

Buckingham Arms Development Pty Ltd  
24ADL-0313  
24 September 2024

# Planning Report

Mixed Use Development

1-9 Walkerville Terrace, Gilberton

SHAPING  
GREAT  
COMMUNITIES



# Planning Report

24 September 2024

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## Document history and status

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We acknowledge the Kaurna People as the Traditional Custodians of the land on which we work and pay respect to their Elders past, present and emerging.

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# Contents

Executive Summary .....	3
<b>1. Introduction .....</b>	<b>4</b>
1.1 Background .....	4
<b>2. Site and Locality.....</b>	<b>13</b>
2.1 Site.....	13
2.2 Locality.....	18
<b>3. Pre-Lodgement Engagement.....</b>	<b>22</b>
3.1 Walkerville Council and Walkerville Residents Association .....	22
3.2 Voluntary Pre-lodgement and Design Review Panels .....	23
<b>4. Proposed Development .....</b>	<b>24</b>
4.1 Summary .....	24
4.2 Land use .....	28
4.3 Local Heritage Place partial demolition, refurbishment and conservation.....	29
4.4 Tree Removal.....	31
4.5 Access, Car and Bicycle Parking.....	33
4.6 Landscaping.....	33
4.7 Waste Management .....	36
4.8 Construction Staging .....	38
<b>5. Procedural Matters.....</b>	<b>39</b>
5.1 Planning and Design Code.....	39
5.2 Assessment Pathway.....	39
5.3 Relevant Authority .....	39
5.4 Approach to Assessment.....	40
5.5 Applicable Policies .....	41
5.6 Public Notification.....	41
5.7 Referrals.....	41
<b>6. Planning Assessment.....</b>	<b>44</b>
6.1 Land Use.....	44
6.2 Land Use Intensity.....	45

6.3	Building Height .....	47
6.4	Interface Height.....	49
6.5	Built Form and Character .....	51
6.6	Dwelling Configuration and Amenity .....	52
6.7	Heritage .....	53
6.8	Traffic, Car and Bicycle Parking.....	54
6.9	Waste Management.....	55
6.10	Privacy .....	56
6.11	Overshadowing.....	57
6.12	Landscaping.....	59
6.13	Site Contamination .....	60
6.14	Stormwater Management .....	61
6.15	Tree Removal.....	61
6.16	Environmentally Sustainable Design Principles.....	63
6.17	Wind.....	63
6.18	Noise.....	64
<b>7.</b>	<b>Conclusion.....</b>	<b>65</b>

## Executive Summary

<b>Applicant:</b>	Buckingham Arms Development Pty Ltd
<b>Property Location:</b>	1-9 Walkerville Terrace, Gilberton
<b>Current Land Uses:</b>	Hotel and ancillary car parking
<b>Site Area:</b>	Approximately 6,291m <sup>2</sup>
<b>Relevant Authority:</b>	State Planning Commission
<b>Planning and Design Code:</b>	2024.16 – 29 August 2024
<b>Zone:</b>	Urban Corridor (Living)
<b>Assessment Pathway:</b>	Performance Assessed
<b>Description of Development:</b>	<p>Change in use from hotel and car park to dwellings, shops (restaurants) and tourist accommodation, with ancillary carpark.</p> <p>Demolition of later rear additions of a Local Heritage Place and refurbishment for use as shop (restaurant).</p> <p>Construction of a 31.85 metre building with 2 level basement carpark.</p> <p>Tree-damaging activity (removal of 4 Significant and 4 Regulated Trees).</p>

# 1. Introduction

URPS has been engaged by Buckingham Arms Development Pty Ltd (the Applicant) to provide planning advice, liaise with the relevant authority and prepare this planning report in relation to construction of a mixed-use building at 1-9 Walkerville Terrace, Gilberton (the site).

In addition to this planning statement, the following supporting documents are attached:

- Architectural and Landscape Plans prepared by SMFA (**Appendix A**).
- Site Survey prepared by Alexander and Symonds (**Appendix B**).
- Civil and Stormwater Report prepared by PT Design (**Appendix C**).
- Traffic Assessment Report prepared by CIRQA (**Appendix D**).
- Waste Assessment Report prepared by Colby Phillips (**Appendix E**).
- Heritage Impact Statement prepared by SMFA (**Appendix F**).
- Due Diligence Environmental Assessment prepared by Agon Environmental (**Appendix G**).
- ESD Report prepared by Dsquard (**Appendix H**).
- Acoustic Report prepared by VIPAC (**Appendix I**).
- Wind Report prepared by VIPAC (**Appendix J**).
- Construction Environmental Management Plan prepared by Agon Environmental (**Appendix K**).
- Arborist Report prepared by Project Green (**Appendix L**).

## 1.1 Background

A previous Development Application (DA) on the site (DA 23015883) was refused by the State Planning Commission (SPC) 7 March 2024. Fifteen reasons for refusal were cited.

An alternative design for the site which responds to the reasons for refusal and the site's low-rise context has now been developed and forms the subject of this new DA. Significant changes have been made to break up the proposed building's scale and mass.

The previous DA primarily comprised dwellings, tourist accommodation and shops, however also included a commercial/office component. In comparison to the previous proposal, the proposed development represents a general reduction in yield.

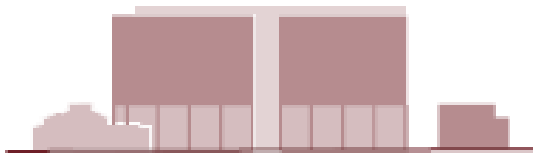
**Table 1 – Yield Comparison**

Use	Refused DA Yield	Current Yield	Difference
Terrace Apartments	11	14	+3
Apartments	168	116	-52
Serviced Apartments	14	57	+43
Non-residential i.e. shop (restaurant)	3,522m <sup>2</sup>	1,460m <sup>2</sup>	-2,062m <sup>2</sup>

A comparison of the previous scheme compared to the alternative design is provided in **Figure 1** and a summary of the design approach with reference to the previous reasons for refusal is provided in **Table 2**.

**Figure 1 - Previous Scheme vs. Proposed Scheme**

**PREVIOUS SCHEME**



**PROPOSED SCHEME**

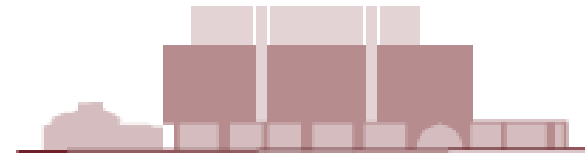
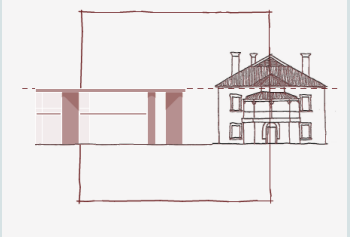
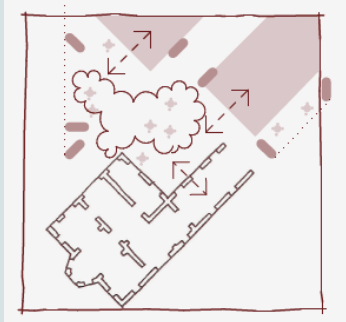

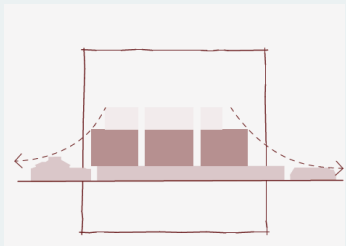
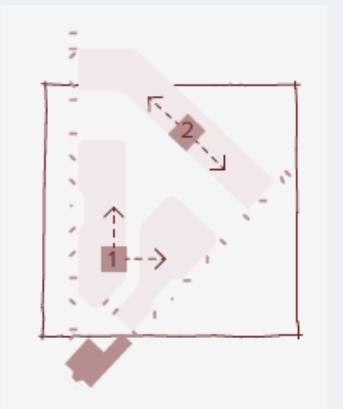


Table 2 - An Alternative Design Approach

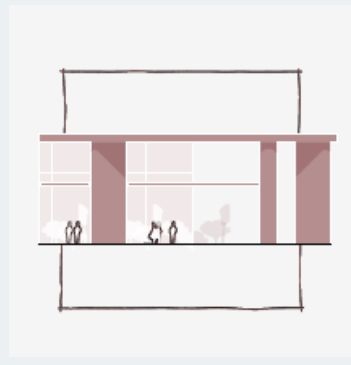
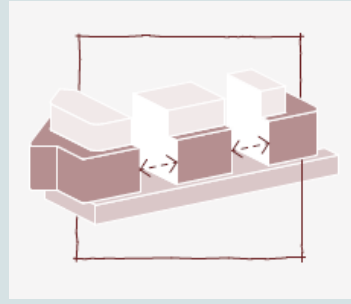
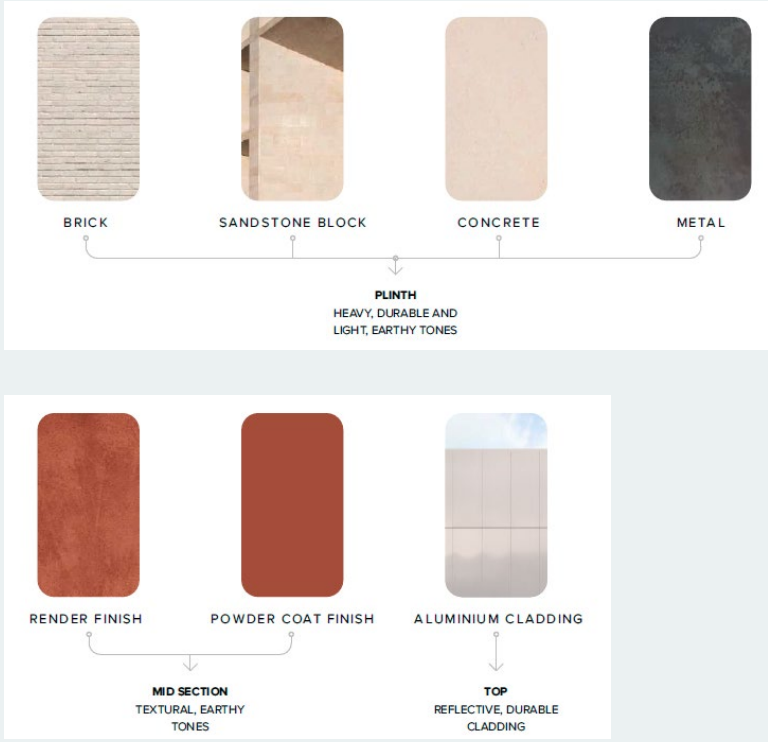
	Refusal Reason	Alternative Design Approach
<b>Design Overlay</b>		
1	<i>The proposal does not meet Performance Outcome 1.1 as the proposal is for high-rise development that has not demonstrated high quality design.</i>	<p><b>High Quality Design</b></p> <p>The revised design positively responds to its context and draws on the scale and materiality of the Local Heritage Place. The architectural design changes are significant in terms of the vertical and horizontal distribution of mass, as well as the building form.</p> <p>The proposal constitutes 'high quality design' because:</p> <ul style="list-style-type: none"> <li>– It responds to its surrounding context and contributes to the quality and character of Gilberton through retention and refurbishment of a Local Heritage Place.</li> <li>– It provides high quality pedestrian connections through the site.</li> <li>– It is fit for purpose and will contribute positively to the local community through a diversified hospitality offering.</li> <li>– It promotes aging in place, through providing supplementary housing options to those in the community seeking to downsize / a lower maintenance lifestyle.</li> <li>– It includes integrated sustainability design techniques such as deep balconies and eaves to promote passive cooling.</li> <li>– High quality communal landscaped areas are provided for the enjoyment of residents and visitors.</li> <li>– The proposed materials are durable, promoting longevity in design.</li> </ul>
<b>Local Heritage Place Overlay</b>		
2	<i>The proposal does not meet Performance Outcomes 1.1, 1.2, 1.3, 1.4, and 1.5 as the proposed built form both dominates and negatively impacts the existing local heritage place through massing, setbacks, scale, design, materials and architectural features.</i>	<p><b>Integrating the Local Heritage Place</b></p> <p>The proposed design focuses on the integration of the Local Heritage Place, utilising it as a design tool by referencing its datum height in the 'plinth'. The proportions, setbacks, angles and material palette are designed to be sympathetic to the Local Heritage Place.</p> <p>The existing building's use will also remain hospitality, to ensure the corner of the site is activated.</p> <p>Landscaping of the rear courtyard provides further integration of the Local Heritage Place and the new building with alfresco area, provision of a large Jacaranda tree and landscaped open space and</p>
		

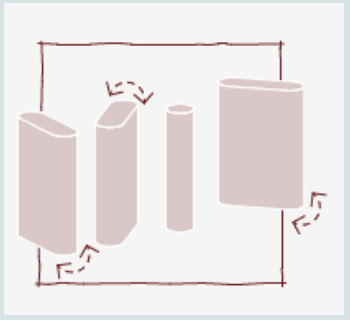
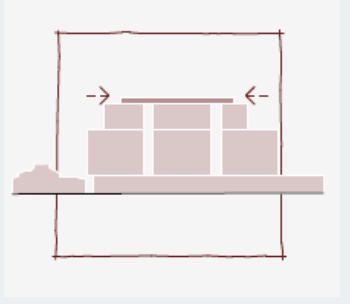


