Hames Sharley (SA) Pty Ltd

Mixed Use Development

Lot 300 Fifth Street, Bowden

DA 252/L007/17 (Council ref 252/0040/17)

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OVERVIEW

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<th>252/L007/17 (Council Ref. 252/0040/17)</th>
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<td>Unique ID/KNET ID</td>
<td>2017/04590/01</td>
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<td>Hames Sharley (SA) Pty Ltd</td>
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<td>Proposal</td>
<td>Mixed Use Development</td>
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<td>Subject Land</td>
<td>Fifth Street, Bowden</td>
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<td>Zone/Policy Area</td>
<td>Urban Core Zone/portion within Main Street Policy Area 24</td>
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<td>Relevant Authority</td>
<td>Development Assessment Commission, pursuant to Schedule 10(13) – development within the Urban Core Zone of the City of Charles Sturt.</td>
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<td>Lodgement Date</td>
<td>3 February, 2017</td>
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<td>Council</td>
<td>City of Charles Sturt</td>
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<tr>
<td>Development Plan</td>
<td>Charles Sturt (City) Consolidated – 5 May, 2016</td>
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<tr>
<td>Type of Development</td>
<td>Merit</td>
</tr>
<tr>
<td>Public Notification</td>
<td>Category 1</td>
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<tr>
<td>Referral Agencies</td>
<td>Nil</td>
</tr>
<tr>
<td>Report Author</td>
<td>Damian Dawson - Consultant Planner</td>
</tr>
<tr>
<td>RECOMMENDATION</td>
<td>Development Plan Consent subject to conditions</td>
</tr>
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EXECUTIVE SUMMARY

The applicant seeks approval for the construction of a mixed use development consisting of four multistorey buildings located atop two levels of basement car parking and encircling a central ground level landscaped common space. The subject land has road frontages on all four sides; located between Fourth, Fifth and Gibson Streets and Muriel Matters Walk within the Bowden Urban Village currently being developed under the guidance of Renewal SA. A total of 228 dwellings are proposal across the site with 285 car parks within the two basement levels and 293 bicycle parks for residents, staff and visitors at ground level and within the first basement level. The four buildings range from 6 to 11 levels (plus roof top garden) with building heights of 20.8 to 37.9 metres to the top of the roof parapet (with the structures on the roof deck and lift core an additional 3.8 metres).

The ground floor consists of four separate retail tenancies fronting Gibson and Fourth Streets and Muriel Matters Walk with a range of apartments fronting all four frontages as well as the central common area. Bicycle storage areas, waste collection rooms, five private residential lobbies, services and a range of landscape structures are also located on the ground floor.

The subject land is located within the Urban Core Zone, where a vibrant mix of uses are sought alongside an increase in residential density, with a particular focus within the Main Street Policy Area for café/retail activation on the ground floor with high levels of pedestrian amenity and interest. The proposal seeks a mixture of residential and retail uses with the retail located on the key ground floor frontages to Gibson and Fourth Street to provide the level of activity sought within the Main Street Policy Area. The significant increase in residential density proposed is supported within the zone with medium to high density forms of residential development highly desired.

There is a mixture of interaction and flow with the public realm at the ground level with the retail shop fronts, ground floor apartments and nine separate pedestrian entrances to the buildings and central common area. The level of activation and interest provided is supported along with the mixture of ground floor uses, canopies and pedestrian amenity that is likely to be generated. The location of the car parking within two basement levels
is also supported particularly given the resulting ability to activate all four frontages around the perimeter of the land as well as the creation of the central common area. The single entrance to the basement level from Fifth Street successfully minimises potential pedestrian conflict points.

The proposed height of the largest building upon the site, the 11 storey 'On Park' building fronting Fourth Street exceeds the maximum number of levels for development within this portion of the site by 1 to 5 storeys. The western end of the building has a limit of 10 storeys and the eastern end a limit of 6 storeys. In terms of building heights the western end is 2.5 metres under the maximum height however the eastern end exceeds it by 13.5 metres (not including the lift and stairs to the roof deck). The Development Plan does award development the ability to increase height if certain parameters are achieved. In this instance the development is awarded an additional 2 storeys or 8 metres of height on top of the standard maximums. This results in only the eastern end of the On Park building exceeding the height requirement by 5.5 metres or 3 storeys. Given the location of this building on the southern side of the subject land, adjacent to the Bowden Village Park, the additional height is considered to be acceptable.

