



**Buildtec Pty Ltd**

Demolition of portion of existing warehouse and construction of residential apartment building with associated basement car parking and ancillary works

**99 King William Street, Kent Town**

155/M009/16

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**OVERVIEW**

<b>Application No</b>	155/M009/16
<b>Unique ID/KNET ID</b>	Unique ID 11209690/ Knet ID 2016/11889/01
<b>Applicant</b>	Buildtec Pty Ltd
<b>Proposal</b>	Demolition of portion of an existing warehouse and construction of new residential apartment building with associated basement car parking and ancillary works
<b>Subject Land</b>	99 King William Street, Kent Town (A28 in FP100026)
<b>Zone/Policy Area</b>	Urban Corridor Zone - Business Policy Area
<b>Relevant Authority</b>	Inner Metropolitan Development Assessment Committee
<b>Lodgement Date</b>	07 July 2016
<b>Council</b>	City of Norwood, Payneham and St. Peters
<b>Development Plan</b>	City of Norwood, Payneham and St. Peters, Consolidated 28 April 2016
<b>Type of Development</b>	Merit
<b>Public Notification</b>	Category 1
<b>Representations</b>	N/A
<b>Referral Agencies</b>	Government Architect
<b>Report Author</b>	Tom Victory, Principal Planner, CBD and Inner Metro Team
<b>RECOMMENDATION</b>	Development Plan Consent subject to conditions

**EXECUTIVE SUMMARY**

The applicant seeks Development Plan Consent for the demolition of portion of an existing warehouse and construction of new residential apartment building with associated basement car parking and ancillary works at 99 King William Street, Kent Town.

The proposal is a merit, Category 1 kind of development with statutory referrals to the Associate Government Architect (AGA) on the Government Architect’s behalf.

Key planning matters including height, setbacks, car and bicycle parking, traffic movements, waste management, apartment amenity and crime prevention through environmental design (CPTED), are all considered to have been acceptably addressed.

The AGA has provided conditional support subject to refinement of matters relating to waste collection arrangements and external finishes.

Overall, the proposal is considered to display sufficient merit to warrant planning consent subject to conditions.

**ASSESSMENT REPORT**

**1. BACKGROUND**

**1.1 Strategic Context**

In 2013, the *City of Norwood Payneham & St Peters, Kent Town and The Parade Strategic Growth Development Plan Amendment* (DPA) was gazetted. This introduced the Urban Corridor Zone and the Boulevard Policy Area to North Terrace and Dequetteville Terrace, Kent Town to encourage a new form of urban living that enables more people to enjoy the benefits of an inner city lifestyle. Policies encourage mixed-use forms of development complemented by well-designed and



contemporary housing that reflects the way people want to live—close to public transport, jobs and vibrant places.

### 1.2 Pre-Lodgement Process

The proponent engaged in the Pre-lodgement Service, participating in one (1) Pre-lodgement Panel meeting and one (1) Design Review session. This served to provide relatively high-level guidance regarding fundamental assessment considerations such as land use, building height, design quality and access. The feedback received assisted in forming the design of the building for lodgement. No formal Pre-lodgement Agreements were reached prior to lodgement of the subject application.

## 2. DESCRIPTION OF PROPOSAL

Application details are contained in the ATTACHMENTS.

The main part of this application is to construct a six level residential apartment building containing eleven, two bedroom apartments. To facilitate the new building it is proposed to demolish the rear section of the existing ground floor warehouse fronting Little King William Street. An existing two storey office building facing King William Street will be retained along with the balance of the ground level warehouse building as well as the basement car parking area below.

Provision will be made for the off street parking of thirteen (13) vehicles in the existing basement for the apartments. Dedicated storage spaces for bicycle parking will also be provided within the basement. All pedestrian, bicycle and vehicle access to the apartments will be via Little King William Street.

Car parking previously located in the basement for the office/warehouse use, will be shifted to the remaining part of the building at ground level to take the place of the previous warehouse use. The 8 car parks to be provided would then service the office tenancies to be retained.

The building façades are to be decorated with street art, with the plans currently depicting indicative artworks only.

All apartments are to feature balconies facing north-west. At the lower levels, a light court is to be established at the rear of the apartment building to enable light to the lower levels of the building due to the presence of the warehouse building to the rear. The light court will feature a galvanised wire mesh fixed to the splayed roof of the adjacent warehouse carpark, and hardwood timber rafters and battens. The wire mesh and timber arbour are to be landscaped with climber plantings.

