

11 February 2022

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

Dear Commission

**CROWN DEVELOPMENT DA 090/V026/21 (ID 6575) - CITY of UNLEY
COMMENTS**

Mike Turtur Bikeway Goodwood Railway Overpass

Thank you for referral of the above-mentioned application received on 21 December 2021. Council appreciates the extended opportunity to provide comment to assist the planning assessment process by the Minister for Planning and advice from the State Planning Commission.

The nature of development by the Department for Infrastructure and Transport as a Crown Agency encompasses:

Construction of shared use walking and cycling path over a rail corridor and lift access to Goodwood Railway Station.

Various land parcels comprising a portion of Forestville Reserve, rail corridor, residential allotments and Glenelg Tram corridor – Goodwood.

Council seeks to provide comment on Council matters, and any observations on key local planning matters that require further analysis and assessment, to assist in the appreciation of the implications upon the orderly and proper planning of the area and the local public realm.

Proposed Comments Summary

New infrastructure, that is well designed and integrated into its local setting, and supports safer access to public transport and more efficient walking and cycling networks is welcomed within the city

The proposed infrastructure is within the ***Established Neighbourhood Zone*** and the ***Historic Area Overlay (Residential Compact Forestville (North) Historic Area Statement (Un4))*** where the policy parameters were originally derived from well-established urban design principles, comprehensive local ('place') contextual analysis and subsequent extensive community engagement, and more recently broadly translated into the new Planning and Design Code policy.

There may be limited variations; individually of minor, moderate or major significance; that need to be taken collectively, and their compounding effect and overall level of variation from policy parameters are to be given careful consideration.

The Council's response provides comment on a range of matters for further consideration by the SCAP as part of the assessment process, including:

- A shared use path is not an envisaged land use, and no specific policy applies in the Established Neighbourhood Zone, but the proposed infrastructure improvements will help improve local movement and connections to enhance the general neighbourhood;
- The loss of a Representative Building that exhibits the designated historic characterises of the area is regrettable. However, it is not a prime example or the only example, and as such the overall benefit of the infrastructure has to be weighed against such loss;
- The scale of the infrastructure is large but consistent with the existing tram overpass structure it is positioned adjacent to. The eastern looped access ramp is a notable intrusion into adjacent residential area, but in the context of the overall site, and with the support of extensive landscaping, it is considered a compatible element;
- The loss and/or impact on a Significant Tree, as well as Regulated Trees and other trees is unfortunate, but with suitable replacements, the overall benefit of the infrastructure has to be weighed against such loss;
- Public Open Space and community access should not be compromised by the placement of new infrastructure and the existing community facilities are to be appropriately reinstated or relocated and service standards maintained;
- Traffic impacts, due to the closure of the Western end of Railway Terrace North, are minimal with the provision of controlled future maintenance vehicle access retained within the design;
- Parking capacity within Forestville Reserve is reduced with potential impacts to the surrounding street network, noting that the southern carpark likely attracts an element of rail/tram commuter parking;
- Careful stormwater management is required to address flooding, water inundation impacts and high level of pervious areas for water infiltration;
- Construction management to minimise adverse impacts to the Unley Swimming Centre and local neighbours;
- An expanded scope is required to address network integration and safety / access concerns within the existing tram overpass, connection to Marion Rocks Greenway, and Goodwood station underpass access, as well as to ensure maximised useable open space within eastern ramp loop, and
- Requirements of the *Local Government Act 1999* to be met to enable construction activities within Forestville Reserve (Community Land) and use of a public road.

Council has delegated to the Chief Executive Officer or his nominee(s) the authority to negotiate appropriate outcomes regarding future public realm upgrades, public open space, and street trees, in the event that 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 Minister for Planning upon the advice of the State Commission Assessment Panel (SCAP).

It is appreciated that Council's role is limited to comments on local 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, SCAP and ultimately the Minister for Planning.