The size, internal layouts and level of private open space provided for each dwelling are considered to be acceptable and will provide a high level of residential amenity. The proposed roof top terraces and ground floor central common space also add to the residential amenity and provide a range of passive recreational opportunities along with the nearby high quality public spaces within the Bowden Urban Village. A level of passive surveillance is provided to all street frontages as well as the central common area through glazing to dwellings and retail spaces and upper level balconies.

On balance, whilst the On Park building exceeds the maximum building height at the eastern end, it is considered that the overall scheme provides the level of interest and activation sought as well as the level of residential density and architectural quality desired across the Bowden Urban Village site and the Urban Core Zone.

ASSESSMENT REPORT

1. BACKGROUND

The subject land is located within the Bowden Urban Village; a substantial inner suburban brown field redevelopment site overseen by Renewal SA. Each allotment within the redevelopment is subject to an encumbrance to Renewal SA requiring compliance with the Urban Design Guidelines and allotment control plan applicable to each site. Prior to the lodgement of a Development Application the applicant must first gain approval from the Bowden Design Review Panel. The proposal was considered by the panel on three instances. It is understood that a number of changes were made as a result of the panel feedback with the proposal receiving approval from the panel in October 2016. A copy of the final comments on the proposal by the panel is included within the ATTACHMENTS.

It is understood that an informal pre-lodgement meeting was held between the project team and DPTI Planning staff.

2. DESCRIPTION OF PROPOSAL

Application details are contained in the ATTACHMENTS.

The proposal seeks to construct a mixed use multistorey development consisting of four separate towers connected at basement level and arranged around a ground floor central common space.
A summary of the proposal is as follows:

<table>
<thead>
<tr>
<th>Land Use Description</th>
<th>Mixed use – residential and retail. Noted that some opportunity for SOHO style office/dwellings is included</th>
</tr>
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<tbody>
<tr>
<td>Building Height</td>
<td>Range across the four buildings from 6 to 11 levels (plus roof top garden) with building heights of 20.8 to 37.9 metres to the top of the roof parapet</td>
</tr>
<tr>
<td>Description of levels</td>
<td>Basement – Two levels of car parking with a total of 285 parking spaces. Bicycle parking provided at the upper basement level for staff and residents. Ground Floor – Mixture of residential apartments, retail tenancies, central common area, bicycle storage, waste storage, entry foyers and services. Levels 1-10 - a range of residential apartments (228 in total) from one to three bedrooms with associated balconies. Level 11 of the southernmost building (On the Park) – common roof top deck.</td>
</tr>
<tr>
<td>Site Access</td>
<td>Pedestrian access – nine separate entrances from the various street frontages (mixture of public and private). Vehicle access – Access to basement levels via a two way entrance to Fifth Street within the north eastern corner of the subject land.</td>
</tr>
<tr>
<td>Car and Bicycle Parking</td>
<td>285 car parks 293 bicycle parks – 231 for residents and staff, 62 for visitors</td>
</tr>
<tr>
<td>Encroachments</td>
<td>Canopies at ground floor level along the street frontages</td>
</tr>
</tbody>
</table>

3. SITE AND LOCALITY

3.1 Site Description

The subject land is described within Certificate of Title Volume 6165 Folio 579 as Allotment 300 in Deposited Plan 110155.

The subject land is located between Fourth and Fifth Streets and Gibson Street and Muriel Matters Walk, Bowden. The land is roughly rectangular in shape with frontages to Fourth and Fifth Street (along the southern and northern boundaries respectively) of approximately 90 metres and Gibson Street and Muriel Matters Walk (western and eastern boundaries) of approximately 56 metres. The subject land has a total area of approximately 5,070 m².

The site is currently vacant and partially excavated having previously been occupied by a large industrial building as a part of the former Clipsal site.

