southern side of the subject site along Unley Road	45	
Receptors to the west of the subject site along Unley Road	42	

The predicted noise levels at all receptors comply with the day time criteria. Note that the predicted levels from the updated modelling are generally lower than the previously presented results as they were controlled by the roof top units (for which limiting noise levels were provided). The updated model includes real selections with a 1.8 m barrier around all sides of the plant platform.

4 Conclusion

This assessment has demonstrated that, with the modelled scenario outlined below, the noise emissions from the operation of the proposed development will be able to comply with the relevant environmental noise criteria.

Source	Activity
Car movements for car park use	• 30 car park bays • Each bay being used
Car movements for click and collect	• 3 cars entering the site, and • Idling at the click and collect bays for 3 minutes each, and then • Leaving the site
Truck delivery	• 1 rigid, non-refrigerated truck • Moving through the site • Unloading activities at the loading dock • No idling at the loading dock during unloading • Broadband reversing beeper
Forklift	• 1 electric forklift • Broadband reversing beeper
Roof top mechanical plant	• Units to be acoustically equivalent to: – 1 x Temperzone OPA 960 – 1 x Temperzone ISD 171 • 1.8 m Colorbond barrier to all sides of the plant platform
Refrigeration plant	• Units to be acoustically equivalent to: – 1 x APS33.6ML2-1 – 4 x CH4C2/35-1 – 1 x APS6.0ML2-1 – 4 x CH4B2/35-1 • Located within the southern internal plantroom • Louvres to the south to be equivalent to Fantech SBL1 acoustic louvres

We trust that this addresses the items raised in the peer review comments. Please let me know if you have any queries or wish to discuss the above.

Yours sincerely,

[redacted]

Deb James
Director
p +61 8 8155 5888
m +61 422 047 275
deb.james@resonate-consultants.com

Appendix 4. Botten Levison Lawyers Advice

BOTTEN LEVINSON Lawyers

Our ref: JAL/222336

18 November 2022

Mr Timothy Bourner
Senior Planner
City of Unley
181 Unley Road
UNLEY SA 5061

By email: tbourner@unley.sa.gov.au

Dear Mr Bourner

DA 22030984 - Liquor outlet - 301-305 Unley Road, Malvern

This firm acts for Como Apartments (Malvern) Pty Ltd.

We refer to your recent email to our client on 27 October 2022 about the calculation of the Gross Leasable Floor Area (**GLFA**) for the proposed liquor outlet.

You suggest that the roofed click and collect area (**Click and Collect Area**) on the eastern side of the proposed building should be included in the calculation of the GLFA. Further, you say that the proposed liquor outlet is therefore restricted development because the GFLA is not less than 1000m².

For the reasons which follow, the Click and Collect Area is a public area (in the nature of a "loading dock"), which is explicitly excluded from the definition of GLFA in the Planning and Design Code.

Definition of GFLA

1. The Planning and Design Code defines "gross leasable floor area" to mean:

   > *"the total floor area of a building excluding public or common tenancy areas such as malls, hallways, verandahs, public or shared tenancy toilets, common storage areas and loading docks"*. (my underlining)

2. Relevantly, the examples of "common storage areas and loading docks" are new to the Code and they were not included in the definition of "gross leasable area" in the *Development Regulations 2008*.

3. The Supreme Court in *Parabanks Shopping Centre Pty Ltd v Salisbury & Anor [2013] SASC 168* held that the definition under the Development Regulations –

Level 1 Darling Building
28 Franklin Street, Adelaide
GPO Box 1042, Adelaide SA 5001
t. 08 8212 9777
e. info@bllawyers.com.au
www.bllawyers.com.au

3.1 Can include verandahs as part of the total floor area unless they are public areas or common tenancy areas[1];

3.2 Is not dependant on the nature of the floor surface when including or excluding the relevant area[2];

3.3 Is not concerned with the form of the roofline over the relevant building, which is largely irrelevant[3];

Details of the Click and Collect area

4. The Click and Collect Area is a loading dock that is publicly accessible at all times.

5. Its purpose is plainly for members of the public to visit the site and load goods that have been pre-purchased online into their vehicles (or even to simply collect on foot).

6. The drawings make it clear that the area is entirely open and freely accessible to the public. Indeed, it is designed to be accessible to the public for the very purpose of collecting purchased goods. The rear section is open to anyone who might choose to drive through (or walk through) from the road, uninhibited by any boundary gate or fence.

7. The Click and Collect is therefore entirely within the scope of the excluded area of the definition of GLFA being both public and a loading dock.

8. It is also worth noting that the list of examples provided in the definition of GLFA is not exhaustive and does not limit the types of public or common tenancy areas excluded from the definition of GLFA to only those specific examples provided.[4] The definition merely provides examples of the types of areas that do not form part of the GLFA of a building. Accordingly, even if the Council disagrees that the Click and Collect Area is a "loading dock" for the purposes of the definition of GLFA, it is a similar public area that is captured by the exclusion provided in the definition.

