

# **ASSESSMENT REPORT**

## **FOR THE DEVELOPMENT REPORT FOR THE PEREGRINE CORPORATION MIXED USE DEVELOPMENT 270 THE PARADE, KENSINGTON**

**MARCH 2017**



Department of Planning, Transport and Infrastructure

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## Executive Summary

The proposed Peregrine Corporation mixed use development at 270 The Parade Kensington was declared a Major Development by the Chief Executive of the Department of Planning, Transport and Infrastructure as delegate of the Minister for Planning on the 26 November 2015.

Guidelines for a Development Report (DR) level of assessment were subsequently set by the Development Assessment Commission in January 2016.

On 15 September 2016, the Acting Chief Executive of the Department of Planning, Transport and Infrastructure as delegate for the Minister for Planning varied the declaration to provide greater clarity around the proposed mix of land uses. On 22 September 2016 the DAC re-endorsed guidelines for the preparation of a DR.

The proposal, as outlined in the Proponent's DR dated 27 September 2016 was to demolish all existing structures on the subject site and construct a new mixed-use Peregrine Corporation head office within an eight (8) storey building comprising 12290m<sup>2</sup> of office space and 296 car parking spaces. The built form comprises ground level retail / café tenancies, office space, training theatre, restaurant and members lounge, gym with pool and spa, and fifteen (15) accommodation suites for business related purposes.

The DR underwent public exhibition from 30 September to 24 October 2016 with 38 submissions received from the community. The DR was also referred to the City of Norwood, Payneham and St Peters and relevant State Government agencies. The applicant engaged in the Design Review process through the Office of Design and Architecture and attended two (2) Design Review panel meetings, following which formal comment was provided by the Government Architect.

Submissions received during the public exhibition process were generally not supportive of the proposed development and raised a suite of matters relating to visual impact, height and scale, heritage values, building design, traffic management and car parking, interface with the adjacent Residential Zone, landscaping, waste management and general amenity.

The comments received from City of Norwood, Payneham and St Peters were also not supportive of the proposal in a number of areas. Whilst Council acknowledged that the development is of a high standard and will generate significant economic investment, Council questioned the suitability of the subject land for commercial uses at the scale and intensity that is proposed.

State Government agencies were generally in support of the proposed development subject to further detail on specific matters. The Government Architect acknowledged the project ambition and intent to create a gateway building to the Parade precinct however support was contingent on the execution of the ambition to an exemplary quality appropriate to the site context. Similarly, the State Heritage Unit considered the proposed development acceptable in relation to the adjacent State Heritage Places, subject to further documentation around the façade detailing and materials selection.

In response to issues raised during the public notification period and agency / Council consultation, the Applicant amended the proposal. As outlined in the Response Document (RD) dated 10 February 2017 the development has been scaled down to a seven (7) storey building comprising 9060m<sup>2</sup> of office space and 223 car parking spaces. This is a reduction of 3.3m in height, 3230m<sup>2</sup> in office space, and 73 car park spaces, from the original proposal.

This Assessment Report (AR) details the environmental, social and economic impacts of the proposal by Peregrine Corporation for a mixed-use development at 270 The Parade, Kensington. In assessing the proposal against the relevant Development Plan and legislation, and the revised guidelines

endorsed by the Development Assessment Commission on 22 September 2016, the proposal is supportable subject to conditions.

The proposal is supportable because the development will: contribute to the economic strength of the Norwood/ Kensington precinct and create jobs; is of a size, scale and quality that is commensurate of its high profile location; makes a positive contribution to the public realm and streetscape quality; and adequately mitigates interface impacts with the adjacent Residential Zone.

# 1 Introduction

This Assessment Report (AR) assesses the environmental, social and economic impacts of a proposal by Peregrine Corporation (the Proponent) to redevelop the company's headquarters site at 270 The Parade, Kensington. The proposal comprises demolition of all existing structures on the subject site and construction of a seven (7) storey mixed use building with ground level retail/café spaces and lobby, private office spaces including meeting rooms and a training theatre, a public restaurant and member's lounge, gymnasium with pool and spa, up to fifteen short-stay accommodation suites for corporate guests, three levels of car parking, storage and associated landscaping.

The subject site is located at the south-eastern corner of The Parade and Portrush Road intersection and has a total area of 6014m<sup>2</sup>. The subject site currently comprises the Peregrine Corporation head office and warehouse, built in 1970, and associated car parking. The subject site has been operating as Peregrine Corporation's headquarters for more than 10 years and accommodates 249 staff members (at the time of the DR submission).

The locality is characterised by a mixture of commercial buildings, places of worship and residential land uses, with a strong heritage context. All other corners of the intersection comprise State Heritage Listed buildings, notably the Clayton Wesley Uniting Church in the north east corner of the intersection. Abutting the site are residences to the south east, Mary MacKillop Tappeiner Court Nursing Home to the south, and commercial businesses to the west.

The Proponent's ambition is to develop a landmark multi-level mixed use office building that accommodates its growing demand for quality office space and provides their staff with improved work facilities and amenity. The development will consolidate Peregrine Corporation's long term operations in South Australia, whilst providing an improved public realm outcome at the site and creating additional retail and commercial opportunities. The estimated total capital expenditure for the development is \$50 million.

## 2 Background

### *2.1 The Major Development Process*

On 29 October 2015 the Minister for Planning conferred delegations upon the Chief Executive, Department of Planning, Transport and Infrastructure pursuant to section 20(1) of the *Development Act 1993*. Those delegations allow the Chief Executive to exercise powers and functions under section 46 of the Act, namely to make, vary and/or revoke a declaration of major development status for the proper assessment of developments of major environmental, social or economic importance to the State.

On 26 November 2015 the Chief Executive, as delegate of the Minister for Planning, declared the Peregrine Corporation mixed use development at 270 The Parade Kensington to be a Major Development. Upon formal lodgement of the Development Application in December 2015, the Development Assessment Commission (DAC) determined that the assessment of the proposal be subject to a Development Report (DR) process and issued guidelines accordingly in January 2016.

On 15 September 2016 the Acting Chief Executive, as delegate of the Minister for Planning, varied the declaration to provide greater clarity around the proposed mix of land uses including accommodation premises for business related purposes.

On 22 September 2016 the DAC re-endorsed a Development (DR) as the appropriate level of assessment and re-endorsed guidelines with minor administrative amendments, to reflect the varied proposal.

On 27 September 2016 the proponent submitted a DR that set out the Proponent’s response to the Guidelines. This response was released by the Minister for Planning and placed on public exhibition for a three (3) week period from Friday 30 September 2016 to Monday 24 October 2016. Comment was also sought the City of Norwood, Payneham, St Peters (Council) and relevant State Government Agencies.

In response to the DR a total of 38 formal submissions were received from the public. The Council submitted a letter in relation to the proposal. Comments were provided by the Government Architect (ODASA), State Heritage Unit (DEWNR) and Planning and Transport Policy (DPTI).

On 10 February 2017 the proponent submitted a Response Document (RD) that set out the Proponent’s response to the submissions received.

Pursuant to Section 46D(8) of the *Development Act 1993*, in preparing this AR the Minister must take into account the proponent’s DR, public, Council and State Government Agency submissions, the proponent’s response to these submissions (RD), and other matters that the Minister considers appropriate.

### 3 Proposal

#### 3.1 Overview of the Proposed Development

The proposed development consists of the demolition of all existing structures on the subject site and construction of a new mixed-use Peregrine head office comprising ground level retail/café spaces and lobby, office spaces including meeting rooms and a training theatrette, a public restaurant and member’s lounge, gymnasium with pool and spa, up to fifteen short-stay accommodation suites for corporate guests, three levels of car parking, storage and associated landscaping.

The proposal as outlined in the initial DR was for an eight (8) storey building comprising 12290m<sup>2</sup> of office space and 296 car parking spaces. The maximum height of the building was 38.15m.

In response to issues raised during the public notification period and agency / Council consultation the proposal was amended. The proposal as outlined in the RD has been scaled down to a seven (7) storey building comprising 9060m<sup>2</sup> of office space and 223 car parking spaces. The maximum height to the highest point of the building is 34.85m. This is a reduction of 3.3m from the original proposal.

A summary of the specific changes to the proposal from the DR to the RD is as follows:

Storey	Response Document
<b>Basement</b>	Basement area reduced by: <ul style="list-style-type: none"> <li>- removing the storage area</li> <li>- reducing the area of the secure car parking from 38 to 29 spaces</li> <li>- reducing the area of non-secure car parking from 81 to 79 spaces</li> <li>- removal of bicycle parking / End of Trip facilities</li> </ul>
<b>Ground</b>	- Increased floor to floor height from 3600mm to 4200mm
<b>Level 1</b>	- Removal of digital hub (520sqm) and replacement with training theatrette (520sqm) - Increased floor to floor height from 3600mm to 4500mm to allow for tiered seating in the training theatrette

<b>Level 2 (previously L3)</b>	**existing Level 2 removed - Reduced floor to floor height from 4200mm to 3800mm
<b>Level 3 (previously L4)</b>	- Reduced floor to floor height from 4200mm to 3800mm
<b>Level 4 (previously L5)</b>	- Floor area increased to include a walking track with perimeter glazing as part of fritted glazed screen
<b>Level 5 (previously L6)</b>	- Reduced floor to floor height from 4200mm to 3800mm - Floor area increased to include a walking track with perimeter glazing as part of fritted glazed screen
<b>Level 6 (previously L7)</b>	- Restaurant and members lounge floor space increased from 470sqm to 515sqm - Accommodation floor space increased from 680sqm to 815sqm - Spa floor space increased from 120sqm to 145sqm - Rearrangement of deck spaces with an overall reduction from 765sqm to 550sqm
<b>Roof</b>	- Glazed (fritted glass) overhangs and atrium roof replaced with solid structure
<b>Roof (over)</b>	- Glazed (fitted glass) overhangs and atrium roof replaced with solid structure - Perimeter safety barrier around each slab

Table 1: Development proposal amendments

A detailed description of the revised proposal, as outlined in the RD and assessed in this AR, is provided below in Table 2.

<b>Planning aspect</b>	<b>Description</b>
Land Use Description	Demolition of all existing structures on the subject site and construction of a new multi-storey mixed use building comprising retail / hospitality tenancies, office space including training and meeting rooms and digital hub, public restaurant, gymnasium with pool and spa, short term accommodation for business related purposes, car parking, motorcycle parking, bicycle parking and end of trip facilities, decks / balconies, storage areas, services and utilities.
General description of levels	<ul style="list-style-type: none"> <li>• Two (2) stores (total 200sqm), secure car parking (29 spaces), car parking (79 spaces), motorbike parking (12 spaces) – total 4010sqm</li> <li>• Ground floor: retail/café (1060sqm), car parking (60 spaces), waste storage (165sqm), lobby (300sqm)– total 4225sqm</li> <li>• Level 1: end of trip facilities (395sqm), car parking (55 spaces), training theatre with tiered seating (225sqm), informal meeting (465sqm), training space (520sqm), lobby (200sqm) – total 4255sqm</li> <li>• Level 2: offices (3540sqm), deck (385sqm), plant (120sqm) – total 4045sqm</li> <li>• Level 3: office (400sqm), meeting (1440sqm), atrium (415sqm) with kitchen/café (150sqm), deck and walking track around building (1425sqm), – total 3950sqm</li> <li>• Level 4: offices (1900sqm), plant (120sqm), deck and walking track around building (1400sqm) – total 2160sqm</li> <li>• Level 5: offices (1780sqm), plant (120sqm), deck and walking track around building – total 1900sqm (not including deck and walking track)</li> <li>• Level 6: restaurant and members lounge (515sqm), accommodation (815sqm), gym (450sqm), spa (145sqm), pool (315 sqm), decks (550sqm), plant (60sqm) – total 2850sqm</li> <li>• Roof: internal plant and cooling tower</li> <li>• Roof (over): atrium roof (solid) and two (2) concrete slabs with safety barriers</li> </ul>
Hours of Operation	<ul style="list-style-type: none"> <li>• Retail: in accordance with Shop Trading Act</li> <li>• Restaurant: 6pm to 2am</li> <li>• Fitness Centre / gym: 24 hours access</li> <li>• One lift in the lobby will be dedicated for Level 7 access only. Private security passes will be required to access the fitness centre.</li> </ul>
Building Height	<ul style="list-style-type: none"> <li>• Total height: 34.85m to top of ridge</li> <li>• Podium height to Bowen Street: 8.7m to Level 2 deck and 12.5m to Level 3 deck</li> </ul>

Setbacks	<ul style="list-style-type: none"> <li>• Ground level retail and café facades fronting The Parade, Portrush Road and High Street = 3m set back</li> <li>• Balance of ground floor facades fronting High Street and Bowen Street = 0m set back</li> </ul>
Access	<ul style="list-style-type: none"> <li>• The Parade: left-in, left-out for non-service vehicles only</li> <li>• High Street: all movements for non-service vehicles only</li> <li>• Bowen Street: entry via High Street and exit onto the Parade with access for service vehicles (loading) and access to the end of trip facilities</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• Car parking spaces: 223 including seven (7) accessible spaces over three (3) levels including basement</li> <li>• Three (3) parallel parking spaces adjacent the Parade for taxis and other short term use</li> </ul>
Bike Parking	<ul style="list-style-type: none"> <li>• Motorcycle spaces: 12 spaces in basement</li> <li>• Bicycle spaces: 180 (Level 1) for employees and 20 (ground level in streetscape) for visitors</li> <li>• End of trip facilities on Level 1</li> </ul>
Waste removal	<p>Demolition</p> <ul style="list-style-type: none"> <li>• Total 16510 tonnes of waste expected</li> <li>• Existing plaza &amp; car park to be used for on-site waste storage</li> <li>• On-site skip segregation proposed</li> </ul> <p>Construction</p> <ul style="list-style-type: none"> <li>• Total 9643 tonnes of waste expected</li> <li>• On or off-site segregation proposed</li> </ul> <p>Operational</p> <ul style="list-style-type: none"> <li>• Waste from each floor brought down manually to ground floor bin storage using dedicated service lift</li> <li>• Storage will be in 110L mobile garbage bins</li> <li>• Refuse collected 5 times / week (Monday through Friday) from the Bin Presentation Zone on Bowen Street</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>• Ground level: low height raised planters; tree planting in The Parade verge (<i>Sophora japonica</i>); tree planting on High Street (subject to Council consent); tree planting in Bowen Street (not part of this application)</li> <li>• Car park facades: vertical gardens (climbers) on the façade of the ground and first level car park</li> <li>• Upper level decks: raised planter boxes to the perimeter of Levels 2 and 3</li> </ul>
Signage	<ul style="list-style-type: none"> <li>• The Parade / Portrush Road corner: stainless steel signs with copper effect including large panel in podium (Peregrine suite of businesses and tenancies)</li> <li>• Portrush Road and The Parade retail tenancies: dark steel with back illumination or uplight; and café window graphics (lasercut acrylic)</li> <li>• Level 6: restaurant signage located on pool overhang (edge lit stainless steel with copper effect)</li> <li>• Portrush Road / High Street corner: large panel in podium (Peregrine suite of businesses and tenancies) stainless sign with copper effect</li> <li>• Bowen Street: stainless steel sign with copper effect</li> </ul>

Table 2: Development description

### 3.2 Site Description

The development is located at 270 The Parade, Kensington, and comprises seven (7) allotments:

Lot/Plan	Street / Road	Suburb/ Locality	Hundred	Title
A12, DP61746	The Parade	Kensington	Adelaide	CT 5933/307
A13, DP61746	The Parade	Kensington	Adelaide	CT 5933/308
A8, FP103498	The Parade	Kensington	Adelaide	CT 5134/144
A94, FP139174	The Parade	Kensington	Adelaide	CT 5272/818
A96, FP139176	The Parade	Kensington	Adelaide	CT 5272/819
A95, FP139175	The Parade	Kensington	Adelaide	CT 5265/136
A23, DP410	The Parade	Kensington	Adelaide	CT 5271/714

The subject site is located at the corner of The Parade and Portrush Road, in the south eastern corner of the intersection. The site has a total area of 6014m<sup>2</sup> with frontages of 106m to The Parade, 61m to Portrush Road, 48m to High Street, and 118m to Bowen Street.

The site currently contains Peregrine's two storey head office building, oriented to the North West toward The Parade / Portrush Road intersection. The building was constructed in 1970 and is a contemporary style. A car park of approximately 40 spaces is located in the north eastern corner of the subject site (access from Bowen Street) and a small car park is located in the north western corner of the site with access from Portrush Road (left in, left out only). A loading dock is located at the rear of the existing building with access from Bowen Street.

The subject site is flat with numerous street trees along Bowen Street and The Parade. The trees located along The Parade frontage are both within the subject site and within the street reserve.

### 3.3 Locality Description

The locality is characterised by a mixture of commercial, places of worship and residential land uses, with a strong heritage context (refer Figure 1).

The subject site abuts a residential zone at its rear (south east) along Bowen Street where the dwellings are predominantly two-storey townhouse style. Two dwellings located at 6 and 8 Bowen Street are Contributory heritage items, constructed in 1875 and 1880 respectively.

To the south of the subject site is Mary MacKillop Tappeiner Court Nursing Home at 286 Portrush Road (backing onto High Street). This site caters for the elderly and is a two storey building.

To the North West and south west of the subject site are various commercial land uses fronting onto the Parade.

The locality comprises numerous State, Local and contributory heritage places. To the north of the subject site is the State Heritage listed Clayton Wesley Uniting church complex which comprises the church, chapel, Hope Hall & Clayton Institute. The State Heritage Places in direct proximity to the subject site are listed below and shown in Figure 1 (below).

- Corner Portrush Road and High Street: Benson Memorial Drinking Fountain (cnr Portrush & High St)
- 258-262 The Parade: two-storey shops & upstairs dwelling (5150/35)
- 239 The Parade: former Norwood Wesleyan Methodist Church (5887/798)

- 278 Portrush Road: Clayton Wesley Uniting (former congregational) church complex – church, chapel, Hope Hall & Clayton Institute) – City of Burnside



Figure 1: Site Description

## 4 Consultation

### 4.1 Community

As mandated by the Major Development process, the Proponent prepared a DR which was placed on public exhibition. The public exhibition period was from 30 September 2016 to 24 October 2016. The documents were available online at [www.sa.gov.au/majordevelopments](http://www.sa.gov.au/majordevelopments) and advertised in *The Eastern Courier* messenger paper and *The Advertiser*. During this period, 38 formal submissions were received (see proponent’s Response Document).

