

# Development Plan Amendment

By the Council

## Unley Council

### Norman Terrace Everard Park Regeneration DPA

Explanatory Statement and Analysis

*For Consultation*



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## Have Your Say

This Development Plan Amendment (DPA) will be available for inspection by the public at City of Unley council office and libraries Unley Civic Centre, Unley Civic Library, Goodwood Library and via council's website at [www.yoursay.unley.sa.gov.au](http://www.yoursay.unley.sa.gov.au) from [14 November 2019] until [16 January 2020] inclusive.

During this time anyone may make a written submission about any of the changes the DPA is proposing.

Submissions should be marked **Norman Terrace Everard Park Regeneration DPA** sent to:

Peter Tsokas  
City of Unley  
PO Box 1  
UNLEY SA 5061

or email [pobox1@unley.sa.gov.au](mailto:pobox1@unley.sa.gov.au)

Submissions should indicate whether the author wishes to speak at a public meeting about the DPA. If no-one requests to be heard, no public meeting will be held.

If requested, a meeting will be held on [10 February 2020] at the City of Unley, Civic Centre, 181 Unley Rd, Unley.



## Explanatory Statement

### Introduction

The *Development Act 1993* provides the legislative framework for undertaking amendments to a Development Plan. The *Development Act 1993* allows either the relevant council or, under prescribed circumstances, the Minister responsible for the administration of the *Development Act 1993* (the Minister), to amend a Development Plan.

Before amending a Development Plan, a council must first reach agreement with the Minister regarding the range of issues the amendment will address. This is called a Statement of Intent. Once the Statement of Intent is agreed to, a Development Plan Amendment (DPA) (this document) is written, which explains what policy changes are being proposed and why, and how the amendment process will be conducted.

A DPA may include:

- An Explanatory Statement (this section)
- Analysis, which may include:
  - Background information
  - Investigations
  - Recommended policy changes
  - Statement of statutory compliance
- References/Bibliography
- Certification by Council's Chief Executive Officer
- Appendices
- The Amendment.

### Need for the amendment

The purpose of the proposed Development Plan Amendment (DPA) is to facilitate rezoning of the area affected to create a policy framework that provides flexibility for contemporary residential aged care accommodation and services.

Under the current policy framework, the land is in two separate residential zones which contemplate low density dwellings at heights of one and two storeys. Some forms of aged care accommodation could be acceptable in each zone as low-rise and low-density development. The existing policy framework is limiting for creating a scale of development capable of supporting a broader range of high-quality living options for an ageing population.

The DPA proposes increased density and building heights to accommodate future medium scale development that is appropriate to the site, locality and surrounding land uses. This supports goals in *The 30 Year Plan for Greater Adelaide 2017 Update* to provide housing diversity and greater housing opportunities for older persons through well designed smaller accommodation, independent and supported aged care living and age-in-place options near services, public transport and shops.

### Statement of Intent

The Statement of Intent relating to this DPA was agreed to by the Minister on 6 August 2019.

The issues and investigations agreed to in the Statement of Intent have been undertaken or addressed.

## Affected area

The area affected by the proposed DPA is approximately 1.9 hectares of land comprising the Parkrose Village assisted living facility owned and operated by Life Care at Norman Terrace, Everard Park and adjoining properties fronting Fourth Avenue and Ross Street, Everard Park, as shown in **Figure 1** below.



**Figure 1** Affected Map Area

## Summary of proposed policy changes

The DPA is proposing to make the following changes to the Development Plan for the Unley Council including:

- Amending Council-wide policy in relation to deep soil zones and tree canopy cover.
- Replacing the existing Residential B350 Zone and Residential Streetscape (Built Form) Zone with the Residential Regeneration Zone.
- Introducing Norman Terrace Policy Area 26 to the affected area including new objectives, desired character and principles of development control.
- Amending categories for public notification purposes as it relates to forms of aged care accommodation.
- Amending mapping for airport building heights to reflect increased referral building height.
- Consequential zone and policy area mapping to reflect the policy changes.



## Legal requirements

Prior to the preparation of this DPA, council received advice from a person or persons holding prescribed qualifications pursuant to section 25(4) of the *Development Act 1993*.

The DPA has assessed the extent to which the proposed amendment:

- accords with the Planning Strategy
- accords with the Statement of Intent
- accords with other parts of council's Development Plan
- complements the policies in Development Plans for adjoining areas
- accords with relevant infrastructure planning
- satisfies the requirements prescribed by the *Development Regulations 2008*.

## Consultation

This DPA is now released for formal agency and public consultation. The following government agencies and organisations are to be formally consulted:

### Agencies

- Department of Human Services
- Department for Environment and Water
- Department for Health and Wellbeing
- Metropolitan Fire Services
- Department of Planning, Transport and Infrastructure
- Department of the Premier and Cabinet
- Department of Primary Industries and Regions
- Department of the Treasury and Finance
- Department for Innovation and Skills
- Environment Protection Authority
- SA Power Networks
- APA Group
- SA Water
- State Emergency Services
- Renewal SA
- Office of Local Government
- Office for Design and Architecture SA
- Adelaide Airport Limited

### Federal Members of Parliament

- Steve Georganas MP Member for Adelaide
- Nicolle Flint MP Member for Boothby

### State Members of Parliament

- Hon David Pisoni, Member for Unley

- Ms Jayne Stinson, Member for Badcoe

#### **Councils**

- Burnside Council
- Marion Council
- Adelaide City Council
- Mitcham Council
- West Torrens Council

#### **Organisations**

- FOCUS (Friends of the City of Unley)
- Real Estate Institute
- Housing Industry Association
- Planning Institute of Australia (SA)
- Urban Development Institute (SA)
- Property Council of Australia

All written and verbal, agency and public submissions made during the consultation phase will be recorded, considered, summarised and responses provided. Subsequent changes to the DPA may occur as a result of this consultation process.

**Important Note for Agencies:** This DPA includes modules from the State Planning Policy Library.

As the policy library was subject to agency consultation during its development, agencies are requested to comment only on the range and application of the modules selected and not on the actual policy content, except where that policy has been included as a local addition. Agencies are invited to comment on any additional issues (if relevant).

## **The final stage**

When the council has considered the comments received and made any appropriate changes, a report on this (the *Summary of consultations and proposed amendments* report) will be sent to the Minister.

The Minister will then either approve (with or without changes) or refuse the DPA.

## Analysis

### 1. Background

This DPA is informed by previous zoning considerations for the affected area by the City of Unley. These considerations recognised the favourable attributes of parts of the inner-city suburb of Everard Park for increased density.

The affected area is in the western area of the City of Unley in near proximity of South Road and Unley's boundary with the City of West Torrens.

The locality is characterised by residentially zoned land with increased densities associated with the South Road corridor. A wide range of housing types is evident in the area including detached dwellings, villas and bungalows. Residential flat buildings of 1970's and 80's era are also present, including two storey residential flat buildings abutting the western boundary of the affected area and three storey units within near proximity of the site on Norman Terrace. Medium density development is evident adjoining and surrounding the affected area. The land is adjacent to the Glenelg to City tram and is well positioned to accommodate future low to medium scale development.

The area affected is a consolidated land holding where building height, scale and interfaces can be appropriately managed with increased density. This Development Plan Amendment (DPA) subsequently proposes a policy framework for the affected area that facilitates opportunity for greater housing diversity at increased density.

### 2. The strategic context and policy directions

#### 2.1 Consistency with the Planning Strategy

The Planning Strategy presents current State Government planning policy for development in South Australia. In particular, it seeks to guide and coordinate State Government activity in the construction and provision of services and infrastructure that influence the development of South Australia. It also indicates directions for future development to the community, the private sector and local government.

*The 30 Year Plan for Greater Adelaide 2017 Update* (The 30 Year Plan) is the relevant volume of the Planning Strategy for South Australia and applies to the area affected for this DPA.

The 30 Year Plan outlines how Adelaide should grow to become more liveable, competitive and sustainable. It identifies that Greater Adelaide has more people aged over 65 than the Australian average and its share of this age group is growing faster than the national average. It also identifies the importance of giving older people more opportunities to 'age in place' through well-designed smaller accommodation, aged care and age-in-place options, located next to services, public transport and shops.

The 30 Year Plan includes six targets, underpinned by a range of policies that will help measure progress on delivering a new urban form. They are:

1. Containing our urban footprint and protecting our resources
2. More ways to get around
3. Getting active
4. Walkable neighbourhoods
5. A green liveable city
6. Greater housing choice.

More specifically, the following targets of the Plan are supported by the DPA:

- 85% of all new housing in metropolitan Adelaide will be built in established urban areas by 2045 (Target 1)
- 60% of all new housing in metropolitan Adelaide will be built within close proximity to quality public transport (rail, tram, O-Bahn and bus) by 2045 (Target 2)
- Urban green cover is increased by 20% in metropolitan Adelaide by 2045 (Target 5)
- Increase housing choice by 25% to meet changing household needs in Greater Adelaide by 2045 (Target 6).

The DPA will improve policy flexibility providing opportunity for a greater mix of new housing suited to an older population.

A detailed assessment of the DPA against the targets and policies of The 30 Year Plan is contained in **Appendix A**.