3.2 Locality

The character of the locality and mixture of land uses and built form is divided by Gibson Street which runs along the western side of the subject land separating the recently developed Bowden Urban Village to the east and the older established portion of Bowden/Brompton to the west.

To the west of Gibson Street the locality is predominately low scale commercial, office and warehousing land uses with scattered residential properties. To the east is a range of multistorey high to medium density modern residential flat buildings developed as a part of the Bowden redevelopment. Areas of public open space and commercial uses including the Bowden Village Park, retail markets and IGA supermarket are also noted.
All adjoining allotments and those within the locality are located within the Urban Core Zone, with those to the south and west also located within the Main Street Policy Area 24.

The following features of the locality are noted:

**North:** Four & five storey residential flat buildings to the northern side of Fifth Street.

**West:** Open lot car parking and low scale commercial uses.

**South:** Bowden Village Park and Plant 4 retail development.

**East:** Six to seven storey residential flat buildings to the northern side of Fifth Street.

Locality plans and photographs are contained in the ATTACHMENTS.

Figure 1 – Location Map.
4. COUNCIL COMMENTS or TECHNICAL ADVICE

4.1 City of Charles Sturt

Council’s administration was informally consulted on the proposal, specifically with regard to stormwater, traffic and access, waste management and public realm impacts.

Council staff provided comments on the waste management plan and vehicle access and internal circulation. The comments were forwarded to the applicant who responded with supplementary reports/comments from GTA and Rawtec in regards to traffic and waste management respectively.

It is considered that the comments made by Council have been satisfactorily addressed via the applicant’s response and the recommended conditions in this regard.

Both the Council comments and the applicant’s response are included within the ATTACHMENTS.

5. STATUTORY REFERRAL BODY COMMENTS

No statutory referrals were required.

6. PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to the procedural matters section of the Urban Core Zone. As such no public consultation was undertaken.

7. POLICY OVERVIEW

The subject land is located within the Urban Core Zone with the south western portion fronting Fourth Street and portion of Gibson Street also located within the Main Street Policy Area 24 as described within the Charles Sturt Council Development Plan Consolidated 5 May 2016.

Relevant planning policies are contained in Appendix One and summarised below.

7.1 Main Street Policy Area

An entertainment, shopping and commercial main street is sought within the Policy Area along Gibson Street supported by medium and high density residential development at the upper levels.

Visually interesting streetscapes with buildings having a high level of fenestration, detail and activation, with balconies oriented towards the street to improve the pedestrian amenity of the area and lift the level of activity. Gibson Street is to become a destination attracting people to spend time within the area on account of the range and variety of uses and quality of the public realm.

A high level of pedestrian amenity, with shelter provided by canopies and verandahs is sought along with visually permeable, transparent or clear glazed ground floor frontages to promote active street frontages and maximise passive surveillance.
7.2 Urban Core Zone

The zone seeks integrated mixed use development with employment generating land uses and medium to high density residential development to take advantage of the proximity of the zone to the city, Park Lands, primary road corridors and public transport infrastructure.

A significant increase in residential densities is sought with minimum residential densities set for the various development sites within the zone. Non-residential land uses are sought at the ground floor level with residential development above.

A safe, comfortable and appealing street environment for pedestrians is sought with high quality public spaces and active frontages. Zero street and side setbacks are envisaged upon the subject land.

The Bowden Urban Village Concept Plan designates maximum building heights and residential density targets across this portion of the zone. It also designates the subject land as being located within the Core Area of the zone. The majority of the subject land has a building height range from a minimum of 3 up to a maximum of 6 storeys – maximum of 24.5 metres. The south western portion adjacent to the
intersection of Gibson and Fourth Streets has a designated height of between 3 to 10 storeys and a height of 40.5 metres.

Incentives allow for an additional 2 levels or 8 metres in height over and above the standard maximum if basement parking, ground floor non-residential uses or roof top gardens are proposed.

Figure 3 – Excerpt from the Bowden Village Concept Plan
7.3 Council Wide

The Council Wide provisions provide guidance to the level of residential amenity sought in terms of the extent of natural light, ventilation, outlook, and effective design outcomes. The provisions also provide guidance on appropriate levels of access, car parking, bicycle parks, servicing and interaction/relationship with the public realm.