The main issues raised in public submissions are summarised below in Table 3:

ISSUE / CONCERN	DETAIL
VISUAL IMPACT	<ul style="list-style-type: none"> <li>• Impact on the Portrush Road / The Parade intersection (domination).</li> <li>• The cantilevered swimming pool and glass facades is a visual intrusion on the intersection.</li> <li>• Interruption of views to the Hills from the approved Nuovo development.</li> <li>• Interruption of views to the sky and Clayton Wesley Church Spire from dwellings in Bowen Street.</li> <li>• Dwellings within Bowen Street will be facing three levels of car parking.</li> </ul>

HERITAGE	<ul style="list-style-type: none"> <li>• Loss of vistas to State Heritage Places.</li> <li>• Imposing size will dwarf the State Heritage Places.</li> <li>• The prominence of the Clayton Wesley Uniting Church Spire will be lost.</li> <li>• Impact to the context of the State Heritage places.</li> <li>• Impact to the general historic character of Kensington.</li> <li>• Deficiencies in the Heritage Assessment Report.</li> <li>• Impact to proposed upgrade works to Clayton Wesley Uniting Church.</li> </ul>
HEIGHT & SCALE	<ul style="list-style-type: none"> <li>• The excessive height and bulk of the development will dominate the intersection.</li> <li>• Exceeds the 2 storeys sought in the Development Plan.</li> <li>• Equivalent to a 10 storey building.</li> <li>• Inconsistent with existing building heights in the locality.</li> <li>• The benefits of the upper level set backs are lost under the addition of the glass façade.</li> <li>• Comparisons to the approved Nuovo and Bath Hotel developments are unjustified – these developments are of much smaller scale and do not abut exiting residential zones / residences.</li> <li>• The development will set a precedent for future buildings.</li> <li>• Query the necessity of the lap pool, noting that its removal or redesign could assist in reducing overall building size.</li> <li>• The size of the atrium, whilst contributing to natural light and ventilation, further adds to the bulk and scale of the development.</li> <li>• The scale of the podium, in relationship to neighbouring buildings, is welcomed.</li> </ul>
DESIGN	<ul style="list-style-type: none"> <li>• The black metal trim has no relationship to surrounding development and is too dark / bold.</li> <li>• Not complementary to the adjacent heritage buildings – out of character.</li> </ul>
TRAFFIC	<ul style="list-style-type: none"> <li>• Increase in traffic the subject site, resulting in an increase in congestion at an already problematic intersection.</li> <li>• The morning peak for the development will clash with school drop-offs.</li> <li>• The traffic modelling does not consider the impact of the development on school drop-off and pick-up peak periods.</li> <li>• The existing movements of: turning right into High Street from Portrush Road, and turning left/right into The Parade from Bowen Street, are already difficult and become more problematic with this development.</li> <li>• The High Street access point is close to the Portrush Road junction which will create a bottleneck point and queuing back to the intersection.</li> <li>• The proposed entry/exit point on The Parade is contrary to Development Plan policies.</li> <li>• Risk of traffic queuing across the Portrush Road / The Parade intersection.</li> <li>• Potential for the glazed façade to create a traffic hazard due to glare / reflection, as well as overshadowing of the intersection.</li> <li>• Impact to traffic flows during the construction period.</li> <li>• The 4.5m setback for the future tramline is insufficient and does not allow for a pedestrian footpath on the southern side of the Parade.</li> <li>• Will a bicycle lane be provided along The Parade continuing the full length east from the Portrush Road intersection?</li> </ul>

CAR PARKING	<ul style="list-style-type: none"> <li>• Shortfall of off-street car parking.</li> <li>• No analysis of where employees currently park, noting that OTR staff currently utilise on-street parking in the adjacent residential streets.</li> <li>• Concern the proposal will result in an increase in on-street parking in residential streets.</li> <li>• Suggestion to increase greater off-street parking through additional basement levels.</li> <li>• Concern that the car parking levels have been designed for future adaption to office tenancies, which would result in a greater undersupply of car parking.</li> <li>• The car parking analysis does not consider park demand from the employees of the retail / café tenancies.</li> <li>• The car parking analysis does not consider the parking demand from the 350 seat training theatre.</li> <li>• The proposed car park numbers do does not allow for the projected increase in staff numbers.</li> <li>• Availability of car parking during construction.</li> <li>• Concern regarding employees leaving the subject site and merging with peak hour traffic – for example turning left onto The Parade and needing to immediately turn right into Portrush Road.</li> <li>• Vehicles will be able to turn right into The Parade (when exiting the car park) as the medium strip does not extend far enough east to prevent this movement.</li> <li>• Unenclosed car parking facing Bowen Street – noise and light intrusion impacts not satisfactorily ameliorated through the acoustic measures or landscaped trellis: impacts to sleep and wellbeing.</li> <li>• The proposed change to Bowen Street car parking arrangements will result in increased traffic movements in the street.</li> <li>• Dispersal of fumes from the car parking levels is not adequately addressed.</li> <li>• The café and restaurant tenancies will result in early morning deliveries.</li> </ul>
BICYCLE PARKING	<ul style="list-style-type: none"> <li>• Oversupply of bicycle parking, noting only 6% of employees ride to work.</li> </ul>
LANDSCAPING	<ul style="list-style-type: none"> <li>• Lack of landscaping within the development.</li> <li>• Concerns regarding maintenance of the landscaping that is proposed.</li> </ul>
OVERLOOKING	<ul style="list-style-type: none"> <li>• Impact to residents of Bowen Street and beyond – loss of privacy in private open spaces.</li> <li>• Sufficient height and opaqueness of the balconies and desk balustrades is required to reduce overlooking.</li> <li>• Location and positioning of proposed CCTV cameras to maintain privacy of Bowen Street residents.</li> <li>• Overlooking to the south (over the Tappeiner Court Nursing Home, adjacent schools and Norwood Pool) has not been considered.</li> </ul>
OVERSHADOWING	<ul style="list-style-type: none"> <li>• Impact to residents of Bowen Street and beyond.</li> <li>• Overshadowing impacts past 3pm are not provided.</li> <li>• Impact to existing and future solar panels.</li> <li>• Loss of direct solar heating, resulting in increased electricity costs for heating.</li> <li>• Impact to landscaping, particularly new plantings.</li> </ul>
WIND	<ul style="list-style-type: none"> <li>• Wind tunnelling impact at High Street near the corner of Bowen Street to impact on private open space on Bowen Street residence.</li> </ul>

NOISE	<ul style="list-style-type: none"> <li>• Mechanical noise from rooftop plant should be fully enclosed with acoustic attenuation.</li> <li>• Noise from car park use (music, squealing of tyres, talking, car doors closing, reversing and engines starting, poor behaviour).</li> <li>• Noise from outside recreation areas, walking tracks, the swimming pool, restaurant and accommodation units.</li> <li>• Concern regarding the assumptions in the acoustic report – loading activities are likely to extend outside of the specified hours, and engines / refrigeration units will not be turned over during deliveries.</li> <li>• Impact to Bowen Street residents from vehicle reversing signals – will service vehicles be attending the site 7 days a week</li> </ul>
LIGHT	<ul style="list-style-type: none"> <li>• Lighting to car parking levels during the night.</li> <li>• The proposed external illumination of the building is not detailed in the report.</li> <li>• Light from headlights will shine from the car park into Bowen Street residences.</li> </ul>
WASTE	<ul style="list-style-type: none"> <li>• Odour and pests from the bin storage and refuse collection area on Bowen Street.</li> <li>• The bin collection area will result in additional traffic movements along Bowen Street.</li> </ul>
CONTAMINATION	<ul style="list-style-type: none"> <li>• Potential contamination of soil on the subject site due to a previous BP service station, as well as the nearby On The Run which also contains soil contamination.</li> </ul>
LAND USE	<ul style="list-style-type: none"> <li>• The proposed recreation land uses and shops are non-complying in the zone.</li> <li>• Overdevelopment of the subject site.</li> <li>• Many of the proposed land uses are surplus to requirements and already exist in abundance in the locality. Their inclusion in the development only add to the size and height of the building i.e. the pool).</li> <li>• Concern that the land uses will be used on a 24/7 hour basis – impacts of traffic, light intrusion and noise.</li> <li>• Inappropriate location for a development of this nature.</li> <li>• The amount of office space is excessive for the number of staff.</li> </ul>
RESIDENTIAL AMENITY	<ul style="list-style-type: none"> <li>• Devaluation of residential properties.</li> <li>• Potential for 24/7 hour impacts to the adjacent residents.</li> <li>• General loss of quality of life.</li> <li>• Potential adverse impacts to residences of the approved Nuovo apartments to the west – overshadowing, views, external illumination, wind-tunnelling.</li> </ul>
PEDESTRIAN AMENITY	<ul style="list-style-type: none"> <li>• Positive improvement through the provision of paved forecourt and colonnades.</li> <li>• The above ground parking lessens the building's contribution to the public realm.</li> </ul>
ECONOMIC	<ul style="list-style-type: none"> <li>• The retail and café tenancies will result in a lack of business within the main commercial area of The Parade.</li> </ul>
INFRASTRUCTURE	<ul style="list-style-type: none"> <li>• Impact to Wi-Fi connectivity, noting the existing infrastructure is on the water tower.</li> </ul>
OTHER	<ul style="list-style-type: none"> <li>• Inaccurate reference to the site being in Kensington Park and Kensington Gardens throughout the DR.</li> </ul>

Table 3: Issues raised in public submissions

## ***4.2 City of Norwood, Payneham & St Peters***

The City of Norwood, Payneham and St Peters considered the application at a Special Council meeting held on Tuesday 25 October 2016.

Key points from Council's comments are as follows:

- Council has questioned whether the subject land is appropriate for the establishment of commercial uses at the scale and intensity that is proposed.
- The massing and configuration of the proposed building does not maintain or respect the prominence of the adjacent State Heritage Places. The creation of a new 'landmark' building will inevitably reduce the prominence and importance of those heritage buildings.
- Council does not concur with the justification regarding the impact on the State Heritage Places. The recent approval at 258-256 The Parade is not a comparable development – the situation and context are different.
- The development of land should have a respectful impact on the overall heritage character of the locality, not just on individual heritage listed properties. The proposed development is too large and overbearing and does not have enough regard for the context of the surrounding built form.
- Council requests that the overall height be reconsidered such that some of the building mass be reduced, without compromising the overall integrity of the proposal.
- The shadow diagrams in the DR indicate an extensive amount of overshadowing of residential properties located south and south-east of the subject site. Contrary to City of Norwood, Payneham and St Peters City-Wide PDCs 195 and 196 (City of Norwood, Payneham and St Peters Development Plan Consolidated 28 April 2016) the proposal will increase overshadowing of windows and private open space in situations where overshadowing already exceeds Development Plan requirements.
- The proposed setbacks on all frontages are considered reasonable however the impact to Bowen Street resulting from the combination of height and setbacks are not considered reasonable.
- There is a significant shortfall in car parking – some 116 spaces even after applying discounted parking rates.
- The significant increase in traffic generated by the development will result in additional movements within adjacent residential streets – this has not been adequately addressed in the DR.
- The traffic modelling has been based on the number of car parking spaces provided, not the number of cars likely to be generated by the proposal.
- The general façade aesthetic is acceptable and the use of lighter materials above a solid podium are positive aspects of the design.
- The high degree of amenity for occupants and visitors is recognised, as is the contribution to the public realm.
- The development will generate significant commercial investment jobs and economic activity at the eastern fringe of the District Centre (Norwood) Zone, which will boost the competitiveness of The Parade.

Council concludes that whilst the development is of a high standard and will generate significant economic investment, the proposal has fundamental shortcomings due to its excessive intensity and scale. Overall, Council considers that the proposal will have a significant adverse impact on heritage value and residential amenity.

## **4.3 State Government Agencies**

### **4.3.1 Office for Design + Architecture**

The proponent participated in two design review sessions on 30 March 2016 and 18 May 2016, prior to the DR being submitted by the Applicant. The design response evolved throughout this process to address the recommendations from the Government Architect.

#### 30 March 2016

The original proposal presented to the panel on 30 March was for a six storey building of 33.4m oriented to The Parade. The design provided no setbacks of upper levels and had large external (perimeter) decks to four (4) storeys. The proposal did not include any basement level car parking, with all car parking provided in an above ground, split level arrangement.

Formal feedback provided by the Government Architect did not support the height, massing and bulk of the development and recommended consideration of the site context with regards to the impact of height and massing of the building, and further consideration of above ground car parking, facade design, ceiling heights, outdoor spaces, traffic analysis and ground floor activation.

#### 18 May 2016

The proposal presented to the panel on 18 May 2016 was for a seven storey building of 35.3m oriented to The Parade / Portrush Road intersection. The revised design included the full height atrium and provided a clear and defined entrance to the intersection which better addressed the site context. The façade treatment was improved to include the fritted glass planes and included setbacks to upper levels at the Bowen Street interface. The revised design also included a basement level for car parking as well as two (2) above ground levels.

Formal feedback provided by the Government Architect did not support the height, massing and bulk of the development and recommended consideration of the site context with regards to the impact of height and massing of the building, and further consideration of above ground car parking, facade design, ceiling heights, outdoor spaces, traffic analysis and ground floor activation. Further design development of the fritted glass facade and materials palette was also recommended, as this was recognised as being integral to the design outcome.

#### Development Report

The proposal presented in the DR (and made available for public exhibition) was for an eight (8) storey building of 38.15m.

The Government Architect's final recommendation letter dated 24 October 2016 provides support for the diversity of uses in the development, the public realm improvements, and the intention to create a gateway building to The Parade precinct. Also supported are the proportions and articulation of the podium that respond to the current and anticipated precinct context.

The Government Architect recommended that further consideration be given to the following:

- Consideration of the upper level cantilevered façade, its geometry and visual impact on the site's landmark corner location.
- Exploration of opportunities to relocate a greater proportion of the above-ground car parking to the basement levels to attenuate the impact of this use on the public realm.
- Consideration of the ceiling heights to assist in reducing the overall height of the building and to successfully integrate the service requirements whilst maintaining amenity.

- Consideration of the location of the central plant rooms with a view to minimise visibility and any potential additional overshadowing to Bowen Street.
- Refinement of the façade treatments referencing the specific environment factors of each elevation, including ventilation.
- Consideration of the daytime quality of the proposed glass and its integration with supporting structures and safety barriers.
- Design development and analysis of the retail and café functions is undertaken to ensure the design intent for visual permeability is realised.
- Design development of the scale and distribution of outdoor spaces with a view to reducing the scale and apparent bulk of the building.
- Further design detail refinement of the podium cladding detail, Bowen Street interface as well as any necessary secondary structure required by the proposed facade treatment.
- Design Development and analysis of the retail and cafe functions is undertaken to ensure the design intent for visual permeability is realised, and the proposal offers a generous and positive contribution to the public realm.

Three (3) conditions or reserved matters were recommended to address the above outstanding matters:

- Provision of additional details and materials sample board to demonstrate how the ambition for the façade treatments as outlined in the design statement is achieved in practice.
- Provision of detailed information to demonstrate the maintenance and access strategies for the landscaping, to ensure the ongoing quality of the podium interface with neighbouring properties.
- Provision of further clarification of the amendments to the public realm at the northern boundary with regarding to the landscaping elements proposed within the future Parade road widening location.

### **4.3.2 State Heritage Unit, DEWNR**

The State Heritage Unit, DEWNR, provided comment in relation to Guideline 1 (Heritage Context) which is a matter of critical assessment. DEWNR's response is in relation to the State Heritage Places referred to in Guideline 1, not the local heritage places or contributory items in the locality.

DEWNR generally concurs with the analysis of impacts on State Heritage places as discussed in the DR and the development is considered to be acceptable in relation to the State Heritage places. One (1) condition was recommended:

- Proposed façade detailing and materials selections are to be further documented to the satisfaction of the relevant authority in consultation with the Government Architect and Department of Environment, Water and Natural Resources prior to final Development Approval being granted.

*Reason for condition: Final materials selection and detailing will be critical to achieving the high quality contextual design response anticipated*

### **4.3.3 Planning & Transport Policy, DPTI**

#### Guideline 4

On 11 and 14 November 2016 Planning and Transport Policy, DPTI, provided comment in relation to Guideline 4 (Transport Planning).

This advice stated that the three (3) tram options presented by the Proponent in the DR were not acceptable as practical solutions as they did not provide appropriate pedestrian and bicycle facilities in accordance with the relevant Austroads guidelines.

DPTI determined that an additional 1.6m setback over and above the 4.5m setback identified in the DR would be required to allow for the provision of the tram, vehicle lanes, cycle lanes, and appropriate footpath width. This would bring the setback requirement to a total 6.1m along The Parade frontage.

A setback of 6.1m would require the Proponent to redesign the proposal at several levels. As a result DPTI confirmed the setback requirement along The Parade of 4.5m, plus a small corner cut-off around the corner (refer Figure 2).

The consent of the Commissioner of Highways under the *Metropolitan Adelaide Road Widening Plan Act 1972* is required to all new building works located on or within 6.0 metres of a requirement identified on the Metropolitan Adelaide Road Widening Plan. As the development encroaches within the requirements of the Plan, the Proponent will need to receive formal consent under the Act.

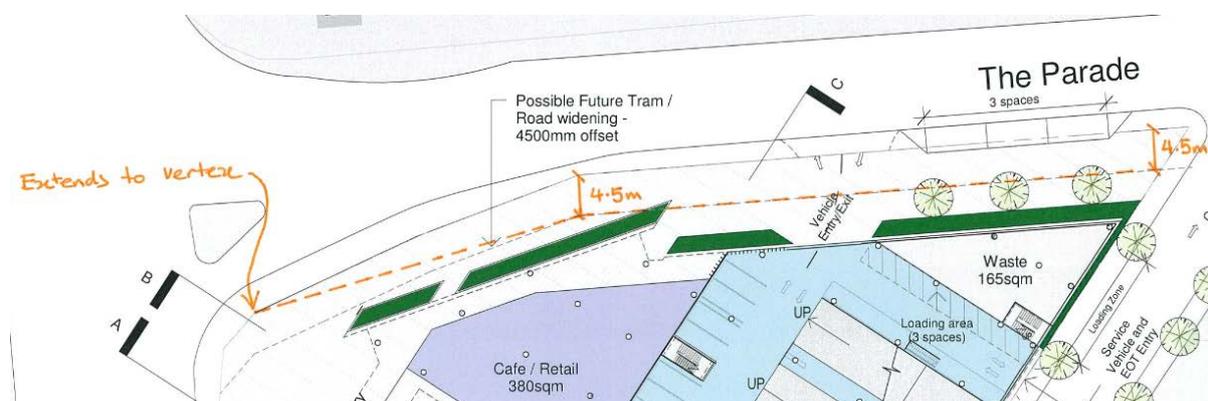


Figure 2: Setback requirement

### Guideline 6

On 11 November 2016 Planning and Transport Policy, DPTI, provided comment in relation to Guideline 6 (Traffic Impact).

DPTI was comfortable that there was a sufficient understanding of the implications for traffic at this stage of the assessment and recommended a number of conditions to ensure the safe and effective operation of the arterial road network.

This included the preparation of an updated Traffic Impact Assessment that evaluated 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). DPTI has sought that any road improvements identified through the Traffic Impact Assessment be funded and implemented by the Proponent.

Subsequent advice received from DPTI on 13 March 2017 confirmed that an updated Traffic Impact Assessment would not be required, based on the updated Transport, Access and Pedestrian Impact Assessment Report prepared by GHD, which was provided as part of the Response Document (Appendix E). DPTI has requested that should approval be granted, conditions be included to ensure that the flow of National Highway traffic on Portrush Road be maintained at all times.

## 5 Assessment of the Main Issues

### 5.1 Introduction

Pursuant to Section 46D(8) of the *Development Act 1993* the Minister must prepare an Assessment Report on the application taking into account:

- the Proponent's Development Report (DR),
- any submissions made in respect of the DR by members of the public,
- the Proponent's response to public submissions as detailed within the Response Document (RD),
- any comments provided by relevant State Government agencies and the Council, and
- any other comments or matter as the Minister thinks fit.

The proposed Peregrine Corporation mixed use major development at 270 The Parade, Kensington will also be assessed against the amended Guidelines as approved by DAC in September 2016 as well as the NPSP Development Plan, State Government legislation and policy, and relevant industry guidelines and standards.

The assessment section of this report is structured as follows:

- Statement of the guideline and any other relevant policies or standards;
- Outline how the Proponent proposes to comply with the guideline;
- Provision of an assessment including consideration of any relevant Development Plan policies; and
- A conclusion including any recommended conditions to be attached to the Governor's Authorisation

### 5.2 Need for the Proposal

As part of the DR, the Proponent has provided a rationale and justification for the proposal, in particular from an environmental, economic (market demand), social and sustainability perspective, including reasons for the proposed location, scale and staging. The proponent considers that should the proposal not proceed, the following consequences are foreshadowed:

- The existing constrained accommodation will continue to impact on the efficient administrative function of the Peregrine Corporation;
- The amenity for both workers and visitors to Peregrine Corporation will remain challenged; and
- The external consequences arising from a lack of on-street car parking will continue to impact on the amenity of the locality.

### 5.3 Heritage Context

*Guideline 1: Evaluate the impacts of the proposal on the heritage context of the locality, taking into account scale, massing, configuration and design (critical assessment).*

The DR (Appendix O) and RD (Appendix D) provide a Heritage Impact Assessment prepared by DASH Architects which considers the development's impact on heritage values in the locality.

The subject site is located adjacent numerous State and Local Heritage Places and Contributory Items. The most prominent State Heritage structures at the Portrush Road / The Parade intersection are the Wesleyan Methodist Church (northwest corner) and the Clayton Wesley Uniting Church

(northeast corner). With the addition of the two storey stone building at the south-west corner of Portrush Road / The Parade (State Heritage listed), this intersection has a very strong heritage character (refer Figure 3).

The Heritage Places Database<sup>1</sup> describes the Clayton Wesley Uniting church as ‘one of the finest Gothic-Revival churches in metropolitan Adelaide’. As noted in the DR, the Clayton Wesley Church is the most dominant built form element in the intersection. This is due to the change in road grid patterns at Portrush Road which places the Clayton Wesley Church in direct line of site when looking east along the Parade.