A summary of the proposal is as follows:

<b>Land Use Description</b>	<ul style="list-style-type: none"> <li>• Demolition of portion of warehouse building and construction of 6 six storey residential apartment building</li> <li>• Existing office building and use fronting King William Street to be retained.</li> <li>• Existing warehouse building to rear of office to be converted to car parking for the office use</li> <li>• Existing basement level to be converted from car parking for the warehouse/office uses, to car parking for the residential apartments</li> </ul>
<b>Building Height</b>	21.95m above ground level (excluding minor lift overrun)
<b>Description of levels</b>	<u>New apartment building (fronting Little King William Street):</u>



	<ul style="list-style-type: none"> <li>Basement- resident/visitor car parking, bicycle parking and apartment storage</li> <li>Ground: One apartment, vehicle access to basement car park, foyer, waste storage area</li> <li>Levels 1- 5: Two apartments per level with private open space on balconies</li> </ul> <p><u>Existing Office/Warehouse Building (fronting King William Street):</u></p> <ul style="list-style-type: none"> <li>Ground: existing office tenancy, car parking in balance of converted warehouse building</li> <li>Level 1: Existing office tenancy</li> </ul>
<b>Site Access</b>	<ul style="list-style-type: none"> <li>Vehicle access to new apartment building basement car park via existing Little King William Street crossover point and ramp</li> <li>Vehicle access to new office carparking area in covered ground floor via existing King William Street crossover point</li> </ul>
<b>Apartment Details</b>	<ul style="list-style-type: none"> <li>2 bedrooms per apartment</li> <li>76m<sup>2</sup> floor area per apartment</li> <li>16.5m<sup>2</sup> private open space per apartment via balconies</li> <li></li> </ul>
<b>Car and Bicycle Parking</b>	<p><u>New apartment building (fronting Little King William Street):</u></p> <ul style="list-style-type: none"> <li>13 car parks (11 resident parks and 2 visitor parks)</li> <li>11 bicycle spaces</li> </ul> <p><u>Existing Office/Warehouse Building (fronting King William Street):</u></p> <ul style="list-style-type: none"> <li>Existing warehouse converted to 8 car parks</li> <li>No bicycle parking indicated but sufficient space for provision</li> </ul>
<b>Encroachments</b>	N/A

### 3. SITE AND LOCALITY

#### 3.1 Site Description

The site is within Kent Town and consists of one allotment of rectangular shape with an area of approximately 830m<sup>2</sup>. The site has frontage to both King William Street at its southern end and to Little King William Street at its northern end. The legal identifiers of the allotment are:

Lot No	Street	Suburb	Hundred	Title Reference
A28 in FP 100026	King William	Kent Town	Adelaide	5077/831

The subject site is located approximately 140m south-west of Fullarton Road. It currently contains a warehouse building which occupies the majority of the site. At the south-western corner of the land, there is a two storey office building. The site's main access is via a crossover to King William Street in the south-eastern corner which leads to a high roller door to the warehouse building. There is also a rear access roller door fronting Little King William Street with a ramp down to an existing



basement car parking area. A raised loading roller door is also present on the rear wall of the warehouse building for vehicle loading purposes from the former warehouse use.

The site has a slight fall of approximately 1m down to the northern (Little King William Street) end.

### 3.2 Locality

The locality is comprised of a mix of one to three storey commercial, office, consulting room, storage and light industrial uses. These uses generally front on to King William Street to the south and North Terrace to the north. Little King William Street mainly serves as a rear service lane for access and carparking for these businesses. There are some scattered residential uses within the locality, in particular a row of two-storey townhouses on the southern side of King William Street opposite the site, but the locality is predominately made up of commercial uses. There are no heritage places within the locality which could be adversely impacted by the proposal.



Figure 1 – Location Map

## 4. STATUTORY REFERRAL BODY COMMENTS

### 4.1 Government Architect

The Government Architect is a mandatory referral in accordance with Schedule 8 of the *Development Regulations 2008*; the Commission must have regard to this advice.



The AGA has responded to the referral on behalf of the Government Architect. In summary, comments raised were:

- The height of the building is supported contingent on delivery of a high quality design outcome, particularly in relation to appropriate material selection and side wall articulation
- Support is given for the proposal drawing reference from the unique industrial character of the locality; use of authentic robust materials at ground level is encouraged in this regard; the use of fibre cement cladding at ground level could be reconsidered in this respect
- Setbacks are generally supported
- The AGA is not yet convinced on the usability or amenity of the communal outdoor spaces
- Whilst apartment sizes and layouts are generally supported, the location of entrances may compromise amenity
- North facing balconies are supported along with services and plant being located on the roof so as to keep balconies clear
- The use of existing crossovers, ramps is supported but further consideration needs to be given to the waste management strategy with agreement from Council (*note the waste collection arrangements have since been amended following this comment*)
- The inclusion of public art is supported, however further opportunities exist to deliver the public realm activation and visual interest through the architectural expression
- Landscaping arrangements and the light court are supported; appropriate plant selection should be identified through later design development stages to ensure the success of this aspect of the development.

The referral response is contained in the ATTACHMENTS.