	Refusal Reason	Alternative Design Approach
		pedestrian links through the site for the public to enjoy.
<b>Urban Corridor (Living) Zone</b>		
3	<p><i>The proposal does not meet Performance Outcome 2.1 as the building design does not positively contribute to the public realm through acceptable building design via scale and massing at ground level.</i></p>	<p><b>Activating the Ground Floor</b></p> <p>Incorporating a plinth at the two lower levels provides human scale. The lower level canopy also provides protection to street for pedestrians.</p> <p>The plinth form acts as a barrier to the busy intersection and creates protected outdoor zones for dining and safe pedestrian passage.</p> <p>The use of heavy, durable materials such as brick and sandstone block in light earthy tones, grounds the building form.</p> <p>The areas between the columns of the plinth are landscaped to create green spaces and a sense of refuge from the adjacent busy road frontages.</p>  
4	<p><i>The proposal does not meet Performance Outcome 4.2 as the building does not provide an orderly transition to the existing streetscape character to Walkerville Terrace or the envisaged scale of the adjacent neighbourhood-type zone.</i></p>	<p><b>Transition Between Zones</b></p> <p>The site is both high profile – sitting at the intersection of five, highly trafficked roads – as well as being a transitional Urban Corridor site between the City Living and Established Neighbourhood Zones.</p> <p>The design response now successfully distributes mass and transitions to adjacent neighbourhood zones while still providing higher density as housing sought by the Urban Corridor Zone. It does this in many ways including:</p> <ul style="list-style-type: none"> <li>– Stepping the building mass in three distinct horizontal forms with increasing side setbacks as the height of the building increases.</li> </ul> 

	Refusal Reason	Alternative Design Approach	
		<ul style="list-style-type: none"> <li>– Separating the vertical mass into three distinct vertical forms; and</li> <li>– ‘Grounding’ the building with the two level sandstone block plinth.</li> </ul>	
5	<p><i>The proposal does not meet Performance Outcome 5.1 as the increased dwelling yield from the proposal does not satisfactorily manage off-site impacts through design quality and is considered an over-development of the site.</i></p>	<p><b>Significant Development Site</b></p> <p>To achieve the density sought for the Urban Corridor Zone, high quality design has been the focus.</p> <p>This includes retention and restoration of the heritage building to contribute to local character, open space that contributes to public realm, high quality pedestrian connections through the site and an activated ground level with hospitality venues and high quality landscaping. Further supplemented by communal landscaped terrace, ‘green wall’ and integrated solar shading through deep balconies and eaves.</p> <p>A mixture of apartment types is also proposed.</p>	
6	<p><i>The proposal does not meet Performance Outcome 5.2 as the proposal has not been designed to minimise impacts to adjacent residential land uses via massing, building proportions or the intensity of the development to the streetscape.</i></p>	<p><b>Urban Stepping</b></p> <p>Massing has been developed to step away from the adjacent residential zones gradually.</p> <p>The orientation of the site also means that the residential properties are not unduly impacted by overshadowing.</p>	
<b>General Development Policies – Design in Urban Areas</b>			
7	<p><i>The proposal does not meet Performance Outcome 6.4 as the proposed pedestrian linkages between the underground parking area and the proposed townhouses are not considered safe or convenient.</i></p>	<p><b>Safe Pedestrian Movement and High Quality Pedestrian Linkages</b></p> <p>Providing safe and clear pathways through the site for pedestrians. Treatment of the new through road as a pedestrian friendly space with landscaping, paved surfaces and wide footpath crossings.</p> <p>The above ensures all residents and guests have safe and convenient access.</p>	

	Refusal Reason	Alternative Design Approach
8	<p><i>The proposal does not meet Performance Outcome 12.1 as the building does not positively contribute to the character of the local area by responding to local context as a result of the building massing, bulk and streetscape presentation.</i></p>	<p><b>Local Context</b></p> <p>With a diverse range of styles in the surrounding context, the proposal draws on the heavy two storey mass in the locality and warmer colour tones, providing a sympathetic design that complements many features of nearby built form elements.</p> <div data-bbox="660 501 1430 680"> </div> <p data-bbox="687 703 895 725">WAKERVILLE TERRACE</p> <div data-bbox="700 766 1417 922"> </div> <p data-bbox="695 945 906 967">NORTHCOTE TERRACE</p> <div data-bbox="700 1010 1034 1167"> </div> <p data-bbox="692 1189 1007 1211">OTHER SITES IN CLOSE PROXIMITY</p> <div data-bbox="1082 1055 1262 1122"> <p>1.5 - 2 STOREY BULK WITH HEAVY MATERIALS</p> </div> <div data-bbox="660 1240 1417 1473"> </div> <div data-bbox="676 1585 1134 1787"> </div> <div data-bbox="1177 1637 1406 1720"> <p>1.5 - 2 STOREY BULK WITH HEAVY MATERIALS</p> </div>

	Refusal Reason	Alternative Design Approach
9	<p><i>The proposal does not meet Performance Outcome 12.2 as the architectural detail at street level does not reinforce a human scale and interface through a mixture of materials and architectural design features.</i></p>	<p><b>Activated ground level interface and human scale</b></p> <p>Design articulation and layering of materials and forms create a more detailed human scale at ground level. The plinth creates a high degree of comfort for pedestrians through its single storey canopy and angled columns, breaking down the site's frontages into smaller elements.</p> 
10	<p><i>The proposal does not meet Performance Outcome 12.3 as the proposal has not sufficiently reduced the visual building mass through separation of building elevations into distinct elements.</i></p>	<p><b>Separating building mass to reduce scale</b></p> <p>The three distinct layers of the proposal are varied in setbacks and material palette to break the mass and perceived height.</p> 
11	<p><i>The proposal does not meet Performance Outcome 12.5 as the materials proposed are not considered to be durable and able to age without ongoing maintenance required.</i></p>	<p><b>Durability in Design and Longevity of Materials</b></p> <p>A palette of durable materials has been selected for longevity of design quality.</p>  <p>The diagram illustrates a material palette for different building sections:</p> <ul style="list-style-type: none"> <li><b>PLINTH:</b> HEAVY, DURABLE AND LIGHT, EARTHY TONES. Materials include BRICK, SANDSTONE BLOCK, CONCRETE, and METAL.</li> <li><b>MID SECTION:</b> TEXTURAL, EARTHY TONES. Materials include RENDER FINISH and POWDER COAT FINISH.</li> <li><b>TOP:</b> REFLECTIVE, DURABLE CLADDING. Material includes ALUMINIUM CLADDING.</li> </ul>

	Refusal Reason	Alternative Design Approach	
12	<p><i>The proposal does not meet Performance Outcome 12.6 as the proposal is not considered to be designed to provide attractive, high quality, pedestrian-friendly street frontages through the location and the scale of the development adjacent to public streets.</i></p>	<p><b>Street frontage</b></p> <p>The street frontage utilises deep columns to address the conflicting site angles and high traffic of the intersection and provide shelter and framed views from the tenancies within.</p>	
13	<p><i>The proposal does not meet Performance Outcome 12.8 as the proposal has not demonstrated appropriate locations nor screening for building services, plant and mechanical equipment from the public realm.</i></p>	<p><b>Concealing Building Services</b></p> <p>All building services are concealed from the street within the basement, at the rooftop or discretely at street level where necessary.</p>	
14	<p><i>The proposal does not meet Performance Outcome 13.1 as street frontages are not considered to be well landscaped through deep soil space for large tree plantings to soften the appearance of the development and contribute to tree canopy targets.</i></p>	<p><b>Meaningful Landscape Zones</b></p> <p>The basement carpark has been inset from the property boundaries to allow for deep soil zones at the sites frontages, providing both privacy to the tenants, and 'softening' the streetscape. As per below, the development contributes an additional 1,553m<sup>2</sup> to tree canopy targets.</p>	
15	<p><i>The proposal does not meet Performance Outcome 13.2 as the deep soil zones provided are insufficient in providing notable green space to provide shade and to soften the building appearance.</i></p>	<p>17% / 1,068m<sup>2</sup> of the site is landscaped</p> <p>21% / 1,312m<sup>2</sup> of the site is provided as soft landscaping</p> <p>Total tree canopy at maturity is 1,553m<sup>2</sup></p> <p>Furthermore, all established Jacaranda street trees (outside of the site) are proposed to be retained.</p>	

	Refusal Reason	Alternative Design Approach
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## 2. Site and Locality

### 2.1 Site

The site is known as 1-9 Walkerville Terrace, Gilberton. It is located on the corner of Northcote Terrace and Walkerville Terrace and comprises 14 allotments formally described as:

- 1 Walkerville Terrace, Gilberton:
  - Certificate of Title Volume 5952 Folio 362;
  - Certificate of Title Volume 5878 Folio 618;
  - Allotments 1 and 2 Certificate of Title Volume 5611 Folio 691;
  - Allotments 3 and 4 Certificate of Title Volume 5878 Folio 617;
  - Certificate of Title Volume 5879 Folio 724;
  - Certificate of Title Volume 5782 Folio 735.
- 7 Walkerville Terrace, Gilberton:
  - Certificate of Title Volume 5878 Folio 620;
  - Certificate of Title Volume 5219 Folio 297.
- 9 Walkerville Terrace, Gilberton Certificate of Title Volume 5164 Folio 460;
- Lot 56 Northcote Terrace, Gilberton Certificate of Title Volume 5782 Folio 220;
- 12 Northcote Terrace, Gilberton Certificate of Title Volume 5878 Folio 606;
- 14 Northcote Terrace, Gilberton Certificate of Title Volume 5600 Folio 235.

The site contains the Buckingham Arms Hotel (Local Heritage Place) and later additions, together with associated car parking and significant and regulated trees. The site has frontages to Walkerville Terrace and Northcote Terrace of approximately 107 metres and 139 metres, respectively.

It is accessible to vehicles via three existing access points, one located on Northcote Terrace and two located on Walkerville Terrace.

The site is shown in **Figure 2**. Photographs of the site are provided in **Figures 3 -7**.

Figure 2 – Aerial of the site





Figure 3 – Site Photograph - view north-west from Walkerville Terrace



Figure 4 – Site Photographs - views from Northcote Terrace



Figure 5 – Site Photographs - Buckingham Arms Hotel (Local Heritage Place)



Figure 6 – Site Photographs - view south-east from Northcote Terrace



Figure 7 – Site Photographs - view north from within the site, existing boundary wall



Figure 8 – Site Photographs - view south from within the site



## 2.2 Locality

The locality includes both the northern and southern sides of Walkerville Terrace in an easterly direction from the intersection of Robe Terrace, Northcote Terrace and Walkerville Terrace. It also includes the western and eastern sides of Northcote Terrace and the sections of Park Lands just south of the intersection.

The locality is mixed in terms of land use and building height with a number of one and two storey buildings fronting Walkerville Terrace and Northcote Terrace. There are also a mix of detached dwellings, residential flat buildings and group dwellings. These are highly varied in terms of architectural style and appearance.

To the southeast, on the southern side of Walkerville Terrace are one and two storey dwellings and also the SA Water Pump Station. Adjoining the site to the north are group dwellings containing single storey dwellings which are orientated towards an internal driveway.

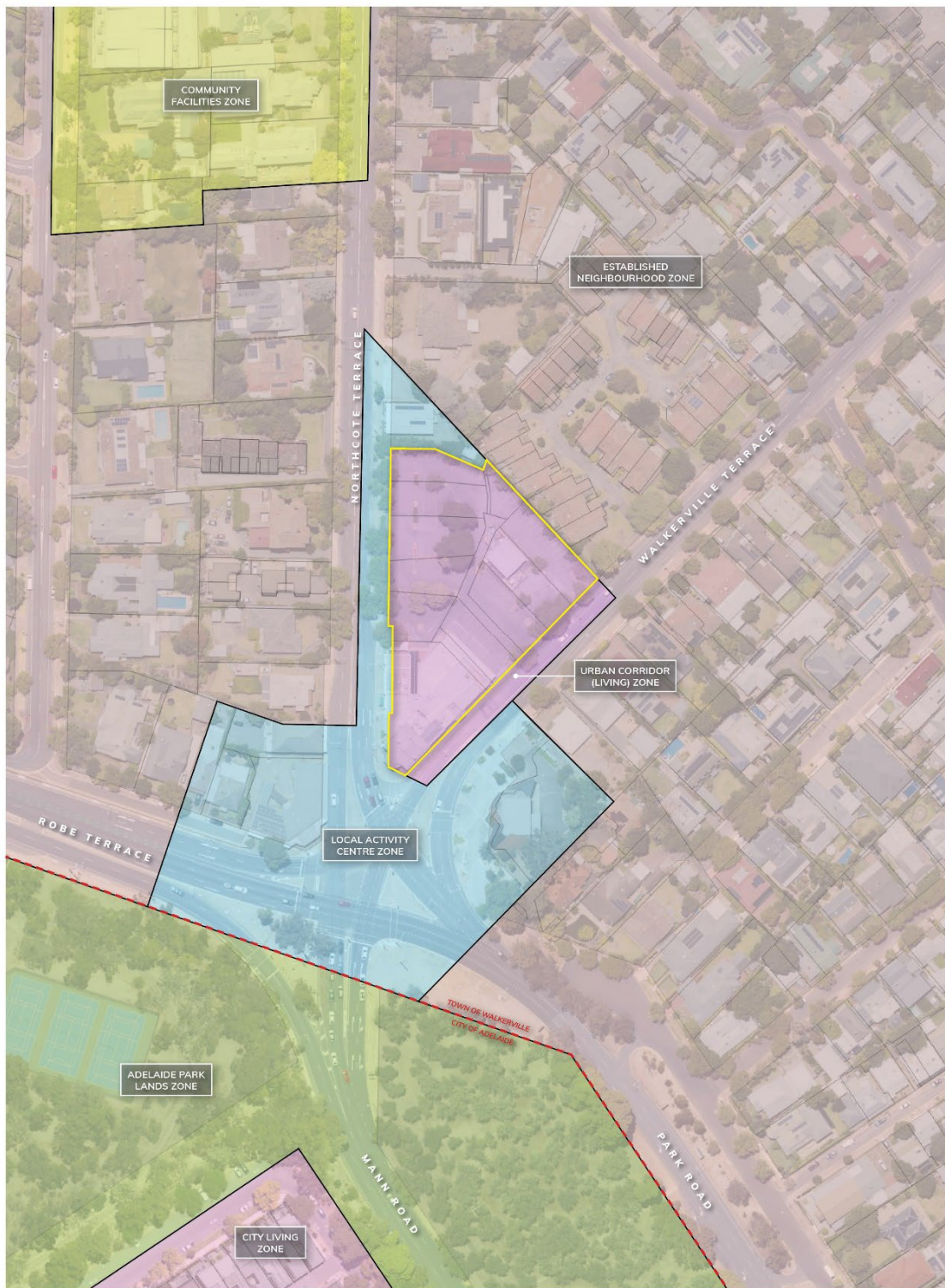
On the western side of Northcote Terrace is a mixture of commercial and health care services in the form of one and two storey buildings. Further north, is Wilderness School located in a 'Community Facilities Zone'.