## 2.2 Planning Reform and The Planning and Design Code

A new planning system is currently being introduced into South Australia. The new *Planning, Development and Infrastructure Act 2016* (PDI Act) is being introduced in stages. The Planning and Design Code is the cornerstone of the new planning system, it consolidates the planning rules contained in South Australia's 72 Development Plans into one rulebook. In this regard the Unley City Development Plan will be superseded by the new Planning and Design Code in the middle of 2020.

South Australia is currently in the transition between the two pieces of legislation. This DPA, being undertaken by Council, is being prepared and consulted on under the *Development Act 1993* to amend Council's current Development Plan.

Existing zones in the current Development Plan will be transitioned to the equivalent zone in the Planning and Design Code. The zone in the Planning and Design Code may have a different name to the equivalent zone in the Development Plan. In regard to the policy changes proposed in this DPA, all changes use existing zones within the current Development Plan with some local additions. If the DPA is approved by the Minister for Planning, the intent of the policy changes will be transitioned to the Planning and Design Code. Potentially local additions will be transitioned into a subzone.

It should be noted that Phase 2 and 3 of the Planning and Design Code is also currently on consultation under the PDI Act. At this stage the changes proposed in this DPA are not incorporated into the draft Code. As indicated above, if the DPA is approved, these will be transitioned into the Code.

Refer to the SA Planning Portal at [sapanningportal.sa.gov.au](http://sapanningportal.sa.gov.au) for more information.

## 2.3 State Planning Policies for South Australia

The *Planning, Development and Infrastructure Act 2016* (PDI Act) establishes a new strategic and planning policy framework for South Australia's Planning System. The State Planning Policies for South Australia (SPP) is the highest order statutory instrument for South Australia's planning system and will guide both regional and metropolitan planning and development in the future. The SPP outlines matters of importance to the state in land use planning and development.

Within the PDI Act, the SPP are given effect through the creation of planning instruments, including the Planning and Design Code and their consideration is important in ensuring consistency with any transition of existing Development Plans to the new Planning and Design Code.

The SPP outline 16 policies which sets out the overarching goals for the state and requirements for the planning system of which the following 3 are of specific relevance to this DPA:

**SPP 1 Integrated Planning:** Integrated planning coordinates the strategic use of land with the necessary services and infrastructure.

**SPP 2 Design Quality:** Good design improves the way our buildings, streets and places function, making them more sustainable, more accessible, safer and healthier.

**SPP 6 Housing Supply and Diversity:** Our planning system must enable the sufficient and timely supply of land and a variety of housing choices at appropriate locations.

The DPA is consistent with the key policy directions sought within the SPP. The DPA has been informed by investigations into coordinated infrastructure delivery as an example of integrated planning as well as design matters. The proposed policy framework will facilitate housing choice for an ageing population.

Six additional SPPs that relate to Special Legislative Schemes were published on 27 May 2019 and are in effect. These address specific legislation that is of significant environmental importance to the state. None of the Special Legislative Schemes are relevant to this DPA.

## 2.3 Consistency with other key strategic policy documents

This DPA accords with other key policy documents in the following manner:

- The policies of this DPA will be consistent with the policies in the Council's Community Plan 2033, Active Ageing Strategy and Development Plan.

### 2.3.1 Council's Community Plan 2033

The Community Plan 2033: A Community of Possibilities is aligned with the State Planning Strategy and includes a commitment by Council to be an Age Friendly City, including a goal to create a city for people of all ages and abilities. The Plan recognises that people 85 years and over is significant in Unley, double the figure for Australia and almost double the level for South Australia.

'Community Living' is one of four themes in the Plan with the following goal: *'People value our City with its enviable lifestyle, activities, facilities and services.'* A key strategy within this theme is the *'City meets the needs of all generations'*.

Implementation of the Community Plan 2033 is via the City of Unley Four Year Delivery Plan 2017 – 2021. The Delivery Plan identifies Council will continue to advocate for improved planning policy for housing diversity and deliver on its Active Ageing Strategy.

The rezoning proposal is consistent with Council's strategic objectives and focus on providing for older members of its community. The rezoning proposal also responds more broadly to key matters of importance to the community identified in the Plan such as providing development with green space and a minimum of 15% deep soil and tree canopy cover.

### 2.3.2 Council's Active Ageing Strategy

The City of Unley has endorsed an Active Ageing Strategy as part of its commitment to the World Health Organisation's Global Network of Age Friendly Cities and Communities (signatory in 2012). A key guiding principle of the Strategy is the right to age in place, so people can remain in Unley for as long as they wish.

The Strategy encourages a service alliance which includes strengthening the network of key health and support service providers to partner with the City of Unley in implementing the actions in the Strategy and identifying challenges and opportunities to better meet the needs of residents as they age.

Housing is a key focus area of the Strategy (focus area 3) with a goal that affordable and accessible housing is available to meet the needs of residents throughout their lives. The Strategy notes Council's role in promoting and advocating for the provision of modern models of residential aged care in Unley.

This rezoning proposal seeks to facilitate the provision of a contemporary model of aged care and improve the quality of service provision for residents.

### 2.3.3 Council's Strategic Directions Report

The City of Unley Community Plan 2033, A Community of Possibilities fulfills the requirements of Section 30 of the *Development Act 1993*. The Plan does not specifically identify a schedule of Development Plan amendments however, the following recent policy investigations are relevant:

- The subject land was previously included in the Council initiated Village Living and Desirable Neighbourhoods Development Plan Amendment (DPA) Program. - Stage 2 Residential Character, Growth Areas and Council Wide Residential Policy commenced in 2014. That DPA proposed the subject land be rezoned to Residential Regeneration Zone with low to medium-rise development of four storeys with a transition to two storeys at the interface with existing low-rise residential uses.
- At that time, the subject land formed part of a broader area for rezoning consideration. Council ultimately agreed to split its DPA process to allow it to continue with Part 1 of the original DPA. Part 2 of the DPA (of which the subject land formed a part) has not been pursued, among other reasons, due to uncertainty regarding SA planning reforms and the interaction between DPAs with the introduction of the Planning and Design Code. There is now greater certainty (by Regulation) regarding the ability to transition DPAs into the planning reform program.

This DPA progresses earlier Council work in relation to amending the policy framework over the area affected; and given the land is in single ownership represents a process that can be appropriately managed and transitioned to the Planning and Design Code (refer **Section 2.2**).

### 2.3.4 Infrastructure planning

Where relevant, a DPA must take into account relevant infrastructure planning (both physical and social infrastructure) as identified by Council (usually through the Strategic Directions Report), the Minister and/or other government agencies.

The following infrastructure planning is of relevance to this DPA:

- The proposed amendment is consistent with current infrastructure planning (both social and physical) identified in council's strategic directions report, by the Minister or by a relevant government agency.
- The proposed amendment seeks policy changes to facilitate urban renewal and improve the capacity for aged care accommodation in an inner metropolitan location where there is evidence of demand for residential housing suited to an ageing population.
- The DPA provides an opportunity to support existing investments in South Road, the City to Glenelg tram and the Mike Turtur bikeway; and to investigate other opportunities for investment in the community.

### 2.3.3 Current Ministerial and Council DPAs

This DPA has taken into account Ministerial and Council DPAs that are currently being undertaken including those which are currently being processed.

- Council Development Plan Amendments

The Unley Council is not currently undertaking any Development Plan Amendments that are relevant to this DPA.

- Development Plan Amendments by the Minister for Planning

There are currently no Development Plan Amendments that will directly impact on the area affected by this DPA.

### 2.3.4 Existing Ministerial Policy

This DPA does not propose changes to existing Ministerial policy.

## 3. Investigations

### 3.1 Investigations undertaken prior to the SOI

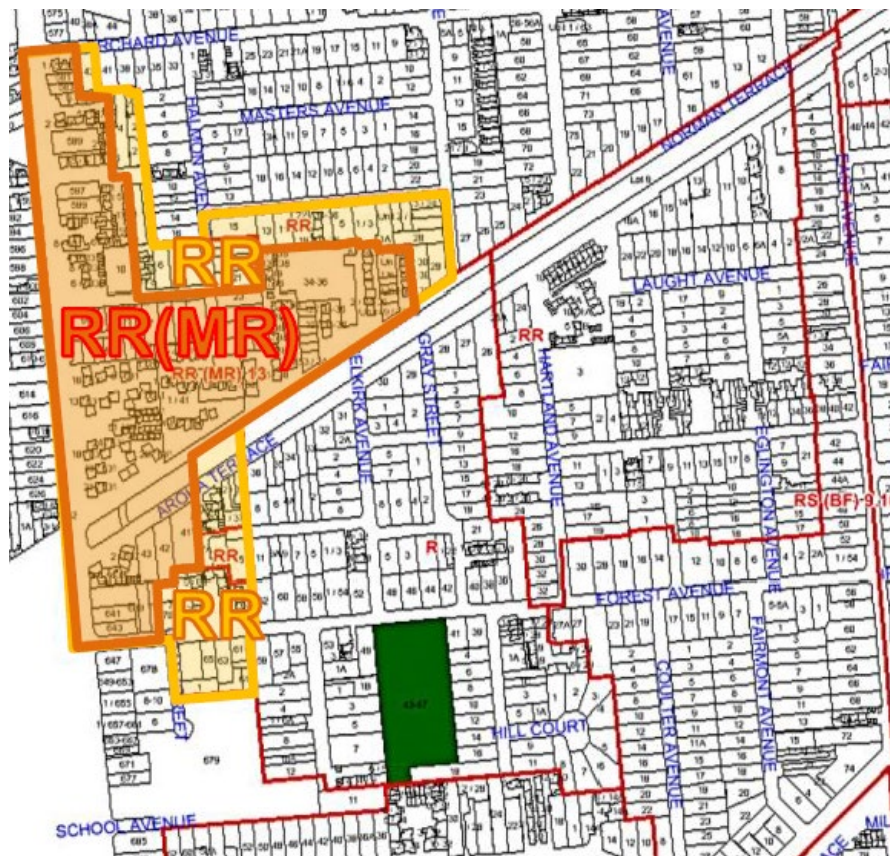
#### 3.1.1 Village Living and Desirable Neighbourhoods DPA Program

The affected area was included in the Council initiated Village Living and Desirable Neighbourhoods Development Plan Amendment (DPA) Program. - Stage 2 Residential Character, Growth Areas and Council Wide Residential Policy.