## 5. COUNCIL TECHNICAL ADVICE

Informal technical advice was sought from the City of Norwood, Payneham and St. Peters. Written comments were in the form of email discussions between DPTI and Council about the waste collection methodology.

In summary, the final waste collection methodology was deemed to be acceptable by Council staff (which is discussed in more detail in the planning assessment in Section 8). No other comments from Council were received in relation to the proposal (it is noted that Council had involvement in the pre-lodgement process however).

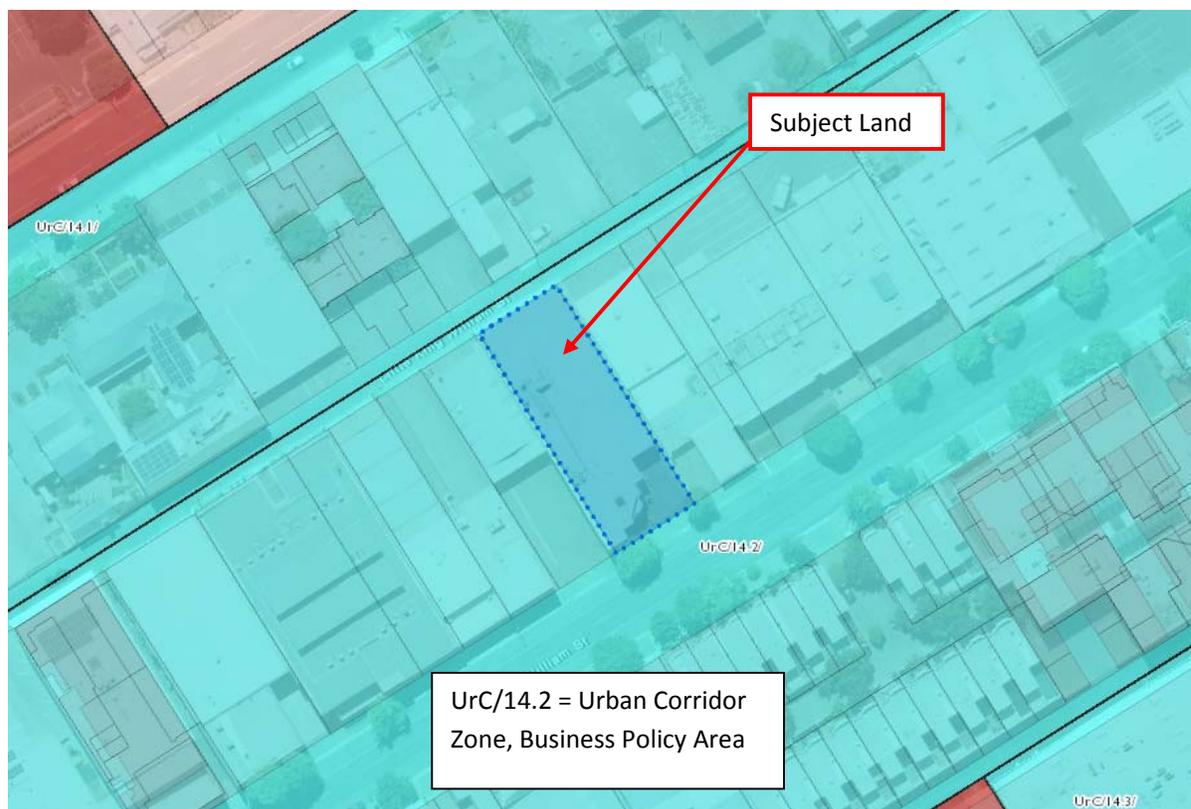
## 6. PUBLIC NOTIFICATION

The application is a Category 1 development pursuant to PDC 21 of the Urban Corridor Zone. No public notification was required.

## 7. POLICY OVERVIEW

The subject site is within the Urban Corridor Zone and the Business Policy Area as contained within the City of Norwood, Payneham and St. Peters Development Plan Consolidated 28 April 2016, and as indicated in Figure 2 below.

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



**Figure 2 – Zoning Map**

### **7.1 Business Policy Area**

The site is within the Business Policy Area which generally seeks:

- A mixed use business policy area that accommodates a range of commercial and light industrial land uses together with compatible medium and high density residential development.
- Development that minimises any adverse impacts upon the amenity of the locality within the zone.
- A high standard of development which promotes distinctive contemporary building, landscape and streetscape design, with high visual and environmental amenity.
- Non-residential land uses on the ground and first floor levels of a building with residential development above.

### **7.2 Urban Corridor Zone**

The site is within the Urban Corridor Zone (UC Zone) which generally seeks:

- A mixed use zone accommodating a range of compatible non-residential and medium and high density residential land uses orientated towards a high frequency public transport corridor.



- Integrated mixed use, medium and high rise buildings with ground floor uses that create active and vibrant streets with residential development above.
- A mix of land uses that enable people to work, shop and access a range of services close to home.