Adjoining the land directly north is a single storey building used for commercial purposes.

Both Walkerville Terrace and Northcote Terrace contain established street trees.

An aerial image of the locality including its zoning under the Code, is provided in **Figure 9**. **Figures 10-13**, provide photographs of the locality.

Figure 9 – Aerial of the Locality with Code Zoning



CITY  
MIXED-USE DEVELOPMENT  
1 WALKERVILLE TERRACE, GILBERTON  
KAURNA COUNTRY

LOCATION PLAN  
13/08/2024  
NIS @ A3

DWG. REF.	—	SK01
REVISION	—	C
URPS REF.	—	24AUL-0313

Figure 10 – Group Dwellings to north / north-east adjacent the site (existing boundary wall to site shown left of image)



Figure 11 – SA Water Pump Station



Figure 12 – Mixed commercial uses on the western side of Northcote Terrace



Figure 13 – Commercial uses adjacent the site to the north



### 3. Pre-Lodgement Engagement

Via URPS, the Applicant undertook engagement with key stakeholders prior to lodgement of this DA. This approach sought to open the lines of communication between key stakeholders and to detail how the proposed development was attempting to address the reasons for refusal and the items raised in the previous community submissions.

#### 3.1 Walkerville Council and Walkerville Residents Association

A summary of these engagement activities is provided below:

- Meeting with Andrew MacDonald, CEO Walkerville Council to discuss potential pre-lodgement engagement activities and seek feedback on key stakeholder mapping – 22<sup>nd</sup> July 2024.
- Council technical officers briefing to discuss Council feedback on stormwater, traffic, heritage and tree removal – 22<sup>nd</sup> July 2024.
- Meeting with Melissa Jones (Mayor Walkerville Council) to discuss potential pre-lodgement engagement with Council Elected Members – 29<sup>th</sup> July 2024.
- Meeting with Chair of Walkerville Residents Association (WRA) to discuss potential pre-lodgement engagement with WRA – 30<sup>th</sup> July 2024. The Applicant's subsequent offer for additional pre-lodgement engagement was declined\* by WRA 9 August 2024 with their preference being to partake in the formal public notification process during assessment.
- Walkerville Council Elected Member briefing undertaken by Cirqa (traffic consultants), SMFA (architect) and URPS (town planning consultants) – 5<sup>th</sup> August 2024.

\*In lieu of further engagement with the WRA, the Applicant's team reviewed all previous community submissions to understand the key concerns of the community. These broadly related to:

- Traffic and car parking
- Land use
- Heritage
- Affordable housing
- Building height and density
- Siting, design and appearance
- Privacy
- Overshadowing
- Noise
- Waste management
- Capacity of local infrastructure
- Sustainable design



- Tree removal
- Landscaping
- Apartment amenity
- Wind.

As detailed in **Table 2** of this report, in preparing the new design, the Applicant's design team considered the feedback of the community and refusal reasons of the previous DA.

### **3.2 Voluntary Pre-lodgement and Design Review Panels**

The Applicant also engaged in formal pre-lodgement activities through the Pre-lodgement and Design Review Panel processes, key dates are as follows:

- Pre-lodgement Panel # 1 – held 16<sup>th</sup> July at Planning and Land Use Services.
- Design Review Panel # 1 – held 1<sup>st</sup> August at the Office of Design and Architecture SA.
- Pre-lodgement Panel # 2 – held 20<sup>th</sup> August at Planning and Land Use Services.

## 4. Proposed Development

### 4.1 Summary

The proposed development includes:

- Change in use from hotel and car park to dwellings, shops (restaurants) and tourist accommodation, with ancillary carpark.
- Demolition of later rear additions of a Local Heritage Place and refurbishment for use as shop (restaurant).
- Construction of a 31.85 metre building with 2 level basement carpark comprising:
  - 130 residential dwellings:
    - 1 x 1 bedroom 'terrace' apartments
    - 12 x two bedroom 'terrace' apartments
    - 1 x three bedroom 'terrace' apartment
    - 34 x one bedroom apartments
    - 31 x two bedroom apartments (13 of which are supported accommodation designed in accordance with the Specialist Disability Accommodation (SDA) Design Standard as part of the National Disability Insurance Scheme (NDIS).
    - 42 x 3 bedroom apartments
    - 9 x 3+ bedroom apartments
  - 57 x serviced apartments (tourist accommodation)
  - 1,460m<sup>2</sup> of shop (restaurants), comprising:
    - 357m<sup>2</sup> within the former Buckingham Arms Hotel.
    - 1,103m<sup>2</sup> within the four ground floor tenancies.
- Tree-damaging activity (removal of 4 Significant and 4 Regulated Trees), together with retention of 1 significant and 6 regulated trees on site, and retention of all existing Jacaranda street trees.
- Two levels of basement car parking for a total of 246 vehicles.
- Bike storage and parking areas for 190 bicycles including:
  - 132 in a secure bicycle room within Basement Level 2.
  - 10 located within a secure at-grade bicycle room.
  - 48 located at-grade.
- Dedicated waste collection area at ground level for the on-site storage of waste, collected by a private contractor.
- Rooftop mounted plant equipment and solar panels.

- High-quality, landscaped communal open space with pool. Communal indoor facilities such as golf simulator, gymnasium, cinema, private function room for residents and wine room.

Figures 14 to 19 provide a visual representation of the proposed development. The architectural drawings are provided at Appendix A.

**Figure 14 – View north-east from pedestrian median on Northcote Terrace**



Figure 15 – View north from pedestrian median on Walkerville Terrace



Figure 16 – View north-west from southern side of Walkerville Terrace



Figure 17 – View east within the site ('terrace' apartments to left of image)



Figure 18 – View south west down Walkerville Terrace towards City



Figure 19 – View of Northcote Terrace Food and Beverage tenancies



## 4.2 Land use

The proposed development includes a change in use from 'hotel' and ancillary 'car park' to a mixed-use proposal including 'dwellings', 'shop' (restaurants) and 'tourist accommodation', together with ancillary car parking. The following land use definitions are relevant:

### ***Dwelling***

***Means a building or part of a building used as a self-contained residence.***

### ***Shop Means:***

- (a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or***
- (b) a personal or domestic services establishment.***

### ***Tourist accommodation***

***Means premises in which temporary or short-term accommodation is provided to travellers on a commercial basis.***

### ***This use may also include:***

- (a) onsite services and facilities primarily for the use by guests;***
- (b) facilities for the management of the accommodation.***

### 4.3 Local Heritage Place partial demolition, refurbishment and conservation

Partial demolition of the Local Heritage Place is proposed, together with conservation works and refurbishment for use as a shop (restaurant). The following drawings contained in **Appendix A** are relevant in understanding the proposed works to the Local Heritage Place:

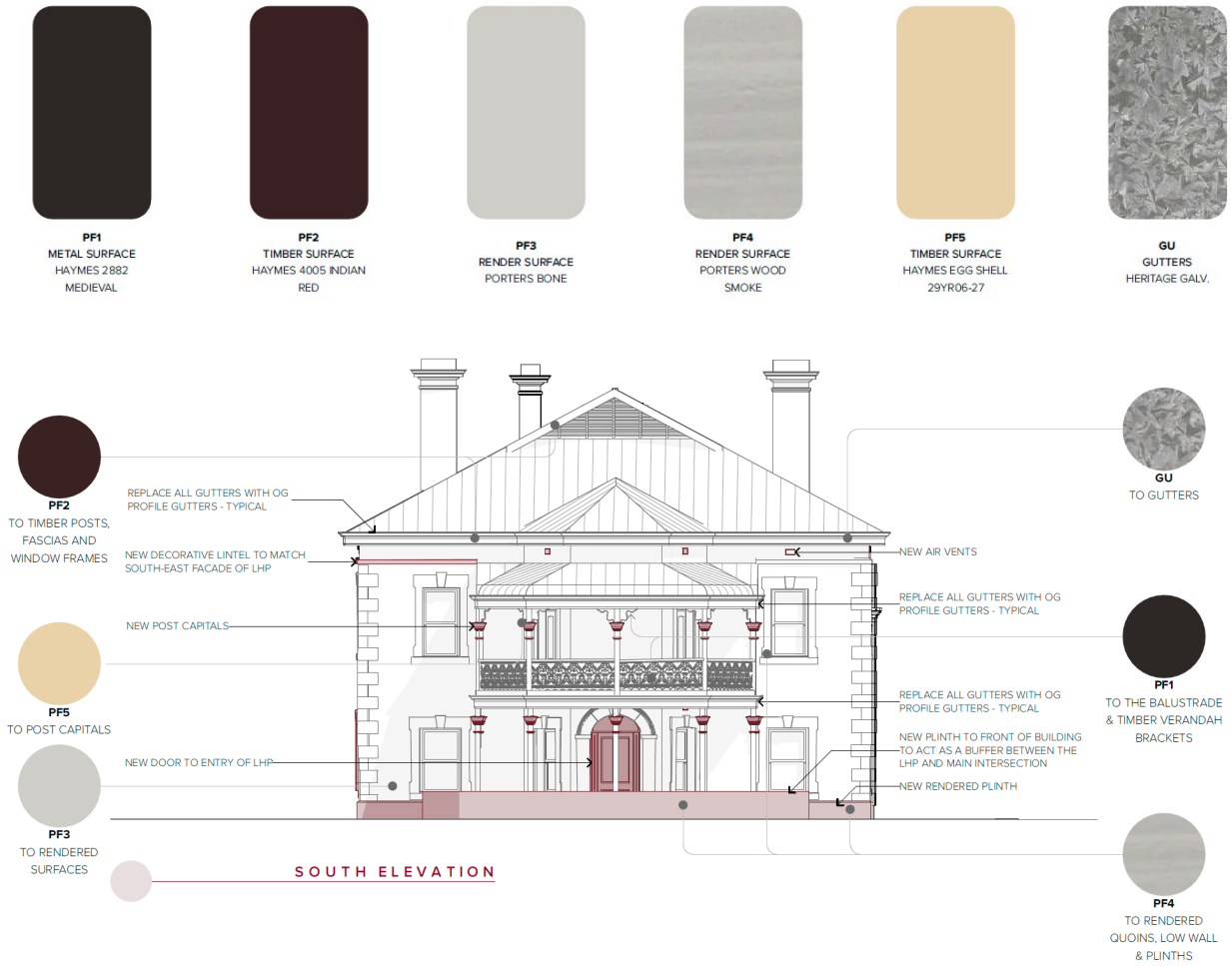
- Drawing B1.30 – Local Heritage Place Existing.
- Drawing B1.31 – Local Heritage Place Demolition.
- Drawing B1.32 – Local Heritage Place Proposed.

The proposed works are summarised as follows:

- Demolish non-original extension, portion of existing entry pavers, boarded door opening
- Remove:
  - existing tiles and provide new rendered plinth.
  - non-original door and awning above and remove non original windows.
  - redundant lighting and signage.
  - existing attached toilets on upper level (of lesser heritage value).
- Original heritage fabric to be retained and conserved.
- Replace all gutters with OG profile gutters
- Proposed new:
  - post capitals.
  - plinth to front of building to act as buffer between Local Heritage Place and road frontage.
  - entry paving and door
  - paint finish to all previously painted surfaces
  - brick infill and render to previously demolished window openings.
  - quoining
  - bi-fold window in existing opening to Walkerville Terrace
  - kitchen exhaust to match existing location and size to minimise visual impact from street
  - servery window
  - windows with decorative dressing to existing openings.

**Figure 20** provides detail on the proposed heritage colours and materials palette proposed in the conservation and refurbishment works.