Consultation was undertaken on the DPA in 2014 and reviewed by Council in 2015 before final approval of (Part 1 East) in 2017. Part 2 (West), of which the affected area formed a part, was the focus of community feedback. This included concerns about the implications of greater height on adjoining low-scale development and potential for increased traffic on the local road network.

Part 2 (West) was removed from the DPA with the intention to pursue a rezoning later. Such a comprehensive DPA has not been initiated given the impending introduction of the Planning and Design Code in 2020.

The proposed rezoning of the affected area was to Residential Regeneration with a Main Road Policy Area, as shown in **Figure 2**. This included recommended height limits of 4 storeys in Main Road Policy Area and 2 storeys in the Residential Regeneration Zone to provide a transition to the Residential Zone.



**Figure 2** Zoning considerations SCPA report – post consultation (recommended Option 1)

The former DPA program identifies an intent to increase development intensity in strategic locations while providing an appropriate lower density interface with existing low-rise residential uses. Previous work has informed this DPA.

### 3.2 Investigations undertaken to inform this DPA

In accordance with the Statement of Intent for this DPA the following investigations have been undertaken to inform this DPA:

- Social Infrastructure
- Transport and Movement
- Stormwater
- Civil Infrastructure Services
- Regulated Trees
- Built Form
- Tree Canopy
- Public Realm
- Zone and Policy Area Assessment

The following additional investigations have been undertaken to inform this DPA:

- Noise
- Site History

The investigations are as follows:

#### 3.2.1 Social Infrastructure, Holmes Dyer Pty Ltd, September 2019

##### *SOI Investigation*

- *Review of the capacity of existing social infrastructure as it relates to aged care and opportunity for services and facilities to meet expected demand from this proposed rezoning.*

The area affected is in an area that is adequately serviced for a range of community and social infrastructures including community facilities, allied health and medical facilities, retail and general services, open space and recreation, emergency services and transport connections. These infrastructures are expected to adequately cater for an increase in population as a result of the proposed rezoning. Below is a summary of the key implications of the rezoning as it relates to social infrastructure, as detailed in the Social Infrastructure report prepared by Holmes Dyer Pty Ltd.

##### 3.2.1.1 Retirement Living and Aged Care

There are approximately 31 aged care facilities within an approximate 2.5 km catchment of the area affected providing an estimated 838 independent living units or serviced apartments. The assessment contained in the Social Infrastructure Assessment, is that based on the current population and penetration rates of people living in retirement villages across Australia and in Greater Adelaide, demand for retirement living and residential aged care accommodation in the catchment is likely to have exceeded available supply by approximately 120 to 180 beds in 2016. Under conservation projection scenarios, the gap in demand and supply is projected to grow wider. On this basis, a rezoning to support an increase in the provision of retirement living and aged care accommodation at increased density is warranted.

##### 3.2.1.2 Community Facilities Provision

In the short term, the area affected is well served by existing community and library facilities, and the proposed rezoning, of itself, does not trigger the need for additional infrastructure. In the longer term and as the ageing population seeks more opportunities to remain active in the community, locating an additional library (such as an “out-reach” service) and/or community centre within the western portion of the Council area could be considered.

##### 3.2.1.3 Other Non-Residential Uses

There are numerous medical, allied health, retail and general services in near proximity of the area affected. Notwithstanding, contemporary aged care accommodation can include provision of services such as medical



and allied health, café, hairdressing and library services to support residents of those facilities. On this basis, it is appropriate for the proposed policy framework to contemplate small-scale non-residential uses.

#### Implications for this DPA

The policy framework should support the primacy of residential development and various forms of aged care accommodation and retirement living with opportunity for small scale non-residential and community uses.

### 3.2.2 Transport and Movement, MFY, October 2019

#### SOI Investigation

- *Transport investigation and assessment to:*
  - *Identify the traffic impact of future land uses and identify required traffic control and management to connect to existing road network for safe and efficient operation.*
  - *Identify opportunities for public transport and walking/cycling to and from the site and connectivity to existing networks around the site.*

An assessment of the potential traffic impacts associated with the proposed rezoning has been undertaken by MFY Pty Ltd. Key findings are summarised in the following sections.

The Transportation (Movement of People and Goods) Section of the Development Plan includes comprehensive policy in relation to movement, access, parking, walking and cycling. No change is proposed to the Council-wide provisions as a result of this DPA.

#### 3.2.2.1 Traffic

A review of the existing with the forecast traffic volumes was completed to determine any increase in traffic associated with the proposed rezoning. Traffic generation rates are based on documented generation rates contained in the *Guide to Traffic Generating Developments* (RMS Guide) and traffic surveys conducted by MFY for other similar land uses. Table 1 below summarises the estimated change in peak hour traffic volume associated with the rezoning proposal.

Use	Existing Yield	Potential Yield	Difference	Traffic Generation Rate	Additional Trips
Residential	7	0	- 7	0.8 trips per dwelling	- 6
RAC Beds	69	90	+ 21	0.25 trips per bed	+ 5
ILUs	46	120	+ 74	0.4 trips per unit	+ 30
ALAs	0	16	+ 16	0.25 trips per apartment	+ 4
<b>Total</b>					<b>+ 33 trips</b>

Table 1 Existing and estimate traffic volume under a rezoning scenario

The proposed rezoning could result in an increase to peak hour traffic by 33 trips which equates to approximately 330 trips per day. Most trips are expected to use Norman Terrace potentially resulting in traffic volumes in the order of 900 to 950 vpd. The generally accepted volume for a residential street such as Norman Terrace is up to 2,000 vpd. Accordingly, the proposed rezoning will not change the nature and function of Norman Terrace. Further the low traffic volume increase will result in minimal impact to the greater road network.

The rezoning proposal is expected to result in negligible increases in traffic volumes in Ross Street and Fourth Avenue as the relative generation rates associated with the ILUs compared with the existing dwelling access on these streets will be much lower. Even if there was an increase of 100 vpd on these streets (which would be much higher than anticipated), such an increase would still result in volumes much lower than expected on a residential street. The proposed rezoning, therefore, will not have any appreciable impact on the nature or function of either of these streets.

The type of traffic generated under a rezoning scenario is expected to continue to be primarily domestic vehicles, with the type of commercial vehicles typically limited to refuse, delivery vehicles and the occasional

requirement for a bariatric ambulance. Existing commercial vehicle requirements would also be limited to refuse, delivery and emergency requirements and volumes of such vehicles would be low. Commercial vehicle access is expected to be via Norman Terrace.

### **3.2.2.2 Access**

There are currently six crossovers on Norman Terrace, five crossovers on Fourth Avenue and seven crossovers on Ross Avenue providing access to the subject site.

Future access to the area affected is expected to require:

- Access to a parking facility for the development;
- Separate ingress and egress for a pick-up/set-down facility to cater for direct access for pedestrians to the proposed facility; and
- Access to the ILUs.

Early conceptual planning for the area affected identifies two porte-cochere facilities and access to basement car-parking via Norman Terrace resulting in five crossovers on Norman Terrace. This arrangement is subject to review but could possibly result in the removal of some indented parking bays on Norman Terrace. Any reduction in indented parking bays is expected to be offset by potential additional on-street parking spaces on roads fronting the subject site due to the potential for consolidation of access points. Most of the access associated with the area affected is expected to be concentrated on Norman Terrace which will minimise impact to adjacent residents.

Early conceptual planning indicates independent living units with individual driveway access via Ross Street and Fourth Avenue. This provides for separate access for these units which will ensure that these facilities can be independent. These access points could be provided via double crossovers which would reduce the existing number of crossovers on Ross Street from seven to five crossovers and reduce the existing number of crossovers on Fourth Avenue from five to four crossovers. The access arrangements under the rezoning scenario are assessed as similar to the existing scenario.

### **3.2.2.3 Car Parking**

Parking under a rezoning scenario will likely consist of a number of varying requirements, viz:

- Resident parking for the independent living units. The parking demand for ILUs is often identified as one space per unit for residents, albeit detailed surveys of similar facilities and relevant technical manuals identify that such a rate is higher than is usually realised;
- Resident parking for assisted living units. The parking demand for ALUs is lower than an ILU as these facilities provide for residents who require additional assistance and have a lower vehicle ownership;
- Visitor parking for the ILUs and the ALUs. A rate of one space per four units is often applied for similar developments albeit such a rate is consistent with that required for standard residential dwellings and is higher than identified in surveys of similar developments;
- Parking for the aged care facility. A rate of one space per three beds is adopted in many Development Plans in relation to this type of facility.