The provision of a continuous shared path over the Goodwood railway line is a positive improvement to the function of the Mike Turtur Bikeway, Goodwood Railway Station, and general accessibility through the area. Council has been involved in the design process and whilst the loss of a historic building and number of notable trees is unfortunate, the overall benefit of the project is supported.

Further to the proposed development, the Council has requested that the Department for Infrastructure and Transport (DIT) expand the current scope to address local integration concerns and maximise the long-term community and network benefits that can be achieved.

In addition, in accordance with the *Local Government Act 1999*, the project requires a number of procedural steps to be undertaken before an agreement between the Council and the Department can be established, prior to the commencement of construction and long-term management responsibilities agreed.

Council Issues

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

- Local Heritage
- Overpass and ramps overall design
- Significant and Regulated Trees
- Public Open Space and community access
- Community Land, Public Road and Access to Land
- Vehicle traffic, access and parking
- Waste servicing
- Stormwater management
- Construction management
- Environmental Management

Local Heritage

While an identified Local Heritage Place is not directly affected, the area is encompassed within the **Historic Area Overlay** where demolition is development that requires approval and is guided by specific policy:

Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:

1. *the front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style
or*
2. *the structural integrity or safe condition of the original building is beyond reasonable repair.*

The dwelling at 32 Devon Street North Goodwood is a Victorian double fronted stone cottage which demonstrates the areas historic characteristics as set out in the applicable **Residential Compact Forestville (North) Historic Area Statement (Un4)**. Accordingly, it is regarded as a Representative Building and should prima facie not be demolished, albeit that the building is not a prime example or the only example in the area.

General policy supports broader infrastructure improvement and while demolition of a historic building is regrettable it is a necessary consequence to achieve the overall benefit.

Overpass and ramps overall design

The nature of an overpass structure generally accords with the Recreation Zone intent. The proposed overpass sits within the existing eastern and western sites and presents a quality urban design response.

The overall form and scale of the structure is large but consistent with the existing tram overpass. Its intrusion into the local setting is further minimised by its close proximity to the existing ramp.

The linear western ramp follows approximately the angle of the western tram grade. Its position will result in the loss of a number of trees immediately adjacent the tram corridor, however, avoids many of the existing trees within the existing Forestville Reserve, which may assist in providing some screening of the new structure.

The eastern looped access ramp is a notable intrusion into adjacent residential area, but in the context of the overall site, and with the support of extensive landscaping, it is considered a compatible element.

The Council encourages further design expression in the final colours, materials, and detailing of architectural features associated with the proposed structures (safety and privacy screens, lighting, balustrades, and supporting structure) to express the local identity and character of Forestville Reserve and the wider Goodwood community.

Significant and Regulated Trees

There will be the potential loss of a Significant Tree, removal of a Regulated Tree, potential root damage to three (3) others, and removal of 45 non-regulated trees.

This is considered a substantial and regrettable loss, but is balanced by the benefit of the new infrastructure and the suitable replacement with semi-mature native trees at a ratio of 3:1 for Significant Tree, 2:1 for Regulated Tree and 1:1 for non-regulated trees.

The Council expects that advanced tree stock will be specified to replace the numbers lost, in accordance with DIT replacement ratios, and supported with extensive landscape treatments complementing the structure and local surrounds. The Department would be responsible for the establishment of all new landscapes.

The ultimate overall outcome and community benefit is considered favourable.

Public Open Space and community access

Forestville Reserve

The placement of the new infrastructure will compromise several valued sporting assets as well as an art installation. The Council expects that a new landscape design for the Forestville Reserve interface will accommodate new basketball and netball settings and access to the existing skate park, as well as appropriate relocation of the existing '**Elemental**' artwork.

In addition, the development will be responsible for the refurbishment, reinstatement, or adaptation of all other affected Council assets.