Figure 20 – Proposed Heritage Colours and Materials





## 4.4 Tree Removal

The site currently contains five significant trees and ten regulated trees. Seven of these regulated and significant trees are proposed to be retained and eight removed including:

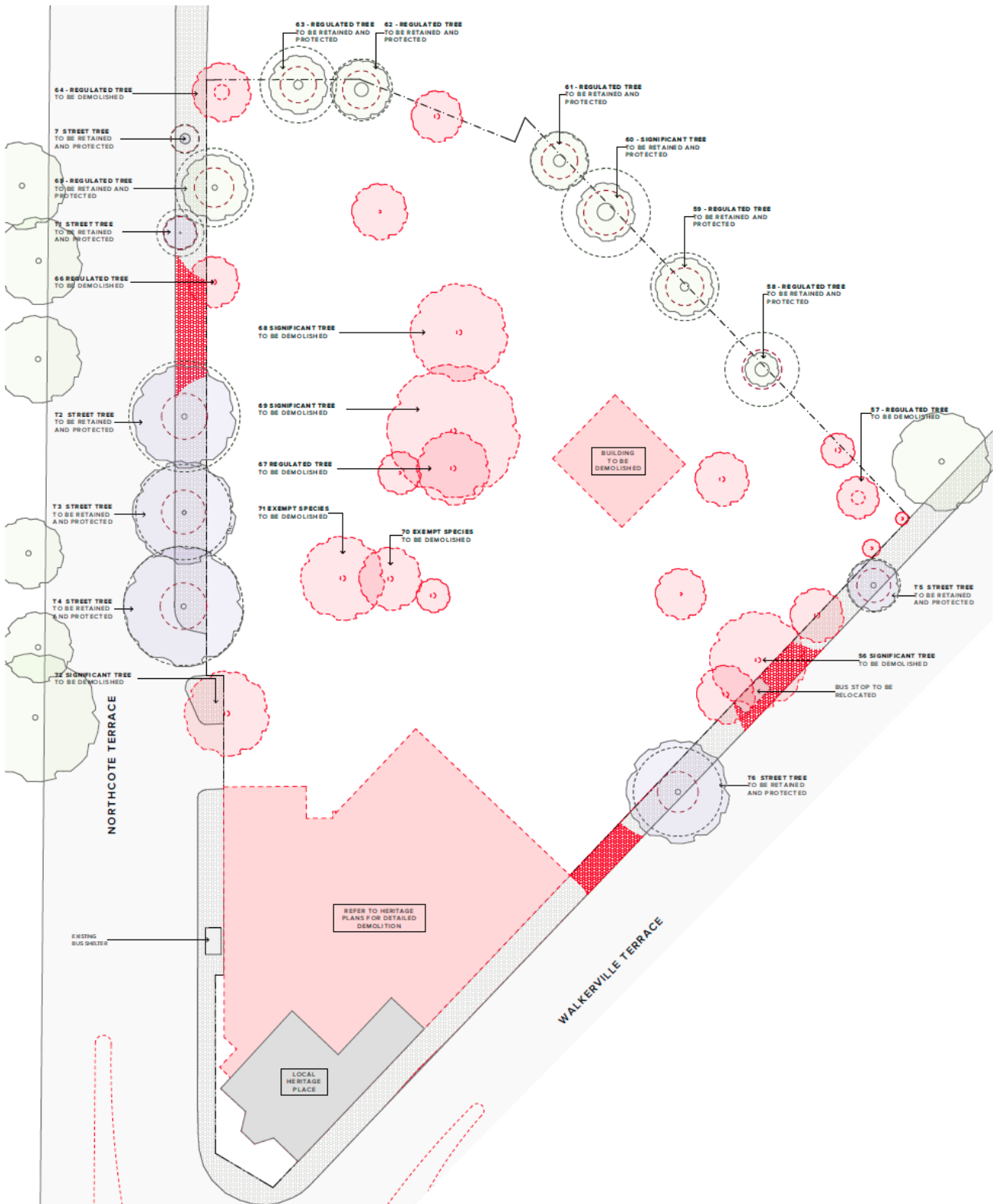
- Four significant trees; and
- Four regulated trees.

Six out of eight of the existing regulated and significant trees located at the north and north-eastern boundaries of the site are proposed to be retained. These will be incorporated into the rear yards of the two-storey 'terrace' apartments.

All existing Jacaranda street trees are proposed to be retained at the Walkerville and Northcote Terrace frontages of the site.

**Figure 21** depicts the location of the trees proposed to be removed and retained.

Figure 21 – Tree Removal and Retention



## 4.5 Access, Car and Bicycle Parking

### 4.5.1 Vehicle Access

The site is currently serviced by via three existing access points, one located on Northcote Terrace and two located on Walkerville Terrace.

The proposed development seeks to alter this by:

- Northcote Terrace - relocating the access point further north away from the intersection with Robe Terrace / Walkerville Terrace / Mann Road / Park Road to provide 1 x left-in/left out access.
- Walkerville Terrace - closing the 2 x egress only access points and providing 1 x left-in/right-in/left-out access.

### 4.5.2 Car Parking

The proposed development will be serviced by a total of 246 parking spaces, provided across two (2) basement parking levels and at-grade. Specifically, parking will be provided as follows:

- Ground Level - 3 short-term parking spaces for use for set-down/pick-up movements (i.e. passenger loading/unloading) and trades (requiring additional clearance for vans etc.)
- Basement Level 1-116 spaces for use by shop tenancies (both staff and customers), serviced apartment guests and visitors associated with the residential terraces and apartments.
- Basement Level 2-127 spaces for use by residents.

### 4.5.3 Bicycle Parking

A total of 190 bicycle spaces will be provided throughout the proposed development. Specifically, 132 spaces will be provided within a secure bicycle room located within Basement Level 2 (for residents), and 10 bicycle spaces provided within a secure bicycle room at-grade (for use by staff). These spaces will be allocated to residents and staff within the proposed development. A further 24 bicycle rails (inclusive of 2 dedicated for cargo bicycle rail) will be located at-grade throughout the site, with each rail able to facilitate bicycle storage on both sides (i.e. 48 at-grade bicycle parking spaces).

## 4.6 Landscaping

A range of high-quality landscaped communal and publicly accessible spaces are proposed. These are summarised as follows:

- Ground Level:
  - Landscape zones at Northcote Terrace and Walkerville Terrace frontages and entry feature landscaping.
  - High quality, safe and universally accessible pedestrian links through the site.
  - Landscaped courtyard and alfresco area to rear of Local Heritage Place.

- Entry feature landscaping.
- Retention of six out of eight of the established Significant and Regulated trees in the rear yards of the 'terrace' apartments.
- Level 2 communal pool terrace

Figure 22 - Ground Floor Landscaped Areas



Figure 23 – Level 2 Landscaped Areas



## 4.7 Waste Management

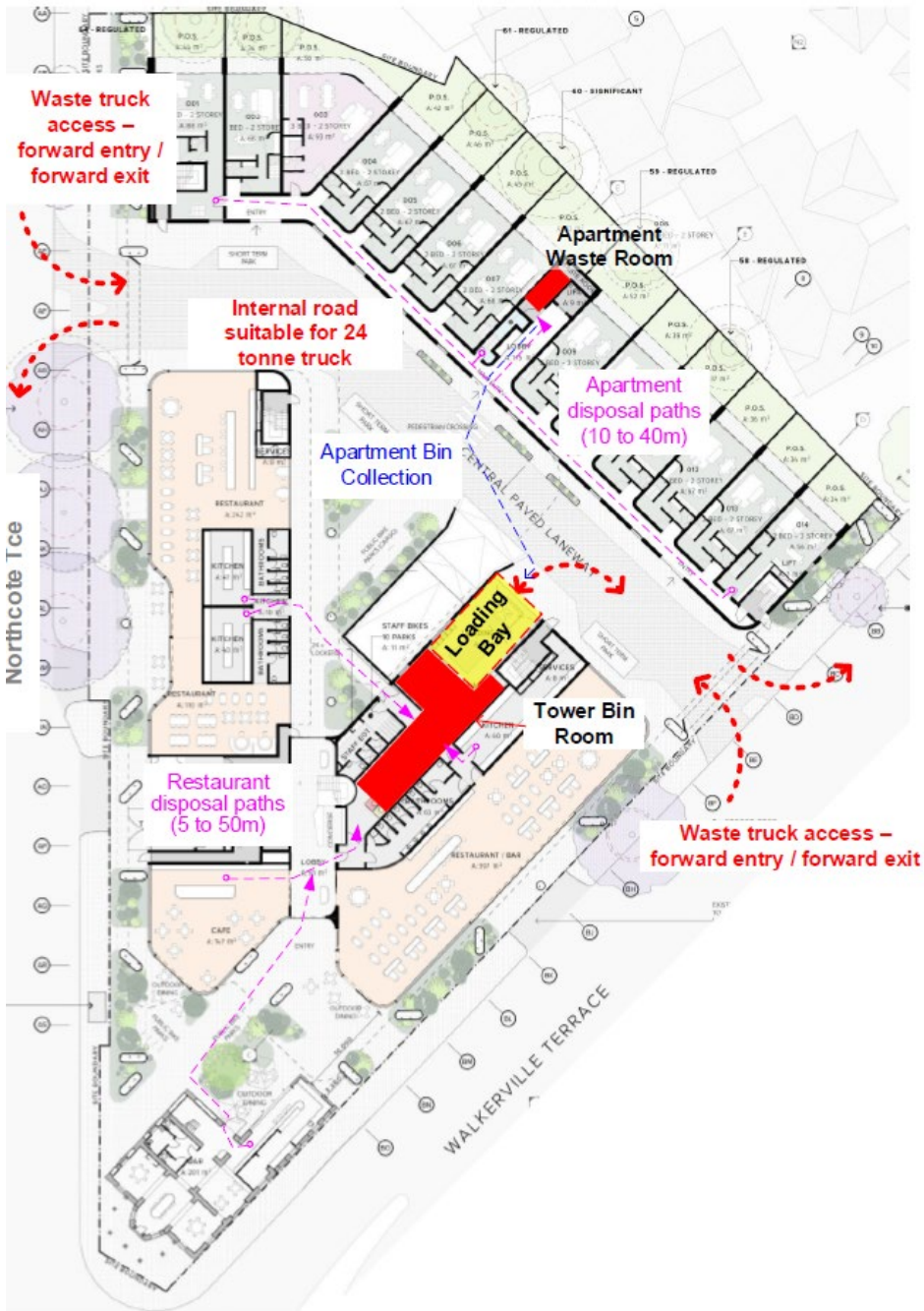
Waste collection is proposed by private contractor. On-site storage of waste is proposed in designated waste storage areas at ground level. A summary is provided in **Table 3**. **Figure 24** provides the location of the proposed waste storage areas which have been sized to accommodate the volumes of waste forecast to be produced by the proposed development.

**Table 3 – Waste Management Summary**

	Disposal	Collection by	Collection frequency (per week)				
			General waste	Recycling	cardboard	Food waste	Other
<b>Terrace apartments</b>	Central ground floor bin room 3 bin system	Private contractor from loading dock	2	2	-	1	-
<b>Apartments</b>	3 x waste chutes at each level General Waste, Mixed Recycling, Food Waste Bulky waste at each level	Private contractor from loading dock	2	2	-	2	-
<b>Serviced Apartments</b>	2 x waste chutes General Waste & Mixed Recycling Food Waste disposed to ground. level bin room by service staff where applicable. Cardboard disposal (e.g. cartons) to ground level bin room.	Private contractor from loading dock	3	2	3	3	2
<b>Shops</b>	Staff dispose waste to bin room. Systems for separation of Food Waste,	Private contractor from loading dock					

	Disposal	Collection by	Collection frequency (per week)			
	Cardboard, Mixed Recycling, Landfill waste					

Figure 24 – Waste Storage Areas



## 4.8 Construction Staging

The following construction stages are proposed:

- Stage 1: Demolition
- Stage 2: Basement 1 Basement 2 and Ground Floor slab
- Stage 3: Super structure work
- Stage 4: Fit Out work and renovation of Local Heritage Place.



## 5. Procedural Matters

### 5.1 Planning and Design Code

The site is located in the Urban Corridor (Living) Zone and is subject to the following Overlays and Technical Numerical Variations (TNV's) of the Planning and Design Code (2024.16 – 29 August 2024).

#### Overlays:

- Aircraft Noise Exposure - ANEF 20
- Airport Building Heights (Regulated) - All structures over 110 metres
- Advertising Near Signalised Intersections
- Affordable Housing
- Design
- Future Road Widening
- Heritage Adjacency
- Hazards (Flooding - Evidence Required)
- Local Heritage Place - 8438
- Major Urban Transport Routes
- Noise and Air Emissions
- Prescribed Wells Area
- Regulated and Significant Tree
- Traffic Generating Development

#### TNV's:

- Maximum Building Height (Metres) - Maximum building height is 24.5m
- Maximum Building Height (Levels) - Maximum building height is 6 levels
- Minimum Primary Street Setback - Minimum primary street setback is 0m
- Interface Height - Development should be constructed within a building envelope provided by a 45 degree plane, measured 3m above natural ground at the boundary of an allotment

### 5.2 Assessment Pathway

The proposed development is not prescribed as “accepted”, “deemed to satisfy” or “restricted” development in the Zone and, as such, it is “performance assessed” pursuant to Section 107(1) the Act. It will be assessed on its merits against the relevant provisions of the Code.

### 5.3 Relevant Authority

Pursuant to Schedule 6 of the PDI (General) Regulations 2017, the Commission is the relevant authority under:

**4B—Corporation of Town of Walkerville—buildings exceeding 4 storeys**

**Development in the area of The Corporation of the Town of Walkerville that involves the erection or construction of a building that exceeds 4 storeys in height and is in the Design Overlay under the Planning and Design Code.**

## 5.4 Approach to Assessment

Designated Performance Features (DPFs) assist authorities to interpret Performance Outcomes (POs). The Rules of Interpretation clearly state that a DPF provides a guide but does not need to necessarily be satisfied in order for a certain development to meet the PO i.e. the outcome can be met in another way:

***In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies.***

A DPF provision should not be interpreted as quantitative requirements, instead it simply presents one way in achieving the corresponding PO. There can be variation from DPF policies, and not just in a minor way.

Emphasis should be placed on satisfying the qualitative Performance Outcome in the circumstances where a specified DPF is not met. This view has been reinforced by the Courts<sup>1</sup>, where the following was observed:

- A DPF is not the same as a complying standard or a Principle of Development Control under the previous planning system. A DPF is its own thing and is “advisory”, it is one way to satisfy a PO. “If a DPF was the only way a PO was to be satisfied, the PO has no work to do”. They are not ‘requirements’ and do not determine compliance with a PO.
- A DPF is only part of the assessment – the application needs to be assessed on its merits against all relevant policies. The significance of any departure from a DPF will depend on the circumstances of the matter at hand.
- As Technical and Numeric Variations (TNVs) appear in DPFs, they are merely part of the guidance provided and are not strict requirements.

It is with the above approach that the application has been assessed in this report.

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<sup>1</sup> Parkins v Adelaide Hills Council Assessment Manager [2022] SAERD 12 and Adelaide Hills Council Assessment Manager v Parkins & Anor [2023] SASCA 66

The Code also notes<sup>2</sup> that where there is an inconsistency between provisions in the relevant policies for a particular development, then:

- a) The provisions of an overlay will prevail over all other policies applying in the particular case, and**
- b) A subzone policy will prevail over a zone policy or a general development policy, and**
- c) A zone policy will prevail over a general development policy.**

## 5.5 Applicable Policies

Table 3 of the Zone identifies applicable policies to performance assessed classes of development.

Dwellings, shop and tourist accommodation are all identified in Table 3 of the Zone. Therefore, the relevant policies applicable to the assessment of the proposal are listed by Table 3 and no other policies apply<sup>3</sup>.