In addition, there is a strong relationship between the Wesleyan Methodist Church and Clayton Wesley Church. Despite surrounding development, views to the two churches remain relatively preserved particularly at close proximity to the intersection.

One other place of note is the Benson Memorial drinking fountain at the corner of High Street and Portrush Road (State Heritage listed). In addition the subject site abuts a Residential Historic (Conservation) Zone at High Street and Bowen Street.

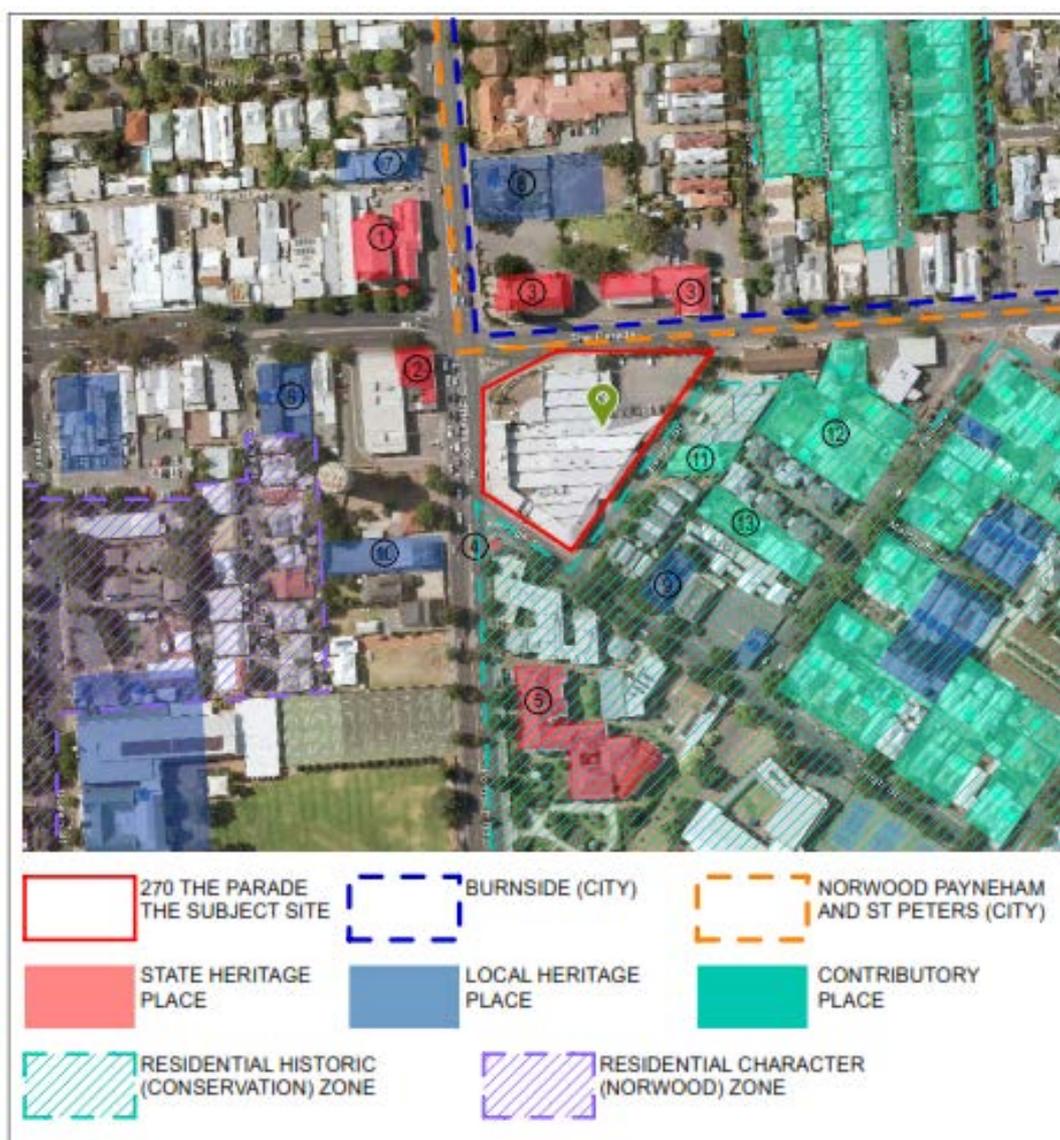


Figure 3: Heritage context (Source: Development Report, Appendix O)

<sup>1</sup> Heritage Places Database Search <http://maps.sa.gov.au/heritagesearch/HeritageSearchLocation.aspx>

The City-wide provisions of the NPSP Development Plan (Heritage) reinforce the importance of preserving the context of heritage places within the Council area. The high number of heritage places define the character of the Council and enhance its attractiveness. The key policies of relevant to this proposal are as follows:

**Objective 111:** Development which conserves and reinforces the historic integrity of the Council area and is compatible with the desired character of the appropriate zone and policy area.

**PDC 345** Development on land adjacent to land containing a State or Local Heritage Place as designated in Tables NPSP/5 and 6 should respect the heritage value, integrity and character of the heritage place and should clearly demonstrate design consideration of the relationships with the heritage place and its setting (without necessarily replicating its historic detailing) and the character of the locality by establishing compatible:

- (a) scale and bulk;
- (b) width of frontage and boundary setback patterns;
- (c) proportion and composition of design elements;
- (d) form and visual interest (as determined by play of light and shade, treatment of openings and depths of reveals, roofline and pitch and silhouette, colour and texture of materials as well as detailing, landscaping and fencing);
- (e) fencing and areas set aside for landscaping, particularly on the primary street frontage of an allotment, which complement the era, style and landscaping setting of the heritage place; and
- (f) garages, carports or outbuildings set-back at a greater distance from the primary street frontage than the main face of the primary building.

**PDC 346** Development on land adjacent to land containing a heritage place and sited in strategic locations, such as corners or at the termination of vistas, should have a scale and visual interest in the streetscape at least equal to that of the adjoining heritage place, providing the heritage value of the place within its setting is not diminished.

**PDC 347** Development on land adjacent to land containing a State or Local Heritage Place should not be undertaken if it is likely to dominate or detract from the heritage value and integrity of the heritage place by way of design, appearance or standard of construction.

The DR acknowledges that the development will be a *'notable visual element with the streetscape'* but contends that its visual impact will be limited to the *'immediate environs'* of the adjacent Clayton Wesley Church. The DR continues on to state that the setting of the other State Heritage Places around the intersection are limited to their *'immediate street frontage and interrelationship with each other (of which the development does not affect)'*. This statement is supported – noting that each State Heritage building will maintain a direct line of site from the others.

The DR asserts that the impact to the eastward view corridor will be limited. This statement is generally supported - when travelling east along The Parade the Church building is clearly visible at the end of the street. Whilst the proposed building will become a significant part of the view shed, particularly when approaching the intersection, the visual prominence of the Church is expected to be maintained at an appropriate level (refer Figure 4).



Image 16. Views of proposed development (indicative red mass) from the western end of The Parade.



Image 17. Views of proposed development (indicative red mass) from the western end of The Parade, approaching the Portrush Road intersection.

Figure 4: View east along The Parade (Source: Response Document, pg. 17)

View corridors to the Clayton Wesley Church from the south and north, however, are not assessed in detail in the DR. Page 20 of the Heritage Impact Assessment states that the proposed setbacks of the building will 'retain views of the Clayton Wesley Church from Portrush Road'. This statement is challenged. Whilst the top of the Church spire will sit some two (2) metres higher than the proposed development, the church building is set back from Portrush Road approximately 13-14 metres. With a setback from Portrush Road is approximately 3m, the proposed development will block views to the majority of the Clayton Wesley Church when travelling north along Portrush Road. The church will only come into view when at the intersection of The Parade / Portrush Road.

When travelling south along Portrush Road the Church is currently obscured by existing street trees and development, however when viewed closer to the intersection the development will form a backdrop to the church spire which may compromise its visual prominence in the streetscape.

The Proponent was requested to provide additional imagery from the north and south of the subject site in order to assess this impact in more detail. The Proponent's response, provided on pg. 9 of the Response Document, was that *'a change in the angle of the imagery does not, in the Proponent's opinion, assist in the assessment of the impact or alleviate any impact of the proposed building in situ'*.

The DR explains that the Proponent's design response seeks to mitigate the visual impact to the Clayton Wesley Church through the separation of the buildings base and upper storeys; upper storey setbacks; materiality that draws on the sandstone of the adjacent historic building; and the incorporation of *'subtle cues'* from the Church. The State Heritage Unit, DEWNR, recommends that further scrutiny of the final façade detailing and materials is required, as this is *'critical to achieving the high quality contextual design response anticipated'*. State Heritage Unit has proposed a condition in relation to the final façade design, which mirrors the condition recommended by the Government Architect.

The DR suggests that the acceptability of the proposal in terms of visual impact is strengthened by recent planning approvals for buildings in the locality which allow for greater height (this is further discussed in Section 5.4 below). In addition, the DR states that the context of bold, strong buildings such as Clayton Wesley Church is *'often improved through the provision of surrounding development of similarly bold and high quality'* development.

With regard to the Bowen Street and High Street frontages, the DR states that despite being located within the Residential Historic (Conservation Zone), these streets have a low historic (and residential) character along Bowen Street where they interface with the subject site. For this reason the Applicant considers the impact of the development to heritage character (and the contributory places) on Bowen Street to be negligible. The interface of the development with Bowen Street and High Street in terms of amenity, overlooking, overshadowing, noise and other impacts are discussed in Section 5.5 below.

**The AR concludes that views to the Clayton Wesley Uniting Church from the south and north are already obscured by existing development in the locality. The proposed development is expected to further diminish these views in the overall streetscape. The visual prominence of the Clayton Wesley Uniting Church and the other State Heritage places when viewed from the west along The Parade will be maintained due to the existing 'dog-leg' configuration of the intersection. The proposed development will inevitably be a dominant feature in the landscape. It will also result in a mix of modern and heritage / character buildings at this locality. The visual success of the proposed development at an intersection of such high heritage character hinges on the execution of the design vision. To that end, should approval be granted a condition is recommended that requires further design development of the façade and materiality in consultation with the Government Architect and State Heritage Unit, to ensure that the intended high quality design outcome can be achieved.**

## **5.4 Design Quality**

*Guideline 2: 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 (critical assessment).*

### **5.4.1 Design Review Process**

The DR (Appendix H) and RD (Appendix B) provide the Design Statement prepared by MPH Architects which details the evolution of the design through the major development assessment process and explains the design philosophy.

The development underwent two design review panel sessions on 30 March 2016 and 18 May 2016. The scheme considered by the panel on 30 March 2016 proposed a 33.4m high building with its main entrance orientated to The Parade. This design was revised to provide greater presence to the intersection and reduce mass to Bowen Street. As a result, the scheme considered by the panel on 18 May 2016 proposed a 35.3m high building with its main entrance orientated to the corner. This design included a podium with vertical fins, with the levels above set back from the podium and clad in a fritted glass per the current design.

Following the second design review panel further refinements were made to the building height and materiality. The revised scheme presented in the DR and released for public exhibition included sandstone cladding to the podium and an increased height of 38.15m (to the top of ridge).

As a result of submissions received during the public exhibition, the RD presented an amended design (Appendix B) which has a reduced podium height (through the removal of Level 2) and a reduced overall height of 34.85m (to top of ridge). This is depicted in Figure 5.



Figure 5: Design evolution

The Design Quality guideline requires that the proposal respond to the Principles of Good Design which are listed as follows.<sup>2</sup>

1. Context
2. Durability
3. Inclusivity
4. Sustainability
5. Value
6. Performance

The consistency of the proposed design against the Principles of Good Design #1 (Context), #2 (Durability), #4 (Sustainability) and #6 (Performance) and discussed below. Principle of Good Design #3 (Inclusivity) is included in Section 5.7 of this report, and Principle #5 (Value) is discussed in Section 5.8 of this report.

#### 5.4.2 Context

With regard to Principles of Good Design #1, Context, the Desired Character of the Kensington Policy Area acknowledges the subject site as a visually prominent location. The Development Plan seeks that:

<sup>2</sup> <http://odasa.sa.gov.au/pdf/2.1.5%20Principles%20of%20Good%20Design.pdf>

*...any new building should be of massing and configuration which visually reinforces the corner, whilst respecting the scale of buildings in the adjacent Historic (Conservation) Zones and maintaining the prominence of the State Heritage listed buildings on the south-western, north-eastern and north-western corners of the intersection of Portrush Road and The Parade.*

The City-wide provisions of the NPSP Development Plan (Medium and High Rise Development) also provide general guidance for development of this scale:

**PDC 260** Buildings should:

- (a) achieve a human scale at ground level through the use of elements such as canopies, verandahs or building projections;
- (b) provide shelter over the footpath where minimal setbacks are desirable; and
- (c) ensure walls on the boundary that are visible from public land include visually interesting treatments to break up large blank facades.

**PDC 262** Entrances to multi-storey buildings should:

- a) be oriented towards the street;
- (b) be clearly identifiable;
- (c) provide shelter, a sense of personal address and transitional space around the entry; and
- (d) provide separate access for residential and non-residential land uses.

It is also noted that on 6 May 2015 the Minister initiated the **Inner and Middle Metropolitan Corridor Infill DPA (Stage 2)** which potentially affects The Parade precinct. Stage 1 of the DPA saw an increase in building height to the west of Portrush Road, whilst Stage 2 will focus more on achieving high quality design outcomes for medium density development.

Consistent with the policy directions, the Applicant has sought to create an iconic building that addresses the Portrush Road / The Parade intersection. The building has been oriented so that the main entrance faces the intersection of Portrush Road / The Parade. The pedestrian entrance is through a large glass atrium which extends horizontally and vertically through the core of the building. The atrium has been designed with diagonal lines that reference the spire of the adjacent Clayton Wesley Church.

Access to all land uses within the building, both public (restaurant, gym) and private (office, accommodation) are through the main lobby within the atrium. Access to the gym will be controlled through security passes and after hours to the restaurant will be via one dedicated lift.

The building is set back from the Portrush Road and The Parade frontages to provide a wide, paved public area in front of the building. This area could accommodate outdoor dining for the ground floor tenancies and includes planter boxes for greater amenity and delineation of walking / dining areas. Consistent with PDC 260 of the NPSP Development Plan, the ground floor tenancies are set back under the building podium approximately 3m to provide covered areas for pedestrian amenity. The relationship of the building with the public realm, and the building's response to Principle of Good Design #3, Inclusivity, is further discussed in section 5.7 of this report.

The building design comprises two distinct components – a solid three storey podium and the upper four storeys. The podium, which incorporates the ground level, Level 1 and Level 2 is approximately 12.5m high and is clad in sandstone with black metal surround. Black metal reveals located periodically around the building provide opportunity for signage. At ground level, the façade is glazed to accommodate the proposed retail tenancies with a setback of 3m from the podium façade.

The building design seeks to reduce the scale impact, particularly to Bowen Street, by setting back the Level 3 deck and upper levels 4-6 to create a stepped appearance. The large deck at Level 2 and continuous walking tracks around the building on Levels 3, 4 and 5 will be available to staff for use as breakout areas and for walking meetings.

Landscaping on the Level 2 deck (Bowen Street only) and Level 3 deck (all frontages) provides a green 'cap' to the solid podium which helps to soften the appearance of the building. At the Bowen Street elevation the ground level car parking area is clad in vertical sandstone coloured stone fins. The main building façade of Levels 4-6 is a glazed curtain wall, with a fritted glass screen cantilevered in front of the main façade. The cantilevered glass screen will provide sun shading to the office levels, as well as enclosure to the external walkways on each level.

The DR (Appendix G) presents the atrium as having a glazed roof and glazed cantilevered verandahs to allow for the penetration of sunlight through the core of the building. The Architect's Design Statement (Appendix H of the DR and Appendix B of the RD) states that these elements seek to '*reduce the visual impact of this element*' and '*support the lightening of the bulk form and give the illusion of the building dissolving into the hues of the sky*'.

The amended design presented in the RD has the atrium roof and verandahs as solid structures. From a design perspective, when viewed from street level the inclusion of a solid atrium roof reduces the 'light ephemeral' appearance of the building's upper levels when compared to the previously proposed glazed roof (refer Figure 5).

The high quality appearance of the building, as depicted in the Artist Impression (RD Appendix B) relies heavily on the execution of the cantilevered glass screen to Levels 4-6. As stated in the DR and RD (Appendix B & H respectively), '*the vision for this external treatment is to create an ephemeral top to the built form, representing the hues of the ever-changing sky*'. This lighter appearance will be crucial in mitigating the visual bulk of the building. As noted in the final Government Architect comments '*the detailing of the facades is critical to a successful design outcome that is commensurate with the distinctive location*'.

As such, the façade materials and engineering requirements for attaching the glazed façade to the building will need to be carefully considered in order to avoid adding excessive visual bulk to the design. The applicant declined to provide further detail on the engineering requirements for the façade in the RD, noting that '*it is considered unreasonable for the applicant to provide engineering details at this time*' (pg. 10). The Finishes / Materials Images provided in the Response Document do not provide sufficient detail regarding the materiality of the façade.

It is therefore recommended that a condition be included which requires the applicant to seek approval for the final façade design and materiality, prior to Building Rules Consent being sought should approval be granted. This will allow for further scrutiny of the façade treatment, consistent with the Government Architect and State Heritage Unit recommendations.

**The AR concludes that the design philosophy adequately seeks to minimise the impacts of bulk and scale through the inclusion of upper level setbacks, façade design, landscaping and public realm contributions. The final design of the cantilevered fritted glass façade will be integral to the building's successful response to its surroundings. For this reason a Condition is recommended that requires further detailed design work in collaboration with the Government Architect and State Heritage Unit should approval be granted.**

### **5.4.3 Durability**

Principle of Good Design #2, Durability, seeks that buildings are fit for purpose, adaptable and long lasting.

The City-wide provisions of the NPSP Development Plan (Medium & High Rise Development) also encourages that buildings be designed to facilitate adaptive reuse:

**PDC 267** Multi-storey buildings should include a variety of internal designs that will facilitate adaptive reuse.

The proposed mixed use development provides ground level tenancies which are expected to be adaptable for various retail and hospitality land uses. It is noted that the ground floor to floor height is a generous 4200mm instead of the more standard 3700 – 3800mm.

The DR states that the building has been designed with ‘adaptability as a primary consideration’ (pg. 12). The office tenancies have been designed to allow for third party tenants, and the generous floor to floor heights of the two above ground car parking levels would allow for conversion to others land uses (such as additional office space) in the future. The floor to floor heights of the office spaces are also generous, ranging from 3800mm to 4500mm.

The unique mixes of land uses on Level 6 of the building may be less amenable to future conversion for other land uses. Level 6 comprises a public restaurant, member’s lounge (which is expected to be restricted access), accommodation for business related purposes, and a gym with spa and pool for public use. In terms of future adaptability, this level could potentially function as a standalone boutique hotel with a revised approval in place, however with a proposed 15 accommodation suites it may not prove an economically viable as a standalone operation. Notwithstanding, with a floor to floor height of 3.8m, Level 6 could potentially be converted to other land uses if needed.

**The AR concludes that the building design is very unique and tailor made to the business requirements of Peregrine Corporation. It is not a typical mixed use building with standard floor to floor heights and mix of land uses. Notwithstanding, there is enough scope within the building design to allow for third party tenanting of office spaces, and conversion to alternate land uses thereby supporting its durability.**

#### **5.4.4 Sustainability & Performance**

With regard to Principles of Good Design #4, Sustainability, and #6, Performance, the DR (Appendix P) provides a Sustainability Report prepared by Peregrine Corporation which outlines the vision and principles for the design of the building’s environmental systems and performance.

The City-wide provisions of the NPSP Development Plan (Energy Efficiency, Medium & High Rise Development) encourage development that conserves and minimises energy consumption, provides efficient solar access, and facilitates on-site energy generation:

**PDC 69 (Energy Efficiency)** Development should be designed to minimise energy consumption by incorporating, where, energy efficient building design elements, techniques and materials, such as:

- (a) the sizing, orientation and shading of windows to reduce summer heat load and take advantage of winter sun;
- (b) the use of deciduous trees, pergolas, eaves, verandas and awnings, to allow penetration of heat and light from the sun in winter and to provide shade in summer;
- (c) openings designed to maximise the potential for natural cross-ventilation to enable cooling breezes to reduce internal temperatures in the summer months; or
- (d) the use of colours on external surfaces such as roofs and walls, to minimise heat absorption in summer.