The Zone sets out the parameters for key planning issues such as building height, setbacks, vehicle access (being generally sought from rear access ways), building massing (to minimise impacts on adjoining zones) and minimum net residential densities for yield from residential development.

The Zone also contains the 'Kent Town Strategic Growth Concept Plan Fig UrC/1'. This concept plan provides little guidance in relation to development of this specific site, other than to display that King William Street is considered a 'Primary Road Corridor' and that the particular section of Little King William Street of which the site abuts, is not desired to be an 'active laneway' like other sections of the lane further to the west.

### 7.3 Council Wide

Relevant Council Wide provisions seek:

- Orderly and economic development
- Safe and convenient vehicle movements
- Provision of affordable housing
- Appropriate waste collection
- Residential apartment amenity
- Minimisation of potential impacts of site contamination
- Appropriate stormwater management, and
- Minimisation of interface conflict between land uses.

### 7.4 Overlays

#### 7.4.1 Affordable Housing

The proposal is subject to the affordable housing overlay, although this overlay is only applicable to developments proposing 20 or more dwellings (only 11 are proposed in the application).

#### 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*.

#### 7.4.3 Airport Building Heights

The site is within 'Area E' on NPSP/1 Overlay 3. This map indicates that any structure exceeding 100m in height requires referral to the relevant Federal Department governing airspace safety. The proposal building height is well under this height threshold however.



## 8. PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the City of Norwood, Payneham and St. Peters Development Plan, which are contained in Appendix One.

### 8.1 Quantitative Provisions

	Development Plan Guideline	Proposed	Guideline Achieved	Comment
<b>Building Height</b>	5 stories or 18.5m	6 stories or 21.95m (excluding minor lift overrun)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> PARTIAL <input type="checkbox"/>	Although over this height guideline, it is generally considered acceptable on balance- refer 8.2
<b>Car Parking</b>	<u>Apartments</u>  1 per 2 bedroom dwelling for residents sought = 11  0.25 per dwelling for visitors sought = 3  Total sought = 14  <u>Existing Office Tenancy</u>  3 spaces per 100 square metres of gross leasable floor area sought  260m <sup>2</sup> total floor area of offices  Total sought = 8	<u>Apartments</u>  Residents – 11  Visitors – 2  Total proposed = 13  <u>Existing Office Tenancy</u>  8 spaces proposed to be provided on ground floor	YES <input type="checkbox"/> NO <input type="checkbox"/> PARTIAL <input checked="" type="checkbox"/>	Slight shortfall for apartment visitor parking however considered acceptable – refer 8.7          Office allocation appropriate
<b>Bicycle Parking</b>	<u>Apartments</u>  1 for every 2 dwellings for residents = 6 sought  1 for every 5 dwellings for visitors = 2 sought  Total sought = 8  <u>Offices</u>  1 space per 150m <sup>2</sup>	<u>Apartments</u>  Total provided = 11     <u>Offices</u>  No spaces	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL <input type="checkbox"/>	Refer to discussion in 8.7 for further detail



	of gross leasable floor area for employees and 2 plus 1 space per 500m <sup>2</sup> of gross leasable floor area for visitors  = 5 sought	indicated on the plans however there would appear to be ample space for at least 5 parks within the landscaped area in front of the office building as well as within various areas within the ground floor car parking area.		
<b>Front Setback</b>	N/A (no change through DA)	N/A (no change through DA)	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL <input type="checkbox"/>	
<b>Rear Setback</b>	Where the rear access way is less than 6.5 metres in width, the additional width required to make the access way 6.5 metres, to provide adequate manoeuvrability for vehicles, plus 1 metre.  This equates to approximately 1.2m as the laneway is approximately 6.3m wide.	1.2m rear setback to King William Street	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL <input type="checkbox"/>	Appropriate rear setback
<b>Side Setback</b>	No minimum	To be built to side boundaries	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL <input type="checkbox"/>	
<b>Apartment floor area</b>	None specified	76m <sup>2</sup>	N/A	It is noted that apartment areas exceed the minimum area as outlined in the City of Adelaide Development Plan (65m <sup>2</sup> ) as a comparison
<b>Private Open Space</b>	None specified	16.5m <sup>2</sup> per apartment via balconies	N/A	It is noted that balcony sizes exceed the minimum area as outlined in the City of Adelaide Development Plan (11m <sup>2</sup> ) as a comparison
<b>Apartment Storage</b>	8m <sup>3</sup> per dwelling in one or more of the following areas: (a) in the dwelling (but not including a habitable room);	12 storage spaces are proposed in the basement however volume of each is not	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL <input type="checkbox"/>	The communal storage spaces indicated on the floor plan measure 2.5 long by 1.25m wide. Assuming a