## 5.6 Public Notification

The land is adjacent to a neighbourhood zone and exceeds Zone DPF 3.1.

The development application is required to undergo public notification as the exceptions outlined in Table 5 of the Zone are not fulfilled.

## 5.7 Referrals

The proposed development will be referred to:

- The Environment Protection Authority (EPA).
- The Commissioner of Highways.
- The Government Architect.
- The Corporation of the Town of Walkerville (Council).
- Minister Responsible for administering the South Australian Housing Trust Act 1995.

### 5.7.1 Environment Protection Authority

Under Schedule 9-Referrals, 9A-Site Contamination, of the PDI Regulations 2017, “Development that is specified by the Planning and Design Code as development of a class to which this item applies”, requires referral to the EPA. Part 9 – Referrals of the Code under Part 9.1 Referral Body: Environment Protection Authority, lists “site contamination” and the “Change in use of land to a more sensitive use.”

The proposed development will be referred to the EPA. A Due Diligence Environmental Assessment prepared by Agon Environmental and a signed Site Contamination Declaration Form is provided at **Appendix F**.

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<sup>2</sup> Part 1 – Rules of Interpretation – Policies, Desired Outcomes and Performance Outcomes, Hierarchy of Policies

<sup>3</sup> Part 1 – Rules of Interpretation, Application of Policies to Performance Assessed Classes of Development

Under the previous refused DA for the site (Application ID 23015883), the EPA's final letter of recommendation to the relevant authority quoted:

*“Overall, the data collected to date does not suggest that there exists an environmental condition within onsite underlying soil, groundwater and soil vapour media that would preclude the development of the site for mixed use including residential purposes”.*

### 5.7.2 Commissioner of Highways

A referral to the Commissioner of Highways is required because:

- The subject land is in the Urban Transport Routes Overlay and the development proposes alterations to the site's existing access point.
- The subject land is affected by the Future Road Widening Overlay and the development involves work within the 6 metre Consent Area.

With respect to the Commissioner of Highways, under the previous refused DA, the final letter of recommendation to the relevant authority directed conditions and notes and provided support for the proposed development.

### 5.7.3 The Government Architect

Schedule 9 of the PDI Regulations, 22 - Design details when a referral to the Government Architect or Associate Government Architect is required:

#### **22—Design**

**Development that is—**

**(a) in the Design Overlay under the Planning and Design Code; and**

**(b) specified by the Planning and Design Code as development of a class to which this item applies.**

(Underlining added)

The land is located in the Design Overlay under the Code. It also exceeds 4 building level threshold listed in the Procedural Matters table of the Design Overlay. A referral to the Government Architect or Associate Government Architect for “Advice” is required for a period of 30 business days.

The Applicant participated in the voluntary Design Review Panel Process in association with the Government Architect's Office – the Office for Design and Architecture SA (ODASA). One Design Review Session was held and the advice provided helped to shape the Proposal. The Applicant also participated in pre-lodgement discussions through the Planning and Land Use Services Division, which included planning officers, staff from Council and representatives from referral bodies.

### 5.7.4 Council

In addition to the statutory referrals required for the purposes of Section 122 of the PDI Act, a referral to Council is also required to be undertaken pursuant to Regulation 23(1)(b) of the Regulations.

This referral is for the purposes of obtaining comments on technical matters as prescribed in Regulation 23(3). These matters include and are limited to:

### **23—State Planning Commission (section 94)**

**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 subregulation (2)(b).**

As detailed in **section 3.1** of this report, the Applicant's team engaged with Council representatives on matters of local heritage, stormwater, traffic, street trees and waste as part of their pre-lodgement engagement program.

### **5.7.5 Minister Responsible for administering the South Australian Housing Trust Act 1995**

Under Schedule 9-Referrals, 20-Affordable housing, of the PDI Regulations 2017, a referral to the Minister responsible for the administration of the South Australian Housing Trust Act 1995 (SA Housing), is required for:

**Development that is-**

**(a) in the Affordable Housing Overlay under the Planning and Design Code; and**

**(b) specified by the Planning and Design Code as development of a class to which this item applies.**

The site is in the Affordable Housing Overlay under the Code.

The Applicant intends to provide housing for sale at an affordable price point and intends to provide this to 15% of the proposed dwellings.

The Applicant does not intend to access one or more of the planning concessions outlined in the Affordable Housing Overlay DPF 3.1, 3.2 or 4.1. The height uplift sought is able to be justified through achievement of the Urban Corridor (Living) Zone DPF 5.1 (a) and (c) as follows:

(a) retaining, refurbishing and reusing a Local Heritage Place; and

(c)(i) A, B, C and D **and** (ii) A, B and C.

The Applicant engaged directly with the delegate for the SA Housing pre-lodgement to discuss best approach to recommended conditions of consent. At the time of lodgement, the Applicant was still actively engaging with SA Housing on the proposed draft wording of the condition.

## 6. Planning Assessment

The key planning considerations associated with the proposed development are:

- Land Use
- Land Use Intensity
- Building Height
- Interface Height
- Built Form and Character
- Dwelling Configuration and Amenity
- Heritage
- Traffic, Access, Car and Bicycle Parking
- Waste Management
- Privacy
- Overshadowing
- Landscaping
- Site Contamination
- Stormwater Management
- Tree Removal
- Environmentally Sustainable Design Principles
- Wind
- Noise.

Each of these planning issues are analysed in detail in the following sections of this report.

### 6.1 Land Use

The Urban Corridor (Living) Zone PO 1.1, PO 1.2 and DPF 1.1 provide guidance on suitable land uses in the Zone:

***PO 1.1 A vibrant mix of land uses adding to the vitality of the area and extend activities outside shop hours including restaurants, educational, community and cultural facilities and visitor and residential accommodation.***

***DPF 1.1 Development comprises one or more of the following:***

***(a) Advertisement***

***(b) Child care facility***

***(c) Consulting Room***

- (d) Dwelling**
  - (e) Educational Facility**
  - (f) Office**
  - (g) Retirement Facility**
  - (h) Shop**
  - (i) Student Accommodation**
  - (j) Supported Accommodation**
  - (k) Tourist Accommodation**
- (Underlining added)**

The proposed mixture of land uses consisting of dwellings, tourist accommodation and shops, aligns with the Zone provisions, specifically PO 1.1 and DPF 1.1. The proposed land uses are therefore suitable.

## 6.2 Land Use Intensity

PO 1.2 and DPF 1.2 and PO 1.3 of the Zone are relevant regarding intensity of land uses.

***PO 1.2 A range of small to medium scale non-residential uses, services and facilities such as shops, offices and consulting rooms that meet the day to day needs for the local community.***

***DPF 1.2 Shop, office, or consulting room uses not exceeding a maximum gross leasable floor area of 500m<sup>2</sup>.***

***PO 1.3 Development of diverse medium density accommodation options either as part of a mixed use development or wholly residential development.***

Note: no DPF is provided in relation to PO 1.3.

The proposed shop (restaurants) achieve PO 1.2 and DPF because:

- The proposed food and beverage offering will provide for the day to day needs of the local community (PO 1.2).
- Each shop is less than 500m<sup>2</sup> in GLA, with separate GLA's of:
  - 357m<sup>2</sup> (Buckingham Arms)
  - 244m<sup>2</sup> (restaurant A)
  - 111m<sup>2</sup> (restaurant B)
  - 147m<sup>2</sup> (café); and
  - 398m<sup>2</sup> (restaurant/bar).

DPF 1.2 is therefore achieved.

PO 1.3 of the Zone seeks “medium density accommodation”. No DPF is provided with which to achieve PO 1.3 and the term “medium density accommodation” is not defined in the Code. It is accepted that “medium density” is defined in the Code as:

**Medium net residential density**

**Means 35 to 70 dwellings per hectare.**

It is difficult to conceive how this is the type of density in housing the writer of the Zone policy was seeking, given the scale and form of development sought when PO 5.1 is applied (i.e. multi-level Residential Flat Buildings 6+ levels in height).

PO 5.1, under Significant Development Sites forms a relevant consideration, describing the instances where “increased development yield” is appropriate:

***PO 5.1 Consolidation of significant development sites (a site with a frontage over 25m to a primary road corridor (e.g., a State maintained road or a road with similar attributes) and over 2500m<sup>2</sup> in area, which may include one or more allotments) to achieve increased development yield provided that off-site impacts can be managed and broader community benefit is achieved in terms of design quality, community services, affordable housing provision, or sustainability features.***

(Underlining added)

In the absence of a definition in the Code for “medium density accommodation” and noting the unsuitability of applying “medium density” housing philosophy, we consider the intended outcomes of the Zone and PO 5.1 to support the proposed density:

- The offsite impacts relating to traffic, waste, noise, stormwater, overshadowing and overlooking have been appropriately managed (refer later sections of this report for evidence).
- Broader community benefit is achieved in several ways in that there is:
  - Retention, refurbishment and reuse of a Local Heritage Place;
  - High quality open space that is universally accessible and is directly connected to, and well-integrated with public realm areas of the street.
  - High quality, safe and secure, universally accessible pedestrian linkages that connect through the development site.
  - Active uses located to the public street frontages of the building.
  - A range of dwelling types that includes at least 10% of 3+ bedroom apartments.
  - A communal useable garden integrated with the design of the building.
  - A living landscaped vertical garden greater than 50m<sup>2</sup>.
  - Passive heating and cooling design elements including solar shading integrated into the building.
- With the Significant Development Sites uplift applied, the site is suitable for increased yield and/or intensity.

Collectively, the nature and scale of the development contributes to the vibrancy and diversity of offering sought by the Zone. With ground floor shop tenancies activating the street frontages and residential accommodation catering to much needed demand in a well serviced location.



## 6.3 Building Height

PO 3.1 of the Zone guides that “building height” is consistent with DPF 3.1 as follows:

**DPF 3.1**            **Maximum building height is 6 levels**

**Maximum building height is 24.5m**

As referenced in section 6.1 of this report, given the site area is in excess of 2,500m<sup>2</sup> and is eligible for up to 30% uplift beyond the maximum building height listed in DPF 3.1. This increases the maximum building height to 8 levels / 32 metres. PO 5.1 and DPF 5.1 provides guidance on how to achieve this:

**PO 5.1** ***Consolidation of significant development sites (a site with a frontage over 25m to a primary road corridor (e.g., a State maintained road or a road with similar attributes) and over 2500m<sup>2</sup> in area, which may include one or more allotments) to achieve increased development yield provided that off-site impacts can be managed and broader community benefit is achieved in terms of design quality, community services, affordable housing provision, or sustainability features.***

*(Underlining added)*

**DPF 5.1**            ***Development on significant development sites up to 30% above the maximum building height specified in DTS/DPF 3.1 (rounded to the nearest whole number) where it:***

***(a) incorporates the retention, conservation and reuse of a building which is a listed heritage place or an existing built form and context that positively contributes to the character of the local area***

***(b) includes more than 15% of dwellings as affordable housing***  
***or***

***(c) includes at least:***

***(i) three of the following:***

- A. high quality open space that is universally accessible and is directly connected to, and well integrated with, public realm areas of the street***
- B. high quality, safe and secure, universally accessible pedestrian linkages that connect through the development site***
- C. active uses are located on the public street frontages of the building, with any above ground car parking located behind***
- D. a range of dwelling types that includes at least 10% of 3+ bedroom apartments***
- E. a child care centre.***

***(ii) three of the following:***

- A. a communal useable garden integrated with the design of the building that covers the majority of a rooftop area supported by services that ensure ongoing maintenance;***
- B. living landscaped vertical surfaces of at least 50m<sup>2</sup> supported by services that ensure ongoing maintenance;***
- C. passive heating and cooling design elements including solar shading integrated into the building;***

**D. higher amenity through provision of private open space in excess of minimum requirements by 25% for at least 50% of dwellings.**

The proposal is eligible for 30% additional height uplift, i.e. a maximum building height of 8 levels / 32 metres because it achieves DPF 5.1 by:

- (a) retaining, refurbishing and reusing a Local Heritage Place; and
- (c)(i) A, B, C and D **and** (ii) A, B and C.

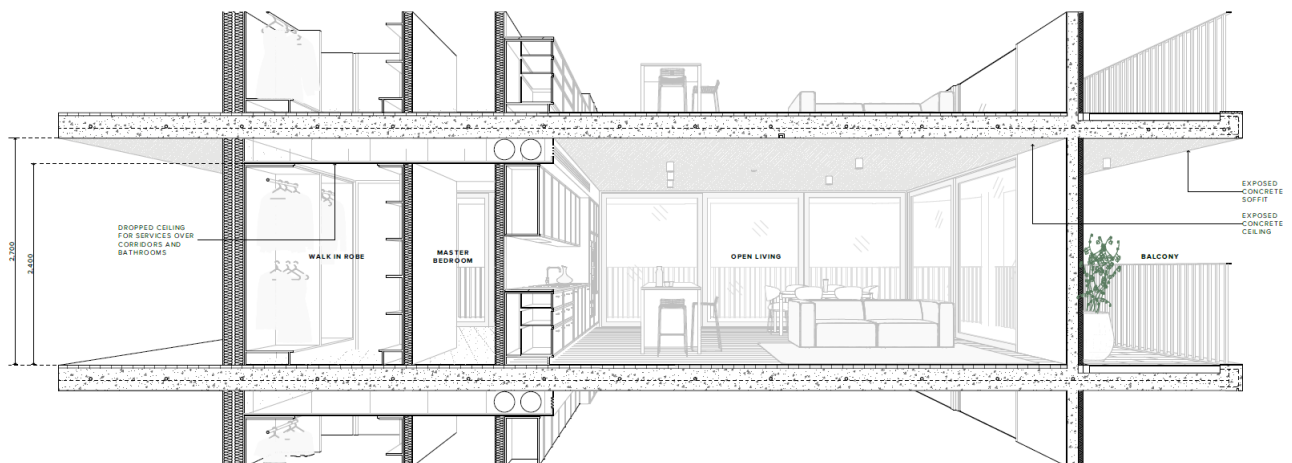
The proposed building height is therefore suitable as it satisfies DPF 5.1.