9. Further, the click and collect area differs in its physical characteristic and use from the receiving area considered by the Court in *Parabanks*. In *Parabanks* the receiving area was enclosed on three sides and not generally accessible to the public.

10. The Click and Collect Area shares more similarities to the petrol station canopy considered in the matter of *Ampol Road Pantry v Corporation of the City of Brighton & Leslie* PAT No 323 of 1991. In *Ampol Road Pantry* a Full Bench of the former Planning Appeal Tribunal (**PAT**) held that the canopy of a petrol filling station did not form part of the gross leasable area of a building. The PAT gave various reasons for this finding, including the absence of external walls, that the space was publicly accessible at all times, and that it existed essentially for the convenience of patrons rather than adding to the area for display of goods.

[1] *Parabanks* at [75].
[2] *Parabanks* at [76]-[77].
[3] *Parabanks* at [79].
[4] *Legislation Interpretation Act 2021*, section 20.

11. In discussing what amounts to a public or common tenancy area, the PAT in *Ampol Road Pantry* stated (my underlining):

> *We also have had regard to the exclusions indicated in the definition of gross leasable area in the Regulations. Insofar as malls and verandahs are given as examples of the areas to be excluded and insofar as they are "privately owned" they are indicated in the definition as being "public areas" or "common tenancy areas". In our opinion they are areas which are capable of and are intended to be used by the public, often being areas of private land open to the public. They are not intended to be areas of a more private nature under detailed and restrictive control which may be found within the confines of a building. For practical purposes the whole of the subject land with the exception of Ampol Pantry shop proper is open to the movement, in general terms, of the public, either by way of vehicle or foot. It is a public area in that sense, although it is acknowledged that access to some degree can be from time to time by certain means be the subject of order or restriction taken or made by the occupier of the subject land. Generally speaking however, the public can come under the canopy whenever it wishes to, just as it can usually step it out on to a verandah area or move along a mall. We do not consider that such an area is intended to be or is part of a gross leasable area of a building or structure for the purposes of the Regulations or of the Development Plan.*

12. The Click and Collect Area is described on the plans as a "customer collection drive through area" and will be used as a direct to boot collection parking/loading area for pre-paid online orders. It is open on three sides, publicly accessible at all times and is not used for the display of goods. To adopt the words of the PAT in Ampol Road Pantry, the click and collect area is "basically for the convenience of patrons".

***Parabanks* Case does not apply**

13. You assert that the receiving area in Parabanks, which was found to be part of the GLFA, has similar characteristics to the proposed Click and Collect Area.

14. We disagree that *Parabanks* can be directly applied to our client's proposal.

15. To begin with, the definitions of "gross leasable floor area" and "total floor area" previously contained in the *Development Regulations 2008* (considered by the Court in *Parabanks*) differ from the current definitions contained in the Planning and Design Code. In particular, the term "loading docks is now expressly identified as an exclusion from the GLFA calculation.

16. The facts of Parabanks are materially different. That was a case where the relevant receival area in the first approval was held to be within the GLFA largely because it was not shared by several tenancies. It was held to be exclusively for one shop[5]. The second application however altered the sharing arrangements so that the receival area served both the supermarket and bulky goods outlet and the Court then accepted that it was excluded from the GLFA[6].

[5] *Parabanks* at [81]-[87].
[6] *Parabanks* at [239]-[243].

17. The GFLA definition excludes areas that are either “public or common tenancy areas”. Parabanks was a case about shared areas. It was not argued that the receival area was not public. Indeed, the receival area in that case was enclosed on three sides with a roof over it. It was located at the end of a 175m long dead end roadway exclusively for delivery vehicles and was not open to the public. The receival area was for the sole purpose of delivery vehicles supplying goods to the shops such that there was no need for members of the public to access it. There was no suggestion in that case that the receival area was in any way public.

Verandah

18. We also take this opportunity to address the verandah that extends over the public entrance on the southern side and the garden bed on the western side of the proposed building.

19. Similarly to the Click and Collect Area, the areas under the verandah, which include an area for bike parking and a garden bed adjacent to the public footpath, are also entirely open and freely accessible to the public at all times. The verandah will provide shelter for customers and is also intended to create additional visual interest. It will not be used for the display of goods.

20. For the reasons articulated above regarding the Click and Collect Area, the verandah is also excluded from the definition of GLFA as it is both public and a verandah.

21. To avoid any argument that the garden area covered by the verandah on the western side of the proposed building forms part of the GLFA, our client has amended the verandah so that it is now a series of slats and no longer a solid canopy. As a result, it is no longer a ‘roofed area’ for the purpose of the definition “total floor area” and is also excluded from the definition of GLFA on that basis.

Conclusion

22. The Click and Collect Area and the verandah are public areas that are excluded from the calculation of the GLFA.

23. As a result, the GLFA of the proposed liquor outlet does not exceed 1000m² and is therefore excluded from being classified as restricted development.

The application is performance assessed development and should be assessed on that basis.

Yours faithfully

[redacted]

James Levinson
BOTTEN LEVINSON
Mob: 0407 050 080
Email: jal@bllawyers.com.au