	(b) in a garage, carport or outbuilding; or (c) within an on-site communal facility.	specified. The applicant has indicated the total volume of the storage area to be 99m <sup>3</sup> which would equate to 9m <sup>3</sup> per apartment which exceed the relevant Development Plan policy.		conservative height of 1.5m for each space, this would equate to approximately 5m <sup>3</sup> for each space. The remaining required 3m <sup>3</sup> could easily be accommodated within the apartments (which are 76m <sup>2</sup> in floor area). It is also noted that there would be one spare basement space as there are only 11 apartments proposed.  Storage provision considered appropriate.
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## 8.2 Height

The proposed building is to be 21.95m above natural ground level, excluding a minor protrusion above this for the lift overrun. In support of the proposed height, the applicant has stated:

*"The proposed apartment building will be constructed over the existing basement. At Little King William Street, the basement rises 1.05 metres above street level. Effectively therefore the proposed building will 'inherit' 1.05 metres of building height represented by the existing basement. The building's floor to floor height will be 3.2 metres, which is made up of a floor to ceiling height of 2.7 metres plus a 500mm services duct, which is barely adequate after allowing for the floor slab at each level. The floor levels when combined will therefore contribute 20.25 metres to the building height, or 1.75 metres above the specified maximum building height of 18.5 metres. The final building height component is represented by the articulated sawtooth roof profile, which has been added in deference to the suburb's industrial origins. The sawtooth roof adds 1.7 metres to the building height. When taking into account these factors, the overall building height in our opinion is reasonable and acceptable".*

It is noted that there is unlikely to be any significant perceivable impacts from the proposed exceedance of the 18.5m guideline. In terms of overshadowing impacts, it is noted that the positioning of the building at the northern end of the site means that for many hours of the day shadowing impacts would be to the south, back over the former warehouse and office building on the subject land. There are no residential uses to the west, north and east of the subject land which could be adversely impacted by overshadowing/overlooking from the proposed building to any significant degree. Adjacent uses are commercial in nature with a large parking area immediately west.

The row of townhouses on the southern side of King William Street are at least 50m from the proposed apartment building and should not be impacted to any significant degree. Little to no shadow would be cast on these dwellings at the



winter solstice. It is noted that these townhouses are also within the Urban Corridor Zone.

It is further noted that the subject land is centrally located within the Urban Corridor Zone, and as such:

- Any impacts of the extra height should not adversely impact land in other zones much further to the north and south
- Whilst noting the proposal is one of the first in the Urban Corridor Zone in this location, it is reasonable to expect that in time surrounding land in the locality will likely be re-developed with buildings of around 5 stories as sought by the Objectives of the zone, thus mitigating any perceived visual impacts of the height.

Finally, it is noted that the site is immediately south of the Boulevard Policy Area of the Urban Corridor Zone (which exists on the other side of Little King William Street). That policy area seeks a maximum building height of 10 storeys or 36m (double that contemplated in the subject Business Policy Area). It is reasonable to expect that over time, buildings of that height may eventuate and as such the proposed building in this application would provide a logical transition to the heights sought in that Policy Area.

In respect of all the above, the application is considered to acceptably address PDCs 13 and 14 of the Urban Corridor Zone.

### **8.3 Setbacks**

As stated in the table in Section 8.1, all the setbacks are considered appropriate and suitably address PDCs 10, 15, 16 and 17 of the UC Zone.

### **8.4 Land Use**

Objective 1 and PDC 1 of the UC Zone seek residential uses particularly in the form of medium to high density residential flat buildings.

Objective 1 of the Business Policy Area also seeks 'compatible medium and high rise density residential development'. Business Policy Area 1 seeks non-residential land uses on the ground and first floor levels of a building. Other policies within the Zone and Policy Area also seek ground floor uses that create active and vibrant streets.

These policies must also however be observed in conjunction with Fig UrC/1. This figure, amongst other things, seeks that portions of Little King William Street be an 'active' laneway. The section of the lane of which the subject land abuts is however specifically excluded on this Concept Plan as being 'active'. From this it is deduced that ground floor activation along this particular stretch of the lane is not sought. Notwithstanding, the proposal does include a ground floor apartment which has an entry and windows addressing the lane as well as the apartment foyer entrance fronting the laneway. The proposal still therefore does 'address' the laneway and provides a reasonable level of activation as well as passive surveillance from windows and balconies above.

It is also noted that at the southern end of the site, a two-storey non-residential use (being the office) which is to be retained. This end of the site fronting a Primary Road is considered to be a more relevant frontage to achieve the desired outcome of activation of the public realm and a mix of uses sought by the policies above.



No change is proposed to the existing office building which fronts King William Street, which remains an appropriate land use as sought by UC Zone PDC 1.

No affordable housing is proposed in terms of a legally binding agreement with the relevant Minister. It is noted that the affordable housing overlay applies to the site, however the related principle of development control only calls for the provision of affordable housing where development comprises 20 or more dwellings. Only 11 dwellings are proposed in the application thus the policy is not applicable to the application.

