

27 March 2023

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

SCAP REFERRAL – Regulation 23 (2) (b) - COUNCIL COMMENTS
DA 23005022 (Variation 1 – DA 090/M023/21) – 126 Rose Terrace Wayville

Thank you for referral of the above-mentioned application. Council appreciates the opportunity to provide comment by 27 March 2023 to assist the planning assessment process by the State Commission Assessment Panel (SCPA).

The nature of development encompasses:

“Variation to approved design for the construction of an eight (8) storey mixed use building comprising residential apartments, cafe, ancillary car parking and landscaping”

Council seeks to provide comment on designated Council matters in accord with Regulation 23 (3), and any observations on key local planning matters that require further analysis and assessment, to assist SCAP (State Commission Assessment Panel) appreciate the implications upon the orderly and proper planning of the area and the local public realm.

Regulation 23 (2) (b) affords an opportunity for a report on behalf of the council by the Chief Executive Officer in accord with subregulation (3) *within 15 business days after the request is received.*

Regulation 23 (3) provides that *the following matters are specified for the purposes of a report under subregulation (2)(b):*

- (a) *the impact of the proposed development on the following at the local level:*
 - (i) *essential infrastructure;*
 - (ii) *traffic;*
 - (iii) *waste management;*
 - (iv) *stormwater;*
 - (v) *public open space;*
 - (vi) *other public assets and infrastructure;*
- (b) *the impact of the proposed development on any local heritage place;*
- (c) *any other matter determined by the Commission and specified by the Commission for the purposes of sub-regulation (2)(b).*

Council has delegated to the Chief Executive Officer, or his nominee(s), the authority to negotiate appropriate outcomes regarding street trees and future public realm upgrades, in the event the application is approved.

Discussion

The full assessment of the development is the role of the Planning & Land Use Services (PLUS) officers, and the ultimate planning approval judgement the role of the State Commission Assessment Panel (SCAP).

It is appreciated that Council's role is limited to comments on designated matters and observations in relation to planning assessment matters with implications from a local perspective that highlight key issues that require further analysis and assessment by PLUS officers and SCAP.

Planning Policy Observations

Generally, the proposal reflects the broad intent of the Urban Corridor (Boulevard) Zone for the location and the original approved development. However, there are several noted implications warranting comment.

In brief, the following planning observations are made in relation to the proposed development variations:

- Larger residential entry and corresponding wider entry pathway serves to increase paving and reduce the available garden and planting area, but this should be adequately offset by the wider and taller steel arbour structure with climber planting;
- Revised profile of the building at the rear with increased intrusion of rooms and balconies into the transition envelope interface on some levels, however this reduction in rear setbacks is minor and remains reflective of the intent of the desired interface and new Code Technical Numerical Variations (TVNs) parameters;
- Increased number of dwellings and the intensity of development, and corresponding car parking requirements and complexity of car stackers, particularly in regard to proper availability for on-site residential visitors, compromises convenient and efficient on-site arrangements and avoidance of undue implications relating to on-site parking management and potential increased demand on local on-street parking which is already at a premium;
- Bicycle parking is directly adjacent entering car aisle and there is no secure resident parking spaces afforded;
- It is noted that the design, external materials, and finishes are not altered.

Council Issues

Council specific comment is provided in relation to matters regarding the variation where there are impacts and direct implications at the local level, as follows:

- Essential Infrastructure;
- Vehicle traffic, access and parking;
- Waste Management and Servicing; and
- Public infrastructure;

Essential Infrastructure

Electrical Power Transformer

There is no indicated provision for an electrical power transformer for the development.

The originally approved development was understood to be serviced by a new pole mounted transformer located at the front of the site on the existing stobie pole.

The appropriate provision of electrical power transformer service for the development as designed should be confirmed.