**Objective 63 (Medium & High Rise Development):** Buildings designed and sited to be energy and water efficient.

The guiding principles for the building, as outlined in the DR, relate to the health and wellbeing of staff, low energy use, adaptability to use renewable energy sources, and climate focused engineering services.

The building seeks to improve staff amenity and productivity through a number of design elements, most notably being the series of decks which form continuous walking tracks around the perimeter of the building at levels 3, 4 and 5. These decks meet the Applicant's desire to have 'walking meetings'. The decks sit between the primary building façade and the cantilevered outer layer of fritted glass thereby providing sun shading and enclosure to occupants. The Level 3 deck connects to the staff eating area thereby providing a functional and attractive breakout space. The Government Architect has recommended that further design development is required to ensure access to natural ventilation for the southern balconies, as well as the daytime qualities of the glass façade.

The central atrium increases internal light penetration to the building floor plates and will be used to help circulate air. The DR notes that over 70% of the net lettable areas are within 8m of a window, either outside or to the atrium. It is noted, however, that the revised design as presented in the RD indicates a solid atrium roof and overhangs, as opposed to glazed surfaces as proposed in the DR. This design change is likely to reduce the amount of natural light penetrating the internal atrium.

Proposed sustainability initiatives as outlined in the DR include the collection and reuse of fire system test water, grey water and stormwater. Stormwater collection is also encouraged in the Stormwater Management Plan (Appendix M) however there is no indication of retention tanks on the proposal plans. The Sustainability Report notes that a tank for the reuse of fire water should be located in the basement. It is unclear if this can be accommodated, noting that car parking for the development is already underprovided and the inclusion of tanks may necessitate a further loss of car parks for which further approval would be required. The inclusion of retention tanks for water reuse, as well as any other sustainability initiatives, will likely be determined by the Applicant either through detailed design or during construction.

In terms of energy efficiency, the DR states that an in-house self-assessment rating system such as BREAM, LEED or Greenstar will be adopted for the development. The proposal does not currently comprise any on-site energy generation such as photovoltaic cells, as encouraged by the NPSP Development Plan. The DR does, however, note that a solar boost to the domestic hot water service generation plant will be included. The DR notes that the effectiveness of on-site energy generation will be assessed once operation patterns and base energy loads have been ascertained. The feasibility of introducing techniques such as passive/active chilled beams, peak load reduction strategies and outside air pre-conditioning will also be investigated by the Applicant post construction.

To encourage the use of energy efficient forms of transport, the DR proposes the inclusion of charging stations for electric cars and car parks for smaller vehicles. Neither initiative is reflected on the proposal plans.

**The AR concludes that the design of the proposed development fosters staff health and wellbeing through the provision of walking tracks, decks, breakout spaces, and access to natural light and ventilation. The AR also concludes that whilst the DR includes commendable intentions for the building design in terms of energy and water efficiency and sustainable transport, these initiatives require further design and are not included in the amended plans per the Response Document. It is expected that the Applicant will determine the feasibility of any additional sustainability initiatives at either the design development or construction stages, and noting in any event that the building will need to comply with the mandated Building Code requirements.**

## 5.5 Neighbourhood Interface

*Guideline 3: 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.*

The City-wide provisions of the NPSP Development Plan (Orderly and Sustainable Development; Interface between Land Uses) seeks to minimise adverse impact and conflict between land uses:

**Objective 26:** Development located and designed to minimise adverse impact and conflict between land uses.

**PDC 4** Development should take place in a manner which will not:

- (a) interfere with the effective and proper use of any other land; and
- (b) prevent the attainment of the objectives for that other land.

**PDC 80** Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:

- (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants;
- (b) noise;
- (c) vibration;
- (d) electrical interference;
- (e) light spill;
- (f) glare;
- (g) hours of operation; or
- (h) traffic impacts.

The subject site is located at the interface of two zones. Bowen Street and High Street form the boundary between the Business Zone (subject site) and the Residential Historic (Conservation) Zone. Bowen Street comprises a mix of commercial and residential properties. At its northern end are Peregrine's warehouse facilities and to the south are residential dwellings. There are seven (7) dwellings facing Bowen Street comprising two (2) single storey detached dwellings which are contributory items, one (1) double storey detached dwelling, and four (4) double storey row dwellings. One (1) row dwelling located on the corner of Bowen Street and High Street has its western boundary to Bowen Street. All dwellings have rear and/or side private open space.

High Street comprises the Mary MacKillop Centre and Tappeiner Court Nursing Home. This site caters for the elderly and is a two storey building. The nursing home building is oriented away from High Street with no private open spaces (i.e. balconies or gardens) located along this frontage.

### 5.5.1 Height

The subject site is located within the Business Zone, Kensington Policy Area. This Zone envisages business related uses including limited retail space, with a maximum height of 2 storeys.

The proposed building is seven (7) storeys with a total height of 34.85m. Based on an average floor to floor height of 3.7 – 3.8m, the proposal development will present as the equivalent of a 9 storey building with a 3 storey podium based on average construction standards. The development has above average floor to floor heights of 3800mm to 4200mm. The Level 1 floor to floor height is 4500mm to allow for the tiered seating in the theatre.

In effect, the higher floor to floor heights, whilst desirable for occupant amenity, have the impact of increasing the overall height of the development.

The height of the building will be felt most at Bowen Street and High Street where the development interfaces with existing 1-2 storey buildings within the Residential Zone. Existing development in the Local Business Zone to the north and District Centre to the west is also predominantly 1-2 storeys in

height, however there are some structures with vertical features which are comparable in height to the proposed development:

- Clayton Wesley Church: 19.1m to Church roof and 37m to top of spire
- Wesleyan Methodist Church: 13.1m to Church roof and 32m to the top of spire
- State Heritage Building (2 storey): 9.72m to the top of the building
- Water Tower (not heritage listed): 36.84m to the top of the structure

To the west over Portrush Road is the District Centre (Norwood) Zone, The Parade East Policy Area. In 2013, the *City of Norwood Payneham & St Peters, Kent Town and The Parade Strategic Growth Development Plan Amendment (DPA)* was gazetted which allows for development up to 5 storeys (18.5m) in the section to the south of The Parade and east of Queen Street. Recent Approvals since the introduction of this policy in the locality are as follows:

- 155/M053/14 Pruszinski Architects (Nuovo): 254-256 The Parade Norwood – 5 storeys (18.5m – 19.4m to lift overrun)
- 155/M007/15 Calidore (The Bath Apartments): 236-238 The Parade Norwood – 6 storeys (19.2m – 20.7m to lift overrun)

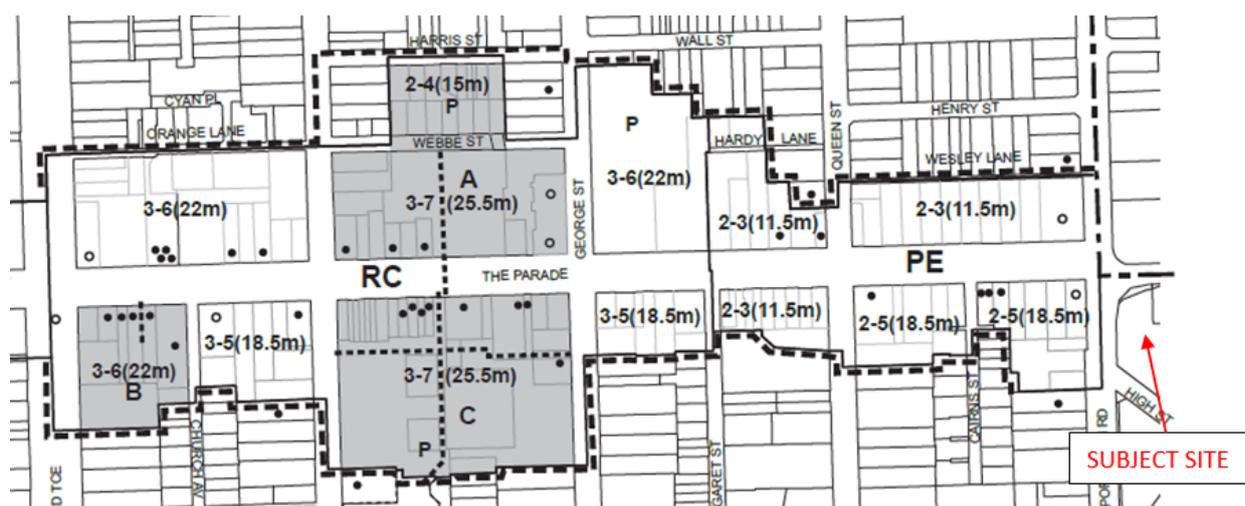


Figure 6: Zoning



Figure 7: Existing approvals

The AR concludes that the development will sit within a context of predominantly 1-2 storey development, punctuated with tall vertical features which are comparable in height to the proposed building. The changing policy in the locality supports an increase in building heights. The proposed height of the building will be most greatly felt at Bowen Street and High Street where the subject site interfaces with the Residential Zone. At these locations the upper level setbacks, landscaping and façade design will be crucial to minimising the impacts of bulk, scale, overshadowing, overlooking and general amenity.

### 5.5.2 Visual Impact

The Bowen Street elevation comprises two (2) above ground car parking levels (ground and Level 1). The Level 2 facade is set back some 4.5 metres from the primary facade, and Levels 3-6 above are set back 12 metres from the primary façade. This stepping back seeks to reduce the bulk of the building presenting to Bowen Street.

The two (2) above ground car park levels extend approximately 8.7m above ground level and are clad in vertical sandstone stone fins with black metal spandrels behind. Vertical gardens (climbers) are proposed to grow on the façade and Level 1 car park to provide a 'green fringe' to the building. Raised planter boxes on the perimeter of the Level 2 and 3 decks will provide further greening of the building façade.

The upper levels of the building comprise a system of fritted glass planes (white frit on blue glass) which is cantilevered in front of the main glass facade. The atrium in the centre of the building extends through the Bowen Street where a large corporate sign is proposed on the glass façade. As discussed below in section 5.5.6, the corporate sign on the Bowen Street façade is not considered to be a sensitive feature of this interface and it is recommended that it be either scaled down or removed.

The podium of the building has a 0m setback to Bowen Street which prevents the inclusion of a landscaped buffer. Whilst the applicant is pursuing an upgrade to Bowen Street outside of the major development application, the timing and extent of these works is unknown. As discussed in Section 5.7.2 of this report, the inclusion of the landscaped elements will therefore be crucial to softening the Bowen Street interface.

**The AR concludes that the scale and height of the proposed development will be in significant contrast to the 1-2 storey development on Bowen Street. The high quality of finishes to the Bowen Street façade, as well the inclusion of landscaping, will be integral to better transition this interface to pedestrians and adjacent residences. Whilst the podium has no setback from the allotment boundary, the upper level setbacks will contribute to reducing the overall mass and visual bulk of the building.**

### 5.5.3 Overlooking

The RD (Appendix B) provides an overlooking analysis prepared by MPH Architects which depicts the overlooking potential for Bowen Street and High Street.

The City-wide provisions of the NPSP Development Plan (Orderly and Sustainable Development; Interface between Land Uses) provide the following guidance for overshadowing of residential development:

**PDC 11** Buildings should be designed so as not to unreasonably overlook or overshadow indoor or outdoor living areas of adjacent dwellings.

**PDC 83** Non-residential development adjacent to a residential zone should be located, design and sited to minimise overlooking and overshadowing of nearby residential properties

Using the definition from the Good Residential Design Guide SA (pg. 112-113): *a direct view occurs if the windows or outdoor areas overlooked are located within a horizontal distance of 15m from the vertical centre line of the overlooking window and beyond a 45° angle from the plane of the wall containing the overlooking window.*<sup>3</sup>

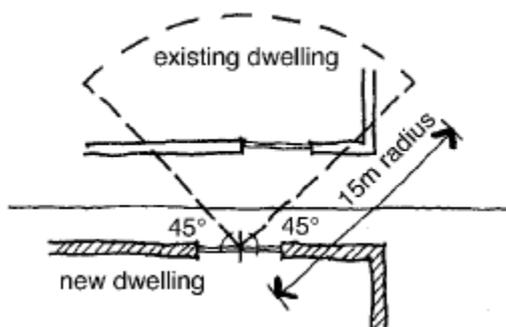


Figure 8: Direct overlooking (source: Good Residential Design Guide, 1999<sup>2</sup>)

The Level 2 deck is the area closest to dwellings on Bowen Street and the nursing home on High Street to be used by building occupants. It therefore presents the greatest risk to direct overlooking. The other areas from which there is potential overlooking is the Level 3 deck / perimeter walkway and the Level 4 and 5 perimeter walkways. Direct views from the office spaces to adjacent properties are not expected given the design of the building with its upper level setbacks, perimeter external walkways and cantilevered glass façade.

The Sections provided in the RD (Appendix B) indicate that the front facades of adjacent dwellings on Bowen Street, and the nursing home buildings on High Street, are located outside the 15m threshold (as defined in the Good Residential Design Guide SA) from both the Level 2 deck and from all upper levels. The privacy of the Bowen Street dwellings is therefore achieved through distance rather than through any screening. It is noted that the planter boxes on the Level 2 and 3 outdoor spaces and the cantilevered grass façade at upper levels may provide some additional screening to reduce overlooking and obscure activity in these spaces.

It is also relevant that the orientation of the majority of Bowen Street dwellings and the High Street nursing home prevents direct overlooking into private open spaces. The majority of private open spaces of the Bowen Street dwellings are located at the rear of the dwellings. The exception is the dwelling located at the corner of Bowen Street and High Street (13 High Street) which has a side/rear courtyard. This fence line of this dwelling appears to be located around the 15m view shed mark from the Level 2 deck, however existing trees and structures are expected to obscure clear views into the private open space.

**The AR concludes that the potential for overlooking from the proposed development into adjacent properties is mitigated through distance, the orientation of existing development, and the presence of existing trees and structures. The inclusion of planter boxes and the cantilevered glass façade will provide additional screening to obscure views both from and into the subject site.**

#### 5.5.4 Overshadowing

The RD (Appendix B) provides overshadowing diagrams prepared by MPH Architects which demonstrate the extent of overshadowing from the proposed development on summer solstice, autumn equinox, winter solstice and spring equinox.

<sup>3</sup> Good Residential Design SA: A resource for planning, designing and developing neighbourhoods and homes, Planning SA, September 1999

The City-wide provisions of the NPSP Development Plan (Residential Development; Energy Efficiency) provide the following guidance for overshadowing of residential development:

**PDC 71** Development should maintain solar access, for a minimum of 3 hours between 9am and 3pm on 21 June, to:

- (a) any existing solar collectors (such as solar hot water systems and photovoltaic cells) on adjoining properties; or
- (b) an area of at least 10m<sup>2</sup> on the north facing roof of the existing building/s, in the event that there are no existing solar panels and/or photovoltaic cells on the adjoining property; and in any case development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

**PDC 195** Unless otherwise specified in the relevant Zone and/or Policy Area, development should ensure that the north-facing windows of habitable rooms of dwelling(s) on adjacent sites receive at least 3 hours of direct sunlight over a portion of their surface and in the case of the main living area windows, a minimum of 50% of their surface, between 9am and 5pm on the winter solstice (21 June). Development should not increase the overshadowed area in cases where overshadowing from existing structures, fences and non-deciduous vegetation already exceeds this requirement.

**PDC 196** Unless otherwise specified in the relevant Zone and/or Policy Area, development should ensure that at least half of the ground level private open space of existing dwelling(s) receive direct sunlight for a minimum of two hours between 9.00am and 3.00pm on 21 June. Development should not increase the overshadowed area in cases where overshadowing already exceeds these requirements.

The RD states that the existing two-storey office building on the subject site has no material impact on overshadowing to the dwellings on Bowen Street and beyond.

It is relevant that many of the dwellings on Bowen Street already experience a level of overshadowing from adjacent structures and trees (not from the existing structures on the subject site). The applicant has not provided a detailed study on the existing overshadowing impact beyond the diagrams provided in the RD. It is therefore not possible to determine if the existing overshadowing impact to these dwellings already exceeds the requirements in PDC 195 and 196, however Council's comments suggest that this is the case. A comprehensive assessment of the proposal against the individual requirements of PDC 195 and 196 is therefore not possible.

Notwithstanding, it is recognised that the proposed development will have an overshadowing impact for dwellings on Bowen Street. The RD seeks to explain the extent of this impact in line with the policy requirements for solar access to north facing windows (minimum 3 hours on 21 June) and private open space (minimum 2 hours on 21 June).

In this regard the RD shows that on Winter Solstice (July 21) the proposed building does not cast a shadow over dwellings on Bowen Street between 9am and 12 noon. It is noted, however, that by 12 noon the rear yards of the Bowen Street dwellings are already under shadow by the adjacent dwellings. By 3pm the dwellings (including rear open spaces) are in full shadow from the proposed development.

Diagrams provided for the Summer Solstice, Autumn Equinox and Spring Equinox depict a lesser overshadowing impact from the proposed development. On these days, no shadow is cast over the dwellings from the proposed building between the hours of 9am to 12 noon. By 3pm on Autumn Equinox and Spring Equinox the proposed building casts a shadow over a portion of the dwellings. On 3pm on Summer Solstice the shadow only reaches to eastern side of Bowen Street and does not overshadow the dwellings.

The overshadowing impact to the row of dwellings at the corner of Bowen Street and High Street (numbers 13, 15 & 17 High Street) is more difficult to assess. On Winter Solstice the rear courtyards of these dwellings are partially overshadowed by existing dwellings / structures. By 3pm these courtyards are overshadowed by the proposed development. As a result, there is the potential that these dwellings will not receive the minimum 2 hours sunlight to the rear open spaces (which also

happen to be north facing). It is noted that the reduction in building height from 38.15m (as depicted in the DR) to 34.85 (as amended in the RD) has reduced the overshadowing impact to the rear courtyard of 15 and 17 High Street on Spring Equinox.

Although not depicted in the DR or RD, several dwellings on Phillips Street will have their rear or side private open space covered in shadow from the proposed development by 3pm on winter solstice. This is the only time when the shadow from the proposed development extends east beyond the Bowen Street dwellings.

PDC 71 of the NPS Development Plan considers the impact of development to solar panels. The policy seeks that solar access to panels is maintained for a minimum of 3 hours on Winter Solstice. The solar diagrams indicate that overshadowing from the proposed development of existing solar panels at 12 Bowen Street and 11 Phillips Street occurs from 3pm. It cannot be ascertained from the solar diagrams if this overshadowing impact extends to 12 and 13 Phillips Street. The proposal does not result in any overshadowing of existing solar panels between the hours of 9am and 12 noon, which is consistent with the PDC 71(a) and part (b). It cannot be ascertained from the solar diagrams if there is existing overshadowing of north facing roofs, however given the orientation and pattern of development for dwellings on Bowen Street, this is unlikely. It would appear that solar access for north facing roofs will be maintained between 9am and 12 noon on Winter Solstice.

The diagrams also demonstrate some overshadowing impact to buildings located south of the subject site, namely the Tappeiner Court Nursing Home. The affected area is the corner of High Street and Portrush Road until approximately 3pm on Winter Solstice. There is a lesser impact on the Spring and Autumn Equinox and no overshadowing impact on Summer Solstice.

There is no overshadowing impact of the Portrush Road / The Parade intersection from the proposed development.

**The AR concludes that the proposed development will increase the overshadowing impact to dwellings located east, south-east and south of the subject site when compared to the current situation. The impact occurs predominantly after midday on the Autumn Equinox, Spring Equinox and Winter Solstice. Direct overshadowing of the rear private open spaces of dwellings along Bowen Street only occurs after midday on the Winter Solstice. At all other times the overshadowing of these rear courtyards is caused by the shadows cast by the dwellings themselves (or adjacent dwellings).**

**The greatest impact to residents will be felt in the Winter months, and in particular to Numbers 13, 15, & 17 High Street. During winter the combined overshadowing impact from the development and existing dwellings will limit direct sunlight to varying aspects of these dwellings and their private open space throughout the day.**

### **5.5.5 Noise**

The DR (Appendix T) provides a Noise Assessment by Sonus which assesses the noise impacts of the proposal and outlines a number of recommended attenuation measures in order to meet legislative requirements.