7.4 Overlays

7.4.1 Affordable Housing

The proposal is subject to the affordable housing overlay. The overlay seeks that development comprising 20 or more dwellings include a minimum of 15 per cent affordable housing.

7.4.2 Noise and Air Emissions

This site is located within the designated area for the Noise and Air Emissions Overlay, and as such requires assessment against Minister’s Specification SA 78B for Construction Requirements for the Control of External Sound.

8. PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Charles Sturt Council Development Plan, which are contained in Appendix One.

8.1 Quantitative Provisions

<table>
<thead>
<tr>
<th></th>
<th>Development Plan Guideline</th>
<th>Proposed</th>
<th>Guideline Achieved</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height</td>
<td>Maximum 8 to 12 storeys and up to 32.5 to 48.5 metres (inclusive of the additional 2 levels/8 metres).</td>
<td>6 to 11 levels (plus roof top garden) with building heights of 20.8 to 37.9 metres to the top of the roof parapet</td>
<td>YES NO PARTIAL</td>
<td>Refer discussion below</td>
</tr>
<tr>
<td>Land Use</td>
<td>Mix of commercial and medium/ high density residential</td>
<td>Mixed retail and residential</td>
<td>YES NO PARTIAL</td>
<td>Satisfied</td>
</tr>
<tr>
<td>Car Parking</td>
<td>182 – 171 residential and 11 retail</td>
<td>285 – 277 residential and 8 retail</td>
<td>YES NO PARTIAL</td>
<td>Residential demand satisfied. Considered to be a sufficient level of parking provided for retail staff</td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>No quantitative requirement</td>
<td>293- 231 residential and staff and 62 visitor parks</td>
<td>YES NO PARTIAL</td>
<td>Sufficient bicycle parking provided</td>
</tr>
<tr>
<td>Street frontage Setbacks</td>
<td>No minimum setbacks required</td>
<td>0 metres</td>
<td>YES NO PARTIAL</td>
<td>Acceptable</td>
</tr>
<tr>
<td>Density</td>
<td>Minimum net density of 60 and 130 dwellings per hectare</td>
<td>448 dwellings per hectare</td>
<td>YES NO PARTIAL</td>
<td>Satisfied</td>
</tr>
</tbody>
</table>
8.2 Land Use and Character

The Urban Core Zone seeks a mixture of land uses but in general terms desires the establishment of non-residential uses at the ground level of buildings with residential development above.

The proposal seeks to locate four separate retail tenancies at ground level with frontages to Gibson and Fourth Streets and Muriel Matters Walk. The tenancies will help to activate the corners of the site at Gibson and Fourth Streets and Muriel Matters Walk and Fourth Street. Opportunities for outdoor dining both within the adjoining footpaths and the entrances to the central common area are available to all of the tenancies. With a total retail area of approximately 350m² the proposal satisfies the maximum retail floor area of 500m² for areas outside of the Main Street Policy Area. The Fourth Street frontage and southern portion of the Gibson Street frontage are located within the Policy Area which has no maximum floor area on retail development and actively encourages it within the zone, particularly at ground level.

The medium/high density residential development proposed across the site (total of 228 apartments) is supported within the Zone and Policy Area with the main intent of the zone for a significant increase in residential densities across the Bowden Urban Village.

8.3 Design and Appearance

Height

The proposed towers range in height from 6 to 10 storeys. The building fronting Fourth Street (On Park East/West) is the tallest with 10 storeys and a maximum height of 37.9 metres to the parapet. The building fronting Fifth Street (On Fifth) is 8 storeys/27.4 metres with the buildings fronting Gibson Street (On Gibson) and Muriel Matters Walk (On the Lane) 6 storeys/20.8 metres to the top of the upper parapet.

The subject land has two different maximum building heights applicable to it. The south western corner has a maximum 10 storeys/40.5 metres height. The remainder of the subject land has a maximum of 6 storeys/24.5 metres. A minimum height of 3 storeys applies across the site.

