

# GUIDELINES

For the preparation of a

# DEVELOPMENT REPORT

**Peregrine Corporation Mixed Use Development  
270 The Parade, Kensington Park**

Peregrine Corporation

January 2016



**Department of Planning, Transport and Infrastructure**

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## 1. BACKGROUND

On 26 November 2015, the Chief Executive Officer as delegate for the Minister for Planning made a declaration in *The South Australian Government Gazette* that the Peregrine Corporation mixed use development at 270 The Parade Kensington Park be assessed as a Major Development pursuant to Section 46 of the *Development Act 1993* (the Act).

Section 46 of the Act ensures that matters affecting the environment, the community or the economy to a significant extent, are fully examined and taken into account in the assessment of this proposal.

The major development process has six steps:

- The Development Assessment Commission sets the level of assessment (Environmental Impact Assessment, Public Environmental Report or Development Report) and provides guidelines (**this stage**)
- Proponent prepares an Assessment Document (in this case a Development Report)
- Public and agency consultation on the Assessment Document for a period of four to six weeks depending on the level of assessment
- Responding to public comment on an Assessment Document
- Assessing the proposal and releasing the Assessment Report
- Decision

This document is the guidelines as set by the Development Assessment Commission specifically prepared for this application. The Development Assessment Commission (Commission) has determined that the proposal will be subject to the processes of a Development Report (DR), as set out in Section 46D of the Act. The Commission's role in the assessment process is now completed. From this point the Minister will continue with the assessment under Section 46 of the Act.

## 2. DESCRIPTION OF PROPOSAL

The proposal comprises the construction of a mixed use building together with associated storage and car parking for the redevelopment of Peregrine's head office to meet the companies growing demand for quality office space and improved work facilities and amenities.

The application at this stage conceptually comprises the following:

- Demolition of any existing buildings within the site;
- A change in the use of land associated with any development;
- Retail floor space of approximately 1050m<sup>2</sup>,
- 314 car parking spaces and 90 bicycle parks;
- Training/meeting rooms of approximately 1540m<sup>2</sup>
- Office tenancy of approximately 7500m<sup>2</sup>, including reception;
- Restaurant of approximately 1000m<sup>2</sup> including a deck and terrace;
- Any related or ancillary development associated with development listed above.

### 3. MAJOR DEVELOPMENT PROCESS AND ROLE OF GUIDELINES

- These Guidelines are prepared to inform the preparation of the Development Report (DR). They set out the assessment issues associated with the proposal along with their scale of risk as determined by the Development Assessment Commission.
- The DR must be prepared by the proponent in accordance with the Guidelines and should specifically address each guideline.
- Each guideline is intended to be outcome focused and may be accompanied by suggested assessment approaches. These suggestions are not exhaustive, and may be just one of a wide range of methods to consider and respond to a particular guideline.
- The DR should detail any expected environmental, social and economic effects of the development, and the extent to which the development is consistent with the provisions of the Councils Development Plan, the Planning Strategy and any matter prescribed by the Regulations under the Act.
- The completed DR is submitted to the Minister for public release, and is subsequently referred to Council and relevant government agencies for comment.
- An opportunity for public comment will occur when the completed DR is released. Public exhibition is undertaken for 15 business days. An advertisement will be placed in the *Advertiser* and local *Messenger newspapers* inviting submissions.
- Copies of the submissions from the public, Council and other relevant agencies will be provided to the proponent.
- The proponent may then prepare a 'Response Document' within 10 business days to address the matters raised during the Public exhibition period.
- The Minister then prepares an Assessment Report. The Assessment Report and the Response Document will be available for inspection and purchase at a place determined by the Minister for a period determined by the Minister.
- Availability of each of these documents will be notified by advertisements in *The Advertiser* and *local Messenger newspapers*. A copy of the DR, Response Document and the Assessment Report will be provided to the Council.
- When a proposal is subject to the DR process, the Governor makes the final decision under Section 48 of the Act.
- In deciding whether the proposal will be approved and any conditions that will apply, the Governor must have regard to:
  - Provisions of the Development Plan;
  - The Development Act and Regulations;
  - If relevant, the Building Code of Australia;
  - The South Australian Planning Strategy;
  - The 30 Year Plan for Greater Adelaide
  - The Integrated Land Use and Transport Plan
  - The DR and the Ministers Assessment Report;
  - Where relevant, any other government policy and/or legislation.
- The Governor can at any time indicate that the development will not be granted authorisation. This may occur if the development is inappropriate or cannot be properly managed. This is commonly referred to as an **early no**.