Consideration has been given to potential parking impact associated with future developments at the subject site, particularly due to the existing on-street parking demand associated with the commuters riding the tram.

If the subject site is developed as detached, semi-detached or row dwellings, there could be a greater demand for on-street parking as the Council's Development Plan does not specify an off-street visitor parking requirement for these types of residential developments.

The subject DPA will provide the opportunity to minimise the risk of reduced on-street parking availability by providing for all visitor parking on the site and maximising the retention of kerbs by sharing driveways to the independent living units. While consideration could have been given to rear access for these dwellings, this would create a potential pedestrian conflict within the development which would not provide for the safest outcome for residents. It is more desirable to maintain parking and traffic movements to the perimeter of the site providing this arrangement seeks to optimise on-street parking and provide a generally continuous footpath for pedestrian safety.

While the retention of on-street parking is important given the close proximity of the tram stop, the proposed rezoning could provide a positive outcome regarding on-street parking on the surrounding local roads when compared with the current potential impact. That is, any existing on-street parking issues associated with tram park-and-ride will not be worse as result of the rezoning and could conceivably improve.

Parking requirements for the subject DPA should be consistent with rates utilised in Council's Development Plan. However, there is an opportunity for a reduced parking provision to be justified for this type of development, particularly given the proximity of the tram. Accordingly, it would be desirable for flexibility to be incorporated in the parking assessment to enable a demand assessment to be considered during a DA.

#### 3.2.2.4 Pedestrian and Cycling Links

A shared path is available on the southern side of Norman Terrace which forms part of the Bikedirect network. Pedestrian footpaths are constructed on the surrounding roads and connect to the shared path via pedestrian ramps. There are two pedestrian ramps located within the vicinity of the site.

The close proximity of the area affected to the tram station will provide for good accessibility for residents of the ILUs and staff at the aged care facility. Development on the land will need to ensure that pedestrian access is maintained along key desire lines between the site and the tram stop and that this route complies with DDA access requirements.

Pedestrian connectivity for the development is important to ensure compliant functional access to the tram and adjacent road network. A linkage through the area affected was assessed however, will not provide convenient access for the broader community and will have an adverse impact on functional development of the land. Notwithstanding no direct link is required from a traffic perspective, the policy framework can talk to interaction with the streetscape as providing a general sense of "openness."

#### 3.2.2.5 Strategic Transport Routes

The Glenelg to City tram-line is not identified on the Strategic Transport Routes Overlay as part of the strategic roads network within the existing Unley (City) Development Plan. If the tram-line was to be designated, logically this would occur for its length rather than parts of the network. Designation of the tram-line is beyond the scope of this DPA.

#### Implications for this DPA

No amendment to the Strategic Transport Routes Overlay (Map Un/1 (Overlay 4a)) and Council-wide policies is required as a result of this DPA. Policies in relation to desired parking and consolidated access to the area affected can be reinforced in the policy framework (Policy Area) proposed for the area affected.

### 3.2.3 Stormwater, WGA, October 2019

#### SOI Investigation

- *Review existing stormwater disposal network and identify augmentation, detention/retention or other upgrade works, where required.*

An assessment of stormwater management including detention, treatment, floor level requirements to protect against flooding, and opportunities for water sensitive urban design was undertaken by Wallbridge Gilbert Aztec (WGA) having regard to the City of Unley stormwater management requirements. Key findings are summarised below.

- The gradient of the existing site is typically to the north-west, however a small portion of the site in the southwestern corner drains toward Norman Terrace as there is a high point running NE-SW through the site. Council advises that this portion in the southwest is at risk of localised urban flooding for the 1% AEP event. The estimated depth of flooding is in the range of 100 – 200mm. Council requires that any discharge to Norman Terrace be to kerb and gutter and must be reduced to a 1 in 5 year ARI (20% AEP) pre-development flow from the 1 in 100 year ARI (1% AEP) post development flow. Council requires that

Minimum Finished Floor Levels (FFL) be a minimum 300mm above the top of kerb level at Norman Terrace frontage for flood protection.

- There is a 450mm pipe running along Ross Street to the north of the area affected which connects into a side entry pit (SEP) and continues as a 525mm diameter pipe toward the west of the site. This SEP is the best option for the stormwater discharge connection from the site, due to the natural grade of the site, and is supported by Council.
- The post-development scenario (rezoning scenario) is expected to result in an increase in stormwater flows compared with the pre-development scenario (current). The pre-development scenario assumes 53% impervious fraction compared with 85% post development. Due to the need to restrict outflows from the site it will be necessary to incorporate detention storage into the on-site stormwater management system. The detention storage can be provided using stormwater management methods such as underground detention storage and surface pooling on site in the major 1% AEP event. The estimated detention storage requirement is 500m<sup>3</sup>.
- Stormwater management methods may also utilise a water sensitive urban design (WSUD) approach such as combined detention/retention storage tanks, in order to maximise the potential on-site reuse benefits as well as passive irrigation of landscaped space. Retention storages can account for up to 50% of the detention storage requirement on the basis there is a constant, reliable and relatively high demand for non-potable water. Opportunities for WSUD that may be suitable for the area affected include rain gardens, vegetated swales, tree plantings in deep soil zones, permeable paving, rainwater harvesting and reuse tanks.
- On-site stormwater management and treatment can achieve relevant water quality targets. The recommended approach includes approximately 200m<sup>2</sup> to 400m<sup>2</sup> of rain gardens dependent upon the final impervious area proposed.

The Natural Resources Section of the Council-wide Section of the Unley Council Development Plan contains comprehensive policy in relation to stormwater management and WSUD and no policy amendment is required as a result of this DPA.

#### Implications for this DPA

Stormwater can be appropriately managed under a rezoning scenario and the existing Development Plan contains adequate policy in this regard. While there is no requirement for policy amendment, the proposed policy framework, which supports deep root tree planting and a minimum 15% landscaping, are noted to provide favourable conditions for water sensitive urban design (WSUD) approaches on redevelopment of the site. Such opportunities can be explored during detailed design at a later stage.

### 3.2.4 Civil Infrastructure Services, WGA, October 2019

#### SOI Investigation

- *Capacity of existing electricity supply, gas supply and mains water and sewer supply having regard to projected nature of future development likely to occur.*

A high-level assessment of infrastructure capacity in this location has been undertaken by Wallbridge Gilbert Aztec to determine what, if any, additional infrastructure provision and upgrades are required under the rezoning scenario. The assessment confirms the area affected can be appropriately serviced under a rezoning scenario. Key findings are summarised below:

#### 3.2.4.1 Electrical

The area affected includes a number of low voltage power supplies along Ross Street and Fourth Avenue. These power supplies service the existing Torrens Title allotments. The main supply for the site is from a Mk2 200kVA pad mount transformer located off Norman Terrace. This transformer also supplies the overhead low voltage network along the street.

Should the existing allotments be amalgamated in the future, the advice of WGA is that the existing low voltage power supplies will need to be replaced with a new dedicated SAPN transformer. This would likely

require a new pole mounted transformer for the street. Depending on the final electrical demand for the site, a 1MVA transformer (or larger) with dual 11kV supply cables from two different Stobie poles on Norman Terrace may be required.

The proposed rezoning is not expected to trigger any augmentation charges in relation to the Keswick substation from which the site is currently supplied. If the site is supplied via a connection to a shared high voltage feeder or via a dedicated Transformer an augmentation charge in the order of \$164 per kVA is expected to apply.

#### **3.2.4.2 Potable Water**

There is a 200 mm water main which runs along Norman Terrace immediately to the south of the area affected. A smaller 100 mm main branches off this, running along Fourth Ave to the East, connecting to another 100 mm main running along Ross Street to the north. The sections of these mains adjacent to the site are equipped with hydrants. Based on the advice of WGA, it is expected that the 200mm main is of sufficient size to allow SA Water to service the water requirements for the area affected (subject to SA Water capacity assessment and approval). Augmentation charges are not likely to apply however, SA Water site connection fees will apply, and some headworks charges could apply (subject to SA Water confirmation).

#### **3.2.4.3 Sewer Network**

Gravity sewer drains run adjacent the area affected on Norman Terrace, Fourth Avenue and Ross Street, Everard Park which are each 150mm diameter. These mains show multiple wastewater connection points to the existing allotments that comprise the area affected. The assessment by WGA is that these drains will be able to service the wastewater requirements for the site. Depending on titling arrangements (Torrens title or community title), one or multiple connections may be required to facilitate wastewater disposal under a rezoning scenario. Should re-development of the area affected require connection to a 225mm main (subject to SA Water advice), some augmentation may be required to extend the existing main located at the intersection of South Road and Aloha Terrace, approximately 375 metres from the site.

#### **3.2.4.4 Communications**

Along Norman Terrace, adjacent to the area affected, there are direct-buried Telstra cables varying in size and interspersed with junction pits. This line has several connections into the area affected, which could be used to service the proposed development. Telstra also has above ground, aerial communications cables on Ross Street and Fourth Avenue, which could also be modified to service the area affected.