PDC 7 of the Business Policy Area seeks that the ground floor of buildings be built to dimensions including a minimum floor to ceiling height of 3.5 metres to allow for adaptation to a range of land uses including retail, office and residential without the need for significant change to the building.

The ground floor of the building is to have a floor to ceiling height of 2.7m. Whilst this is less than 3.5m, given that the site fronts a rear service lane with no footpath and that Concept Plan UrC/1 specifically precludes this part of the lane as being 'active', the shortfall is considered acceptable. Any potential future adaptation of the ground floor to retail may be unlikely given the location, and is more likely to host a use such as an office or like other uses in which a 2.7m ceiling height would be adequate.

## 8.5 Design and Appearance

The proposal is for a contemporary design which is intended to take cues from surrounding building fabric often being of a raw industrial appearance and also from existing street art within the broader locality. The roof is to be of a sawtooth configuration to reinforce this design approach.

Materiality is to consist of Cemintel Barestone walls with natural finish to the lower three storeys, with Maxline 340 steel cladding in Colourbond Monument finish to the walls of the upper three levels, black powder-coated aluminium perforated screening to the central foyer area and balustrading and pre-cast concrete panelling to the rear of the central foyer area.

Climber plantings are proposed on the rear of the building placed upon a galvanised steel mesh screen running centrally up the building.

A number of iterations of the appearance of the proposed building have evolved through the pre-lodgement service and post-lodgement assessment process. The AGA is generally supportive of the overall design and appearance of the building subject to some points of detail. One of these related to waste collection arrangements (discussed separately in section 8.8.3).

The AGA also recommended that re-consideration be given to the use of fibre cement cladding at the ground level. It is however considered that the use of Cemintel Barestone Cladding for the bottom three levels is acceptable, noting the predominance of such cladding or similar throughout the locality and also noting the intended art murals to be located over the cladding.

PDC 8 of the Business Policy Area seeks a minimum of 50 per cent of the width of the ground floor primary frontage of buildings should be visually permeable, transparent or clear glazed to promote active street frontages and maximise passive surveillance. The proposal accords with this provision.



## 8.6 Heritage

There are no heritage places within the locality which could be adversely impacted by the proposal.

## 8.7 Traffic Impact, Access and Parking

A detailed expert report was commissioned by the applicant which analysed the likely vehicle movement numbers to be generated by the proposal as well as parking and bicycle provision in relation to relevant Development Plan policies.

In summary, the report concluded that "the proposed development will:

- *provide a total of 13 car parking spaces including one space for use by the disabled and an adjacent shared area. While such a car parking provision is slightly less than that required by the Norwood Payneham and St Peters Council Development Plan, provision has been made for dedicated on-site bicycle parking. It is further noted that the site is located within safe and convenient walking distance of bus stops along North Terrace,*
- *the capacity of the ground floor car parking area would exceed the minimum required level of car parking associated with an office use (8 spaces) based on a total floor area of 260m<sup>2</sup>,*
- *not result in adverse traffic impacts on the adjacent road network, based on the recommendations within the above report, and*
- *not result in any changes of significance to the existing basement car parking areas currently provided on site.*
- *accordingly I am satisfied that adequate and appropriate provision has been made for the parking of resident's and visitor's vehicles, that adequate and appropriate provision has been made for the parking of bicycles, that the adjacent road network can safely accommodate the number of vehicles likely to be generated by both the proposed and existing developments, and that the relevant provisions of the Development Plan have been met".*

The findings of the above mentioned report are not disputed.

The quantitative figures regarding car and bicycle parking provision are outlined within Section 8.1. The provision for both is deemed appropriate to address Tables NPSP/9A and 10.

The car parking being located within the basement and covered ground floor area, accords with PDC 7 of the UC Zone. Whilst the bicycle storage area is not on the ground floor, it is considered to be nonetheless easily accessible via the ramp to the basement level.

Overall, the application is considered to adequately address PDCs 6, 7, 11 and 12 of the UC Zone, Objectives 29, 31, 32, 33, 34, 35 and Council Wide PDCs 92 to 104 and 112 to 133.

Notwithstanding, it is however noted that in relation to the existing office use, the plans do not indicate a location for bicycle parking provision, although there would be abundant space inside or outside of the building for at least 5 spaces to be provided for the offices. A recommended condition is to be attached if the application is granted consent requiring a final site/floor plan indicating the location of at least 5 spaces to demonstrate this. As part of this the applicant would also be required to clarify the provision of at least two



visitor bicycle spaces for the residential component of the development as the plans do not currently differentiate between resident and visitor bicycle spaces.