The proposed building height of 10 levels / 31.85 metres (excluding rooftop plant) is below the building height maximum in metres. It is acknowledged that the building height in levels exceeds the 8 level guideline. It is the view of the writer, that compliance with the building height in *metres* should preclude the need to achieve the building height maximum in *levels*. This is on the basis that the Applicant has demonstrated that the proposed floor to floor heights are able to be achieved as evidenced in **Figure 25**. Further, there is no practical or design implication or off-site impact consequence of the additional levels because:

- The building's mass is within the 45 degree building envelope (bar the plinth) confirming that the mass of the building, appropriately manages its interface with the adjacent neighbourhood type zone;
- The additional levels do not manifest in a car parking shortfall;
- The additional levels do not contribute to an unreasonable degree of overshadowing;
- Waste generated from the site is stored on-site and appropriately managed.

In addition, the reduced floor to floor height and use of exposed ceilings and soffits results in greater efficiency of space and reduced carbon footprint per apartment through reduced materiality.

**Figure 25 – Floor to Floor Height Diagram**



The proposed building height therefore satisfies DPF 5.1 and in doing so is consistent with PO 5.1 of the Significant Development sites Assessment Provisions.

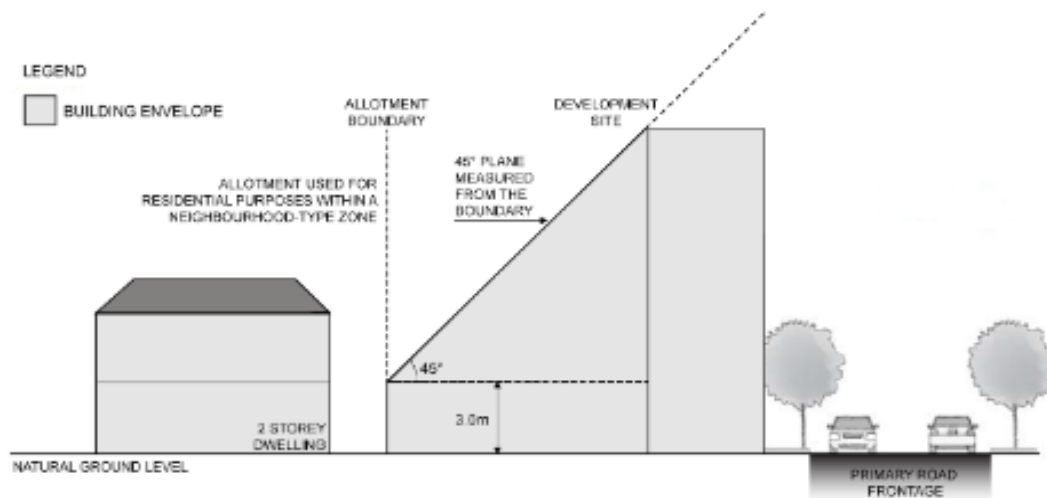
## 6.4 Interface Height

PO 4.1 and DPF 4.1 state:

**PO 4.1 Buildings mitigate impacts of building massing on residential development within a neighbourhood-type zone.**

### **DPF 4.1 Interface Height**

**Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram:**



The proposed building envelope generally complies with the Interface Height provision in DPF 4.1. This can be seen in **Figures 26-28**.

Figure 26 – DPF 4.1 Interface Height Plane

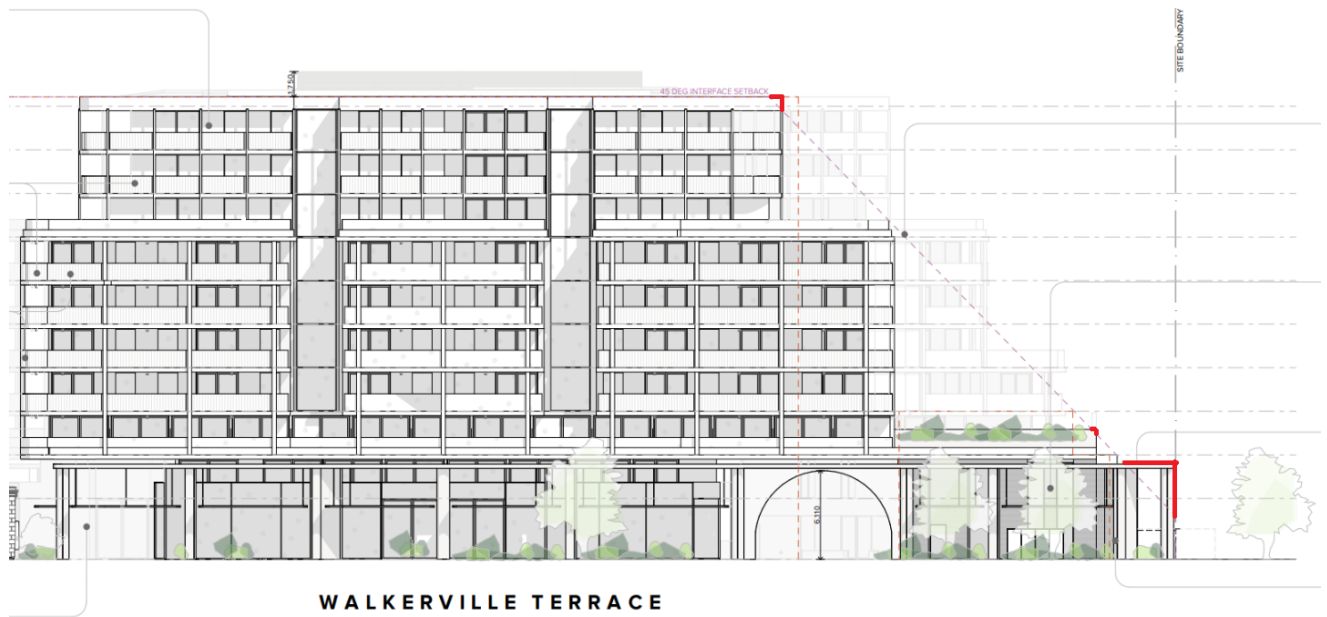
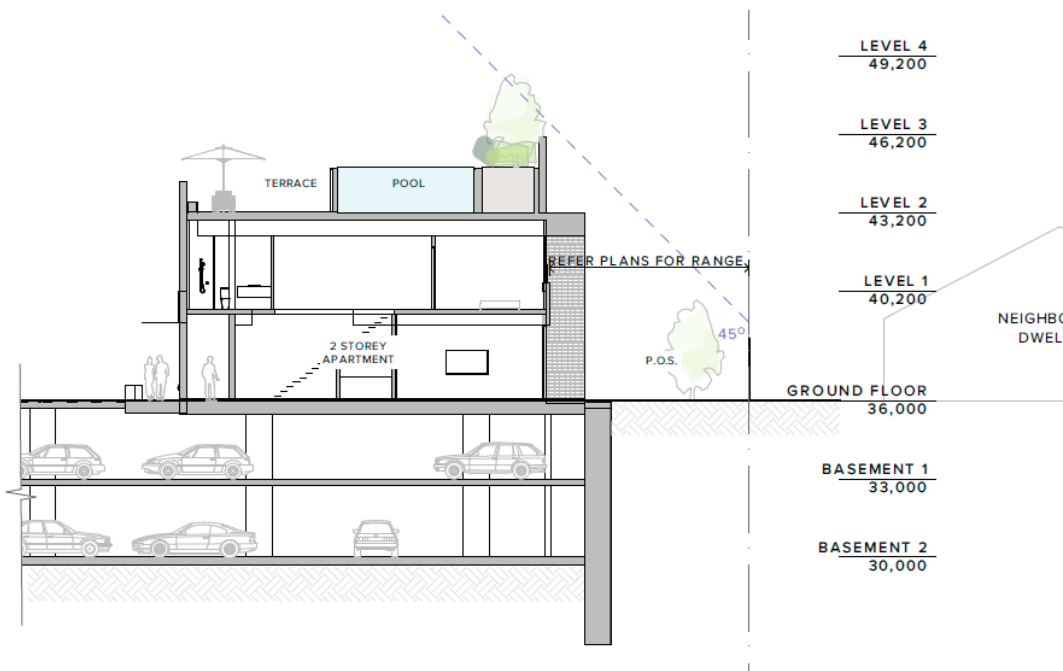


Figure 27 – Walkerville Terrace Streetscape Elevation



Figure 28 – Section Diagram



The sections of the built form that encroach into the 45-degree building plane are acceptable given:

- Are limited to very small sections of roof and the corner of the plinth at ground level.
- The vast majority of the built form is within the 45-degree plane. Importantly, the form is “stepped” back from the rear/side boundary appropriately to provide separation and a suitable transition from its low-rise neighbours.
- The use of two storey ‘terrace’ apartments adjacent the Established Neighbourhood Zone provide an appropriate transition to the taller sections of the building. It should be noted, that this encroachment was not raised during the PLP or DRP process of having a negative consequence. Given it is a key feature of the ground plane, and its height is limited in height to 2 levels it is considered an appropriate outcome.

The proposed development satisfies PO 4.1 and the corresponding DPF 4.1.

## 6.5 Built Form and Character

PO 2.1 and DPF 2.1 of the Zone seek a positive contribution to the streetscape from new buildings as follows:

**PO 2.1 Buildings positively contribute to a continuous framing of the primary road corridor (e.g., a State maintained road or a road with similar attributes) and public realm, and provide visual relief from building scale and massing from the ground level public realm.**

**DPF 2.1 Buildings:**

**(a) include a clearly defined podium or street wall with a maximum building height of 2 building levels or 8m in height**

**(b) have levels above the defined podium or street wall setback a minimum of 2m from that wall.**

Careful design consideration in responding to the existing streetscape context to positively contribute to a continuous framing of the primary road corridor. This has been achieved by:

- Massing has been developed to step-away from the adjacent residential zones gradually by increasing the side boundary setbacks as the building height increases.
- The proposed design successfully integrates with the Local Heritage Place, referencing its datum height in the 'plinth'. Further, the proportions, setbacks, angles and materials are all designed to be sympathetic to the Local Heritage Place.
- Incorporating a plinth, acts as a 'podium' element at the 2 lower levels providing opportunity for human scale. The lower level canopy also provides protection to street for pedestrians from weather (DPF 2.1).
- Articulation, layering of materials and forms, all which create a more fine grain scale at ground level. The plinth creates a high degree of comfort for pedestrians through its single storey canopy and angled columns, which together break down the site's frontages into smaller components.

The proposed built form and character therefore, responds positively to its context.

## 6.6 Dwelling Configuration and Amenity

Minimum apartment floor areas and Private Open Space (POS) and storage areas are provided in the Design in Urban Areas section of the Code. POS and storage standards are provided on a per-bedroom basis. The following provisions of the General Development Policies for Design in Urban Areas are relevant:

### **Private Open Space**

**PO 27.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.**

**DPF 27.1 Private open space provided in accordance with Design in Urban Areas Table 1 - Private Open Space.**

Where Table 1 seeks that dwellings above ground level provide the following Private open space:

**One bedroom dwelling – 8 m<sup>2</sup>**

**Two bedroom dwelling – 11m<sup>2</sup>**

**Three + bedroom dwelling – 15m<sup>2</sup>**

All dwelling types provide more POS than the requirements above for private open space.

### **Storage**

**PO 28.4 Dwellings are provided with sufficient space for storage to meet likely occupant needs.**

**DPF 28.4 Dwellings (not including student accommodation or serviced apartments) are provided with storage at the following rates with at least 50% or more of the storage volume to be provided within the dwelling:**

...

**1 bedroom dwelling / apartment: not less than 8m<sup>3</sup>**

**2 bedroom dwelling / apartment: not less than 10m<sup>3</sup>**

**3+ bedroom dwelling / apartment: not less than 12m<sup>3</sup>.**

Each one-bedroom dwelling provides more than 8m<sup>3</sup> of storage. Storage volumes range from 8.88m<sup>3</sup> to 14.57m<sup>3</sup>.

The two-bedroom dwellings provide storage volumes ranging from 11.62m<sup>3</sup> to 19.71m<sup>3</sup>. This includes the 2 storey terrace apartments, NDIS housing and 2.5-bedroom options which all exceed the volume requirements of Code.

Each 3-4 bedroom dwelling storage volumes exceeding the DPF requirements. These volumes range from 13.84m<sup>3</sup> to 53.53m<sup>3</sup>.

**Amenity**

**PO 31.1 Dwellings are of a suitable size to provide a high standard of amenity for occupants.**

**DPF 31.1 Dwellings have a minimum internal floor area in accordance with the following table:**

...

**1 bedroom minimum internal floor area of 50m<sup>2</sup>**

**2 bedroom minimum internal floor area of 65m<sup>2</sup>**

**3+ bedroom minimum internal floor area of 80m<sup>2</sup>**

Each dwelling provides a minimum floor area in excess of the anticipated squared metres listed in DPF 31.1, complying with the minimum dwelling sizes. Indeed, the proposed dwellings are generally well in excess providing internal floor areas ranging from 53 – 277m<sup>2</sup>.

The proposed dwellings are of sufficient size and will have a high level of living amenity for future occupants.

## 6.7 Heritage

Local Heritage Place Overlay provides guidance on the development of a Local Heritage Place. The Desired Outcome for this Overlay seeks:

**DO 1 Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.**

Key Performance Outcomes include:

**PO 1.5 Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.**

**PO 1.6 New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.**

**PO 2.2 Adaptive reuse and revitalisation of Local Heritage Places to support their retention in a manner that respects and references the original use of the Local Heritage Place.**

**PO 6.2 The demolition, destruction or removal of a building, portion of a building or other feature or attribute is appropriate where it does not contribute to the heritage values of the Local Heritage Place.**

**PO 7.1 Conservation works to the exterior of a Local Heritage Place (and other features identified in the extent of listing) match original materials to be repaired and utilise traditional work methods.**

The proposed development desirably includes the refurbishment and adaptive reuse of the Buckingham Arms Hotel as a restaurant (shop) (PO 2.2). The extent of demolition proposed relates only to those portions of the building which form later additions or alterations to the Hotel and do not form part of the

heritage fabric (PO 6.2). Conservation works and the use of heritage colours are proposed to respect and reference the façade of the Local Heritage Place (PO 1.5 and 7.1). No new buildings are placed between the primary and/or secondary street boundaries and the façade of the Local Heritage Place (PO 1.6). As such, the proposed development is considered to maintain the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse (DO 1). This is further supported by the Heritage Impact Statement at **Appendix F**.