The City-wide provisions of the NPS Development Plan (Interface between Land Uses) provide the following guidance for noise generating activities:

***PDC 86** Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant Environment Protection (Noise) Policy criteria when assessed at the nearest existing noise sensitive premises.*

The *Environment Protection (Noise) Policy 2007* provides recommended noise levels depending on the land use zone where the noise source (i.e. the proposed development) and the noise sensitive receivers (i.e. dwellings) are located. The recommended levels for the proposed development are:

- an average noise level (L<sub>eq</sub>) of 52 dB(A) during the daytime (7am to 10pm);
- an average noise level (L<sub>eq</sub>) of 45 dB(A) during the night-time (10pm to 7am);
- an instantaneous maximum noise level (L<sub>eq</sub>) requirement of 60 dB(A) for development that operates during the night period.

The potential noise sources from the development and proposed attenuation measures to achieve the recommended Policy levels at the nearest residences, as detailed in the Noise Assessment, are summarised below:

Noise Source	Proposed Attenuation Measures
Mechanical plant	<ul style="list-style-type: none"> <li>• Mechanical plant located on roof (large separation distance from dwellings)</li> <li>• Boilers and pumps located in an enclosed plant room</li> <li>• Detailed assessment to be carried out at detailed design phase.</li> </ul>
Vehicle movements and car park activity	<ul style="list-style-type: none"> <li>• Acoustic insulation to the south-eastern half of the available surface of the slab above the car park on the ground floor, Level 1 and Level 2.</li> </ul>
Loading area activity	<ul style="list-style-type: none"> <li>• Limit loading activity to daytime hours 7am to 10pm.</li> <li>• Use of non-motorised equipment such as sack trucks or lift table carts</li> </ul>
Waste collection	Limit waste collection hours of operation to: <ul style="list-style-type: none"> <li>• 9am – 7pm Sundays &amp; public holidays</li> <li>• 7am to 7pm all other days</li> </ul>
Background music in the restaurant	<ul style="list-style-type: none"> <li>• Large separation distance from dwellings.</li> </ul>

Table 4: Noise sources and attenuation measures

The Noise Assessment concludes that whilst the indicative noise impact from the mechanical plant is predicted to achieve policy levels at the closest residences, a detailed assessment will be required at the detailed design phase of the development.

The assessment of vehicle movements within the car park is based on estimated movement numbers provided in the GHD Traffic, Access & Pedestrian Impact Assessment Report from the DR (Appendix L). With the inclusion of acoustic insulation to the south-eastern half of the available surface of the slab above the car park on the ground floor, Level 1 and Level 2, the predicted maximum instantaneous noise level at the closest residences is 56dB(A), which is within the Noise EPP levels. A condition limiting the loading and unloading of vehicles within daylight hours is accordingly proposed.

The Noise Assessment states that loading and unloading will occur within daytime hours, and with non-motorised equipment such as sack trucks. Noise modelling was undertaken for the loading dock based on a refrigerated rigid truck parked with its engine and refrigeration off. Based on these assumptions the predicted noise level at the closest residences during the day is 52dB(A), which is within the Noise EPP levels therefore considered to be acceptable.

The Noise Assessment considers the noise impact from background music in the restaurant, which is located on Level 6 on the northern side of the development. For music being played inside the restaurant at the higher level of 80dB(A), the noise impact at the closest residences is expected to be ‘innocuous’ due to the separation distance between the restaurant and dwellings.

The Noise Assessment also provides an assessment of external noise ingress to the accommodation land use on Level 6. The report suggests that the accommodation can be developed consistent with the Minister's Specification SA78B for Sound Exposure Category 1, through the use of thick laminated glass. This will ensure that noise within the accommodation will be attenuated to a comfortable level for occupants. It is noted that the Minister's Specification SA78B does not apply to the subject site as it is not denoted on the Air and Noise Emission Overlay within the NPSP Development Plan. Notwithstanding, the specification provides an appropriate benchmark for this form of development. Consistency with the Minister's Specification will also be reliant on a detailed assessment at the detailed design phase of the development.

Based on the inclusion of the proposed attenuation measures, the Noise Assessment concludes that the proposed development will be able to achieve the Noise Policy criteria, however further assessment and detailed design work will be required.

**The AR concludes that the proposed development must comply with the *Environment Protection (Noise) Policy 2007* in order to minimise noise intrusion to adjacent residences. This will require full adoption of the attenuation and operational measures outlined in the Noise Assessment including further detailed design and assessment of the mechanical plant. The requirements of Minister's Specification SA78B Construction requirements for the control of external sound would also be applied for the accommodation units on Level 6. An Advisory Note is proposed to remind the Applicant of their obligation to construct and operate the development in accordance with the *Environment Protection (Noise) Policy 2007*.**

### 5.5.6 Signage

The DR (Appendix K) and RD (Appendix B) provide a Signage Plan prepared by MPH Architects which details the corporate and tenancy signage scheme for the building.

The City-wide provisions of the NPSP Development Plan (Advertisements) provide detailed guidance for signage on buildings. The objectives for signage are as follows:

**Objective 114:** An urban environment not disfigured by advertisements.

**Objective 115:** Advertisements in retail, commercial and industrial areas, designed to enhance the appearance of those areas.

**Objective 116:** Advertisements not hazardous to any person.

**PDC 366** The location, siting, size, shape and materials of construction, of advertisements should be:

- (a) consistent with the desired character of areas or zones as described by their objectives;
- (b) consistent with the predominant character of the urban landscape; or
- (c) in harmony with any building or site of historic significance or heritage value in the locality.

**PDC 367** Advertisements should not detrimentally affect by way of their siting, size, shape, scale, glare, reflection or colour the amenity of area in which they are situated.

**PDC 368** Advertisements should not impair the amenity of area in which they are situated by creating, or adding to, clutter, visual disorder and the untidiness of buildings and spaces.

**PDC 370** The scale of advertisements should be compatible with the buildings on which they are situated and with nearby buildings and spaces.

**PDC 373** Advertisements on buildings that have a single architectural theme but which contain a number of tenancies, should be attached and displayed so as to be co-ordinated with that theme.

**PDC 375** Advertisements should not create a hazard to persons travelling by any means.

The signage scheme includes two distinct types of façade mounted signs:

1. Podium level signage

A series of signs are proposed for the ground level façade, retail /café frontages and black insets on the podium façade.

The signage located on the black inset of the podium allows for the coordinated presentation of the various Peregrine brands including OTR, Taillem Bend ('The Bend') Motorsport Park, Krispy Kreme and Smokemart. Two smaller signs, similar in style, are located at ground level to provide tenancy signage for the various ground level businesses (denoted on the proposal plans as a 'Public Food Court').

These various panel signs allow for the coordinated presentation of signage that is consistent with the overall architectural theme of the building. The placement of these signs ensures a coordinated and uncluttered appearance along the main elevations of the building, consistent with the NPSP planning policies.

The façade signage for the individual ground level tenancies (The Parade and Portrush Road frontages) include a combination of finishes and lighting techniques including back illumination and uplights. Directional signage is also provided for the car park entrances and street names. There does not appear to be any illuminated signage that will unduly impact the residences on Bowen Street.

## 2. Upper level glass façade signage

A series of Peregrine Corporation branding (the Peregrine symbol and associated words) are located on the upper level glass facades. The two (2) main Peregrine Corporation signs (words & graphic) which are located on the front and rear of the glass atrium are particularly large. They measure 7.5m x 3.5m at the Portrush Road / The Parade entrance and 6m x 3m at the Bowen Street façade.

The 7.5m x 3.5m glass façade logo will be most prominent when viewed from the west along The Parade. The sign is unlit and a muted colour which is unlikely to have a detrimental impact on the overall appearance of the building.

The 6m x 3m glass façade logo on the Bowen Street façade has been placed to make it visible above the existing development in the locality. This sign is in keeping with the overall signage scheme and is unlikely to be a prominent feature when viewed from the surrounding major roads. Its suitability for Bowen Street, however, is questioned. The signage scheme for the site should be focused to the Portrush Road and The Parade frontages and directed away from other frontages which contain sensitive land uses that may be negatively impacted by business signage / advertising in terms of general amenity. The proposed scale and location of the Bowen Street façade sign is considered to be inconsistent with PDC 370.

**The AR concludes that the overall signage scheme is coordinated and will not disfigure the Portrush Road and The Parade streetscapes. With the exception of the Bowen Street façade sign, the signage scheme is generally consistent with the relevant Development Plan policies, being of an appropriate scale and quality commensurate with the building design.**

**The Bowen Street frontage must be treated as sensitively as possible to minimise the overall impact of the bulk and scale of the building. Signage for the building should be focused to the Portrush Road / The Parade major road frontages with only essential (and discreet) directional signage located on the Bowen Street frontage. Should the approval be granted, a Condition is recommended that requires the reconsideration of signage as part of further design development with the South Australian Government Architect.**

## 5.6 Transport Planning/Traffic Impacts

*Guideline 4: 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.*

*Guideline 6: 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).*

*Guideline 6: 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.*

The RD includes an updated Transport, Access and Pedestrian Impact Assessment Report prepared by GHD which provides an assessment of the car parking requirements and traffic impacts from the proposed development. The updated report by GHD also considers future provisions for road widening and a tramline extension up The Parade.

According to the NPSP Development Plan the subject site is located at the intersection of two arterial roads. The Development Plan identifies Portrush Road as a Primary Arterial Road and The Parade as a Secondary Arterial Road. The Parade to the west of Portrush Road is under the care and control of DPTI, whilst The Parade to the east of Portrush Road, including all footpaths, is under the care and control of Council.

The City-wide provisions of the NPSP Development Plan (Movement, Transport and Car Parking) provide guidance for the integration of development with the surrounding road network. The overarching objectives are as follows:

**Objective 31:** A compatible arrangement between land uses and the transport system which will:

- (a) ensure minimal noise and air pollution;
- (b) protect amenity of existing and future land uses;
- (c) provide adequate access; and
- (d) ensure maximum safety.

**PDC 92** Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.

### 5.6.1 Road Widening

The revised Transport, Access & Pedestrian Impact Assessment Report (GHD Report) in the RD considers the road widening requirements for the future tram extension along The Parade identified in the *Integrated Transport and Land Use Plan – July 2015* (ITLUP).

ITLUP identifies the development of a new tram network to re-introduce tram services to inner and middle Adelaide. The objective of the AdeLINK proposal is to support the development of the inner city as a connected, dynamic and attractive place to live and work, and to increase activity in existing shopping and mixed-use precincts. The eastern section of the network, referred to as 'EastLINK', is proposed in ITLUP to extend along The Parade and turn north to Magill Campus in the 'medium timeframe' (5 to 15 years).

In determining the potential land requirements for a tram extension adjacent the subject site, the GHD Report considered three (3) scenarios that took into consideration the constraints of existing heritage buildings:

1. Separated tram path

2. Single track (gauntlet) tram path
3. Shared tram / vehicle path

The GHD Report considered the options and recommended a 4.5m road widening requirement from The Parade frontage of the site. The 4.5m road widening requirement has been incorporated into all plans within the RD. All building level footprints (including the basement) and the pool overhang are located within the diminished allotment boundary. Minor encroachments beyond the 4.5m setback are a planter box and a portion of the fitted glass façade at the northwest corner of the building.

DPTI, Planning & Transport, has confirmed that the 4.5m setback is acceptable.

**The AR concludes that the proposed development achieves the required 4.5m setback along The Parade frontage for MARWP requirements. Should approval be granted, a standard Condition is recommended which will require that the development be undertaken in accordance with the DR and RD. This will ensure that the required setback is delivered.**

### 5.6.2 Site Access

The revised Transport, Access & Pedestrian Impact Assessment Report (GHD Report) in the RD details the proposed access and circulation arrangements for the proposed development.

The City-wide provisions of the NPSP Development Plan (Centres, Shops and Business; Movement, Transport and Car Parking) requires that new development provides safe, convenient and efficient access for all forms of transportation:

**PDC 98** Development should provide safe and convenient access for all anticipated modes of transport.

**PDC 99** Development at intersections, pedestrian and cycle crossings, and crossovers to allotments should maintain or enhance sightlines for motorists, cyclists and pedestrians to ensure safety for all road users and pedestrians.

**PDC 102** Development should be designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive land uses.

**PDC 104** Development should include appropriate on-site provision to enable the parking, loading, unloading, turning and fuelling of vehicles.

**PDC 112** Development should have direct access from an all-weather public road.

**PDC 113** Development should be provided with safe and convenient access which:

- (a) avoids unreasonable interference with the flow of traffic on adjoining roads;
- (b) provides appropriate separation distances from existing roads or level crossings;
- (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision; and
- (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.

**PDC 278** Provision for the movement of people and goods within business, centre and shopping zones or areas should comply with the following:

- (a) development should not cause inconvenient and unsafe traffic and pedestrian movements or be likely to result in the need for significant expenditure on transport and traffic works, or facilities within, or outside, the locality;
- (b) development should be concentrated for pedestrian convenience and not allowed to extend unnecessarily along road frontages; (increasing the depth of development is a more desirable alternative);
- (c) the separation of pedestrian and vehicle movements within zones or areas, is most desirable to ensure safety and convenience;
- (d) (d) access to car parking areas should be designed not to cause congestion or detract from the safety of traffic on abutting roads;
- (e) adequate and convenient provision should be made for service vehicles and the storage and removal of waste goods and materials;
- (f) parking areas should be consolidated and co-ordinated into convenient groups, rather than located individually, and the access points minimised.

- (g) car parks should be orientated so as to facilitate direct and convenient access of pedestrians between them and the facilities they serve;

The Business Zone provisions of the NPSP Development Plan provides more specific guidance regarding the location of access points into the subject site:

The Parade and Bowen Street should provide the primary points of access for delivery, service and visitors' vehicles. The creation of new vehicle access points onto either Portrush Road or the portion of The Parade close to the Portrush Road intersection should be avoided.

The proposed development has three (3) access points:

- The Parade: left-in, left-out only
- Bowen Street: access to the loading dock, service vehicles only
- High Street: all movements

The proposed development has two (2) parallel parking loading points:

- The Parade: three (3) spaces for taxi drop-offs
- Bowen Street: bin collection area for waste management vehicles

As noted in the revised GHD report vehicle circulation at the subject site is expected to remain as a predominantly anticlockwise rotation due to the one-way nature of Bowen Street and median restrictions on The Parade and Portrush Road.

Pedestrian access will be predominantly through the main building lobby on the corner of The Parade and Portrush Road, with secondary access for staff through the car park to the rear of the lobby.

The proposed left-in / left-out vehicle access point on The Parade is located approximately 70m from the Portrush Road / The Parade intersection. Whilst new access points close to this intersection are discouraged in the Business Zone provisions, no fundamental opposition has been raised by DPTI Planning and Transport Policy.

The GHD Report explains that the location of the High Street vehicle access point to the car park has been positioned to allow for maximum queuing potential, in order to minimise impacts to Portrush Road traffic flows. It is acknowledged that the High Street access point does not meet the minimum 10m separation requirement between the rear of a vehicle waiting at the closest car park and the property boundary. As such, there is the potential for traffic to queue on High Street when vehicles are parking in car parking spaces nearest the High Street entrance. The Report recommends that these parks be allocated to low turnover, long-term parking in order to reduce the potential for queuing and delays.

The proposed loading dock will be accessed by vehicles travelling north up Bowen Street, and also travelling west along The Parade (turning left in the car park and into the loading dock). Whilst PDC 102 discourages commercial vehicle movements through residential streets, Bowen Street forms the boundary between a residential and business zone, and already supports commercial vehicles movements associated with the existing Peregrine Corporation operations on the subject site. It is noted that the access arrangements for commercial vehicles is consistent with the zone provisions which encourage all access for delivery, service and visitor vehicles to be on Bowen Street (and The Parade). The impacts of commercial vehicles accessing Bowen Street are proposed to be mitigated through restrictions to waste collection and delivery times.

Whilst not part of the major development application, the applicant's future vision for Bowen Street (Appendix J of the DR) seeks to remove service vehicle movements from the southern portion of Bowen Street by making the northern portion two-way. This would allow service / waste vehicles to access the loading dock directly from The Parade.

The GHD Report provides swept path movements for all levels of the car park and through the loading dock. The diagrams demonstrate that the loading dock can comfortably accommodate a Standard Rigid Vehicle (SRV). Vehicles larger than an SRV will be restricted to using the Bowen Street on-road loading area.

**The AR concludes that the proposed access and circulation arrangements for the proposed developments are generally consistent with the Business Zone policies of the NPSP Development Plan, which require all primary points of access to be located on The Parade and Bowen Street. The location of the main car park access point on High Street is supported as it prevents the movement of considerable traffic through Bowen Street, which is a one-way residential street. It is noted that some car parks near the entrance of the High Street access are proposed to be restricted, in order to prevent traffic queuing. The access points into the subject site separate commuter and service activities to provide for safe and efficient vehicle movements. Should approval be granted, a Condition is also recommended that limits the hours of operation for waste collection services and use of the loading areas.**

### **5.6.3 Traffic Analysis**

The revised Transport, Access & Pedestrian Impact Assessment Report (GHD Report) in the RD provides traffic analysis of the affected road intersections for the proposed development.

The City-wide provisions of the NPSP Development Plan (Movement, Transport and Car Parking) provide the following guidance for traffic movements:

**Objective 32:** A form of development adjoining main roads which will:

- (a) ensure traffic can move efficiently and safely;
- (b) discourage commercial ribbon development;
- (c) prevent large traffic-generating uses outside designated shopping/centre zones;
- (d) provide for adequate off-street parking; and
- (e) provide limited and safe points of access and egress.

**PDC 93** Development should be integrated with existing transport networks, particularly major rail, road and public transport corridors, and designed to minimise its potential impact on the functional performance of the transport network.

The GHD Report provides an estimate of existing traffic volumes on the surrounding road network, and traffic generation projections for the various land use components of the development. It also provides an analysis of the impacts to the Portrush Road / The Parade intersection and the Portrush Road / High Street junction. The report concludes that the additional peak hour traffic generated by the planned development is sustainable.

DPTI has confirmed that no further traffic impact assessment is required prior to the commencement of construction. During the construction phase the Applicant must ensure that two lanes of traffic in each direction are maintained along Portrush Road at all times, as this is a National Highway. Pedestrian facilities on the eastern footpath of Portrush Road must also be accessible at all times during construction.

Any works that may need to be undertaken on Portrush Road as a result of this development, including any new road drainage infrastructure, will need to be designed and constructed in consultation with DPTI and at the Proponents costs.

**Sufficient detail has been provided for the AR to conclude that the proposed development can be accommodated on the existing road network. Should approval be granted, Conditions are recommended relating to traffic control during construction and any required upgrade works on the arterial roads.**

## 5.6.4 Car Parking

The City-wide provisions of the NPSP Development Plan (Movement, Transport and Car Parking) provide the following guidance for car parking:

**Objective 34:** Development which provides adequate and safe car parking appropriate to the demands generated.

**Objective 36:** Improved off-street parking facilities for The Parade District Centre (Norwood) Zone by the provision of public car parking in general accordance with the District Centre (Norwood) Core Concept Plan, [Fig DCe/1](#).

The revised proposal as presented in the RD (Appendix B) has 223 off street, undercover car parking spaces and 10 motorbike spaces. 29 of the 223 car parks are secured spaces within the basement level. All other spaces will be available for Peregrine staff and users of the retail, café, restaurant and other facilities within the building. Seven (7) accessible car parks are provided.

Tables NPSP/8 and 9 provide recommended car parking rates for different land uses as follows:

	DP Rate	DP Requirement
<b>Retail OR Café* (or a combination)</b>	5 / 100m <sup>2</sup> 1 / 3 seats	1060m <sup>2</sup> = 53 spaces 282 seats = 94 spaces
<b>Office</b>	4 / 100m <sup>2</sup>	9060m <sup>2</sup> = 363 spaces
<b>Training</b>	4 / 100m <sup>2</sup>	745m <sup>2</sup> = 30 spaces
<b>Restaurant*</b>	1 / 3 seats	150 seats = 50 spaces
<b>Accommodation (residential in multi-storey buildings)</b>	1 / studio + 1 / 2 dwellings up to 10 dwellings + 1 / 4 dwellings exceeding 10	15 units = 21 spaces
<b>Gym</b>	Assess on as needs basis	
<b>TOTAL</b>		<b>558 + gym allocation</b>

Table 5: Car parking requirements

\*based on assumption of 4 seats / table; 9m<sup>2</sup> / table; 40% space for kitchen etc.