## 4. DEVELOPMENT REPORT (DR)

The DR should be presented in terms that are readily understood by the general reader. Technical details should be included in the appendices.

### THE REPORT MUST INCLUDE THE FOLLOWING:

#### Information and Assessment

The provision of all information sought by the guidelines, together with consideration and assessment against each of the matters identified in Section 4 of these Guidelines.

#### Consistency with Policy and Legislation

The Act requires the DR to state its consistency with the relevant Development Plan and Planning Strategy, and other key policies and/or legislation as identified within these guidelines (refer to Appendix 2 for other 'useful documents').

#### Commitment to meet Conditions

The guidelines must state the proponent's commitments to meet conditions to avoid, mitigate, manage and/or control any potentially unreasonable impacts from the development.

### THE REPORT SHOULD INCLUDE THE FOLLOWING:

#### Summary

A concise summary of the matters set out in Section 46D of the Act, including all aspects covered in the Guidelines set out below, in order for the reader to obtain a quick but thorough understanding of the proposal and all its effects.

#### Introduction

The introduction to the DR should briefly cover the following:

- Background to and objectives of the proposed development;
- Details of the proponent;
- Staging and timing of the proposal;
- Relevant legislative requirements and assessment process.

#### Need for the Proposal

A statement of the objectives and justification for the proposal, including:

- the specific objectives the proposal is intended to meet;
- expected local, state or national benefits and costs;
- a summary of environmental, economic and social arguments to support the proposal; including the consequences of not proceeding with the proposal.

#### Plans and Forms

- **Current Certificate(s) of Title**
- **Context and locality plans** should illustrate and analyse existing site conditions and the relationship of the proposal to surrounding land and buildings. The plan should be drawn to a large scale to allow presentation on a single sheet and be readily legible. The plan should indicate:
  - the neighbouring residential buildings on Bowen Street,

- location of state heritage buildings in relation to this site
  - the Mary MacKillop Tappeiner Court Nursing Home at 286 Portrush Road (backing onto High Street)
  - existing street trees
  - any other information that would help to set the context for the locality
- **Shadow diagrams** demonstrating the extent of overshadowing (pre and post development) on adjoining properties at 9am, 12noon and 3pm during the solstice and equinox.
  - A **landscaping plan** to be prepared which includes the location of any regulated or significant trees on the site and/or adjoining land.
  - Coloured high resolution **perspectives** of the proposal showing how it relates to the surrounding context from various locations, including streetscape perspectives, views at the human/pedestrian scale, as well as longer views from strategic approaches to the precinct.
  - **Site plan** (drawn at a scale of 1:100 or 1:200) clearly indicating the proposed buildings and works, including demolition.
  - **Elevations** (drawn at a scale of 1:100 or 1:200) are required for all sides of the building with levels and height dimensions provided in Australian Height Datum.
  - **Cross sections** of the building are required and should include ground levels, floor levels, ceiling heights and maximum height in Australian Height Datum.
  - Provide **floor plans** (drawn at a scale of 1:100 or 1:200) for each level of the building demonstrating what is proposed at each floor, with indicative internal layouts.
  - **Site survey** plan demonstrating the development will be contained within the allotment boundaries.
  - **Sequencing and staging plans** of the proposal if you wish to seek Building Rules Consent in stages.
  - A schedule of **materials and finishes and colours**.
  - Location and dimensions of any external **advertising displays**. If signs are to be illuminated or contain a moving display this needs to be included.

#### **Specialist Reports and Details**

- A **design statement** should provide an understanding the evolution of the proposal (including options explored and discounted) from the concept to the final design.
- **Transport, access and pedestrian impact assessment** prepared by a suitably qualified traffic engineer. The assessment should evaluate current and proposed access arrangements, car parking, as well as pedestrian and vehicle interface at the street level and the surrounding road network, and alternative travel options.
- **Waste management and minimization (for demolition, construction and operation)** demonstrating the location of waste storage (including separation of recyclables hard waste and e-waste) and disposal facilities on the site and provide details of how these facilities will be serviced.
- Provide a **noise assessment** prepared by an acoustic engineer to moderate external and environmental noise disturbance and amenity impacts for future occupants of the development, but also other sensitive uses within the immediate area as a result of the proposed development.