The 11 storey ‘On Park’ building fronting Fourth Street exceeds the maximum number of levels by 1 storey at the western end and 5 storeys at the eastern end given the differing height requirements across the site. In terms of building heights the western end achieves the maximum height by 2.5 metres whilst the eastern end exceeds it by 13.5 metres (not including the lift and stairs to the roof deck). The 8 storey On Gibson building exceeds the maximum storey limit with 2 additional storeys proposed and the maximum height by 2.9 metres. Both of the 6 storey On the Lane and On Gibson buildings achieve both the maximum storey and building height requirements.

Urban Core Zone Principle of Development Control (PDC) 31 allows for additional height where certain parameters are achieved and the resulting form does not unduly overshadow dwellings in adjacent zones. The proposal satisfies three of the criteria in that basement car parking, ground floor retail uses and roof top gardens are proposed. As such an additional 2 storeys or 8 metres of height on top of the standard maximums can be applied to the proposal. This raises the maximum height applicable to the On Gibson building to 8 storeys and 32.5 metres. With the additional height applied the On Gibson Building achieves the maximum building height.

The maximum height applicable to the On Park building is increased to 8 storeys and 32.5 metres at the eastern end and 12 storeys and 48.5 metres at the western end. As such the western end achieves the maximum building height when the additional
incentive height is added however the eastern end of the building exceeds the adjusted height requirement by 5.5 metres or 3 storeys.

The additional height proposed over and above the adjusted maximum is located within the eastern portion of the building only. The applicant has indicated that they wish for the On Park building to have a consistent roof/parapet level and as such have carried the height across the frontage of the building. Given the location of the On Park building adjacent to the Bowden Village Park open space and Plant 3 and 4 retail/market spaces on the southern side of Fourth Street the additional height is considered to be acceptable and unlikely to result in any material impacts upon adjoining development or the character of the locality.

It is noted that the Bowden Design Review Panel also considered the additional height proposed and ultimately found it to be acceptable within the context of the broader Bowden Village site.

**General Form and Composition**

The Development Plan encourages a high quality of design excellence and appropriate composition and proportion of buildings. Council Wide Design and Appearance of Land and Buildings Objective 19 seeks ‘development of a high architectural standard and appearance that responds to and reinforces positive aspects of the local environment and built form’. The Zone and Policy Area also have a strong focus on achieving a high level of architectural merit, with a desire for contemporary design.

Main Street Policy Area PDC’s 3 and 4 are also of note:

**PDC 3:** An interesting and varied skyline as viewed from the street and afar, provided by modulation in roof forms and the use of parapets.

**PDC 4:** A visually interesting streetscape with buildings having a high level of fenestration and detail, and balconies oriented towards the street.

All four buildings have a similar architectural theme and use the same suite of external materials and finishes so as to be visually linked however each building has a sufficient degree of variation within the composition and detailing of the external façades so as to break down the scale of the built form across the site. Overall the proposed built form is considered to be an acceptable form of contemporary design which draws on a range of external materials and finishes. Whilst the building façade of the On Park building to Fourth Street is significant in its length and overall scale it is considered to be appropriately treated with vertical feature fins, upper level setbacks, balcony plantings, articulation and a range of fenestration so as to create a sufficient level of visual interest and break the façade into a number of smaller elements.

The proposed external materials, including the use of concrete panels, brick, timber, steel and metal cladding is considered to be compatible with the recent residential development within the locality.

As previously noted the proposal has received approval from the Bowden Urban Design Review Panel, which includes the Government Architect and a number of other architectural practitioners.

**Ground Floor**

There is a general desire within the Council Wide, Urban Core Zone and Main Street Policy Area provisions for active and engaging ground floor facades and land uses.
The proposal satisfies the desire of Urban Core PDC 15 for a minimum ground floor ceiling height of 3.5 metres so as to allow for future reuse. Main Street Policy Area PDC 5 seeks a high level of glazing to ground floor frontages within the Policy Area:

**Main Street Policy Area PDC 5:** The ground level street frontages of buildings should contribute to the appearance and retail function of the area by providing at least 5 metres or 60 per cent of the street frontage (whichever is the greater) as an entry / foyer or display window to a shop (including cafe or restaurant) or other community or commercial use which provides pedestrian interest and activation.