## 8.8 Environmental Factors

### 8.8.1 Crime Prevention

A CPTED report was provided in the application documentation. The report concluded that the proposed development will improve the safety and security of the local area. In particular, the proposal will:

- *“introduce a residential development into an area which until recently has been devoid of residents;*
- *increase surveillance into and along Little King William Street through a design which ensures that every apartment faces towards and into the road from balconies and living rooms;*
- *incorporate clearly legible entrances onto Little King William Street which will be illuminated at night and will avoid hiding or entrapment spots;*
- *ensure that every entrance into the building, whether on foot or by car, is secure;*
- *incorporate key-controlled electronic access into the building from every entrance, including the car park tilt-up roller doors;*
- *incorporate an audio video intercom system inside each apartment to monitor and control entry by persons who do not own and/or live in the apartments;*
- *will be fitted with letterboxes that can be safely and securely accessed from inside the building;*
- *is located in an area where crime levels are neither declining nor increasing in overall terms, as indicated by statistics compiled by SAPOL for the Eastern Adelaide LSA; and*
- *either will comply with or will not be at variance with the ‘Crime Prevention’ provisions of the Norwood Payneham and St. Peters Council Development Plan”.*

The findings of the report are generally concurred with and it is considered that the proposal adequately addresses Council Wide PDCs 59 to 66 in relation to CPTED matters.

### 8.8.2 Noise 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*. The overlay also relates to the following Development Plan policy:

**1** *Noise and air quality sensitive development located adjacent to high noise and/or air pollution sources should:*

*(a) shield sensitive uses and areas through one or more of the following measures:*

*(i) placing buildings containing less sensitive uses between the emission source and sensitive land uses and areas;*



*(ii) within individual buildings, place rooms more sensitive to air quality and noise impacts (e.g. bedrooms) further away from the emission source;*

*(iii) erecting noise attenuation barriers provided the requirements for safety, urban design and access can be met;*

*(b) use building design elements such as varying building heights, widths, articulation, setbacks and shapes to increase wind turbulence and the dispersion of air pollutants provided wind impacts on pedestrian amenity are acceptable; and*

*(c) locate ground level private open space, communal open space and outdoor play areas within educational establishments (including childcare centres) away from the emission source.*

A detailed expert acoustic report was commissioned by the applicant, which concluded:

*"A noise intrusion and emission assessment has been undertaken for the proposed development at 99 King William Street, Kent Town.*

*This assessment has adopted the noise emission and intrusion criteria outlined in the Norwood Payneham and St Peters (City) Development Plan, the Environment Protection (Noise) Policy 2007 and Minister's Specification SA 78B. The application of these standards will result in appropriate levels of amenity for the occupants and nearby sensitive receptors.*

*With the treatments outlined in this report (or their equivalent), it is concluded that the proposed development at 99 King William Street, Kent Town will be able to operate in accordance with the intent of the Development Plan noise requirements and other relevant noise policy and standards".*

The recommended construction requirements in the report are reflected in a recommended condition if the application is granted consent to ensure accordance with the relevant provision as proposed in the documentation.

### **8.8.3 Waste Management**

A detailed waste management report was provided in the application documentation. Following this the waste collection arrangements were subject to further discussions and clarification. The waste collection arrangements were originally proposed to involve Council contractors manoeuvring bins in and out of the building from the bin storage room to the collection vehicle on Little Young Street. This collection arrangement was not supported by Council or DPTI however.

In response, the applicant amended the collection strategy. The final arrangement involves all bins being wheeled into position along Little King William Street for collection, and then wheeled back into the premises after collection, by the residents. As the building is to be setback 1.2m from the rear property boundary this will enable sufficient space for the placement of bins within private land, immediately adjacent the edge of the laneway at which the Council collection vehicle can mechanically lift and empty each bin by stopping on the lane.



The maximum number of bins proposed to be placed along the edge of the lane would be 12 bins at any one time. Whilst not meeting a standard Council guideline of 1 linear metre per bin, there would be sufficient width along the frontage to Little King William Street for the placement of 12 bins, with sufficient clearance between each bin for mechanical lifting. This would not require bins to be placed in front of the vehicle crossover or the entrance doors to the building. Council staff have verbally stated that the slight reduction in the standard 1m linear guideline per bin is acceptable in the circumstances and shall still operate effectively in practice.

The application therefore generally accords with Council Wide PDCs 13, 135, 138, 141, 233, 272 and 273.

#### **8.8.4 Energy Efficiency**

A sustainability report was provided in the application documentation which outlines a range of features inherent in the proposed building design which should ensure appropriate energy efficiency outcomes so as to adequately address Council Wide Objective 23 and PDCs 67, 68 and 69.

#### **8.8.5 Wind Analysis**

The proposed building is not of a substantial height which could create any dramatic changes to natural wind conditions in the locality. It is also noted that the proposed building fronts a rear service lane which is not a pedestrian focus, but rather mainly acts as a vehicle accessway for surrounding businesses. Any impacts from wind is therefore considered to be negligible. Through the pre-lodgement process a wind report was deemed to not be necessary. This position is maintained through the application assessment and is considered to suitably address Council Wide PDCs 268, 270 and 320.