It is acknowledged that the actual demand for car parking at any one time will not be 558 spaces due to a variety of factors including:

- The ground floor tenancies are expected to be a mixture of retail and café uses to be utilised by occupants of the building, passing pedestrians and weekend trade. These ground floor tenancies are not expected to be destinations in their own right.
- The gym is expected to be used predominantly by occupants of the buildings (and employees and residents in the local area) after peak office hours and on weekends.
- The accommodation units are to be used for business guests that are likely to arrive to the subject site via taxi or be similar. The units will be used sporadically and are unlikely to generate a car parking demand in their own right.
- The frequency of use for the training facilities is unknown but will not be a daily occurrence. Times and numbers of attendees is expected to vary.

The City-wide section of the NPSP Development Plan (Movement, Transport and Car Parking) envisages discounts for car parking rates in certain circumstances:

**PDC 122** A lesser on-site car parking rate may be applied to applicable elements of a development in any of the following circumstances:

- (b) sites are located within 200 metres walking distance of a convenient and frequent service fixed public transport stop; or
- (c) mixed use development including residential and non-residential development has respective peak demands for parking occurring at different times; or
- (e) the parking shortfall is met by contribution to a Car Parking Fund (where one is available); or

- (f) the development qualifies for certification under the Green Energy rating program, or similar program; or
- (g) where it can be demonstrated that it would not result in a greater demand for on-street car parking on existing streets in the locality.

Whilst not located in one of the identified zones, the DR suggests that the NPSP 'Off-Street Vehicle Parking Requirements for Designated Areas' (Table NPSP/9A) in the NPSP Development Plan could be applied to the subject site. A discounted minimum parking rate of 3/100m<sup>2</sup> applies to Designated Areas within specified zones and within 200m of a high frequency public transport services or 400m of a passenger tram station. The RD calculates a car parking demand of 283 spaces based on the Designated Area discounted rate and assuming that many of the land uses will share the car parking spaces.

As acknowledged in the DR and RD, the proposal does not achieve the standard or discounted car parking rates as outlined in the NPSP Development Plan. In addition to the shared usage of car parks by the various land uses, the car parking shortage is counteracted by the provision of bicycle parking spaces (including End of Trip facilities) and motorcycle parking spaces. Furthermore, the subject site is close to existing and future public transport routes including Route 300 along Portrush Road (Arndale Centre & Suburban Connector) and Route H20-24 along The Parade (City to Auldana and Paradise Interchange).

The GHD Report states that 79.9% of existing staff surveyed travel to/from work using private passenger vehicle and 14% using a company provided car. A very small proportion of staff commute by bus (3%), bicycle (0.6%) and walking (0.6%). When queried about the undersupply of car parking, particularly in light of the projected staff increases over time, the applicant advised that it intends to '*advocate mode share by the provision of end of trip facilities and use of public transport... this will be further enhanced should the planned tram services along The Parade eventuate*' (RD pg. 12).

The applicant's intention to encourage travel behaviour change is consistent with State Government directions. The draft update to the 30-Year Plan for Greater Adelaide seeks to increase the share of work trips made by active transport modes (cycling, walking and public transport) by 25% by 2045. The plan notes that the provision of well-designed infrastructure, including End of Trip (EOT) facilities, is crucial for encouraging people to change their mode of transport.

Notwithstanding the Applicant's intention to encourage a modal shift, the RD suggests that overflow parking will continue to rely on on-street parking in the surrounding residential streets when the off-street car park is full. The RD provides a conservative estimate of 300 available on-street car parking spaces within 400m of the site. In the event that the availability of on-street car parking becomes restricted in the local area, the applicant will need to internally manage any expectations for car parking.

With regard to the operation of the training theatre, the RD states that this facility will cater for OTR staff '*on an infrequent basis and experience shows that staff attend utilising public transport or are already on site*' (pg. 12). This is inconsistent with the draft Transport, Access & Pedestrian Impact Assessment Report provided in the DR which states that the training theatre has 350 seats for which the majority of users will be '*off-site employees*'.

In terms of design, it is noted that there is some tension between the requirement for appropriate car parking numbers and the desire for high quality design outcomes. The Government Architect's final comments encourages the '*further exploration of opportunities to relocate a greater proportion of the above-ground car parking to the basement levels to attenuate the impact of this use on the public realm*'. The RD states that this has been considered in detail by the Applicant, and determined that the relocation of more parking to basement level is unfeasible.

The AR concludes that whilst the proposed number of car parking spaces does not achieve the minimum requirements of the NPSP Development Plan, the mixed use nature of the development means that car parking can be shared amongst the various land uses within the building. In addition the subject site is well located to take advantage of existing and future public transport routes and the proposed development includes End of Trip facilities to encourage cycling and walking to work.

In terms of the ability of the car parking supply to cater for the expected growth of staff numbers over the next 10 years, and the ongoing reliance on on-street parking in the adjacent residential zone, the Applicant proposes to manage demand internally and to make arrangements as required based on the circumstances at the time.

It is also accepted that in the event that car parking demand exceeds supply for the proposed development, some behavioural change will occur including staff seeking alternative methods of transport.

### 5.6.5 Cycling

The City-wide provisions of the NPSP Development Plan (Movement, Transport and Car Parking) encourage new developments to facilitate cycling as a mode of transportation:

**PDC 109** Development should encourage and facilitate cycling as a mode of transport by incorporating end-of journey facilities including:

- (a) showers, changing facilities and secure lockers;
- (b) signage indicating the location of bicycle facilities; and
- (c) bicycle parking facilities provided at the rate set out in [Table NPSP/10](#)

**PDC 110** On-site secure bicycle parking facilities should be:

- (a) located in a prominent place;
- (b) located at ground floor level;
- (c) located undercover;
- (d) located where surveillance is possible;
- (e) well lit and well signed;
- (f) close to well used entrances; and
- (g) accessible by cycling along a safe, well lit route.

Table NPSP/10 provides the recommended off-street bicycle parking rates for different land uses as follows:

	DP Rate	DP Requirement
<b>Office</b>	<u>Employee:</u> 1 /100sqm GLFA <u>Visitor:</u> 2 + 1/500sqm GLFA	<u>Employee:</u> 9060sqm = 91 spaces <u>Visitor:</u> 9060sqm = 21 spaces
<b>Shop</b>	<u>Employee:</u> 1 /150qm GLFA <u>Visitor:</u> 1/300sqm GLFA	<u>Employee:</u> 1060sqm = 7 spaces <u>Visitor:</u> 1060sqm = 4 spaces
<b>TOTAL</b>		<b>123 spaces</b>

Table 6: Bicycle parking requirements

The Transport, Access & Pedestrian Impact Assessment Report states that the proposed End of Trip facilities (EOT) located on Level 1 can accommodated in excess of 180 spaces for bicycles. This exceeds to the requirements of the NPSP Development Plan.

Whilst the proposal plans within the DR located the EOT facility in the basement of the building, the updated proposal plans in the Response Document the facility to Level 1. The GHD Report provides an indicative layout for the EOT facility which shows the 395sqm space taken up with secure bicycle

bike parking. There does not appear to be any change facilities and/or showers / toilets within the facility, however this can easily be included at the detailed design phase.

Whilst the GHD report states that the *'requirements for access aisles, storage space, ramps and doorways have been assessed and satisfied the design specifications of AS 2890'* (pg. 36), the access arrangements are not clear from the indicative layout.

The relocation of the EOT facility from basement to Level 1 appears to require cyclists to enter the stairwell adjacent the waste area and carry their bike up the stairs. It is unclear whether cyclists can also access the EOT facility by travelling up the vehicular ramp (within the car park) adjacent the Bowen Street loading area. Both options have occupational health and safety implications.

To move from the EOT facility to the main building lobby, cyclists will need to exit via the stairs to Bowen Street and then either walk through the car park to the internal entrance, or traverse around the building from Bowen Street to The Parade to the main building entrance.

**The AR concludes that the inclusion of End of Trip facilities for cyclists is a positive inclusion in the development and will help to offset the under supply of off-street car parking. Notwithstanding, the logistics of cyclists accessing the facility requires further design to ensure safety for cyclists and motorists. This can be undertaken by the Applicant during the detailed design phase (prior to operation of the development). Acknowledging that an appropriate space has been set aside for the End of Trip facilities, the internal layout and access arrangements are considered appropriately to be the operational responsibility of Peregrine. For this reason no condition is recommended.**

## **5.7 Public Realm Interface**

*Guideline 6: Evaluate the proposal's relationship within its urban public context, in particular its primary street frontages along The Parade and Portrush Road.*

*Guideline 6: 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.*

### **5.7.1 Design**

The DR provides a Landscaping Design Plan (Appendix I) and the RD provides the amended proposal plans (Appendix B) which detail the design for the public realm areas of the development.

The NPSP Development Plan (Medium & High Rise Development) provides numerous planning policies that seek to increase public amenity for new developments and create connections between public and private spaces including:

**Objective 62:** Commercial, office and retail development that is designed to create a strong visual connection to the public realm and that contributes to the vitality of the locality.

The draft update to the 30-Year Plan for Greater Adelaide also seeks to facilitate good design outcomes. The plan notes that:

*A quality public realm not only contributes to quality of life and wellbeing, but also builds community pride and attracts investment and economic development (pg. 49)..*

*Policy 25. Encourage urban renewal projects that take an all-inclusive approach to development by including streetscapes, public realm, public art and infrastructure that support the community.*

*Policy 29. Encourage development that positively contributes to the public realm by ensuring compatibility with its surrounding context and providing active interfaces with streets and public open spaces.*

The creation of a high quality public realm is also encouraged by Principle of Good Design #3, Inclusivity. Principle #3 is about designing buildings that integrate landscape design, optimise neighbour's amenity, and ensure safety and security.

Throughout the design review process for this development, the Government Architect has reiterated the need for the building to successfully contribute to the public realm, particularly given its prominent location and size. The final comments provided by the Government Architect includes the following statement:

*further design development and analysis of the retail and café functions is undertaken to ensure the design intent for visual permeability is realised and the proposal offers a generous and positive contribution to the public realm (pg. 2)*

The proposed building has been oriented to address the Portrush Road / The Parade intersection, with the main building entrance located on the northwest corner of the site. The Portrush Road and The Parade frontages incorporate large public 'forecourt' areas that connect to the ground level retail and/or café spaces. This forecourt area will be paved and feature raised planter beds for greenery and amenity. The planter beds may also be used to designate outdoor dining areas. The DR indicates an intention to also provide street tree planting, street furniture and lighting to the Portrush Road / The Parade forecourt area (pg. 16).

Generally speaking, the proposed public realm treatment along The Parade and Portrush Road is expected to provide a significant improvement to the current environment. The proposal will provide formalised pedestrian areas and ground level activation. The glazed atrium and ground floor tenancies seek to provide visual connectivity between the indoor and outdoor (and public and private) spaces. In line with the comment made by Government Architect in their final correspondence, this visual permeability is important in the success of this forecourt area.

The integrity of these forecourt areas may be somewhat reduced through the inclusion of a vehicle entry / exit point on The Parade (left-in, left-out). The City-wide provisions of the NPSP Development Plan (Movement, Transport and Car Parking) provide some guidance in this regard:

**PDC 101** Driveway crossovers should be appropriately separated and the number minimised to maintain streetscape character, preserve street trees and optimise the provision of on-street visitor parking (where on-street parking is appropriate).

The proposed driveway crossover point on The Parade has been located some 70m from the Portrush Road / The Parade intersection and 40m from The Parade / Bowen Street intersection. The placement of the access point allows for appropriate sight lines for pedestrians and does not result in a proliferation of driveways at this location. Assuming the crossover will be paved with materials of a level commensurate to the surrounding forecourt areas, it is not expected to significantly impact the streetscape character. Bollards or similar should be used to ensure pedestrian safety and alert them to the presence of the vehicle crossover.

**The AR concludes that the proposed forecourt areas at the Portrush Road and The Parade frontages will provide improved public amenity at this location. The generous setbacks of the building allow for the inclusion of street furniture, lighting, landscaping, and quality paving that will contribute to an attractive streetscape. The visual permeability and connectivity between the forecourt areas and the building is created through the glazed fronted tenancies and the glass atrium. Should approval be granted, a Condition is recommended that requires further design**

**development of the building facade in conjunction with the Government Architect. This will help to ensure that the design intent for the public realm is achieved.**

## **5.7.2 Landscaping**

The DR provides a Landscaping Design Plan (Appendix I) and Bowen Street concept (Appendix J) which outline the contribution of the proposed development to the public realm.

The City-wide provisions of the NPSP Development Plan (Landscaping, Fences and Walls) support the use of appropriate plantings and landscaping to enhance the amenity of development:

**Objective 24:** The amenity of land and development enhanced with appropriate planting and landscaping, which uses locally indigenous plant species where possible.

**PDC 73** Development should incorporate open space and landscaping and minimise the use of hard paved surfaces in order to:

- (a) complement built form and reduce the visual impact of larger buildings (for example locating taller and broader plants against taller and bulkier building components);
- (b) enhance the visual appearance from the street frontage;
- (c) screen service yards, loading areas and outdoor storage areas;
- (d) define and enhance the appearance of outdoor spaces, including car parking areas;
- (e) minimise heat absorption and reflection;
- (f) provide shade and shelter;
- (g) assist in climate control within and around buildings;
- (h) allow for natural infiltration of surface waters through permeable treatments;
- (i) contribute to the viability of ecosystems and species; and
- (j) promote water and biodiversity conservation.

**PDC 76** Landscaping of non-residential development should be provided and maintained in order to:

- (a) establish a buffer between the non-residential development and the development on adjacent sites;
- (b) complement the landscaping provided by adjacent development and enhance the visual appearance and character of the area;
- (c) shade, define and create windbreaks for pedestrian paths and spaces;
- (d) screen, shade and enhance the appearance of car parking areas;

**PDC 77** Non-residential development adjacent to a residential land use or zone or within a residential zone, should incorporate landscaping which includes plants of a mature height, scale and form.

The Landscaping Design Plan (Appendix I) prepared by Oxigen details the proposed landscaping elements for the development as follows:

- Ground level: low height raised planter boxes to the Portrush Road, The Parade and Bowen Street frontages
- Level 2 deck (Bowen Street): ornamental planting in raised planter boxes to cascade over the facade of the podium and provide a green edge
- Level 3 deck (all frontages): ornamental planting in raised planter boxes to cascade over the facade of the podium and provide a green edge
- Car park façade: vertical gardens (climbers) over steel mesh trellis'

The proposed development has no setback at its Bowen Street frontage with the adjacent Residential Zone. As a result the extent of the landscaping that can be included at the interface is limited and does not include any mature plants as encouraged in PDC 77.

Whilst not part of the Major Development Declaration, the DR contemplates a future upgrade to Bowen Street (Appendix J) which would see it become a one way street (running south to north) for approximately two thirds of its length. The concept plan has the northern portion of Bowen Street as two-way to allow access to Peregrine's warehousing facilities and entry to the loading dock and car park. The Bowen Street upgrade would also include on-street angle parking, street trees and public realm improvements. The proposed upgrade to Bowen Street would provide a clear

delineation to the commercial and residential portions of the street and improve amenity through the inclusion of landscaping and pedestrian level treatments.

Given the Bowen Street upgrade is not part of the major development application, and will require further consultation with the Council, the proposed plantings facing Bowen Street become even more important. The vertical climbers to the car park façade, and planter boxes at the Level 2 and 3 decks will increase visual amenity and soften bulk at this interface.

To that end, the Government Architect's final comments recommended the consideration of a condition that requires:

*Provision of detailed information to demonstrate the maintenance and access strategies for the landscaping, to ensure the ongoing quality of the podium interface with neighbouring properties (pg. 3).*

It is recommended that the applicant be required to provide a detailed landscaping plan, which includes maintenance strategies, through a condition of approval. The landscaping should be established as soon as possible post construction, to ensure the benefits for all frontages are achieved.

**The AR concludes that the proposed landscaping scheme, whilst limited to street tree plantings, planter boxes, and vertical climbers, will provide an important contribution to amenity and the creation of an attractive public realm. The landscaping at the upper level decks and the Bowen Street car park façade will soften the bulk of the building and create attractive green accents. Should approval be granted, a Condition is recommended to develop a final landscaping plan in conjunction with the Government Architect which includes maintenance and access strategies. A second condition is recommended that requires the landscaping to be substantially installed prior to the operation of the development. This will ensure that the positive amenity impacts of the landscaping are achieved as soon as possible post construction.**

### 5.7.3 Wind

The DR (Appendix U) provides an Environmental Wind Assessment prepared by ARUP to assess the impacts of wind tunnelling on pedestrian comfort.

The City-wide provisions of the NPSP Development (Medium & High Rise Development) provide the following guidance in relation to wind impacts:

**PDC 268** Multi-storey buildings should:

(a) minimise detrimental micro-climatic and solar access impacts on adjacent land or buildings, including effects of patterns of wind, temperature, daylight, sunlight, glare and shadow;

**PDC 270** Development of five or more storeys, or 18.5 metres or more in building height (excluding the rooftop location of mechanical plant and equipment), should be designed to minimise the risk of wind tunnelling effects on adjacent streets by adopting one or more of the following:

- (a) a podium at the base of a tall tower which is aligned with the street to deflect wind away from the street;
- (b) substantial verandahs around a building to deflect downward travelling wind flows over pedestrian areas; or
- (c) the placement of buildings and use of setbacks to deflect the wind at ground level.

The DR explains that there are two major prevailing wind conditions in the area, south-westerlies and north-easterlies. Whilst there is no façade oriented perpendicular to north-easterlies, the High Street façade is perpendicular to south-westerlies which means it is likely to experience downdrafts. In addition, south-westerlies hitting the Portrush Road façade may result in accelerations around the corner and along Bowen Street.

Due to the orientation of the building, The Parade façade will be exposed to northerly winds which will result in downdrafts. Such wind conditions occur approximately 9% of the time. The 3m overhang of the podium, in conjunction with the setback of the upper levels of the building, will help to mitigate these downdrafts to a level where the area adjacent the café space is likely to be suitable for outdoor dining.

Similarly, the Portrush Road façade will be exposed to westerlies which occur approximately 7% of the time. The 3m overhang of the podium will provide protection from downdrafts to a level where outdoor dining is likely to be suitable.

The Bowen Street façade will be exposed to south-easterlies which occur approximately 16% of the time. Due to the large setback of the upper levels on this façade, downdrafts will be significantly mitigated such that the impact on pedestrian discomfort will be minimal.

The DR concludes that the design of the building, with generous overhangs, will minimise impacts to pedestrians in the key public realm areas where pedestrian activity and outdoor dining is proposed (Portrush Road and The Parade). The DR suggests that the increased wind speed at the Bowen Street corner is acceptable given this is not a key pedestrian area. The Environmental Wind Assessment prepared by ARUP recommends that an airlock be installed at the main entrance of the building to minimise recirculation into the atrium. In addition the proposed planter boxes (as part of the landscaping plan) may provide additional protection to the outdoor café and pedestrian areas. As such, plants of an appropriate species and height should be selected to maximise the protection afforded through landscaping.

The DR also recommends that wind tunnel testing be undertaken at the detailed design phase to confirm the performance of the proposed ameliorations as outlined in ARUP's report and to assess any possible wind distress conditions.

It is noted that the impact of wind action on buildings is governed by the Building Code of Australia and relevant Australian Standard(s) (although noting that this related primarily to building robustness and performance of the structure, rather than pedestrian comfort) and in any event can be undertaken during the detailed design phase.

**The AR concludes that the 3m overhang provided by the podium at the Portrush Road and The Parade frontages, and the upper setbacks of the building, will minimise the impacts of wind to the key public realm areas. The planter boxes may provide additional wind protection for outdoor diners and pedestrians, and species should be selected with this intent in mind. The Environmental Wind Assessment, prepared on behalf of the Proponent, within the DR concludes that further testing be undertaken at the detailed design phase. Should approval be granted, a standard Condition is recommended which will require that the development be undertaken in accordance with the DR and RD. This will provide, and as part of the further detailed design work to be delivered, for the required additional testing to be undertaken and an appropriate level of pedestrian comfort delivered.**

**ensure that the necessary testing is undertaken and the expected conditions for pedestrian comfort are delivered.**

#### **5.7.4 Crime Prevention through Environmental Design**

The DR (Appendix H and pg. 16) includes a statement regarding the inclusion of Crime Prevention through Environmental Design (CPTED) principles into the design of the building.