NBN has assets along Norman Terrace and connections to the existing site. Typical connection fees for NBN would apply with the contribution category likely to be classified by NBN as Multi-Dwelling Units (MDUs) at a cost of approximately \$400 per premises. The capacity of these existing assets has not yet been provided by NBN, and as such backhaul charges may apply.

#### **3.2.4.5 Natural Gas**

There is an existing gas main, running adjacent to the site along both Norman Terrace and Fourth Avenue, which varies in diameter from 80 mm to 100 mm. There is also a gas main running along Ross Street on the opposite side of the road from the area affected, which could service the site. The length of main along Norman Terrace includes several inlets into the allotments which constitute the area affected. It is expected that one of these inlets could either be decommissioned or augmented to service future re-development of the site. APA Group has confirmed they can service the site their preferred approach being to reticulate the site and supply a meter to each building, rather than supplying a master meter which could reduce the available pressure and result in a less effective supply option.

#### **3.2.4.6 Recycled Water**

There is no known recycled water infrastructure present near the area affected that could be considered for use. Water for non-potable uses may be made available through the stormwater infrastructure provided within the site subject to design at a later stage.

### **Implications for this DPA**

The area affected can be appropriately serviced under a rezoning scenario. There is no requirement for policy amendment.

### 3.2.5 Regulated Trees, Arborman, September 2019

#### SOI Investigation

- *Identification of tree health and retention status.*

An assessment of tree health and retention status for the area affected was undertaken by Arborman Tree Solutions. The assessment identified one significant tree on the subject site toward the Fourth Avenue, Everard Park frontage that is in good overall condition and is a high priority for retention.

The eastern portion of the affected area contains three regulated trees. Of these regulated trees only one is recommended for retention. While two of the trees are assessed as being of low retention status, they are afforded protection under the *Development Act 1993*, and relevant provisions in the Council-wide section of the Unley (City) Development Plan. No changes to the Council-wide regulated tree provisions are proposed by this DPA and relevant protections will continue to apply.

A tree of approximately 13.8 metres in height at the Norman Terrace frontage is exempt from legislative control and protection. Retention of this tree is suggested, and, on this basis, access arrangements confirm protection of this tree can be achieved.

Street trees along Norman Terrace, Ross Street and Fourth Avenue are owned and controlled by Council and future development of the site will be required to retain all existing street trees.

#### Implications for this DPA

Adequate policy exists within the Development Plan to protect regulated trees. Design considerations should be employed at the development assessment stage to retain relevant regulated and other important trees.

### 3.2.6 Noise, Sonus Pty Ltd, September 2019

Potential noise sources surrounding the area affected transport noise from South Road corridor and transport noise from the Glenelg to City tram. Of these potential noise sources, the Glenelg to City tram is the greatest noise source near the site. Professional observations and measurement of noise impacts indicate noise impacts within the area affected are acceptable without any noise mitigation being necessary.

Noise arising from local roads and South Road are assessed as having no material impact for rezoning of the area affected. This assessment is based on a speed limit of 100-110 kilometres per hour on South Road (rather than the current 60km/hr limit) and therefore accounts for any potential future upgrade of the road (either in speed limit or traffic volume).

Based on the assessment of noise impacts at the area affected, no amendment to the Noise and Air Emissions Overlay Map Un/1 (Overlay 3a) in the Unley (City) Development Plan is required as a result of this DPA.

The assessment by Sonus of the main potential off-site noise impacts from future re-development of the site is that the proposed rezoning and integrated development of the site can readily achieve the existing Council-wide policy (Interface Between Land Uses) contained in the Development Plan. No further Development Plan provisions are considered necessary to ensure that noise from future development do not unreasonably impact existing dwellings in the locality.

#### Implications for this DPA

No amendment to existing policy within the Development Plan is required to protect against unwanted noise impacts.

### 3.2.7 Site History, Mud Environmental, September 2019

A Preliminary Site History (PSI) was prepared by Mud Environmental on behalf of the proponent. The aim of the PSI was to identify current and historical activities with potential to have caused site contamination, and any significant issues that could adversely affect the proposed rezoning.

The assessment notes that based on ownership history, the area affected has been owned by salesmen, merchants, a butcher, a farmer and engineers before being acquired for use as a residential aged care facility. Ownership history does not indicate that the area affected (or parts of the area affected) were used for activities which may have had a potential adverse impact on the site or the environment in general.

The assessment has not identified any significant issues in relation to the proposed rezoning.

Some activities that may have resulted in contamination have been identified and assessed as being of low to medium risk. This includes historical importation of fill materials, Trade Waste collection pit, and the presence of asbestos containing materials; and to a lesser extent former surrounding uses for agriculture, minor chemical storage on site, possible discharge to groundwater bores, and the presence of a backfill vehicle service pit. Whether or not any of the activities identified has resulted in contamination would need to be confirmed and is a matter for consideration during any subsequent re-development of the land (at a later stage).

#### Implications for this DPA

There are no site contamination issues that should prevent the subject land from being rezoned.

### 3.3.8 Built Form

#### 3.3.9.1 Density

This DPA proposes increased density to accommodate future medium scale development that is appropriate to the site, locality and surrounding land uses recognising the site's near proximity to public transport and services. Medium density development is envisaged in both the Residential Zone and Residential Regeneration Zone of the Unley (City) Development Plan, as follows:

- Residential Zone - low to medium density development
  - net densities of between 28 to 33 dwellings per hectare.
- Residential Regeneration Zone – medium to high density development
  - average net densities of between 45 to 50 dwellings per hectare and should typically be in the form of 2 storey residential buildings, or
  - average net densities of between 40 to 120 dwellings per hectare and typically in the form of 3 to 5 storey residential buildings within the policy areas.

These standards do not readily apply to aged care facilities because the residential aged care beds and independent living units may have different attributes to traditional housing forms, for example, lesser car parking needs and shared facilities which reduce overall building footprints, or the inclusion of additional supportive activities associated with aged care that may increase building footprints.

#### Implications for this DPA

The policy framework should facilitate residential densities generally consistent with the Residential Regeneration Zone.

### **3.3.9.2 Building Heights**

The previous rezoning proposal over the area affected was to Residential Regeneration with a Main Road Policy Area that envisaged building heights of up to four-storeys. This was on the basis that land facing Ross Street and Fourth Avenue, Everard Park was rezoned with a two-storey building height limit providing transition down in height to the Residential Zone.

This DPA proposes a similar transition in building heights from five-storeys at the Norman Terrace frontage to two-storeys at Ross Street and Fourth Avenue, Everard Park. This is on the basis that the area affected is a consolidated site that can manage building setbacks to protect existing lower density residential areas from overlooking and overshadowing. The Norman Terrace frontage is separated from existing lower density residential areas to the south by the Glenelg to City tram.

#### **Implications for this DPA**

The policy framework should facilitate: up to five storey building forms; and a transition to two storey building forms at the existing residential interface on Ross Street and Fourth Avenue, Everard Park.

### **3.3.9.3 Airport Building Heights**

The Residential Regeneration Zone envisages building heights of up to five storeys. The South Australian Planning Policy Library provides a guide of 3.5 metres floor to floor or 17.5 metres high for a five-storey building.

A five-storey building with a floor to floor height of approximately 3.5 metres and greater floor to floor height allowance at ground floor level is likely to slightly exceed 17.5 metres. Plant and equipment on the roof of such a building (including relevant design treatment and screening as per Council-wide provisions) will add to the overall height.

Consultation with the airport authority has identified that the Obstacle Limitation Surface over the site is at RL 48.5m Australian Height Datum (AHD) and above this height an Airspace Approval is required in accordance with the Airports Act. The site is approximately 26.5m AHD and therefore a structure of up to 22 metres could theoretically be supported without Airspace Approval.

The affected area is shown on Map Un/1 (Overlay2a) Airport Building Heights, as being within an area designated as Zone C for airport building heights. All development exceeding 15 metres above existing ground level is therefore required to be referred to the relevant airport authority. Within approximately 500 metres of the affected area, also within the general area designated as Zone C on Map Un/1 (Overlay 2a), is land where referral for airport building heights is for structures exceeding 20 metres and 22 metres.

For the reasons discussed, it is logical to raise the referral height for the site shown on Map Un/1 (Overlay 2a) Airport Building Heights as a minimum to 17.5 metres.

#### **Implications for this DPA**

Consequential amendments to building heights mapping should be made to support building forms up to five-storey.