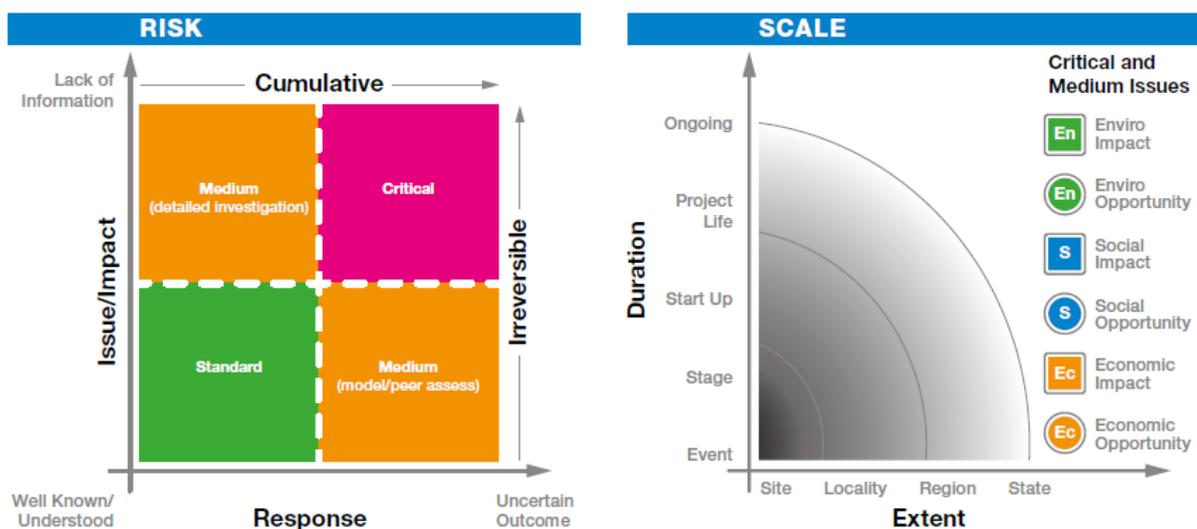
- Details of proposed **stormwater management/water sensitive urban design**, as well as any retention and reuse as part of the development, inclusive of details for connecting into any street drainage channel or council drain and the method of drainage and services proposed to be used. The proponent should have regard to the SA Water Sensitive Design strategy, particularly the performance targets.
- A **sustainability assessment** must be provided, and will outline the environmental sustainability measures (energy efficiency, use of renewable energy, water conservation etc) incorporated into the proposal. The State government's ESD guidelines (ostensibly for government buildings) may assist in this regard – <http://www.dpti.sa.gov.au/BuildingManagement/policies/esd>
- Provide **Crime Prevention Through Environmental Design (CPTED)** details which outline measures incorporated into the proposal to deter criminal behaviour through environmental design, including but not limited to:
  - Clear sight lines, directional devices and way finding;
  - Use of public lighting and CCTV cameras;
  - Active street frontages and balconies to encourage passive surveillance;
  - Identifiable building entry;
  - Provision of secure and private areas for residents;
  - Details of how the proposal addresses pedestrian amenity in the public realm.
- **Site history assessment** - Where a development is to occur on land that has the potential to be contaminated (through previous land uses) a site history assessment is required.
- Details of **site services and infrastructure** including utility services (water, gas, electricity, sewerage disposal, waste water, drainage, trenches or conduits); location of ground and roof plant and equipment (fire booster; electricity transformer; air conditioning; solar panels etc).

## 5. ASSESSMENT

Impact assessment is an important tool that enables the consideration of projects that might otherwise struggle to be addressed properly or fairly under the 'normal' assessment system.

In setting these Guidelines, the Development Assessment Commission has considered the scale of issues associated with the project and determined whether they represent issues or opportunities. The potential impacts and issues have then been organised according to the level of work and type of attention required by the Applicant: either standard, medium or critical:

- Where the issue is well known and the response is well understood then the risk assessment is classed as 'standard'
- Where work is required to address the issue but the risk is likely to be manageable with additional information then the risk assessment is classed as 'medium'.
- Where information about the issue is lacking and the response is unclear, the issue is classed as 'critical'.