The City-wide provisions of the NPSP Development (Design and Appearance of Land & Buildings) provide the following guidance in relation to crime prevention:

**PDC 59** Development should be designed to maximise surveillance of public spaces through the incorporation of clear lines of sight, appropriate lighting and the use of visible permeable barriers wherever practicable.

**PDC 60** Buildings should be designed to overlook public and communal open spaces and streets to allow casual surveillance.

**PDC 61** Buildings should be designed to minimise and discourage access between roofs, balconies and windows of adjoining dwellings.

**PDC 62** Development, including car park facilities should incorporate signage and lighting that indicate the entrances and pathways to, from and within the site.

**PDC 63** Site planning, buildings, fences, landscaping and other features should clearly differentiate between public, communal and private areas.

**PDC 64** Development should avoid pedestrian entrapment spots and routes and paths that are predictable or unchangeable and offer no choice to pedestrians.

The building has been designed to face the Portrush Road / The Parade intersection. The entrance to the building is large and visually permeable, as are the ground level tenancies with their glass frontages. The DR proposes that a hierarchy of signage be used to direct people to the different uses within the building, and to delineate entrances and exits. The building will be externally illuminated to provide safe passage for pedestrians after dark. To ensure that this lighting does not impinge on the amenity of adjacent dwellings a standard condition is recommended.

The inclusion of external walkways around the perimeter of the building, as well as two decks that face Bowen Street (Level 2 and 3), provide ample opportunities for passive surveillance to the surrounding public realm areas. The design of the building, with zero setbacks to High Street and Bowen Street, offers little opportunity for entrapment spots and good lines of sight for pedestrians. The selection of landscaping, as detailed in Appendix I of the DR, has been designed to include low scale plantings and bare trunked trees, to maintain lines of sight. The car park facing Bowen Street has an open fin design which allows views into and out from the car parking levels.

**The AR concludes that opportunities for passive surveillance and lines of sight have been successfully integrated into the design of the building. The inclusion of a signage hierarchy, lighting and CCTV will contribute to crime prevention on the subject site. Should approval be granted, a standard condition is recommended to ensure that external lighting does not cause demonstrable nuisance or loss of amenity to adjacent land users.**

## ***5.8 Economic Impact and Employment***

*Guideline 7: 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.*

*Guideline 9: 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.*

Principle of Good Design #5 (Value) states that good design adds value by creating desirable places that promote local investment. In terms of investment, the City-wide provisions of the NPSP Development Plan (Orderly and Sustainable Development) encourage orderly and economic development that increases employment opportunities:

**Objective 12:** Maintenance and increase of employment opportunities.

The DR (pgs. 34-40) provides a discussion of the economic contribution of the proposal and the expected job generation rates.

With a capital investment of \$50 million, the DR estimates that the development will result in a direct employment impact of 276 development industry jobs and 560 indirect jobs. To arrive at these figures the DR has applied to the UDIA (2009) scenario that for every one million dollars of development industry investment, 14 full time equivalent jobs are created (direct and indirect).

The development will support the retention of the existing 249 jobs currently at the Peregrine Head Office, with an estimated 160 new jobs to be created at the head office over the next 10 years. In addition, the retail / café and restaurant tenancies are expected to generate in the order of 110 new jobs.

At \$50 million the development itself is a substantial investment in the Norwood and Kensington precinct. By way of comparison, ABS statistics for the period 2010-2014 show that total building approvals for the whole Council area (non-residential buildings) ranged from \$25 million to \$59 million (per year)<sup>4</sup>.

The DR provides a summary of the existing retail and commercial environment on The Parade, Norwood. The main retail strip is located between Sydenham and Portrush Roads with a range of fashion, home wares, gift retailers and dining businesses offerings. The DR states that The Parade has a vacancy rate of 7.55% (in 2014) which is low when compared to other shopping strips in metropolitan areas.

East of Portrush Road the commercial mix is markedly different. This portion of The Parade contains less than 10% of the total precinct retail floor space and has a large number of non-food retailers. The proposal will provide a greater mix of uses at this location, including a restaurant and retail / café tenancy spaces. Being located contiguous to the main retail strip of The Parade, the development may assist in connecting the east and west portions of The Parade.

The DR estimates the retail turnover for the development to be \$3-4 million, based on estimated turnover rates of The Parade. Generally speaking, the additional retail jobs will be valuable for the precinct. ABS data from the 2011 census showed that for the Council area, employment in the retail sector accounted for 9.4% of total jobs, the second highest contributor behind the education and training sector<sup>2</sup>.

The DR states that Peregrine Corporation is now South Australia's largest private company by revenue. As at June 2016 the company employed 2747 staff across its various businesses, the majority of which are in South Australia. This proposal will support the State Government's economic objective to create a healthy economic environment for business to prosper within South Australia.

**The AR concludes that the economic contribution from the development will have multiplying effects that would benefit the local and wider community. The development will create new employment opportunities – both direct and indirect – as well provide additional office space for the growing Peregrine Corporation.**

## ***5.9 Strategic Precinct Evaluation***

*Guideline 8: 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.*

The DR (pgs. 36-39) provides an assessment of The Parade precinct and considers the relationship of the proposed development with its environs.

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<sup>4</sup> Australian Bureau of Statistics: [www.abs.gov.au](http://www.abs.gov.au)

The City-wide section of the NPSP Development (Orderly and Sustainable Development) encourages the extension of built-up areas to create pleasant places in which to live and work:

**Objective 1:** Orderly and economic development that creates a safe, convenient and pleasant environment in which to live.

**Objective 2:** A proper distribution of living, working and recreational activities by the allocation of suitable areas of land for those purposes.

**PDC 1** Development should be orderly and economic.

**PDC 2** Development should:

(a) form a compact and continuous extension of an existing built-up area;

(b) be located to achieve economy in the provision and use of public services and infrastructure

**PDC 3** Development should take place on land which is suitable for the intended use of that land, having regard to the location and condition of that land and the provisions for the relevant Zone and Policy Area.

The Parade, Norwood, is the main dining and fashion precinct within the Norwood, Payneham and St Peters Council area. The District Centre Zone, located to the west of Portrush Road, is identified as a 'District Activity Centre' in the Draft update to the 30-Year Plan for Greater Adelaide and a Key Activity Centre in the Kent Town & The Parade Strategy Growth DPA. The Parade is also identified as a Transit Corridor with the proposed EastLink tram line extension envisaged in the Integrated Transport and Land Use Plan (ITLUP).

The precinct offers retail, dining, entertainment and business options in close proximity to the CBD of Adelaide, and the Adelaide Hills. It is already well serviced with regular public transport services (bus) along both The Parade and Portrush Road.

The City-wide provisions of the NPSP Development Plan (Centres, Shops & Business) direct that redevelopment in a Business Zone be cognisant of the location of designated centre zones. In this regard there is an anomaly in the Development Plan. The City-wide provisions state that a group of shops with a gross leasable over 250m<sup>2</sup> should be located within a Business Zone, however the Business Zone lists shops over 250m<sup>2</sup> as a non-complying form of development.

In any case, the proposed mixed-used development is expected to complement, not compete, with the District Centre Zone to the west which provides a different offering. Over time the development will bring more employees onto the site, who are likely to take advantage of the offerings on The Parade, as well as those within the mixed-use development.

The location of the development may also assist in facilitating linkages between the eastern and western portions of The Parade. Whilst this would necessitate pedestrians to cross an arterial road, the existing pedestrian crossings at the Portrush Road / The Parade intersections are well established and are not expected to create a hazard. This is consistent with the following NPSP Development Plan policy:

**PDC 292** Development within business, centre and shopping zones should be located having regard to the following principles:

(b) development should not generate pedestrian or vehicular traffic onto or across an arterial road in such a way as to materially impair the movement of traffic on that road or to cause safety hazards;

The subject site is considered to be well placed to support a mixed use development. It has access to existing public transport and frontages to two major arterial roads. While some of the land uses to be included in the building are not specifically envisaged in the NPSP Development Plan for this site, they are considered to be appropriate to the locality. A restaurant on the top level will take advantage of the site's location between the City and the Hills, whilst the gym and café / retail spaces provide ancillary land uses that are appropriate in a corporate / head office environment.

The subject site is identified in the NPSP Development Plan as occupying a key location at the intersection of The Parade and Portrush Road. In this regard the subject site is identified as a separate Policy Area. The site is visually prominent and the Desired Character Statement for the policy areas states that:

*any new building should be of massing and configuration which visually reinforces the corner, whilst respecting the scale of buildings in the adjacent Historic (Conservation) Zones and maintaining the prominence of the State Heritage listed buildings*

Peregrine Corporation has been located on the subject site for over 10 years. Due to recent growth in the business, the existing building no longer provides an appropriate level of amenity for staff. Peregrine's business operations at the subject site include warehousing, staff training and general office accommodation. For this reason Peregrine requires additional land uses to complement the typical office accommodation which is not on offer elsewhere in the precinct or other outer metropolitan locations.

**The AR concludes that the mixed use development is appropriate to the locality. The mix of land uses proposed for the building are expected to augment and strengthen The Parade precinct, and may assist in linking the eastern and western portions of The Parade. The proposal is generally consistent with the land use and development policies contained in the NPSP Development Plan, noting in particular those which were updated in the Kent Town & The Parade Strategy Growth DPA.**

## ***5.10 Other Technical Matters***

### **5.10.1 Waste Management**

The DR (Appendix N) provides a Waste Management Plan prepared by GHD which identifies the sources, types and volumes of waste from the development (construction and operation) and provides strategies for managing these waste streams in accordance with the waste hierarchy.

The City-wide provisions of the NPSP Development Plan (Centres, Shops and Business) seeks the following in terms of waste management:

**PDC 278** Provision for the movement of people and goods within business, centre and shopping zones or areas should comply with the following:

- (e) adequate and convenient provision should be made for service vehicles and the storage and removal of waste goods and materials;

The Waste Management Plan uses a waste calculation tool to estimate the materials used and waste generated during the demolition, construction and operational phases.

The Plan proposes that wastes will be separated and stored on-site during construction. The segregated waste will then be moved off-site and disposed of or recycled accordingly. The Waste Management Plan notes that if asbestos is identified during construction, a licensed contractor will be engaged to remove it in accordance with relevant legislation.

Whilst the demolition waste can be stored in the existing car park areas, no designated areas have been determined for the construction phase. Given the development covers the majority of the subject site, waste may need to be sorted off-site. In this case the Plan notes that off-site sorting of co-mingled waste will take place prior to recycling and reuse. The Plan recommends that a qualified waste management contractor be engaged to manage this process and to maintain data on waste generation and recycling.

During operation of the mixed use building, waste from each level will be manually transferred to the waste compound which is located in the north east corner of the subject site at ground level.

Waste from each floor will be brought down to the ground floor manually using a dedicated lift service and stored in 1100L bins. Waste will be sorted into recyclables, green waste and general waste.

The waste generation rates used the Plan are taken from the SA Better Practice Guide Waste Management in Residential or Mixed Use Developments (Zero Waste SA 2014) which is considered to be the industry benchmark. Based on waste generation calculations provided in the Waste Management Plan, collection will be required five (5) times a week (Monday through Friday). The Plan recommends that most collections should take place at the same time (where feasible) from a designated 'Bin Presentation Zone' on Bowen Street. At any one time there may be 12 bins within the bin presentation zone.

The proposed route for waste collection vehicles to access the bin presentation zone is north along Bowen Street. The GHD Traffic report (RD Appendix E) notes that waste collection vehicles may temporarily impede pedestrian movements along the Bowen Street footpath during collection.

To minimise the impact of waste collection and loading activities in terms of noise, amenity and pedestrian access, the hours for waste collection and use of the loading area should be limited, as should the number of bins within the bin presentation zone at any one time. This is consistent with the Noise Assessment prepared by Sonus (Appendix T) which recommends the following waste collection hours:

- 9am – 7pm Sundays & public holidays
- 7am to 7pm all other days

**The AR concludes that the proposed arrangements for the storage, separation and collection of waste during the various stages of the development are consistent with the waste management hierarchy and based on reliable waste generation rates. Should approval be granted, conditions are recommended that formally limit the hours of operation for waste collection services, and govern the use of the bin presentation zone on Bowen Street consistent with the Noise Assessment Report. General advisory notes are also recommended which remind the Applicant of their obligation to manage the development in line with the relevant EPA policies.**

### **5.10.2 Stormwater**

The DR (Appendix M) provides a Stormwater Management Plan prepared by GHD which assesses the existing site drainage arrangements and determines the proposed catchment and flows as a result of the proposal.

The City-wide provisions of the NPSP Development Plan (Stormwater Management) seek that development is sited and designed to maximise the harvest and reuse of stormwater, and reduce stormwater runoff. Development should minimise demand on reticulated water supplies and protect stormwater from pollution sources. Key policies include:

**Objective 42:** Development sited and designed to maximise the harvest and use of stormwater and reduce run-off.

**PDC 147** Development should be designed to maximise conservation, minimise consumption and encourage re-use of water resources.

**PDC 149** Development should include stormwater management systems to:

(a) mitigate peak flows and manage the rate and duration of stormwater discharge from the site to ensure the carrying capacities of downstream systems are not overloaded; and

(b) protect it from damage during a minimum of a 1 in 100 year Average Recurrence Interval flood.

**PDC 161** Where it is not practicable to detain or dispose of stormwater on site, only clean stormwater runoff should enter the public stormwater drainage system.

The Stormwater Management Plan provides a comparative analysis of existing and predicted stormwater flows. The analysis concludes that the resultant flows from the development will be a

marginal increase over existing levels. For this reason no on-site detention of stormwater is needed to limit flows to match that of the pre-developed site condition.

The Stormwater Management Plan indicates a possibility of capturing a small amount of stormwater from the roof for reuse in toilets and/or landscaping, however no storage tanks are denoted on the Proposal Plans in the Response Document. The Stormwater Management Plan notes that the quality of stormwater runoff from the roof is likely to be high as the water will not have the opportunity to be exposed to contaminants, which suggests it would be prime for retention and reuse. Water quality objectives for the development and requirements for gross pollutant traps and other devices will need to be determined in consultation with Council.

The Stormwater Management Plan also notes that opportunities for ground level buffer strips and tree pits for stormwater infiltration will be limited. In this regard the Landscaping Design Report (Appendix I) indicates that landscaping will be in the form of raised planter boxes and deciduous street trees. The indicative landscaping to Bowen Street may offer greater opportunities for stormwater infiltration however this is not part of the major development proposal and is subject to further negotiation with Council.

**The AR concludes that the post-development flows are expected to be similar to pre-development flows and no on-site detention is required to limit flows. The proposal currently provides no capture and reuse of stormwater and opportunities for stormwater infiltration are extremely limited. Water quality requirements are yet to be determined and should be developed in consultation with Council. Should approval be granted, a Condition is recommended requiring stormwater to be constructed and managed so as not to have any impact on adjoining properties or public roads, as well as the inclusion of a requirement in the Construction Environmental Management Plan (CEMP) which requires the applicant to construct the development and manage stormwater in line with the *Environment Protection (Water Quality) Policy 2015*. A general advisory note is also recommended which reminds the Applicant of their obligation to operate the development in line with the relevant EPA policies.**

### **5.10.3 Construction Impacts**

The impacts associated with the demolition and construction of the development are expected to include noise, dust, traffic movements, car parking, environmental impacts, general amenity and occupational health and safety. The environmental impacts include storage and removal of demolition and construction waste, noise, vibration, dust, stormwater management, pollution, and asbestos removal.

The City-wide provisions of the NPSP Development Plan (Interface between Land Uses) apply to both the operational and construction phase of the developments.

**PDC 80** Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:

- (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants;
- (b) noise;
- (c) vibration;
- (d) electrical interference;
- (e) light spill;
- (f) glare;
- (g) hours of operation; or
- (h) traffic impacts.

The residents on Bowen Street and High Street are expected to be most impacted during the construction period.

Construction impacts are generally identified and managed through a Construction Environmental Management Plan (CEMP). The EPA Industry Guideline for Construction Environmental Management Plans (CEMP) Issued November 2016 states that a CEMP should typically contain details of the potential impacts on the environment, public health and amenity, and how these impacts will be mitigated. A CEMP should also include the measures for communication with nearby residents who are expected to be adversely affected. This includes the creation and maintenance of a feedback register.

#### **5.10.3.1 Occupational Health and Safety**

The subject site is currently occupied by a two storey building which will need to be demolished and removed prior to the commencement of construction works. The construction phase will also require excavation to provide the basement level of the building.

Safety hoardings (i.e. solid fencing) will need to be erected around the construction zone for public safety with suitable footpath access maintained at all times. Access should be maintained to all public bus stops.

Occupational health and safety for contractors and employees working within the subject site should be managed by the Applicant through the CEMP.

#### **5.10.3.2 Traffic and Parking**

DPTI Transport has recommended that a traffic management plan be prepared for the construction period of the development. The closure of any roads for short periods of time must be pre-arranged with Council and DPTI to enable appropriate detours to be put in place. The plan should also include arrangements for parking during the construction period in order to minimise local residential streets being clogged up with vehicles. All construction movements shall be in accordance with the approved traffic management plan.

During the construction period two lanes of traffic in each direction must be maintained on Portrush Road, as well as the footpath facilities in the eastern side of the road. This is to ensure that traffic along the National Highway network is not impeded, noting that this is a major freight route. The requirement for a properly endorsed plan has been specifically included as a proposed condition, should the proposal be approved.

#### **5.10.3.3 Waste Management & Asbestos**

The demolition and construction activities are expected to generate a range of wastes. The separation, storage and removal / recycling of demolition and recycling wastes is discussed in Section 5.10.1 of the report and addressed in Appendix N of the DR.

Waste will be separated and on-site on site during construction. If there is insufficient space for the on-site storage of waste it will be transported off-site. Waste stored on site must be appropriately covered and banded to prevent dust, run-off, littering and vermin. The Waste Management Plan notes that if asbestos is identified during construction, a licensed contractor will be engaged to remove in accordance with legislation.

Consistent with the Waste Management Plan (Appendix N), the CEMP should detail how waste will be managed during the demolition and construction phase.

#### **5.10.3.4 Site Contamination**

The construction phase will involve the excavation of soil for the purposes of the basement car parking. Intrusive investigations will need to be undertaken, prior to bulk earthworks, to determine the soil and groundwater conditions under the subject site. These investigations should identify the need for any remedial activities. The CEMP should detail the necessary investigations, including any requirement for remedial works.

### 5.10.3.5 Water Quality

The proposed demolition, excavation and construction activities are expected to result in exposed soil surfaces that are vulnerable to erosion by wind or water. The EPA Guideline notes that disturbed soil is a major source of sedimentation in watercourses<sup>5</sup>.

The prevention of stormwater pollution must be in accordance with the *Environment Protection (Water Quality) Policy 2015* and relevant EPA guidelines. Wastes must be stored in a manner that does not allow sediment to enter the Council stormwater system.

The DR does not describe the groundwater characteristics under the site, which will be relevant during excavation of the basement level. The potential for these excavations to infiltrate groundwater is unknown. Intrusive investigations will need to be undertaken at detailed design stage to understand any risks during the excavation stage.

The CEMP should detail how wastes will be prevented from entering the stormwater system, and how soil erosion will be minimised.

### 5.10.3.6 Noise

The proposed demolition, excavation and construction activities are noisy activities which have the potential to disturb adjacent residents.

The DR does not provide any assessment of noise impact during construction. Activities on site should be limited to standard construction hours of operation in accordance with the *Environment Protection (Noise) Policy 2007* which are Monday to Saturday (excluding public holidays) between 7am and 7pm. For any works that occur out of normal operation hours, appropriate permits must be sought from the EPA and local residents should be pre-warned.

The CEMP should detail how noise impacts will be minimised during the standard construction hours.

### 5.10.3.7 Air Quality

The proposed demolition, excavation and construction activities are expected to result in exposed soil surfaces that are vulnerable to wind activity. The movement of fine particles can cause health impacts, irritation and general nuisance.