### **3.3.9.3 Setbacks**

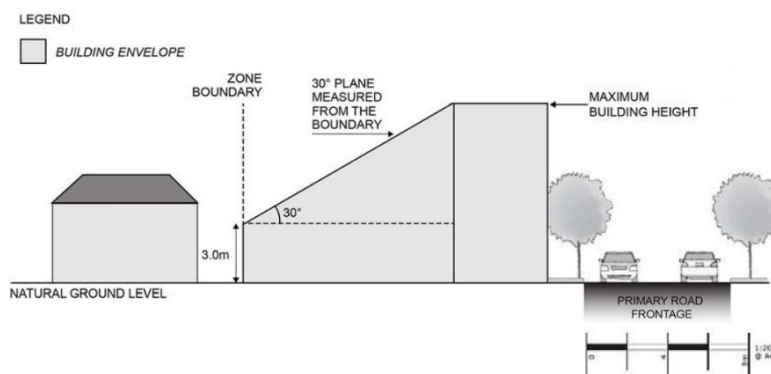
Council's Development Plan seeks to minimise the impacts of residential development at the interface with lower scale sensitive development for buildings of 3 or more storeys (or heights greater than 7 metres) through building envelope controls, as follows:



**PDC 25 of the Residential Development Section**

- 25 To minimise impacts at the interface with lower scale sensitive development, buildings of 3 storeys or more (or heights greater than 7 metres) should be constructed within a building envelope provided by a 30 degree plane, measured from a height of 3 metres above ground level (of the adjoining affected land) at the zone or Policy Area boundary (except where this boundary is the primary road frontage), as illustrated in **Figure 1**:

**Figure 1**



While not strictly relevant to all boundaries of the area affected, these building envelope controls have been used to inform setbacks as outlined below:

Parameter	Value
Minimum setback from Ross Street and Fourth Avenue	5 metres
Minimum setback from Norman Terrace	8 metres

Most of the affected area's western boundary abuts an existing medium density development site with two-storey building forms. A portion of the western boundary abuts the rear boundary of 11 Ross Street and the rear and side boundaries of 9 Ross Street, Everard Park. Given the policy framework proposes two-storey buildings fronting Ross Street it is appropriate to rely on the existing side and rear boundary setbacks within the Council-wide provisions of the Unley (City) Development Plan, as follows:

**PDC 13 of the Interface Between Land Uses Section**

- 13** *Except where specified in a relevant zone or policy area, dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to minimise massing and overshadowing impacts to adjoining properties and should be in accordance with the following parameters:*

Building height from ground level of the adjoining affected land (metres)	Site area (square metres)	Minimum side boundary setback (metres)	Minimum rear boundary setback (metres)
≤4	≤300	1	3
	>300	1	5
>4 – 7	≤300	2	6
	>300	3	8
>7	≤300	3 (plus half the equivalent increase in building height over 7m)	6 (plus the equivalent increase in building height over 7m)
	>300	4 (plus the equivalent increase in building height over 7m)	8 (plus the equivalent increase in building height over 7m)

#### **Implications for this DPA**

Proposed setbacks should reflect existing policy contained in the Development Plan.

#### **3.2.1.2 Affordable Housing**

This DPA proposes a rezoning of the area affected to a zone that provides for predominantly residential development at medium density. On this basis, it is reasonable to consider whether the Affordable Housing Overlay and policies should apply.

The intent of the Affordable Housing Overlay and policies is to integrate affordable housing into residential and mixed-use development to provide a range of dwelling types for different household structures. The policies apply where development comprises 20 or more dwellings. This is unlikely to be the case for the affected area.

Given that this DPA can achieve housing diversity without the need to apply the Affordable Housing policies to the affected area, no change to existing policy is proposed.

Applying the Affordable Housing policies to the affected area could result in an inconsistent approach within the Unley (City) Development Plan which currently designates relatively discrete pockets of land along Anzac Highway, Greenhill Road and Unley Road within the Urban Corridor Zone or District Centre Zone. Each of the Urban Corridor and District Centre Zones envisage a mix of non-residential and residential development at greater heights and density that is proposed for the area affected.

#### **Implications for this DPA**

No amendment to the Affordable Housing Overlay (Map Un/1 (Overlay 5a)) and policies is required as a result of this DPA.

#### **3.3.9 Tree Canopy**

The City of Unley, through Council resolution, is seeking a rezoning for the affected area to facilitate an appropriate higher density, diversity of residential accommodation and the provision for a minimum of 15% deep soil and tree canopy cover. This could be achieved through insertion of new policy into the Zone and/or Policy Area or through amendment of existing Council-wide policy for Medium and High Rise Development (3 or More Storeys)

Council has also resolved, outside of this rezoning process, to increase tree canopy cover across its local government district. For this reason, it is proposed to amend Council-wide provisions such that new policy will apply across the Council area including the area affected.

Heat mapping for the area affected (<https://www.resilienteast.com/>) shows cooling effects along the tram line associated with tree canopy cover that could be extended to the area affected.

New planning policy in South Australia is based on policy contained in the South Australian Planning Policy Library (SAPPL). There is no existing policy in the SAPPL for the provision of a minimum proportion of deep soil for tree planting. Given the Medium and High Rise Development (3 or More Storeys) Section of the Council-wide Section of the Unley (City) Development Plan includes significant local variation outside of policy included in the SAPPL, it is considered appropriate to amend the following existing policy for large sites:

**PDC 23 of the Medium and High Rise Development (3 or More Storeys) Section**

- 23** *Deep soil zones should be provided to retain existing vegetation or provide areas that can accommodate new deep root vegetation, including tall trees with large canopies.*

*One way of achieving this is in accordance with the following table:*

Site area	Minimum deep soil area	Minimum dimension	Tree/ deep soil zones
<300m <sup>2</sup>	10m <sup>2</sup>	1.5 metres	1 small tree/10m <sup>2</sup> deep soil
300-1500m <sup>2</sup>	7% site area	3 metres	1 medium tree/30m <sup>2</sup> deep soil
>1500m <sup>2</sup>	7% site area	6 metres	1 large or medium tree/60m <sup>2</sup> deep soil
<b>Tree size and site area definitions</b>			
Small tree:	< 6 metres mature height and < less than 4 metres canopy spread		
Medium tree:	6-12 metres mature height and 4-8 metres canopy spread		
Large tree:	12 metres mature height and > 8 metres canopy spread		
Site area:	The total area for development site, not average area per dwelling		

**Implications for this DPA**

It is proposed to amend existing Council-wide policy in relation to tree size and deep soil zones to require a minimum 15% deep soil area for sites greater than 3,000m<sup>2</sup>.

**3.3.10 Public Realm**

**SOI Investigation**

- Investigate and develop a suitable design framework for the treatment of streetscapes, public realm and the interface between public and private realm.

The Unley (City) Development Plan includes comprehensive Council-wide policy in relation to design matters including in the following Sections: Design and Appearance; Medium and High Rise Development (3 or More Storeys); Residential Development; Crime Prevention; Landscaping; and Transportation (Movement of People and Goods). Existing Council-wide policy is considered adequate.

The area affected has an approximate 176 metre frontage to Norman Terrace, Everard Park and is directly opposite the Glenelg to City tram with near proximity to the Black Forest tram stop. It is logical that Norman Terrace provide the primary public frontage to a consolidated development of the area affected. In contrast, the Ross Street and Fourth Avenue frontages interface with existing low-density residential development and future development can present to the street with a domestic garden feel. Given the different nature of these interfaces, it is appropriate that the proposed policy framework recognise the different relationship sought between the public and private realm according to road frontage.

**Implications for this DPA**

Existing Council-wide policy is considered adequate in relation to Design and Appearance and can be reinforced through Desired Character in the Policy Area.

### 3.3.11 Zone and Policy Area Assessment

#### SOI Investigation

- *Consideration, justification and analysis of the application of the Residential Zone or Residential Regeneration Zone and potential insertion of Policy Area in the Unley Council Development Plan.*
- *Review of Desired Character Statement(s) and specific policy for the site to address issues such as desired land uses, built form, interfaces, traffic movements and access and minimum 15% deep soil and tree canopy.*
- *Prepare where necessary, concept plan(s) to guide future development.*

The area affected is currently zoned for residential purposes. The future zoning of the area affected should support the primacy of residential development while providing greater flexibility to support medium density development and various forms of accommodation for an ageing population such as independent and supported living options. The future zoning outcome should avoid insertion of a new zone within the Unley (City) Development Plan given the impending transition to the Planning and Design Code. The potential zone options from the South Australian Planning Policy Library (SAPPL) that are considered are as follows:

- Residential Zone
- Residential Regeneration Zone

It is noted that the Unley (City) Development Plan includes low density residential zoning surrounding the site, the majority of which have been earmarked for review.

As an unconverted Development Plan, the Zone Modules from the SAPPL are different to the existing comparable Zone in the Unley (City) Development Plan. The following assessment considers both the SAPPL Zone Modules and existing Zones in the Development Plan.

#### 3.3.11.1 Residential Zone

The Residential Zone Module from the SAPPL envisages dwellings, supported accommodation and small-scale non-residential uses. The Zone Module includes a minimum of 15% affordable housing and provides an opportunity to define various parameters such as setbacks, site coverage, building height, open space area and car parking spaces. The Residential Zone Module includes the Medium Density Policy Area. The policy area contemplates development of up to 3 storeys. Medium Density Policy Area is not currently used in the Unley (City) Development Plan.

The Residential Zone in the Unley (City) Development Plan envisages dwellings and supported accommodation. The Zone contemplates development of low to medium density, of low and moderate scale, and primarily up to 2 storeys. The existing Residential Zone in the Development Plan includes Infill Policy Area 12. Infill Policy Area 12 envisages low growth (and infill) that is compatible with residential uses. Building height in Infill Policy Area 12 relies on building heights in the Residential Zone.

Given the predominantly low scale and low density envisaged by the Residential Zone, it is not considered the most appropriate zoning outcome in relation to the area affected.

#### 3.3.11.2 Residential Regeneration Zone

The Residential Regeneration Zone Module from the SAPPL speaks to the integrated redevelopment of under-utilised land as well as a mix of housing to support changing demographics. The focus on the Zone Module is on the regeneration of areas at increased densities. Like the Residential Zone Module, the Residential Regeneration Zone Module envisages dwellings, supported accommodation and small-scale non-residential uses; 15% affordable housing; and provides an opportunity to define various parameters such as setbacks, site coverage, building height, open space area and car parking spaces. The Residential Regeneration Zone Module does not include Policy Area(s).