The issues and impacts identified by the Commission as requiring standard, medium or critical level assessment are listed below. Each guideline includes a description of the issue/impact and a description of the action needed.

### CRITICAL ASSESSMENT

#### Heritage Context

**Guideline 1:** State Heritage Places are located on the north west, north east and south west corners of the Parade and Portrush Road intersection, as well as the State Heritage listed Benson Memorial Drinking Fountain to the south of the subject site. The subject site is also adjacent two contributory items on Bowen Street and in close proximity to Local Heritage Places. It should therefore be demonstrated how the proposal respects and responds to the heritage context of this visually prominent intersection and the adjacent Residential Character Zone.

*Evaluate the impacts of the proposal on the heritage context of the locality, taking into account scale, massing, configuration and design.*

## **Design Quality**

**Guideline 2:** The proposal will be a high quality landmark design for the site, the local area and the wider metropolitan area.

*The proposal will respond to the Principles of Good Design by Office for Design + Architecture SA. The design will be developed through participation in the Government Architect led design review process. This process and its evolution shall be documented.*

## **MEDIUM ASSESSMENT**

### **Neighbourhood Interface**

**Guideline 3:** The subject site is adjacent a Residential Character Zone at its Bowen Street and High Street interface. It should therefore be demonstrated how the interface impacts of the development on the neighbouring environs (including overlooking, overshadowing, noise, traffic generation and visual impact) will be managed.

*Evaluate the impacts of the proposal on the locality, taking into account its bulk, scale and interface relationship to neighbouring residential development and nursing home, balanced with the expectation of increased development intensity.*

### **Transport Planning**

**Guideline 4:** The development proposes substantial new building works on a site affected by the Metropolitan Adelaide Road Widening Plan and is adjacent to a corridor identified within the Integrated Transport and Land Use Plan as potentially being impacted by a new tram line.

*Identify any potential road widening and/or setback requirements necessary to facilitate future road improvements at this location with particular emphasis on public transport projects identified in ITLUP.*

## **STANDARD ASSESSMENT**

### **Public Realm Interface**

**Guideline 5:** The proposal will respond to the public realm within the local area in a meaningful and positive way.

*Evaluate the proposal's relationship within its urban public context, in particular its primary street frontages along The Parade and Portrush Road.*

### **Traffic Impact**

**Guideline 6:** The proposal includes two new access points, one on The Parade in close proximity to the Portrush Road/The Parade signalised intersection and one on High Street in close proximity to the Portrush Road/High Street junction. In this regard, the proposal should not result in traffic impacts to the adjacent roads, or create road safety issues at or along the roads, particularly Portrush Road. The safe and efficient operation of Portrush Road and The Parade as well as the Portrush Road/The Parade intersection and the Portrush Road/High Street junction must be maintained.

*Evaluate the traffic impact of the development on the surrounding road network by undertaking traffic analysis and modelling of the proposed access points and the affected road intersections/junctions (i.e. Portrush Road/The Parade intersection and Portrush Road/High Street junction).*

*Evaluate the adequacy of the existing pedestrian facilities along Portrush Road and The Parade and identify any improvements required to facilitate a safe and pedestrian friendly interface with the development, particularly the interface with the proposed retail component.*

### **Economic Impact**

**Guideline 7:** The proposal should make a positive contribution to the commercial functions of the Norwood/Kensington Park area.

*Evaluate the economic contribution of the proposal on the Norwood and Kensington precincts, taking into account the existing commercial and retail circumstances of the area.*

### **Strategic Precinct Evaluation**

**Guideline 8:** The proposal should be an extension of the wider Norwood/ Kensington Park precinct.

*Evaluate the nature and use of the proposal in a precinct wide sense, taking into account matters of alternative site availability, the urban form and relationship to development of scale and heritage context, and relationship and proximity to the commercial precincts of The Parade environs.*

### **Employment**

**Guideline 9:** The proposal should enhance job creation and foster ongoing employment opportunities for the local area.