Project Integration

The Department for Infrastructure and Transport (DIT) has been requested to expand the current scope of the Mike Turtur Bikeway Overpass project to address local integration concerns and maximise the long-term community and network benefits that can be achieved through this project, including:

- Widening of openings beneath the existing tram overpass at Lyons Parade (western side) and Railway Terrace South (eastern side) to safely accommodate for increased pedestrian and cycle movements;
- Establishment of a 4.0m wide shared use path (lit) and additional landscaping to connect the eastern ramp with Richards Terrace and the Marino Rocks Greenway (adjacent to the showgrounds);
- Improvements to the Goodwood Station subway and access ramps to allow Disability Discrimination Act compliant access to the station; and
- Provision of accessible open space for community use within the eastern ramp loop (Lot 32 / 42 Devon Street).

Community Land, Public Road and Access to Land

Forestville Reserve

As Forestville Reserve is classified as Community Land, it needs to be managed in accordance with the relevant Community Land Management Plan for this specific reserve.

Council can grant leases and licences over community land (including for the construction of infrastructure) under Section 202 of the *Local Government Act 1999*, which provides that leases must be granted consistently with the relevant Community Land Management Plan. Council must undertake public consultation before granting a lease or licence, unless the relevant lease or licence is for a term of five years or less and is specifically authorised in the relevant Community Land Management Plan.

As the proposed overpass infrastructure is not mentioned within the existing Community Land Management Plan for Forestville Reserve, and a lease or licence for its construction is not contemplated, an amendment to this management plan is necessary.

The amendment process for Community Land Management Plans is to be undertaken in accordance with the *Local Government Act 1999*, Section 196, with the process including community consultation to be undertaken in accordance with Council's Community Engagement and Consultation Policy. The consultation will seek comment on the proposed amendment by Council to the Community Land Management Plan.

Use of Public Road

Railway Terrace North, Goodwood is a public road that is owned by the City of Unley and was declared a public road in 1980. It is currently portion of Certificate of Title Volume 6616 Folio 340, known as Allotment 266 in Deposited Plan 684.

Section 221 of the *Local Government Act 1999* requires Council to give authorisation to any proposed alteration to a public road by a third party, in this case DIT. It is proposed that this approval will be given via a permit being issued to the Minister by the City of Unley.

In terms of the ongoing management of this piece of land, discussions between DIT, the PTP Alliance and Council Administration have centred on the Minister acquiring this piece of the road. A final long-term agreement has yet to be reached between Council and the Department.

Access to Land

In accordance with the *Local Government Act 1999*, Section 202, Council must give approval for DIT to access Council land (i.e., Forestville Reserve) before works commence. It is proposed that this approval will be given by way of a Licence between the City of Unley and the Minister for Infrastructure and Transport. The process for the issuing of this Licence requires that community consultation be undertaken in accordance with Council's Community Engagement and Consultation Policy.

For the ongoing management of the overpass infrastructure on Forestville Reserve, discussions with DIT, PTP Alliance and Council Administration have included either a long-term lease, easement registered on the relevant Certificate of Title/s, or the Minister acquiring the piece of the reserve that the overpass infrastructure sits. A final long-term agreement is yet to be reached between Council and the Department.

Vehicle traffic, access, parking and servicing

Traffic and Access

Traffic impacts due to the closure of the western end of Railway Terrace North are expected to be minimal as this section of road only services maintenance access and the adjacent residential property has already been acquired by DIT for the purposes of the project. The provision of controlled maintenance vehicle access is retained within the design.

Access to the existing Forestville Reserve carpark is maintained in its current location from Ethel Street.

Vehicle Parking

The Council regrets the loss of any off-street parking, due to the existing high seasonal demand associated with the Swimming Centre. However, Council is accepting of the reduced parking capacity within Forestville Reserve to support the most appropriate placement of the ramp adjacent the existing tram overpass.

The potential impacts to the surrounding street network are unknown noting that the southern carpark likely attracts an element of rail/tram commuter parking, Forestville Reserve users, and overflow parking for the Unley Swimming Centre.

Bicycle Parking

The identification of new locations and provision of additional bicycle parking should be nominated within Forestville Reserve, as well as within the new eastern open space. Council is willing to work further with the PTP Alliance through the detail design phase to confirm final placement.