## 6.8 Traffic, Car and Bicycle Parking

The Traffic and Parking Report at **Appendix D** assesses the proposed development against the Code. The following summary of the assessment is provided below:

- The car parking and manoeuvring areas have been designed such that all movements can enter and exit in a forward direction.
- The proposed ground floor level cafés and restaurants provide an approximate floor area of 1,460m<sup>2</sup>. This theoretically requires 43.8 on-site car parking spaces. There will be 116 spaces provided on basement level one to accommodate these uses along with the visitor and serviced apartment uses. The non-residential parking requirements are satisfied.
- The proposed residential component (combined terrace apartments and apartments) will have a theoretical requirement for 129.05 parking spaces. Basement level 2 will provide 127 car parking spaces for these residential dwellings. The additional spaces not accommodated within this basement can be easily accommodated on basement level 1 (CIRQA Report - Table 2 – Breakdown of the theoretical parking requirement associated with each use based upon regular parking rates). Accordingly, the residential parking requirements of the Code are satisfied.
- The proposed waste collection vehicle can manoeuvre site and enter and exit in a forward direction.
- The proposal provides 246 parking spaces throughout the subject site. The theoretical parking demand across the site equates to 217 parking spaces. The proposed development will have a parking surplus of 29 parking spaces because there are more onsite car parking spaces provided than what is anticipated to be generated when the Code's car parking rates are applied. On this basis, the parking requirements of the Code are satisfied.
- The proposed development will have a theoretical requirement for 59 bicycle parking spaces (33 resident, 19 visitor and 7 employee). A total of 190 bicycle parking spaces will be provided throughout the site (132 located within a secure bicycle room within Basement Level 2, 10 located within a secure at-grade bicycle room, and 48 located at-grade). Therefore, the bicycle parking requirements of the Code are satisfied.
- The traffic generation rates forecast the development will generate in the order of 158 am and 196 pm peak hour trips. The site's access arrangements are considered appropriate to accommodate the forecast traffic volumes with negligible impact on the operation of the adjacent signalised intersection and road network.
- The access points have been designed to facilitate simultaneous vehicle movements without detrimentally impacting the traffic flows on both Northcote Terrace and Walkerville Terrace.



- Any unanticipated volumes of vehicle spill into the surrounding local road network would be considered minor and that the amenity or safety of the adjacent local streets will not be detrimentally impacted.

As detailed in the Traffic and Parking Assessment, the proposed development provides adequate resident car and bicycle parking, and vehicle access is safe and convenient.

## 6.9 Waste Management

Design in Urban Areas PO 1.5 and PO 11.1 provides guidance on the location of storage and management of waste on site:

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

**PO 3.1** *Waste treatment and management facilities are screened, located and designed to minimise adverse visual impacts on amenity.*

**PO 4.1** *Traffic circulation movements within any waste treatment or management site are designed to enable vehicles to enter and exit the site in a forward direction.*

**PO 11.1** *Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.*

As detailed in the Waste Management Plan in **Appendix E**:

- All terrace apartments have been designed to account for a three-bin system (skip bins). These bins are screened from view within the apartment waste room. The disposal distance for occupants to these locations is between 10 to 40 metres.
- Likewise, a dedicated bin storage area for the mixed-use building which will service all apartments and shops. This waste storage area contains storage for recyclable materials, general waste and food/garden organics.
- A waste chute design would be implemented for the apartments to allow for appropriate and convenient disposal.
- Waste storage bin allocations are expected to facilitate the waste generated by the development in accordance with the frequency of collections.
- The waste management plan includes reference to the frequency and method of collection to each element of the development. These are also outlined in **section 4.7** of this planning report.

The waste management system complies with Design in Urban Areas PO 1.5, PO 11.1 as well as PO 3.1 and PO4.1 of the Waste Treatment and Management Facilities.

Waste collection will be undertaken by a private contractor with associated manoeuvres of a 10-metre-long rigid waste vehicle accommodated on-site (forward-in/forward-out). These vehicles can enter and exit the site from either Northcote Terrace or Walkerville Terrace. Plans illustrating the turn path of a 10m

waste collection vehicle accessing the site is attached in the Traffic and Parking Report prepared by Cirqa (Appendix D).

## 6.10 Privacy

Consideration to ensuring privacy to the site's low-rise neighbours was undertaken in the resolution of the building design. Design in Urban Areas PO 16.1 seeks the following with respect to overlooking:

**PO 16.1 Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:**

**(a) appropriate site layout and building orientation**

**(b) off-setting the location of balconies and windows of habitable rooms or areas with those of other buildings so that views are oblique rather than direct to avoid direct line of sight**

**(c) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms**

**(d) screening devices that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.**

As demonstrated in Figure 29 and 30, privacy to neighbours will be maintained:

**Figure 29 – Overlooking Section – “Terrace” Apartments**

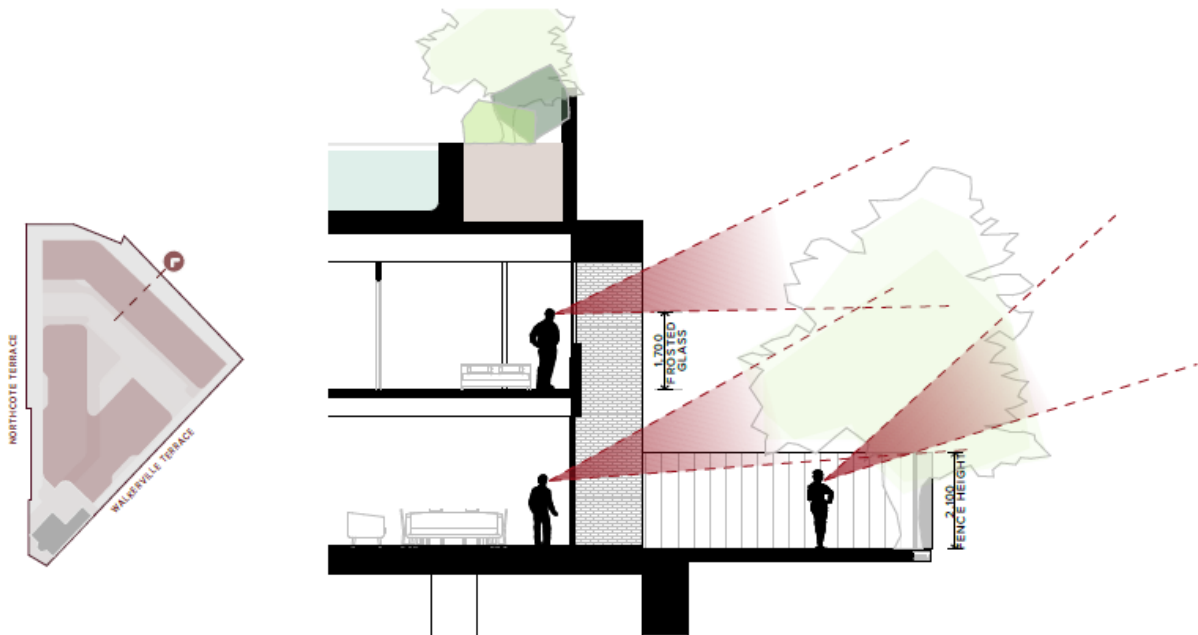
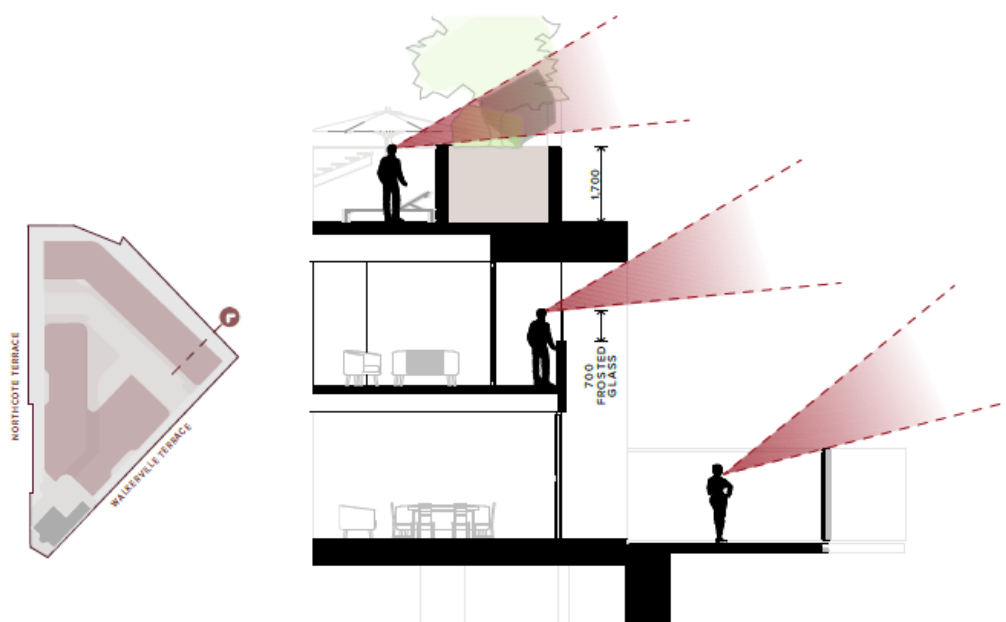


Figure 30 – Overlooking Section – “Terrace” Apartments



## 6.11 Overshadowing

Appendix A demonstrates that the extent of overshadowing is negligible. Extracts of the extent of overshadowing are provided in the following images. They demonstrate that at the Winter Solstice (i.e. 21<sup>st</sup> of June, the worst-case scenario), that all neighbours receive the required amount of solar access throughout the day.

The proposed development complies with the Code, Interface Between Land Uses PO 3.1-3.2 and DPF 3.1-3.2 which state:

**PO 3.1** *Overshadowing of habitable room windows of adjacent residential land uses in:*

- (a) a neighbourhood-type zone is minimised to maintain access to direct winter sunlight*
- (b) other zones is managed to enable access to direct winter sunlight.*

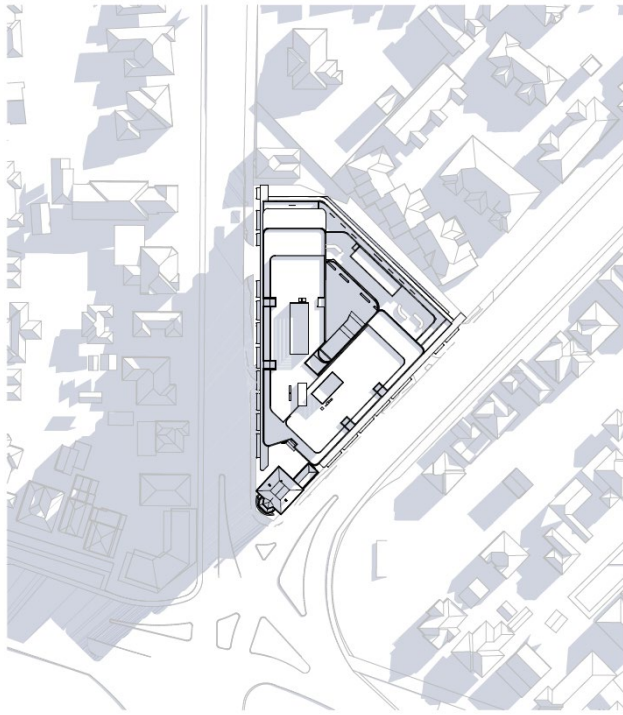
**DPF 3.1** *North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.*

**PO 3.2** *Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:*

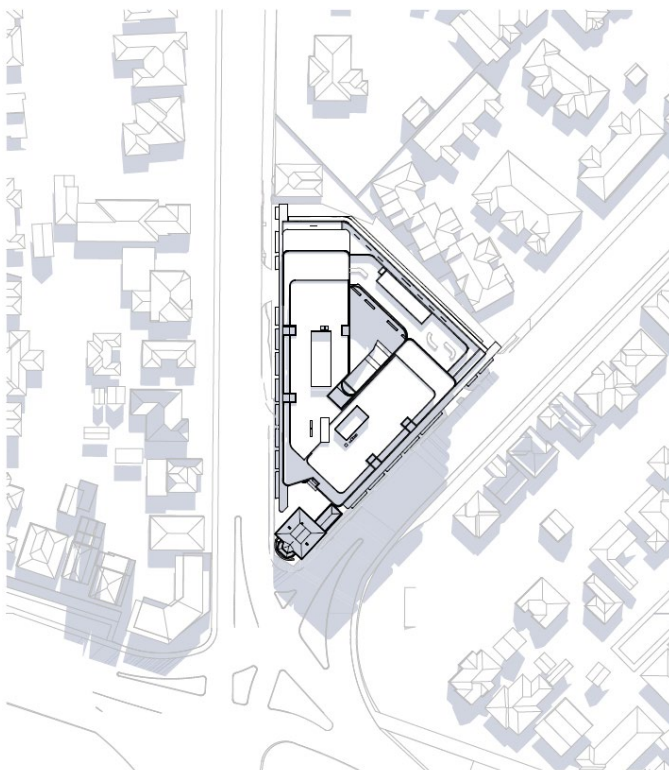
- (a) a neighbourhood type zone is minimised to maintain access to direct winter sunlight*
- (b) other zones is managed to enable access to direct winter sunlight.*