Like the equivalent Zone Module, the Residential Regeneration Zone in the Unley (City) Development Plan speaks to the strategic redevelopment of areas for a range of housing to supporting changing demographics. The Zone envisages dwellings, supported accommodation and small-scale non-residential uses. It includes a minimum of 15% affordable housing and provides an opportunity to define various parameters such as setbacks, wall height, site area and frontage. The Zone contemplates predominantly medium density residential dwellings of 2 storeys as well as provision of medium to high density dwellings of up to 3 to 5 storeys. The Zone provides good alignment with the investigations informing this rezoning, and on this basis the Residential Regeneration Zone is considered the most appropriate zoning outcome for the area affected.

Desired Character, heights and density are further controlled throughout the Residential Regeneration Zone using four Policy Areas which relate to a relatively specific geographical area. Each Policy Area contains Objectives, Desired Character and Principles of Development Control. Two of the Policy Areas use concept plans. Given the specific nature of each Policy Area, no one Policy Area can readily be extended to the area affected. It is therefore proposed to insert a new Policy Area into the Residential Regeneration Zone for the area affected.

#### **Implications for this DPA**

It is considered that the Residential Regeneration Zone with a new Policy Area is the most appropriate zoning outcome for the area affected. Some minor consequential amendment to zone provisions will be required.

#### **3.3.11.3 Concept Plan**

The Statement of Intent sought an assessment of the need or otherwise for a concept plan(s) to guide future development. The affected area is not currently shown on a concept plan and therefore, if necessary, a new concept plan would need to be inserted into the Development Plan.

The policy framework speaks to a coordinated development outcome for the affected area, and a concept plan would provide an opportunity to express policy in relation to building heights, setbacks, access and open space geographically.

However, it is understood that the new Planning and Design Code does not readily support the transition of concept plans. Therefore, the proposed policy framework has been drafted with a Policy Area to be sufficiently clear as to the desired development outcome.

#### **Implications for this DPA**

It is considered that policy can be sufficiently clear so as not to warrant the inclusion of a concept plan.

#### **3.3.11.4 Public Notification**

Table Un/8 – Assignment of Categories for Public Notification Purposes currently assigns forms of development specifically envisaged through this DPA as Category 2 forms of Development for the purposes of Public Notification. Given, the proposed policy framework includes policy to manage key aspects of development such as setbacks, interface and building heights, it is considered appropriate that some forms of development are assessed as Category 1 forms of Development.

This can be achieved for the area affected without amending policy across the Council area by applying new policy to only the proposed Norman Terrace (Residential Regeneration) Policy Area 26. It is proposed that exceptions also be included such that development of three or more storeys that is within 30 metres of Ross Street and Fourth Avenue is publicly notified. Other exceptions are proposed for development of three or more storeys where either maximum building height is over 17.5 metres or where road or boundary setbacks are less than prescribed.

#### Implications for this DPA

Amend categories for public notification purposes as it relates to forms of aged care accommodation envisaged in the Policy Area.

## 4. Recommended Policy Changes

Following is a list of the recommended policy changes based on the investigations of this DPA:

### 4.1 Council-wide Section

- **Medium and High Rise Development (3 or More Storeys)**
  - Insert new policy for the provision of 15% minimum deep soil area for site larger than 3000m<sup>2</sup> under the heading 'Environmental'.

### 4.2 Zoning

- **Residential Regeneration Zone**
  - Replace the existing Residential B350 Zone and Residential Streetscape (Built Form) Zone with the Residential Regeneration Zone.
  - Amend existing Zone Objective 3, existing PDC and relevant procedural matters to support envisaged land uses.
- **Residential B350 Zone**
  - Amend the introduction to reflect rezoning of parts of Everard Park.

### 4.3 Policy Area

- **Norman Terrace Policy Area 26**
  - Introduce Norman Terrace Policy Area 26 to the affected area including new objectives, desired character and principles of development control.

### 4.4 Tables

- **Table Un/8 – Assignment of Categories for Public Notification Purposes**
  - Amend categories for public notification purposes as it relates to forms of aged care accommodation.

### 4.5 Mapping and Overlays

- **Overlays**
  - Amend Structure Plan Map Un/1 (Overlay 1) to reflect amended zoning.
  - Amend Airport Building Heights Map Un/1 (Overlay 2a) to reflect increased referral building height.
- **Mapping**
  - Replace the following maps to reflect amended zoning / new policy:
    - Zone Map Un/7
    - Policy Areas Map Un/16

## 5. Consistency with the Residential Code

The Residential Development Code was introduced in 2009 to make simpler, faster and cheaper planning and building approvals for home construction and renovation.

A portion of the affected area is currently outside the Determined Area for the purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings of the Residential Code. It is proposed to extend the designation over the affected area.

## 6. Statement of statutory compliance

Section 25 of the *Development Act 1993* prescribes that the DPA must assess the extent to which the proposed amendment:

- accords with the Planning Strategy
- accords with the Statement of Intent
- accords with other parts of council's Development Plan
- complements the policies in Development Plans for adjoining areas
- accords with relevant infrastructure planning
- satisfies the requirements prescribed by the Development Regulations 2008.

### 6.1 Accords with the Planning Strategy

Relevant strategies from the Planning Strategy are summarised in the **Section 2.1** of this document. This DPA is consistent with the direction of the Planning Strategy.

### 6.2 Accords with the Statement of Intent

The DPA has been prepared in accordance with the Statement of Intent agreed to on 6 August 2019. In particular, the proposed investigations outlined in the Statement of Intent have been have been addressed in **Section 3** of this document.

### 6.3 Accords with other parts of the Development Plan

The policies proposed in this DPA are consistent with the format, content and structure of the Unley Council Development Plan.

The proposed policies are based on South Australian Planning Policy modules and policy in the Unley Council Development Plan.

### 6.4 Complements the policies in the Development Plans for adjoining areas

The affected area of the DPA comprises land within the boundaries of the City of Unley and has no boundary with an adjoining Council.

Accordingly, the policies proposed in this DPA will not affect and will complement the policies of Development Plans for adjoining areas.

### 6.5 Accords with relevant infrastructure planning

This DPA complements current infrastructure planning for the Council area, as discussed in **Section 2.3** of this document.

## **6.6 Satisfies the requirements prescribed by the Regulations**

The requirements for public consultation (Regulation 11) and the public meeting (Regulation 12) associated with this DPA will be met.



## References/Bibliography

- **Active Ageing Strategy**, 2015, City of Unley.
- **Australian Bureau of Statistics**, Census data, 2006 to 2016.
- **Community Plan 2033**, 2017, City of Unley.
- **Environmental Noise Assessment, Norman Terrace Everard Park DPA**, September 2019, prepared by Sonus Pty Ltd.
- **Preliminary Site Investigation**, 27 September 2019, prepared by Mud Environmental, Report Reference ME-291.R1.0.
- **Preliminary Tree Assessment**, 12 September 2019, prepared by Arborman Tree Solutions, Report Reference ATS5645-NorTcPTA-R2.
- **Services Assessment Report, Norman Terrace Everard Park**, 1 October 2019, prepared by Wallbridge Gilbert Aztec, Doc No. WGA191537-RP-CV-0001 Rev. B.
- **Social Impact Assessment, Everard Park Regeneration DPA**, 26 September 2019, prepared by Holmes Dyer Pty Ltd.
- **State Planning Policies for South Australia**, 31 January 2019, prepared by the State Planning Commission on behalf of the Minister for Planning, Government of South Australia 2019.
- **Stormwater Management Strategy – DPA Report, Everard Park Norman Terrace Residential Aged Care**, 1 October 2019, prepared by Wallbridge Gilbert Aztec, Doc No. WGA191537-RP-CV-0002 Rev. B.
- **Summary of Strategic Development Options**, February 2016, prepared by One Fell Swoop.
- **The 30 Year Plan for Greater Adelaide 2017 Update**, Department of Transport, Planning and Infrastructure, Government of South Australia.
- **Traffic Investigation, Development Plan Amendment Norman Terrace, Everard Park**, October 2019, prepared by MFY Pty LTD.
- **Unley (City) Development Plan**, Government of South Australia, Consolidated 19 December 2017.

## Schedule 4a Certificate

### CERTIFICATION BY COUNCIL'S CHIEF EXECUTIVE OFFICER

#### DEVELOPMENT REGULATIONS 2008

#### SCHEDULE 4A

*Development Act 1993 – Section 25 (10) – Certificate - Public Consultation*

#### CERTIFICATE OF CHIEF EXECUTIVE OFFICER THAT A DEVELOPMENT PLAN AMENDMENT (DPA) IS SUITABLE FOR THE PURPOSES OF PUBLIC CONSULTATION

I Peter Tsokas, as Chief Executive Officer of City of Unley, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments-

- (a) accord with the Statement of Intent (as agreed between the City of Unley and the Minister under section 25(1) of the Act) and, in particular, all of the items set out in Regulation 9 of the *Development Regulations 2008*; and
- (b) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that related to the amendment or amendment has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the Statement of Investigation; and
- (c) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
- (d) complement the policies in the Development Plans for adjoining areas; and
- (e) satisfy the other matters (if any) prescribed under section 25(10)(e) of the *Development Act 1993*.