The south western and southern portions of the subject land are within the Policy Area. Of the proposed buildings in the Policy Area the Gibson Street frontage has a high level of glazing to the two retail tenancies, satisfying PDC 5 above. The glazing wraps the corner into Fourth Street however the majority to the Fourth Street frontage, other than the small retail tenancy at the eastern end, consists of dwellings and the two entrance foyers. Whilst it is noted that the Policy Area desires a high level of activation the balance proposed between retail, dwellings and entrances is considered to be acceptable, particularly given that the majority of the retail is to be located upon the Gibson Street frontage which is the key focus of the Main Street Policy Area.

The internal common area is considered to achieve Urban Core Zone PDC 7 through the provision of a high quality publically accessible open space:

**Urban Core Zone PDC 7:** Core Areas should incorporate integrated high quality public open spaces, sport and recreation facilities, and community areas that act as social hubs for communal activity.

The ground floor common area, whilst susceptible to overshadowing from the surrounding buildings, provides an option for residents to use as an alternative to their private balconies, the roof terrace or the adjoining public park on the southern side of Fourth Street.

It is considered that the proposal will generate a high level of activity within the locality with the general movement of residents, staff and visitors both during the day and evening. The number of connections to and interactions with the public realm from the central common area, retail tenancies, residential lobbies and ground floor apartments is considered to achieve the clear intent of the zone in this regard.

**8.4 Residential Amenity**

The Development Plan seeks a high level of residential amenity within functional internal and external spaces provided. The proposal offers a range of single, two and three bedroom apartments across all four developments with a range of sizes, orientations, configurations and, it is assumed, price points.

All apartments have access to natural light and ventilation as well as an area of private open space. The size of the apartments ranges from 55 to 130m² with private open space from 8 to 145m². The size of the apartments and the internal layouts are considered to be satisfactory in achieving a high level of amenity for residents. The balconies generally satisfy the requirements of the Development Plan with a number undersized by only 1 to 2m². Likewise the ground floor courtyards are slightly undersized given the larger private open space requirements for ground floor dwellings. Given the space provided within the common areas on the roof and ground level as well as adjoining public open space the level of private open space provided throughout the proposal is considered to be sufficient.
Given the proximity of the buildings to each other a degree of shadow will be cast which will impact upon a number of the lower level dwellings which front the internal common area. It is noted that the upper level of the building fronting Fifth Street is tapered so as to allow light into the central area. A degree of shadow is to be expected within an area where a minimum of 3 storeys is desired and up to 10 storeys allowed. The level of light is considered to be satisfactory across the course of the year. It is also acknowledged that the surrounding area provides a range of passive and active recreational options for residents to venture outside of their apartments as well as shops, cafes and markets which can be readily utilised by occupants throughout the year.

Overall it is considered that the proposal will provide for a sufficient level of residential amenity for future occupants of the development.

8.5 Traffic Impact, Access and Parking

The use of a single point of access to the shared basement levels from Fifth Street is considered a positive in terms of streetscape appearance and minimisation of impacts.

Servicing is to be undertaken from the adjoining streets with waste to be brought out for collection in the adjoining roadways. It is noted that the waste and traffic reports submitted both talk of designated collection points however the location of these points has not been confirmed. It is recommended that the final details of waste collection and management form a condition of approval.

The applicant has noted that the small size of the retail tenancies proposed does not warrant a designated loading area onsite. I concur with this view given the potential for on street servicing to occur via smaller delivery vehicles.

A total of 285 (277 residential and 8 retail car parks) are to be provided. This satisfies the minimum rate of 171 required for the residential component but falls slightly short of the 11 spaces required for the retail component. The shortfall for retail is considered satisfactory given that the majority of customers are likely to be drawn from the surrounding residential developments. A condition of approval reinforcing the applicant’s commitment to providing 8 retail spaces, in response to Council comments, is recommended.

The internal layout and circulation spaces within the car park area appear to be acceptable as indicated by the applicant’s traffic engineer.

The applicant’s traffic report notes that there is adequate capacity within the surrounding road network to cope with the increase in traffic generated by the proposal.