As noted above, the Council considers that the refurbishment of the existing Goodwood Station should be included as part of the project scope of works, including the provision of improved bike parking facilities at the station.

Waste Servicing

Railway Station waste management is the responsibility of the State Government. Any additional proposals within Forestville Reserve and the loop ramp open space will be assessed by Council based on demand.

Current waste management access to residents of Devon Street North and Railway Terrace North is not expected to change as a result of the works.

Stormwater Management

The eastern portion of the project site is subject to low level overland flow inundation in a 1:100 ARI year rain event. This will need to be considered in the design and mitigation of impacts upon the development and the neighbouring land.

Much of the site and extent of development has a high pervious area whereby appropriate infiltration and limited runoff flow rates should be achieved.

Construction Management

The construction of such a large development will be long and complex requiring careful consideration of staging and management of external impacts, notably traffic, parking, pedestrians, and environmental emissions.

A Construction Management Plan, to address the expected implications of construction, e.g., vehicle/truck access, crane and piling pads, bridge lift sequence, staff and contractor parking, loading, noise, hours etc, should be required as part of the approval and before proceeding with the development. Although some unrestricted on-street parking is available, this is often occupied very early in the day. Alternative parking options for tradespeople should be considered as part of the Construction Management Plan.

The Construction Management Plan should make specific reference to supporting the seasonal needs of the Unley Swimming Centre within Forestville Reserve, noting it is an open-air pool and the existing limited patron parking within the Reserve and surrounding local streets.

Environmental Management

Sections of Forestville Reserve may contain Phytophthora, and any construction activities that may move soil, water or plant material must be adapted to avoid the further spread.

An Environmental Management Plan, to address the potential implications of construction should be required as part of the approval and before proceeding with the development.

Conclusion

Large, public infrastructure proposals are of great interest to Unley residents and businesses, particularly those that facilitate improved walking and cycling, as well as support for public transport.

The Council is not the assessing authority, and only a referral agency able to make comments on direct impacts on local public infrastructure.

The nature of an overpass structure generally accords with the Recreation Zone intent. The proposed overpass sits within the existing eastern and western sites and presents a quality urban design response. The Council encourages further design expression in the final colours, materials, and details to express the local identity and character of Forestville Reserve and the wider Goodwood community.

The new infrastructure will require the loss of several significant, regulated, and established trees within Forestville Reserve, and Council expects that advanced tree stock is specified to replace the numbers lost, in accordance with DIT replacement ratios, and be supported with extensive landscape treatments that complement the structure and local surrounds.

The placement of the new infrastructure will compromise several valued sporting assets as well as an art installation. The Council expects that a new landscape design for the Forestville Reserve interface will accommodate a new basketball and netball setting, provide access to the existing skate park, as well as appropriate relocation of the existing 'Elemental' artwork in collaboration with Council and the artist.

The Council encourages the expansion of the proposed scope to include expanded pedestrian and cyclist openings in the existing tram overpass, a new shared path connection to the Marion Rocks Greenway (Railway Terrace), access improvements to the Goodwood station underpass (including DDA compliance) and ensure the area of useable open space is maximised within eastern ramp loop.

In addition to the above, the highlighted areas of potential concerns with traffic, parking, stormwater, and construction management should be addressed as part of the expected comprehensive assessment by SCAP.

Further, a Licence between the City of Unley and the Minister for Infrastructure and Transport is required for DIT to access Council land (i.e., Forestville Reserve).

The process requires community consultation to be undertaken before Council can issue a Licence. The Council endorsed consultation at its 31 January 2022 meeting, which commenced early February and closes early March, with a final decision by the Council anticipated at its 28 March 2022 meeting. Without a Licence, DIT will be unable to commence construction activities associated with the development within Forestville Reserve (community land).

The long-term management of the overpass infrastructure on Forestville Reserve and Railway terrace North remains an ongoing discussion between the Council and DIT.

Enquiries

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

Yours sincerely



Peter Tsokas
Chief Executive Officer