*Evaluate the local and broader job creation and employment opportunities (including any multiplier effects) resulting from the proposal, from construction through to completion and operation.*

## **6. APPENDIX 1 – SECTION 46D OF THE *DEVELOPMENT ACT 1993***

### **46D—DR process—Specific provisions**

- (1) This section applies if a DR must be prepared for a proposed development.
- (2) The Minister will, after consultation with the proponent—
  - (a) require the proponent to prepare the DR; or
  - (b) determine that the Minister will arrange for the preparation of the DR.
- (3) The DR must be prepared in accordance with guidelines determined by the Development Assessment Commission under this Subdivision.
- (4) The DR must include a statement of—
  - (a) the expected environmental, social and economic effects of the development;
  - (b) the extent to which the expected effects of the development are consistent with the provisions of—
    - (i) any relevant Development Plan; and
    - (ii) the Planning Strategy; and
    - (iii) any matters prescribed by the regulations;
  - (c) if the development involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the Environment Protection Act 1993, the extent to which the expected effects of the development are consistent with—
    - (i) the objects of the Environment Protection Act 1993; and
    - (ii) the general environmental duty under that Act; and
    - (iii) relevant environment protection policies under that Act;
  - (ca) if the development is to be undertaken within the Murray-Darling Basin, the extent to which the expected effects of the development are consistent with—
    - (i) the objects of the River Murray Act 2003; and
    - (ii) the Objectives for a Healthy River Murray under that Act; and
    - (iii) the general duty of care under that Act;
  - (cb) if the development is to be undertaken within, or is likely to have a direct impact on, the Adelaide Dolphin Sanctuary, the extent to which the expected effects of the development are consistent with—
    - (i) the objects and objectives of the Adelaide Dolphin Sanctuary Act 2005; and
    - (ii) the general duty of care under that Act;
  - (cc) if the development is to be undertaken within, or is likely to have a direct impact on, a marine park, the extent to which the expected effects of the development are consistent with—
    - (i) the prohibitions and restrictions applying within the marine park under the Marine Parks Act 2007; and
    - (ii) the general duty of care under that Act;
  - (d) the proponent's commitments to meet conditions (if any) that should be observed in order to avoid, mitigate or satisfactorily manage and control any potentially adverse effects of the development on the environment;
  - (e) other particulars in relation to the development required—
    - (i) by the regulations; or
    - (ii) by the Minister.

(5) After the DR has been prepared, the Minister—

(a) —

(i) must, if the DR relates to a development that involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the Environment Protection Act 1993, refer the DR to the Environment Protection Authority;

(ia) must, if the DR relates to a development that is to be undertaken within the Murray-Darling Basin, refer the DR to the Minister for the River Murray;

(ib) must, if the DR relates to a development that is to be undertaken within, or is likely to have a direct impact on, the Adelaide Dolphin Sanctuary, refer the DR to the Minister for the Adelaide Dolphin Sanctuary;

(ic) must, if the DR relates to a development that is to be undertaken within, or is likely to have a direct impact on, a marine park, refer the DR to the Minister for Marine Parks;

(ii) must refer the DR to the relevant council (or councils), and to any prescribed authority or body; and

(iii) may refer the DR to such other authorities or bodies as the Minister thinks fit, for comment and report within the time prescribed by the regulations; and

(b) must ensure that copies of the DR are available for public inspection and purchase (during normal office hours) for at least 15 business days at a place or places determined by the Minister and, by public advertisement, give notice of the availability of copies of the DR and invite interested persons to make submissions to the Minister on the DR within the time determined by the Minister for the purposes of this paragraph.

(6) The Minister must, after the expiration of the time period that applies under subsection (5)(b), give to the proponent copies of all submissions made within time under that subsection.

(7) The proponent may then prepare a written response to—

(a) matters raised by a Minister, the Environment Protection Authority, any council or any prescribed or specified authority or body, for consideration by the proponent; and

(b) all submissions referred to the proponent under subsection (6), and provide a copy of that response to the Minister within the time prescribed by the regulations.

(8) The Minister must then prepare a report (an Assessment Report) on the matter taking into account—

(a) any submissions made under subsection (5); and

(b) the proponent's response (if any) under subsection (7); and

(c) comments provided by the Environment Protection Authority, a council or other authority or body; and

(d) other comments or matter as the Minister thinks fit.

(9) Copies of the DR, any response under subsection (7) and the Assessment Report must be kept available for inspection and purchase at a place determined by the Minister for a period determined by the Minister.

(10) If a proposed development to which a DR relates will, if the development proceeds, be situated wholly or partly within the area of a council, the Minister must give a copy of the DR, any response under subsection (7) and the Assessment Report to the council.