A sufficient level of bicycle parking is provided for residents, staff and visitors at both ground level and in the basement. The bicycle storage rooms are readily accessible and conveniently located.

8.6 Environmental Factors

8.6.1 Crime Prevention

A high degree of passive surveillance is provided over the surrounding streets from the retail and residential components. The proposed dwellings also provide a high level of surveillance over the internal ground floor space with the proposed landscaping preserving the sight lines across and through this space to ensure the safety of users and the public passing through.
Overall the general layout of the ground floor landscaped area is considered to be acceptable and unlikely to lead to any unsafe conditions. A range of robust materials and finishes are proposed at ground level to all street frontages and for the internal landscaping/seating proposed.

**8.6.2 Noise Emissions**

The applicant has provided an acoustic assessment in relation to potential noise impacts both from and upon the proposed development. Whilst the report does not have access to the final detailed design of the glazing and walling systems to be used or the plant and equipment requirements of the building it is noted that in general terms there are no concerns in relation to acoustic matters.

Further details will be required at the detailed design phase in relation to these elements. A condition requiring further consideration of these elements as the appropriate details become available forms part of the recommendation below.

**8.6.3 Waste Management**

The storage of waste is to occur on site within the five residential and two commercial waste storage areas at ground floor level. Upper level residents will utilise a chute system to deliver waste to the rooms with ground floor residents and commercial operators required to take their waste to the appropriate storage rooms.

The applicant has indicated that the collection of waste is to occur within the adjoining road network. Final details of the collection points are required but there appears to be sufficient parking and loading areas for this to occur.

Council have requested that additional space be provided within the two waste storage rooms within the On Park building. The applicant has committing to providing the additional space as a part of the detailed design phase and is amendable to a condition of approval requiring this to occur. A condition of consent seeking confirmation of the increased storage is proposed within the recommendation.

**8.6.4 Energy Efficiency**

Buildings should exhibit architectural merit and have regard to best practice energy efficiency principles to reduce dependence on mechanical cooling and heating and lighting systems and include options for the harvest and treatment, storage and reuse of stormwater

The general intent of the development in terms of ESD initiatives has been provided by the applicant. The document displays the applicant’s intent to incorporate a number of energy and water saving measures within the final design and documentation of the development. It is noted that whilst the ESD Report notes that stormwater reuse will be included the stormwater report notes that this is yet to be determined. Stormwater reuse is an important environmental initiative within the Development Plan and as such a condition of consent is recommended to ensure that a level of reuse is incorporated within the detail design phase.
8.6.5 Site Contamination

The subject land is vacant with the former industrial development of the site demolished as a part of the broader demolition and remediation works undertaken by Renewal SA. The exact history of the site and the remediation works that have been undertaken is unknown. It is noted however that the proposed basement levels will result in a significant excavation of the site and removal of the existing soil and therefore any potential residual contamination. As such a condition of approval requiring the applicant to assess and manage the excavation and disposal of any contaminated soil is recommended.

9. CONCLUSION

The proposal seeks to develop a significant vacant site within the Bowden Urban Village currently being developed by Renewal SA. The mixed use development, consisting of 228 dwellings and ground floor retail tenancies, is considered to be consistent with the desired character statement of the Urban Core Zone and Main Street Policy Area. In particular the following aspects are supported:

- Appropriate mixture of land uses leading to an increase in residential density and activity within the locality;
- Ground floor activation to all street frontages;
- A suitable level of residential amenity proposed within the apartments; and a
- High quality built form, materials and overall design.

It is noted that the proposal will partially exceed the maximum building heights sought for the south eastern portion of the land. A qualitative assessment of this element demonstrates that the resulting impacts of the additional height proposed will be limited given it will not overshadow any adjoining residential development and fronts a large area of public open space. The overall form, bulk and scale of the buildings; size and functionality of POS; activation of the surrounding streets; provision of a central common space and use of basement levels for car parking are all considered to be positive aspects of the proposal.

Ultimately the proposal is considered to display a sufficient degree of merit and is considered to be a high quality design outcome that will continue to drive the general level of activity and emerging character within the Bowden Urban Village.

10. RECOMMENDATION

It is recommended that the Development Assessment Commission:

1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.