**DPF 3.2** *Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:*

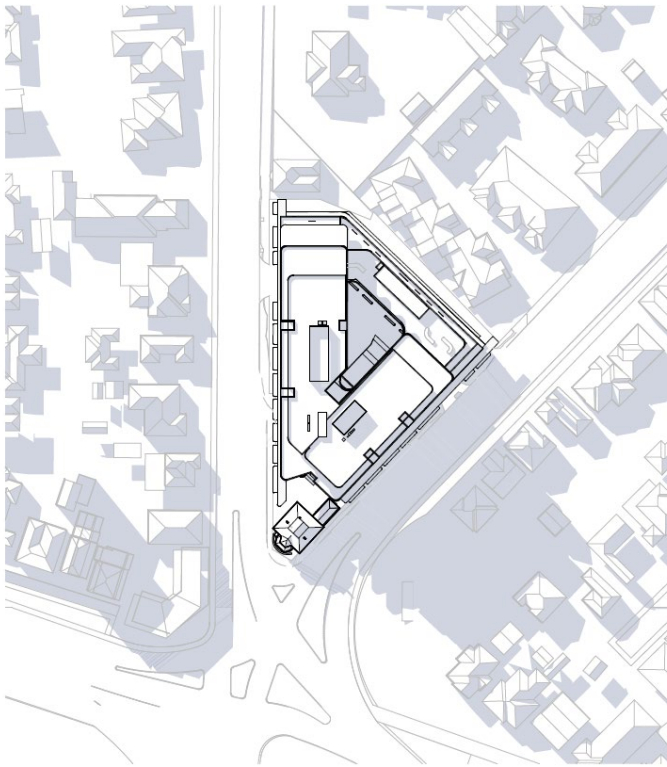
- (a) for ground level private open space, the smaller of the following:*
  - i. half the existing ground level open space*
  - or*
  - ii. 35m<sup>2</sup> of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)*
- (b) for ground level communal open space, at least half of the existing ground level open space.*



WINTER 9AM



WINTER 12PM



WINTER 3 PM

## 6.12 Landscaping

Design in Urban Areas PO 13.1, DPF 13.1 and PO 13.2 and DPF 13.2 provide guidance on landscaping:

- PO 13.1** *Development facing a street provides a well landscaped area that contains a deep soil space to accommodate a tree of a species and size adequate to provide shade, contribute to tree canopy targets and soften the appearance of buildings.*
- DPF 13.1** *Buildings provide a 4m by 4m deep soil space in front of the building that accommodates a medium to large tree, except where no building setback from front property boundaries is desired.*
- PO 13.2** *Deep soil zones are provided to retain existing vegetation or provide areas that can accommodate new deep root vegetation, including tall trees with large canopies to provide shade and soften the appearance of multi-storey buildings.*
- DPF 13.2** *Multi-storey development provides deep soil zones and incorporates trees at not less than the following rates, except in a location or zone where full site coverage is desired.  
...for sites greater than 1500m<sup>2</sup> the minimum deep soil area is 7% of site area, minimum dimension 6m, 1 large or medium tree / 60m<sup>2</sup>  
*(Underlining added)**

As detailed in **Appendix A**, “Landscape - Ground Floor” and “Landscape - Level 2”, the proposed landscaping provides:

- 13% of the site allocated to deep soil, this is provided at the frontages of the site and at the north-eastern boundary where established trees are proposed to be retained (PO 13.1, PO 13.2, DPF 13.2).
- A new feature Jacaranda Tree is proposed to the rear of the Local Heritage Place, a large tree at maturity with a canopy in excess of 60m<sup>2</sup> estimated at 79m<sup>2</sup> (DPF 13.2).
- As detailed in DPF 2.2 the Zone anticipates no building setback to the primary street frontage, consistent with DPF 13.1 above. The use of other areas of the site to accommodate deep soil is therefore anticipated.

The proposed landscaping scheme is of high quality including a broad range of plant species and a range of low, medium and tall plants. The proposed landscaping complies with the relevant quantitative provisions of the Code.

## 6.13 Site Contamination

The General Development Policies section of the Code entitled “Site Contamination” includes the following relevant provisions:

***PO 1.1 Ensure land is suitable for use when land use changes to a more sensitive use.***

***DPF 1.1 Development satisfies (a), (b), (c) or (d):***

***(a) does not involve a change in the use of land***

***(b) involves a change in the use of land that does not constitute a change to a more sensitive use***

***(c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form)***

***(d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following:***

***(i) a site contamination audit report has been prepared under Part 10A of the Environment Protection Act 1993 in relation to the land within the previous 5 years which states that-***

***(A) site contamination does not exist (or no longer exists) at the land, or***

***(B) the land is suitable for the proposed use or range of uses (without the need for any further remediation), or***

***(C) where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development)***

***and***

***(ii) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a site contamination declaration form).***

The proposal includes a change in use to a portion of the site to a more sensitive use. The Development Application will be referred to the EPA during assessment. With reference to the above underlined extracts of the Code, a range of environmental site investigations were completed by Agon Environmental in support of the refused DA on the site which also included a change to a more sensitive land use. No

other class 1 or class 2 activities have occurred on the land since these investigations. As referenced earlier in this report, the EPA concluded in their previous referral correspondence:

*“Overall, the data collected to date does not suggest that there exists an environmental condition within onsite underlying soil, groundwater and soil vapour media that would preclude the development of the site for mixed use including residential purposes”.*

The attached Due Diligence Environmental Assessment at **Appendix G** provides further detail.

## 6.14 Stormwater Management

The Hazards (Flooding – Evidence Required) Overlay in the Code includes the following relevant provisions:

**PO 1.1** *Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.*

**DPF 1.1** *Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above:*

**(a)** *the highest point of top of kerb of the primary street or*

**(b)** *the highest point of natural ground level at the primary street boundary where there is no kerb (underlining added)*

The proposed development appropriately manages stormwater from the site as detailed in the Stormwater Management Plan (**Appendix C**). This satisfies the provisions quoted above.

## 6.15 Tree Removal

The site is captured in the Regulated and Significant Tree Overlay under the Code. Recent changes to the planning legislation in South Australia have changed the criteria for what constitutes a regulated and a significant tree. When the DA was previously refused there were only four protected trees proposed to be removed. A Tree Impact Assessment and Addendum are provided **Appendix L**.

Four significant trees and four regulated have been identified as requiring removal. These trees have been tested against the Code provisions accordingly.

The Regulated and Significant Tree Overlay says:

**PO 1.1** *Regulated trees are retained where they:*

**(a)** *make an important contribution to local character and amenity*

**(b)** *are indigenous to the local area and listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*

*and/or*

**(c)** *provide an important habitat for native fauna.*

The trees in question do not make an important visual contribution to the local character and amenity of the area. The species in question do not align with the predominant landscape character of the locality,

which typically features a mix of Eucalypts and Jacarandas. The trees are not prominently visible when traveling along the adjoining streets, except for the site's direct street frontages. Due to their modest heights and canopies, coupled with limited viewing points within the surrounding streets, these trees make negligible contributions to the overall visual landscape of the locality.

The trees are not indigenous to the local area and not listed as a rare or endangered species within the National Parks & Wildlife Act 1972. As such, they are not considered to provide an important habitat for native fauna.

Therefore, these trees fail to meet any of the criteria for retention at PO 1.1 and their removal is appropriate in consideration of the relevant Code provision.

With reference to the significant trees proposed to be removed, the following policies apply:

**PO 1.2 Significant trees are retained where they:**

**(a) make an important contribution to the character or amenity of the local area**

**(b) are indigenous to the local area and are listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species**

**(c) represent an important habitat for native fauna**

**(d) are part of a wildlife corridor of a remnant area of native vegetation**

**(e) are important to the maintenance of biodiversity in the local environment**

**and / or**

**(f) form a notable visual element to the landscape of the local area.**

**PO 1.4 A tree-damaging activity in connection with other development satisfies all the following:**

**(a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible**

**(b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.**

The significant trees do not satisfy the above because:

- The trees do not significantly contribute to or form a notable visual element of the landscape, as they are less significant in height and spread compared to the Jacaranda street trees along Northcote Terrace.
- They are not indigenous to the local area and not listed as a rare or endangered native species.
- They do not appear to present an important habitat for native fauna.
- The location does not form part of a wildlife corridor or remnant area of native vegetation.

The removal of these trees is supported for the following reasons:

- They facilitate the reasonable and expected development of the site in accordance with the Urban Corridor (Living) Zone (PO 1.4 (a)).



- The development would not be feasible if these trees were to be retained due to the intensity and scale of development required by the Zone. Furthermore, the demand for on-site car parking, the internal road network and associated earthworks makes their central location problematic in optimising apartment numbers, building design features and financial profit (PO 1.4 (b)).

Therefore, the retention of the trees would unreasonably constrain the site from achieving the outcomes and yields that align with the Zone. The proposed landscaping strategy, however, does include the retention of established boundary trees. The retention of these trees provides some offset to the proposed tree removal.

## 6.16 Environmentally Sustainable Design Principles

An integrated approach to environmentally sustainable design is proposed including:

- Deep balconies for sun shading.
- Daylight to lobbies and corridors through lobby windows and sun tunnels.
- Adaptive reuse of the Local Heritage Place.
- One bike rack per apartment.
- End of trip facilities for staff and including showers, lockers and bike store.
- Consolidated air condition units and electric hot water on the rooftop.
- Solar panel array at rooftop.
- On-site rainwater storage.
- High-quality open space and internal amenity in common areas.
- Openable windows to all apartments.
- Materials - Light and natural tones to reduce heat island impact.
- Apartments to have exposed concrete soffits to de-materialise and utilise thermal mass.
- Provision of car parking spaces for ride share and provision for EV charging.

As detailed in the Sustainability Strategy Report at **Appendix H** prepared by DSquared, the proposed apartments will be designed to achieve a 7.7 Star NatHERS rating average, demonstrating a 20% improvement over the NCC/BCA average requirement of 6 Star average. 60% of the apartments will be designed to achieve an 8 Star NatHERS rating.

## 6.17 Wind

Design in Urban Areas PO 14.3 provides guidance on designing buildings over 5 levels / 21 metres to minimise the impacts of wind:

### **PO 14.3**

***Development of 5 or more building levels, or 21m or more in height (as measured from natural ground level and excluding roof-mounted mechanical plant and equipment) is designed to minimise the impacts of wind through measures such as:***

- (a) a podium at the base of a tall tower and aligned with the street to deflect wind away from the street**
- (b) substantial verandahs around a building to deflect downward travelling wind flows over pedestrian areas**
- (c) the placement of buildings and use of setbacks to deflect the wind at ground level**
- (d) avoiding tall shear elevations that create windy conditions at street level.**

The proposed development has been reviewed by VIPAC Engineers and their findings provided at Appendix J. The review concludes that:

*“...the proposed development is expected to fulfil:*

- *The safety wind criterion at all test locations;*
- *The recommended walking comfort criterion at the footpath areas.*
- *The recommended standing comfort criterion at building entrance areas*
- *The recommended sitting comfort criterion at the ground floor alfresco dining areas.*
- *The recommended walking comfort criterion at the communal terrace areas”.*

The proposed development has suitably designed to minimise the impacts of wind.

## **6.18 Noise**

The ‘Interface Between Land Uses’ section of the Code includes assessment provisions applicable to noise. An assessment against these policies is provided in section 4.3 of the Acoustic Design Report at Appendix I. The report confirms that “Environmental noise from the development has been assessed to determine compliance with the requirements of the EPA Environmental Protection (Commercial and Industrial) Noise Policy”. It concludes that:

*“The proposed development has also been assessed against the Ministerial Building Standard 010. By adhering to the recommendations within this report the building is predicted to satisfy the relevant provisions of MBS 010. As such, the proposed development is capable of meeting the acoustic requirements under the Environment Protection Act 1993 and the acoustic requirements under the Planning and Design Code. the proposed development is capable of meeting the acoustic requirements under the Environment Protection Act 1993 and the acoustic requirements under the Planning and Design Code”.*

## 7. Conclusion

In summary we hold the view the proposed development will achieve the important provisions of the Code in that:

- The proposed land uses are specifically envisaged in the Zone.
- The intensity of land uses is supported by the Significant Development sites provision which allows for increased yield beyond what the Zone anticipates. The proposed mix of shops, with GLA's less than 500m<sup>2</sup> promotes diversity in the food and beverage offering proposed.
- The building height complies with the maximum building height in metres as per DPF 5.1. In our view, compliance with the building height in *metres* should preclude the need to achieve the building height maximum in *levels*. This is on the basis that the Applicant has:
  - demonstrated that the proposed floor to floor heights can be achieved; and
  - no negative planning consequence has arise from the additional levels.

Further, the use of exposed ceilings and soffits results in greater efficiency of space and reduced carbon footprint per apartment through reduced materiality.

- The use of two storey 'terrace' apartments adjacent the Established Neighbourhood Zone provide an appropriate transition to the taller sections of the building.
- Negligible encroachments into the 45-degree interface occur with the vast majority of the built form within the 45-degree interface plane.
- The existing Local Heritage Place is retained, refurbished and repurposed using heritage colours and materials to ensure its conservation and on-going use.
- The proposed apartments have very generous internal floor areas, private open space and internal storage and have high levels of amenity.
- The on-site car parking satisfies the demand generated and it has been designed in accordance with Australian Standards (with support provided by CIRQA). The access arrangements will not significantly increase traffic movements to impact adjoining road systems.
- The removal of the regulated and significant trees is supported against the relevant provisions on an individual assessment basis. Six out of eight of the existing established trees at the boundary of the site are proposed to be retained.
- High-quality landscaping is proposed which exceeds requirements for deep soil and soft landscaping.

The proposed development responds extremely well to its low-rise context. It celebrates the scale and materiality of the Local Heritage Place, honouring this prominent intersection in Gilberton, at the entry to the Town of Walkerville.

On this basis, the proposal satisfies the relevant provisions of the Code and warrants Planning Consent.

SHAPING  
GREAT  
COMMUNITIES