Vehicle traffic, access, parking and servicing

Vehicle Parking

The variation increases the parking demand and overall parking provision, but the respective allocation requires revision as follows:

- Total dwellings increased from 25 to 29 which requires:
 - 30 spaces for residents (3 x 1bed @ 0.75 = 2.25, 18 x 2bed @ 1 = 18.0, and 7 x 3 and 1 x 4 bed @ 1.25 = 10.0 = 30.25 total);
 - 7 for visitors (29 @ 0.25 = 7.25)
- The commercial area is indicated to be reduced from around 84m² to 73m² (60 to 49m² indoor plus 24m² 'alfresco' outdoor) which requires:
 - 2 spaces (73m² @ 3/100m² = 2.2);
- The development total parking provision has been increased from 34 to 42 spaces:
 - 40 spaces in 2 rows of 6 on west side (17 spaces) and 8 on east side (23 spaces) of multiple car stackers;
 - 2 spaces (including 1 disability space) at grade level;
- The proposed allocation to dwelling residents is assumed (but not confirmed) to be the 40 stacker spaces – over the required 30;
- The proposed allocation to commercial use, and for sharing by residential visitors at complementary times, is 2 at the grade level – well under the requirements of a minimum of 7 spaces;
- It is not convenient for visitors to use the stacker spaces;
- The car stacker type and specifications should be provided, and the stacker opening and actual platform width clear of internal mechanisms confirmed, to ensure that all parking spaces meet or exceed the relevant Australian Standards;
- The overall number of spaces may reflect total requirements, but the distribution and allocation of spaces does not address the parking requirements of respective users, in particular residential visitors;
- The number of dwellings should be reduced relative to the available parking provision limitations and a suggestion could be:
 - 27 dwellings in lieu of proposed 29, removing 2 x 2 bed or 1 x 1 bed and 1x 3 bed = reduction 2 spaces to required 28 spaces;
 - 28 spaces in 2 rows of 6 on west side (17 spaces) and 4 on east side (11 spaces) multiple car stackers to service 27 dwellings; and

- 6 spaces at grade level to service commercial needs and for sharing by residential visitors (a compromise reduction from required 6.75 spaces - $27 \times 0.25 = 6.75$);
- The excessive number of dwellings and lack of on-site parking provision given the space constraint leads to a lack of residential visitor spaces and displacement of demand to on-street parking which is at a premium.

On Street Parking is in high demand and constrained:

- The existing on-street parking along Rose Terrace is a combination of 2 Hour Parking and All-day Ticketed Parking that operates from 9.00am to 5.00pm Monday to Friday, and No Parking that operates from 7.00am to 8.15am Monday to Friday;
- On-street parking within proximity of the site is often near, or at capacity, with very high demand for on-street parking given the proximity to business premises along Rose Terrace / Greenhill Road and the Wayville Showgrounds;
- Residents/visitors/staff of the development will not be eligible for parking permits and will need to abide by all on-street parking restrictions;
- A Note should be added to an approval indicating that pursuant to the City of Unley *On-street Parking Exemption* Policy, permits are not issued for occupants of new development (post 2013);
- Noting the above, there will not be changes to any existing on-street parking restrictions along Rose Terrace or any nearby local streets (i.e. Hamilton Blvd, Cooke Terrace, etc) to cater for either short-term visitor parking, long-term resident/staff parking, or waste/loading activities. Noting that the site must appropriately cater for all parking, loading and waste activities wholly within the site.