#### **8.8.6 Site Contamination**

The proposed new apartment building is to be constructed above an existing basement car park with no earthworks being proposed. Future residents of the building will not have any direct contact with natural ground with all areas of the building and the basement due to it being upon sealed concrete. Groundwater extraction is not proposed. The application is considered adequately accord with Council Wide Objective 52 and PDC 172.

To be prudent however, if the application is granted consent a recommended condition is proposed requiring that a definitive statement from a suitably qualified site contamination or environmental professional that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be provided to the satisfaction of the Development Assessment Commission.

### **9. CONCLUSION**

The proposal seeks to develop an underutilised site in a manner generally considered to be consistent with the desired character statement of the Urban Corridor Zone. In particular the following aspects are supported:

- The overall height, setbacks, bulk and scale of the proposed building
- A suitable level of residential amenity proposed within the apartments
- High quality built form, materials and overall design; and



- Appropriate car and bicycle parking and functional access arrangements.

Ultimately the proposal is considered to display a sufficient degree of merit and is considered to be a good quality design outcome that will assist in lifting the general level of activity within the locality, improve the appearance of Little King William Street and add vibrancy to the locality as generally sought by the Development Plan for this site. Some points of clarification and detailed design matters in relation to bicycle parking, site contamination statement, final provision of art mural details, acoustic treatments and landscaping are considered to be appropriately addressed through recommended conditions of consent.

## 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 generally accords with the relevant Objectives and Principles of Development Control of the City of Norwood, Payneham and St. Peters Development Plan.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Buildtec Pty Ltd for the demolition of portion of existing warehouse and construction of residential apartment building with associated basement car parking and ancillary works at 99 King William Street, Kent Town subject to the following conditions of consent.

## PLANNING CONDITIONS

1. 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 following plans submitted in Development Application No 155/M009/16.

Plans by Studio Nine Architects

Drawing Title	Drawing No.	Revision	Date
Aerial Perspective	901-287-DA01	B	-
Context Imagery	901-287-DA02	A	-
Design Basis	901-287-DA03	B	-
Plans	901-287-DA04	C	-
Streetscapes and Materiality	901-287-DA05	B	-
Elevations and Sections	901-287-DA06	B	-
3D Perspectives	901-287-DA07	B	-
3D Perspectives	901-287-DA08	B	-
Shadow Diagrams	901-287-DA09	A	-



Landscape	901-287-DA10	B	-
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Reports and correspondence

- Correspondence from Mr Graham Burns of Masterplan dated 9 January 2017 regarding waste collection methodology
  - Waste Management Strategy by Lucid Consulting Australia Project No: LCE12137 (except where superseded by the correspondence from Mr Graham Burns above).
2. The provision of a minimum of 2 staff and 3 visitor bicycle parking spaces to service the existing office land use shall be provided in the development to the satisfaction of the Development Assessment Commission.
  3. The allocation of at least 2 visitor bicycle parking spaces for the residential apartment use shall be provided in the development to the satisfaction of the Development Assessment Commission.
  4. A definitive statement from a suitably qualified site contamination or environmental professional that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be provided to the Development Assessment Commission prior to commencement of construction.
  5. Final details of the art murals shall be provided in consultation with the Associate Government Architect to the reasonable satisfaction of the Development Assessment Commission prior to being implemented on site.
  6. Final details of planting selections shall be provided in consultation with the Associate Government Architect to the reasonable satisfaction of the Development Assessment Commission prior to occupation.
  7. Landscaping shown on the plans forming part of the application shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
  8. 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.
  9. The acoustic attenuation measures in the Resonate Acoustics Report, Reference: A16183RP1, or similar measures to achieve the relevant provisions of the Minister's Specification SA 78B shall be fully incorporated into the building rules documentation. Such acoustic measures shall be made operational prior to the occupation or use of the development.
  10. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in



accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the Development Assessment Commission prior to the occupation or use of the development.

11. All external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
12. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
13. 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

For further information relating to what Site Contamination is, refer to the EPA Guideline: *'Site Contamination – what is site contamination?'*:  
[www.epa.sa.gov.au/pdfs/guide\\_sc\\_what.pdf](http://www.epa.sa.gov.au/pdfs/guide_sc_what.pdf)

14. The connection of any storm water discharge from the land to any part of the Council's drainage system shall be undertaken in accordance with the relevant Council standards.

#### **ADVISORY NOTES**

- a. The development must be substantially commenced within 12 months 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 12 months 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 3 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. 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. 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).



**Tom Victory**  
**PRINCIPAL PLANNER**  
**CBD AND INNER METRO TEAM**  
**DEVELOPMENT DIVISION**  
**DEPARTMENT OF PLANNING, TRANSPORT and INFRASTRUCTURE**