The following person or persons have provided advice to the council for the purposes of section 25(4) of the Act:

David Brown, Principal Policy Planner, City of Unley  
Sarah Gilmour, Senior Consultant, Holmes Dyer Pty Ltd

DATED this 30<sup>th</sup> day of October 2019



Chief Executive Officer

## **Appendices**

### **Appendix A - Assessment of the Planning Strategy**



## Appendix A - Assessment of the Planning Strategy

*The 30 Year Plan for Greater Adelaide 2017 Update* (The 30 Year Plan) is the relevant volume of the Planning Strategy for South Australia and applies to the area affected for this DPA. The DPA will support the following targets of The 30 Year Plan for Greater Adelaide 2017 Update:

Target	How the target will be implemented:
<b>1. Containing our urban footprint and protecting our resources</b>	
<b>1.1</b> 85% of all new housing in metropolitan Adelaide will be built in established urban areas by 2045.	The affected area is within an established urban area. In accordance with the intent of this target, the rezoning will enable new housing forms and accommodation options for an ageing population to be established within metropolitan Adelaide.
<b>2. More ways to get around</b>	
60% of all new housing in metropolitan Adelaide will be built within close proximity to current and proposed fixed line (rail, tram, O-Bahn and bus) and high frequency bus routes by 2045.	The rezoning will enable a greater intensity of residential development to support the public transport network and the City to Glenelg tram located immediately opposite the affected area.
<b>3. Getting active</b>	
Increase the share of work trips made by active transport modes by residents of Inner, Middle and Outer Adelaide by 30% by 2045.	The DPA will allow for an increased number of people living in proximity of key employment locations; as well as supporting increased opportunity for employment at the affected area from the operation and servicing of expanded aged care facilities. The Mike Turtur bikeway runs past the affected area along Norman Terrace providing for an off-road path linking between the City and Glenelg.
<b>4. Walkable neighbourhoods</b>	
Increase the percentage of residents living in walkable neighbourhoods in Inner, Middle and Outer Metropolitan Adelaide by 25% by 2045.	The DPA will support residential development of land with ease of walking access to a range of local shopping and services.
<b>5. A green liveable city</b>	
Urban green cover is increased by 20% in metropolitan Adelaide by 2045.	The DPA includes policy in relation to vegetation, landscaping and deep root zones to provide tree canopy (green) cover on the affected area (minimum of 15%).
<b>6. Greater housing choice</b>	
Increase housing choice by 25% to meet changing household needs in Greater Adelaide by 2045.	The DPA provides for housing diversity including opportunities for dependent accommodation, assisted living accommodation, age-specific accommodation and apartments to meet changing household needs and an ageing population.

The DPA will support the following policies of The 30 Year Plan for Greater Adelaide 2017 Update:

Policy	How the policy will be implemented:
<b>Transit corridors, growth areas and activity centres</b>	
<b>P1</b> Deliver a more compact urban form by locating the majority of Greater Adelaide's urban growth within existing built-up areas by increasing density at strategic locations close to public transport. (Map 2).	The DPA provides an opportunity for coordinated infill development of underutilised land that will assist in the delivery of a more compact urban form. The subject land is adequately serviced by infrastructure and is accessible by public transport (tram).
<b>P2</b> Increase residential and mixed use development in the walking catchment of: <ul style="list-style-type: none"> <li>▪ strategic activity centres</li> <li>▪ appropriate transit corridors</li> <li>▪ strategic railway stations.</li> </ul>	
<b>P4</b> Ensure that the bulk of new residential development in Greater Adelaide is low to medium rise with high rise limited to the CBD, parts of the Park Lands frame, significant urban boulevards, and other strategic locations where the interface with lower rise areas can be managed	The DPA provides for low to medium rise development. The interface with lower rise areas is managed through a transition-down in height (two storeys) and setbacks at the residential interface.
<b>A4</b> Rezone strategic sites to unlock infill growth opportunities that directly support public transport infrastructure investment.	The rezoning facilitates development of a consolidated land holding that is currently underutilised.
<b>Design quality</b>	
<b>P29</b> Encourage development that positively contributes to the public realm by ensuring compatibility with its surrounding context and provides active interfaces with streets and public open spaces.	The Development Plan currently contains various Council-wide policies that require high quality streetscape, public realm and response to local context.  This is reinforced through the proposed policy framework including low density residential interface with the established suburb of Everard Park.
<b>P30</b> Support the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers context, location and place.	The DPA limits and consolidates vehicle access points to protect streetscape amenity.
<b>P26</b> Develop and promote a distinctive and innovative range of building typologies for residential housing which responds to metropolitan Adelaide's changing housing needs, reflects its character and climate, and provides a diversity of price points.	The DPA provides policy flexibility to facilitate a range of contemporary housing types that meet the needs of the current and future population and specifically contribute to housing diversity and a range of price points for older persons accommodation, including an ability to 'age-in-place.'
<b>P27</b> Provide for transitions between higher density and multi-storey, mixed-use developments in activity centres, corridors and existing detached housing precincts.	The DPA provides for transition from the South Road Corridor along Norman Terrace to provide a vibrant precinct in proximity of the City to Glenelg tram.
<b>P32</b> Encourage higher density housing to include plantable space for trees and other vegetation where possible.	The DPA includes policy in relation to vegetation, landscaping and deep root zones to provide tree canopy (green) cover on the affected area (minimum of 15%).
<b>Housing mix, affordability and competitiveness</b>	

Policy	How the policy will be implemented:
<p><b>P36</b> Increase housing supply near jobs, services and public transport to improve affordability and provide opportunities for people to reduce their transport costs.</p> <p><b>P42</b> Provide for the integration of affordable housing with other housing to help build social capital.</p> <p><b>P45</b> Promote affordable housing in well located areas close to public transport and which offers a housing mix (type and tenure) and quality built form that is well integrated into the community.</p>	<p>The policy framework supports housing in an area with ease of access to employment by active travel and public transport.</p>
<p><b>P37</b> Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas, including:</p> <ul style="list-style-type: none"> <li>▪ ancillary dwellings such as granny flats, laneway and mews housing</li> <li>▪ dependent accommodation such as nursing homes</li> <li>▪ assisted living accommodation</li> <li>▪ aged-specific accommodation such as retirement villages</li> <li>▪ small lot housing types</li> <li>▪ in-fill housing and renewal opportunities.</li> </ul> <p><b>P39</b> Promote universal and adaptable housing principles in new housing stock to support changing needs over a lifetime, including the needs of those who are less mobile.</p> <p><b>A27</b> Develop a policy framework to support projects that provide for aged care and retirement accommodation to meet growing demand.</p>	<p>The DPA provides policy flexibility to facilitate a mix of housing types to meet the demands of a changing age structure and household profiles including opportunities for:</p> <ul style="list-style-type: none"> <li>▪ dependent accommodation</li> <li>▪ assisted living accommodation</li> <li>▪ aged-specific accommodation.</li> <li>▪</li> </ul> <p>The policy framework encourages a range of housing to be provided on the subject land that facilitates accommodation for persons as their needs dictate.</p>
<p><b>A22</b> Provide mechanisms to support the development of larger sites to regenerate neighbourhoods, including:</p> <ul style="list-style-type: none"> <li>▪ developing a model (in collaboration with councils and developers) for providing incentives for landowners to amalgamate neighbouring sites</li> <li>▪ preparing guidelines on options and incentives for the renewal of larger sites to increase development yield in return for contributions to the local neighbourhood.</li> </ul>	<p>The DPA responds to the active consolidation of a land holding to enable a planned expansion of an existing aged care facility (and services).</p> <p>The policy framework supports opportunities for additional low-scale supporting community uses.</p>
<b>Health, wellbeing and inclusion</b>	

Policy	How the policy will be implemented:
<p><b>P49</b> Encourage more trees (including productive trees) and water sensitive urban landscaping in the private and public realm, reinforcing neighbourhood character and creating cooler, shady and walkable neighbourhoods and access to nature.</p> <p>(Infrastructure) <b>P86.</b> Ensure that new urban infill and fringe and township development are aligned with the provision of appropriate community and green infrastructure, including:</p> <ul style="list-style-type: none"> <li>▪ walking and cycling paths and facilities</li> <li>▪ local stormwater and flood management including water sensitive urban design</li> <li>▪ public open space</li> <li>▪ sports facilities</li> <li>▪ street trees</li> <li>▪ community facilities, such as child care centres, schools, community hubs and libraries.</li> </ul>	<p>The DPA includes policy in relation to vegetation, landscaping and deep root zones to provide tree canopy (green) cover on the affected area (minimum of 15%).</p> <p>The area affected is of a scale that water sensitive urban design outcome can be readily achieved.</p> <p>The policy framework supports opportunities for additional low-scale supporting community uses.</p>
<b>Transport</b>	
<p><b>P77</b> Ensure that new housing (and other sensitive land uses) permitted in locations adjacent to airports and under flight paths or near major transport routes (road, rail and tram) mitigates the impact of noise and air emissions.</p>	<p>The DPA is informed by a noise assessment that demonstrates no material impacts and no requirement for policy amendment.</p> <p>The DPA proposes to amend airport building heights for the affected area in relation to referrals for structures exceeding 15 metres above existing ground level.</p>