The on-site parking design needs confirmation of:

- accordance with Australian Standards of design and dimensions, including spaces within stackers;
- business hours being limited, eg 7.00am to 5.00pm, to ensure that they are complementary with residential visitor peaks so visitor spaces can be shared;
- detailed specification, dimensions, head clearance, swept path access and egress (especially rear northern most spaces), and ongoing management of car stackers and arrangements;
- the shared grade level spaces should not be allocated to specific users to ensure convenient and efficient use by the commercial occupants and visitors, and sharing by residential visitors, as needed at all times;

The grade level parking is behind a perforated tilt security screen door which will need to be managed to:

- remain open from 7.00am to 10.00pm to accommodate extent of business hours and reasonable residential visitor hours to foster ready access;
- the shared grade level spaces should not be allocated to ensure convenient and efficient use by the commercial occupants and visitors, and sharing by residential visitors, at all times;

- the availability of the commercial and shared residential visitor spaces should be identified, and their use encouraged by appropriate signs at the entry points to the building;
- appropriate opening head clearance confirmed to accommodate the reverse entry of the waste and serving vehicles;
- the door should have a tenant telecom to accommodate late visitors' entry;
- the door should have an automatic exit accommodated to allow for visitors to leave after hours.

A comprehensive updated Parking Management Plan and Architectural Plans should be provided confirming the appropriate provision, design, and allocation of car parking spaces (including those within stackers for respective dwellings), noting that all commercial and visitor parking should be located on the grade level, with access requirements managed as outlined above.

Subject to revisions and confirmation of appropriate arrangements, additional conditions should be included ensuring appropriate car parking spaces allocation, grade level commercial and visitor spaces are not designated nor limited in use, access and egress is facilitated and convenient with appropriate door opening hours and head height for waste and service vehicles and provision of signs that highlight and encourage their availability and use of the grade level parking area spaces for commercial staff and commercial and residential visitors.

Bicycle Parking

The original approved development incorporated sufficient off-street parking, 12 in a secure room and a further 12 along the west side aisle in the carpark, exceeding requirements, but this has been changed as a result of the variations to remove secure bicycle storage room and move all bicycle parking to an unsecured area along the west side of aisle in the carpark;

- Total dwellings of 29 require:
 - 7 spaces for residents ($29 \times 0.25 = 7.25$);
 - 3 spaces for visitors ($29 @ 0.1 = 2.9$)
- The commercial area is indicated to be around 73m² (49m² indoor plus 24m² 'alfresco' outdoor) which requires:
 - 1 tenant space ($73\text{m}^2 @ 1/300\text{m}^2 = 1$);
 - 1 visitor space ($73\text{m}^2 @ 1/600\text{m}^2 = 1$);
- The development total bicycle parking provision is 20 spaces along the west side of the aisle in the carpark and is unsecured, which may exceed the total requirements but does not address secure parking for residents;
- The bicycle parking provision exceeds the total Planning and Design Code requirements, but no confirmation is provided regarding the type of bicycle parking or its allocation;
- It is indicated that the 20 bike parking spaces are to be provided within the car park, adjacent the car and waste vehicle access aisle, which could lead to conflict and compromise of cyclists providing safe secured location of their bicycle and standing within the access aisle when parking or retrieving their bicycle;

- Additional information should be provided regarding the type and allocation of bicycle parking, noting the Australian Standards (AS 2890.3-2015) indicates the following bicycle parking facility security levels for typical applications:
 - short term parking on-street or off-street:
 - a bicycle space where the bicycle frame and both wheels can be locked to a bicycle parking device (NOTE: not appropriate for long-term parking / more than 2 hours);
 - All-day parking where the cyclist continues on to a nearby location (e.g. a workplace) or Resident parking at multi-dwelling developments:
 - a secure room or structure protected from the weather containing bicycle parking devices that allows users to lock the bicycle frame and both wheels, users provided with security access devices and entrance gates are self-closing and self-locking;
- In addition, the Australian standards indicate that a minimum of 20% of ground level (horizontal) Bicycle Parking Devices are required in any bicycle parking facility;
- Also access to the driveway and spaces within site will need to be ensured during commercial and visitor hours and access arrangements in place for resident visitors after hours, with suitable management of driveway security door.

An updated Traffic and Parking report and Architectural Plans should confirm the requirements and provision of the number and layout of bicycle parking.