2) RESOLVE that the Development Assessment Commission is satisfied that the proposal meets the key objectives of the Urban Core Zone with particular reference to increased residential density and high quality built form.

3) RESOLVE to grant Development Plan Consent to the proposal by Hames Sharley for a mixed use development at Fifth Street Bowden subject to the following conditions of consent.

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict
accordance with the details and plans as submitted in development application number 252/L007/17 (Council Ref. 252/0040/17) including:

**Architectural Plans**

- Plan set prepared by Hames Sharley dated November 2016

**Reports / Correspondence**

- Planning Report prepared by Ekistics, dated 21 November 2016
- Traffic and Parking Assessment prepared by GTA, dated 18 October, 2016
- Waste Management Plan prepared by Rawtec, dated October, 2016
- Stormwater management report prepared by PT Design dated 5 October, 2016
- ESD Intent Report prepared by $D^2$, dated 28 October, 2016

**Additional information and reports**

- Correspondence from Ekistics dated 1 May, 2017
- Correspondence from GTA dated 19 April, 2017
- Correspondence from Rawtec dated 1 May, 2017

2. The applicant shall demonstrate, to the reasonable satisfaction of the Commission, prior to the commencement of superstructure works that the preliminary acoustic design recommendations of the Resonate Acoustic Services report dated 19 October, 2016 have been incorporated into the detailed design of the proposal or that the appropriate noise levels, as identified within the report, have otherwise been achieved.

3. Details of the onsite capture and reuse of stormwater within the development shall be provided to the satisfaction of the Commission prior to the issue of Building Rules Consent for any superstructure works.

4. An updated waste management plan shall be provided to the satisfaction of the Commission prior to the issue of Building Rules Consent for any superstructure works. The plan shall consider and outline the following matters:
   - On street waste collection locations;
   - Size and areas of each waste room demonstrating that they are capable of accommodating the required waste bins and circulation space (minimum of 1.25m wide access path clear of any obstruction); and
   - Inclusion of a resident handbook that outlines the roles and responsibilities of individuals, households, the property manager, and collection contractors to effectively and safely manage the waste and resource recovery system.

5. Eight (8) car parks within the basement shall be reserved and made available for the use of the retail tenancies at all times.

6. Final details of the width of the access to Fifth Street and associated line marking adjacent to the property boundary shall be provided to the satisfaction of the Commission prior to the issue of Building Rules Consent for any superstructure works.

7. The proposed car parking layout, vehicular entry points and manoeuvring areas shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including clearance to columns and space requirements at the end of blind aisles)
for Off-Street Parking Facilities; Australian Standard 2890.6-2009 Parking facilities – Off street commercial vehicle facilities and designed to conform with Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities.

8. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.

9. Mechanical plant or equipment, shall be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site shall not exceed:

   50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) at the most affected residence when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

10. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publication “Environmental Management of On-site Remediation” - to minimise environmental harm and disturbance during construction.

   The CEMP must incorporate, without being limited to, the following matters:

   - air quality, including odour and dust
   - surface water including erosion and sediment control
   - soils, including fill importation, stockpile management and prevention of soil contamination
   - groundwater, including prevention of groundwater contamination
   - noise
   - occupational health and safety

For further information relating to what Site Contamination is, refer to the EPA Guideline: 'Site Contamination – what is site contamination?':

11. All stormwater design and construction shall be in accordance with Australian/New Zealand Standards, AS/NZS 3500-2003 and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property.

12. The connection of any storm water discharge from the Land to any part of the Council’s underground drainage system shall be undertaken in accordance with the relevant Council standards to the reasonable satisfaction of the Commission.

ADVISORY NOTES

a. The development must be substantially commenced within 2 years of the date of this Notification, unless this period has been extended by the Development Assessment Commission.

b. The authorisation will lapse if not commenced within 2 years of the date of this Notification.
c. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 5 years of the date of the Notification unless this period is extended by the Commission.

d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.

e. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow.

f. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Damian Dawson  
Consultant Planner  
PLANNING AND DEVELOPMENT  
DEPARTMENT OF PLANNING, TRANSPORT and INFRASTRUCTURE