Subject to revisions and confirmation of appropriate arrangements, additional conditions should be included ensuring the grade bicycle parking spaces are appropriately allocated, although visitor spaces could be shared, and provided with appropriate signs that highlight and encourage their availability and use by commercial staff and commercial and residential visitors.

Waste Management and Servicing

The waste management arrangements are noted as being approved as part of the original application, but the following comments are provided regarding the variation and increased number of dwellings:

- The proposed revised configuration and size for the Waste Room has been reviewed against Zero Waste's "*South Australian Better Practice Guide*" (2014) relative to the increased residential waste generation;
- The café is indicated as not providing full service, and waste generation rates have been discounted by 50%. No further detail of the operation, justification for level of discount, nor the specific limitation of ongoing use via condition has been confirmed as part of the documentation;
- The Waste Management Report prepared by CIRQA indicates the increased dwellings and limited café use are accommodated in the revised adequate size and functionality of the Waste Room;
- A condition of approval should require that all waste collection activities occur outside of commuter peak periods to ensure that it does not impact users of the development or traffic along Rose Terrace (i.e. between 10.00am to 3.00pm Monday to Saturday inclusive);
- On-street loading zone will NOT be provided for waste/service vehicles. On-street parking is at a premium and all available parking needs to be optimised for efficient use;

Other Public Assets and Infrastructure in the Public Realm

Street Trees

The revised vehicle entry will necessitate removal of the existing street tree.

Discussion is encouraged with Council to explore the potential replacement new advanced tree, or two trees on either side of a new crossover.

The replacement tree(s) will be managed in liaison with Council, and costs recovered from the owner/developer, pursuant to Council policy and procedures.

Pedestrian Footpath and Verge

The footpath and verge will likely be largely a standard reinstatement. Additional planting in the verge could be explored to enhance the amenity and greening of the site and locality.

Any damage, and reinstatement of footpaths and verge, will be managed in liaison with Council, and costs recovered from the owner/developer, pursuant to Council policy and procedures.

Further detail will be required regarding the final design and management of works during construction to ensure the ongoing operation of pedestrian movement, footpath, and any other infrastructure. Any hoardings, closure and new crossovers, will require suitable design, specification and prior permit approvals and costs recovery from the owner/developer pursuant to Council policy and procedures.

Conclusion

Large development proposals are of great interest to Unley residents and businesses, particularly those near the site.

The Council is not the assessing planning authority, and only a referral agency able to make comments on direct impacts on local public infrastructure, but the local implications are of interest to the ongoing long-term success of the development and locality.

The nature of the large-scale mixed use and primarily residential development broadly accords with the Urban Corridor (Boulevard) Zone desired outcomes.

However, within this advice there are highlighted areas of concern with planning design, required comprehensive and clear operating arrangements, and protection and management of council infrastructure, including:

- building over development exceeding possible on-site car parking provision, in particular for residential visitors;
- inadequate on-site grade level parking spaces to be shared by commercial and residential visitors;
- no on-street parking exemption permits are granted for new developments;
- condition to limit business trading hours and ensure complementary with residential visitor peaks;

- details and condition to limit the café from providing full service to justify and guarantee reduced waste generation rates;
- condition of approval limiting waste collection activities between 10.00am to 3.00pm Monday to Saturday;
- further confirmation of bicycle parking spaces allocation and location, including necessary resident secured spaces and clearances from car park isle and safety for pedestrians, per Australian Standard (AS 2890.3-2015);
- a Construction Management Plan, to the reasonable satisfaction of Council, should be required as part of the approval and before proceeding with the development to address management of external impacts, notably traffic, parking, pedestrians and environmental emissions, including alternative parking options for tradespeople. Although some unrestricted on-street parking is available, this is often occupied very early in the day;
- liaison, documentation and approvals for council infrastructure impacts, reinstatements, and proposed works;

that should be addressed as part of the expected comprehensive assessment, revised design details, and/or conditions by SCAP.

Enquiries

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

Yours sincerely



Peter Tsokas
Chief Executive Officer