The DR does not provide any indication of how dust will be managed during construction. Dust suppression on building sites is generally the responsibility of the contractor using water trucks, however chemical suppression techniques are also available. Soil stockpiles must be appropriately stabilised, watered and/or covered. Similarly materials that are transported to and from the subject site must be covered. Activities that are likely to expose soils should be timed to avoid periods of high wind.

The CEMP should detail how air quality impacts will be minimised during the demolition and construction period.

**The AR concludes that the demolition and construction phases of the development are expected to result in the potential for some inconvenience and nuisance to local residents on Bowen Street, High Street and beyond. These environmental matters should be addressed in detail in a Construction Environmental Management Plan (CEMP). Should approval be granted, a Condition is recommended that requires the CEMP to be prepared in consultation with relevant Government**

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<sup>5</sup> EPA Industry Guideline for Construction Environmental Management Plans (CEMP) Issued November 2016

agencies and local Council, and prior to the commencement of any site works, to appropriately deal with the above matters.

## 6 Conclusion

The Assessment Report has assessed the key components of the Peregrine Corporation Mixed-Use Major Development at 270 The Parade, Kensington, against the Revised Guidelines set by the Development Assessment Commission (September 2016) as well as the NPSP Development Plan, State Government legislation and policy, and relevant industry guidelines and standards, and having regard to submissions received from the public, Council and State Agencies.

The AR concludes that the Major Development can be supported for the following reasons:

- Whilst the proposed development will diminish the views to the State Heritage Listed Clayton Wesley Uniting Church from the north and south, the visual prominence of the State Heritage Listed buildings are maintained from The Parade. The development seeks to complement the adjacent Clayton Wesley Uniting Church through the design of the floating glass façade and central atrium.
- Whilst the building will sit within a context of predominantly 1-2 storey development, punctuated with tall vertical features such as the church spires and water tower, the changing policy in the locality generally supports a move towards high quality development at increased heights.
- The height of the building has been scaled back in order to reduce the overall mass of the building and respond more sensitively to its interface with the Residential Zone. In this regard the design philosophy for the development seeks to minimise the impacts of bulk and scale through upper level setbacks, high quality façade design, landscaping and public realm contributions.
- The risk for direct overlooking from the development into adjacent dwellings and other properties is low due to the inclusion of wide decks and external perimeter walking tracks around the building (between the inner and outer glass facades).
- The proposed development will result in some overshadowing to adjacent dwellings however the direct overshadowing impact from the development meets the Development Plan criteria for solar access to north facing roofs, habitable windows and private open spaces for the majority of adjacent dwellings.
- The development makes a high quality contribution to the public realm through ground level activation, pedestrian promenade areas, street furniture and landscaping.
- The proposed signage scheme for the development is coordinated and will not result in clutter to the streetscape or hazards for motorists. It is recommended that the upper level façade signage for Bowen Street be significantly scaled back or removed to provide a more sensitive treatment of this façade.
- The proposed development proposes a building design with embedded technology to achieve high levels of energy efficiency and internal comfort. Further design work will be required by the Applicant to determine what other sustainability initiatives such as stormwater retention and reuse will be incorporated into the building. In any event Building Code requirements will be met as a minimum.
- The proposed access and circulation arrangements for the development provide for the safe and efficient movement of vehicles around and through the site. The proposal provides a 4.5m setback from The Parade to cater for future road widening requirements and/or the inclusion of a tramline extension.
- The proposed development does not provide the number of car parks sought by the standard or discounted rates of the NPSP Development Plan. Overall, however, the mixed nature of the building and its location is such that an operationally sufficient number has been provided. The Applicant also has the capacity to assist in internally managing the

expectation for staff car parking, and implement alternative management strategies (particularly with use of the theatrette) and other behaviour change programs that encourage alternate modes of transport to and from work. It is acknowledged that the lack of car parking is somewhat mitigated by the proximity of the subject site to existing public transport routes and the provision of End of Trip facilities for cyclists.

- Impacts from demolition, excavation and construction will need to be addressed through the preparation of a Construction Environmental Management Plan (CEMP) which should cover traffic and access, occupational health and safety, noise, air quality, stormwater and groundwater, soils and waste management.
- The \$50 million investment will create new employment opportunities – both direct and indirect – and support the ongoing operations of Peregrine Corporation within South Australia.
- The mixed use development is appropriate to the locality and is expected to complement The Parade precinct to the west of Portrush Road. The proposed development may help to strengthen links between to east and west portion of Portrush Road.

Overall, the building is of a size, scale and quality that is commensurate of its location on a high-profile, catalyst site. It is recognised that the success of the building in responding to its surroundings depends greatly on achieving the design vision as displayed in the DR and RD. For this reason the final design of the floating glass façade and other critical built form elements will be subject to further design development in conjunction with the Government Architect and the State Heritage Unit.

## 7 Recommendations

Should the Governor grant a provisional development authorisation it is recommended that the approval be based on the following requirements –

## 8 Conditions

### 8.1 Planning Conditions

#### General

1. The proponent shall carry out the development generally in accordance with:
  - a) Development application, prepared by Peregrine Corporation, dated 30 November 2015.
  - b) Development Report, prepared by Fyfe Pty Ltd on behalf of Peregrine Corporation, dated 15 August 2016 (with supplementary covering letters dated 27 September 2016 and 16 August 2016), and
  - c) Response Document, prepared by Fyfe Pty Ltd on behalf of Peregrine Corporation, dated 10 February 2017.
2. For the purposes of Section 48(11)(b) of the *Development Act 1993*, the proponent shall commence the development by substantial work on the site of the development within three (3) years of the date of this authorisation, failing which the authorisation may be cancelled.
3. The proponent shall have completed the development within six (6) years of the date of this authorisation, failing which the authorisation may be cancelled.
4. Should the project cease during the period between the commencement of earthworks and final completion the proponent will undertake all necessary steps to reinstate the land and make good.
5. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the proposed Major Development for the Peregrine Corporation Mixed Use Major Development and associated infrastructure must be carried out in accordance with the details and following plans submitted:

#### **Prior to obtaining compliance with the Building Rules**

The following information shall be submitted for further assessment and approval by the Minister for Planning, prior to obtaining compliance with the Building Rules, consistent with the submitted plans:

6. Design development in consultation with the South Australian Government Architect (DPTI) and State Heritage Unit (DEWNR) to provide:
  - a. façade detailing, signage and materials selection, including a full materials board, to demonstrate how the ambition for the façade treatments as outlined in the design statement is achieved in practice
  - b. details of the façade construction including detailed engineering plans, to demonstrate how the ambition for the façade treatments as outlined in the design statement is

achieved in practice

### **Prior to the Commencement of Construction Works**

All works shall be undertaken in accordance with the approved plans, drawings, specifications and other documentation provided (and approved by the Minister for Planning where required) in accordance with condition 6 listed above.

The following information shall be submitted for further assessment and approval by the Minister for Planning, prior to the commencement of construction works at each individual stage:

7. Building Rules compliance, following assessment and certification by a private certifier, the City of Norwood, Payneham and St Peters or by a person determined by the Minister for Planning, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the *Development Regulations 2008*). For the purposes of this condition 'building work' does not include plant and equipment or temporary buildings that are not permanently attached to the land (refer to relevant Advisory Notes below).
8. Final detailed plans for all structures on site and of each component of the development (including site plans, floor plans, elevations, cross-sections, and other relevant specifications) and car parking configuration.
9. In consultation with the Government Architect, a detailed landscaping plan which demonstrates the maintenance and access strategies for the landscaping scheme.
10. Any excavation adjacent to roads shall be designed and undertaken in a manner that does not impact on the structural stability or safety of the roads. Any damage to road assets caused by the development shall be repaired to the satisfaction of the relevant road authority at the applicant's cost.
11. In consultation with City of Norwood, Payneham and St Peters and the Department of Planning, Transport and Infrastructure Planning and Transport Policy (where appropriate), a Construction Environmental Management Plan (CEMP) developed in accordance with the EPA guideline 'Construction environmental management plans' 2016 (see [http://www.epa.sa.gov.au/business\\_and\\_industry/environmental\\_planning/position-statements-and-guidelines](http://www.epa.sa.gov.au/business_and_industry/environmental_planning/position-statements-and-guidelines))

The Construction Environmental Management Plan must incorporate measures to address (but not be limited to) the following matters:

- a. a traffic management plan for the duration of demolition and construction which ensures that the National Highway traffic on Portrush Road is not adversely impacted including:
  - i. The retention of two lanes of vehicular traffic in each direction on Portrush Road at all times.
  - ii. The retention of pedestrian facilities on the eastern footpath of Portrush Road at all times.
- b. pedestrian safety and access around the site including site security, fencing, and maintenance of access to adjacent footpaths and bus stops,
- c. sequencing of development (including construction timelines for works on site and periods and hours of construction),
- d. occupational health and safety matters
- e. management of noise to ensure compliance with the *Environment Protection (Noise)*

*Policy 2007,*

- f. management of air quality (including odour and dust) to ensure compliance with the *Environment Protection (Air Quality) Policy 2016,*
- g. management of groundwater and stormwater to ensure compliance *Environment Protection (Water Quality) Policy 2015* including identification of existing contamination, any required remedial works, and prevention of new contamination / pollution,
- h. management of soils including fill importation, stockpiling, identification of existing contamination, any required remedial works, and prevention of new soil contamination / pollution (such as from chemical use and storage, pest plants and pathogens),
- i. waste management for all waste streams and overall site clean-up to ensure compliance with the *Environment Protection (Waste to Resources) Policy 2010*
- j. use and storage of chemicals, oil, construction-related hazardous substances and other materials that have the potential to contaminate the environment (including proposed emergency responses), and

### **During Construction Works and Prior to Operation of the Development**

All works shall be undertaken in accordance with the approved plans, drawings, specifications and other documentation provided in accordance with conditions 7 to 11 listed above.

The following information shall be submitted for further assessment and approval by the Minister for Planning, prior to the operation of the development:

12. That the landscaping shown on the approved plans as required by Condition 9 shall be substantially installed prior to the operation of the development.
13. That all external lighting of the site, including pedestrian walkways, 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 unreasonable nuisance or loss of amenity is caused to any person beyond the site.
14. That all vehicle car parks, loading and unloading areas, 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 (or other such material as agreed to by the Minister for Planning), in accordance with sound engineering practice and appropriately line marked. All vehicles shall be able to enter and exit the subject site in a forward direction.
15. That all stormwater design and construction shall be in accordance with Australian Standards to ensure that stormwater does not adversely affect any adjoining property or public road.
16. That all Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.
17. All road works on arterial roads, including any associated road drainage infrastructure, shall be designed and constructed to the satisfaction of the Department of Planning, Transport and Infrastructure with all costs (including design, construction, project management and any road lighting or stormwater upgrades) being borne by the applicant. The applicant shall enter into a Developer Agreement with the Department of Planning, Transport and Infrastructure regarding these works and is required to contact the Department of Planning,

Transport and Infrastructure, Traffic Operations, Network Integrity Engineer, Mrs Christina Canatselis via 8226 8262 or [christina.canatselis@sa.gov.au](mailto:christina.canatselis@sa.gov.au) to progress this. All road works shall be completed prior to operation of the development.

18. The Parade access shall be limited to left turn in and left turn out movements only. This shall be achieved by the extension of the solid median on The Parade from the Portrush Road/The Parade intersection to Bowen Street at the cost of the proponent.

#### **During Operation of the Development**

19. Operations on the site shall be undertaken in accordance with all plans and details submitted as part of the Major Development Application in accordance with conditions 12-18 as listed above.
20. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
21. All waste collection services and use of the loading areas by service vehicles should be limited to the following hours of operation:
  - a) 9am – 7pm Sundays & public holidays, and
  - b) 7am to 7pm all other days.
22. All waste bins shall be located within the designated bin presentation zone on Bowen Street. Bins shall be transported to the bin presentation zone prior to bin collection times, and then moved back to the waste enclosure as soon as practicable following bin collection.

## Advisory Notes

1. Pursuant to Development Regulation 64, the applicant is advised that the City of Norwood, Payneham & St Peters or private certifier conducting a Building Rules assessment must-
  - a. provide to the Minister a certification in the form set out in Schedule 12A of the *Development Regulations 2008* in relation to the building works in question, and
  - b. to the extent that may be relevant and appropriate-
    - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12
    - (ii) assign a classification of the building under these regulations, and
    - (iii) ensure that the appropriate levy has been paid under the *Construction Industry Training Fund Act 1993*.

Regulation 64 of the *Development Regulations 2008* provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Planning.

2. The City of Norwood, Payneham and St Peters or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with this provisional development authorisation (including any Conditions or Advisory Notes that apply in relation to this provisional development authorisation).
3. Should the applicant wish to vary the Major Development or any of the components of the Major Development, an application may be submitted, provided that the development application variation remains within the ambit of the Development Report and Assessment Report referred to in this provisional development authorisation. If an application variation involves substantial changes to the proposal, pursuant to Section 47 of the *Development Act 1993*, the applicant may be required to prepare an amended Development Report for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and a decision made by the Governor pursuant to Section 48 of the *Development Act 1993*.
4. The applicant's CEMP should be prepared taking into consideration (and with explicit reference to) relevant EPA policies and guideline documents, including, but not limited to (and as amended from time to time):
  - a. the *Environment Protection (Air Quality) Policy 2016*
  - b. the *Environment Protection (Noise) Policy 2007*
  - c. the *Environment Protection (Water Quality) Policy 2015*
  - d. the *Environment Protection (Waste to Resources) Policy 2010*
  - e. the *Environment Protection (National Pollutant Inventory) Policy 2008*
  - f. the Standard for the Production and Use of Waste Derived Fill (if applicable) (2013)
  - g. the Bunding and Spill Management Guidelines (2012)
  - h. the Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry (1999)
  - i. Handbooks for Pollution Avoidance, and
  - j. any other legislative requirements, Guidelines and Australian Standards requiring compliance.
5. The Applicant is reminded that the operation of the development must be in accordance with the relevant EPA policies, including, but not limited to (and as amended from time to time):
  - i. the *Environment Protection (Air Quality) Policy 201*
  - ii. the *Environment Protection (Noise) Policy 2007*

- iii. the *Environment Protection (Water Quality) Policy 2015*
  - iv. the *Environment Protection (Waste to Resources) Policy 2010*
6. All works and activities must be undertaken in accordance with the General Environmental Duty as defined in Part 4, section 25(1) of the *Environment Protection Act 1993* (which requires that a person must not undertake any activity, which pollutes, or may pollute; without taking all reasonable and practical measures to prevent or minimise harm to the environment), relevant Environment Protection Policies made under Part 5 of the *Environment Protection Act 1993* and other relevant publications and guidelines.
  7. The applicant is reminded of its obligations under the *Aboriginal Heritage Act 1988*, whereby any ‘clearance’ work that may require permission to disturb, damage or destroy Aboriginal Sites, must be undertaken with the full authorisation of the Minister for Aboriginal Affairs and Reconciliation, according to Section 23 of the Act.
  8. The applicant, and all agents, employees and contractors, such as construction crews, must be conversant with the provisions of the *Aboriginal Heritage Act 1988*, particularly the requirement to immediately contact the Department of Aboriginal Affairs and Reconciliation in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.
  9. The Minister for Planning has a specific power to require testing, monitoring, auditing and reporting under Section 48C of the *Development Act 1993*.
  10. Signage on this site must be in accordance with the “*Advertising Signs Assessment Guidelines for Road Safety*”.
  11. The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Portrush Road frontage of this site for future upgrading of the Portrush Road/The Parade intersection, together with additional land at the Portrush Road/The Parade and Portrush Road/High Street corners. The consent of the Commissioner of Highways under the *Metropolitan Adelaide Road Widening Plan Act 1972* is required to all new building works located on or within 6.0 metres of the possible requirement.

As the development encroaches within the above requirements, the applicant will need to apply for consent for these under the *Metropolitan Adelaide Road Widening Plan Act 1972*. The applicant should fill out the necessary consent form and return it to the Department of Planning, Transport and Infrastructure with 3 copies of the approved plans and a copy of the Governor’s Authorisation.

## 9 Glossary

The Act	<i>Development Act 1993</i> and Regulations 2008
ABS	Australian Bureau of Statistics
AHD	Australian Height Datum
AR	Assessment Report
BREEAM	Building Research Establishment Environmental Assessment Method
CASA	Civil Aviation Safety Authority
CEMP	Construction Environmental Management Plan

DAC	Development Assessment Commission
DEWNR	Department of Water, Environment & Natural Resources
DPA	Development Plan Amendment
DPTI	Department of Planning, Transport & Infrastructure
DR	Development Report
EMP	Environmental Management Plan
EOT	End of Trip
EPA	Environment Protection Authority
GLFA	Gross Leasable Floor Area
ITLUP	Integrated Transport and Land Use Plan – July 2015
LEED	Leadership in Energy and Environmental Design
MARWP	Metropolitan Adelaide Road Widening Plan
NPSP	Norwood, Payneham and St Peters
ODASA	Office for Design + Architecture
OTR	On The Run
PDC	Principle of Development Control
SMP	Stormwater Management Plan
SEDMP	Soil Erosion and Drainage Management Plan
Sidra	Sidra Intersection software package for intersection and network capacity, level of service and performance analysis
SRV	Standard Rigid Vehicle
TMP	Traffic Management Plan
UDIA	Urban Design Institute of South Australia

## 10 Appendix 1

### 10.1 The Governor as the Relevant Authority

Section 48(5) of the *Development Act 1993* requires that before the Governor considers a proposal that has been declared a Major Development, the Governor must have regard to (amongst other things) the provisions of the appropriate Development Plan and the Development Regulations, the Building Rules, the Planning Strategy, the Environment Protection Act 1993, and any other matters considered relevant.

In respect of applications being assessed as Major Developments under the Act, the appropriate Development Plan and Planning Strategy are those current at the time of the decision, as Section 53 of the Act does not apply to the Major Development provisions of the Act.

### 10.2 South Australia's Strategic Plan

When making a decision, the Governor has regard to any other matters considered relevant to the proposal. In this regard, the assessment has also been carried out with reference to the State Strategic Plan. The State Strategic Plan (Government of South Australia 2011) seeks to widen opportunities for all South Australians through the pursuit of seven strategic priorities:

- giving our children every chance to achieve their potential in life
- keeping our communities safe and our citizens healthy
- building our reputation for premium food and wine
- growing advanced manufacturing as the way for the future
- realising the benefits of the mining boom for all
- creating a vibrant city that energises and excites
- keeping our high quality of life affordable for everyone.

The relevant South Australian Strategic Plan Goals and Targets include:

*Goal: We are committed to our towns and cities being well designed, generating great experiences and a sense of belonging*

*Target 1: Urban spaces: increase the use of public spaces by the community (2012 baseline)*

*Goal: New developments are people friendly, with open spaces and parks connected by public transport and bikeways.*

*Target 2: Double the number of people cycling in South Australia by 2020*

*Goal: South Australia has a resilient, innovative economy*

*Target 35: Economic growth – Exceed the national economic growth rate over the period to 2020 (baseline: 2002-03)*

*Goal: South Australia has a resilient, innovative economy.*

*Target 36: Exceed Australia's average labour productivity growth rate through to 2020*

*Goal: All South Australians have job opportunities.*

*Target 47: Jobs – Increase employment by 2% each year from 2010 to 2016 (baseline: 2010)*

*Goal: We reduce our greenhouse gas emissions.*

*Target 60: Energy efficiency – dwellings: Improve the energy efficiency of dwellings by 15% by 2020*

*Goal: South Australia has reliable and sustainable water resources and is a leader in wastewater, irrigation, stormwater and groundwater management.*

*Target 74: Recycled wastewater: South Australia has the system capacity to recycle up to 50 GL of wastewater per annum by 2025*

## **10.3 Planning Strategy**

### **10.3.1 The 30-Year Plan for Greater Adelaide (the Plan)**

The 30 Year Plan for Greater Adelaide, first prepared in 2010, is currently undergoing a review and the vision is to continue the transformative process started by the Plan.

The plan seeks to prepare for expected population growth of 545,000 people and construction of 248,000 additional dwellings by 2036. The Plan will address where people will live, where jobs will be located and the provision of public transport and infrastructure.

The update will:

- Focus on infill and renewal and jobs growth
- Distribute revised population and dwelling targets
- Update land and housing supply assumptions
- Set locations and directions for "next generation" of infill and medium density housing (medium/long term)
- Set a stronger urban growth boundary
- Link to plans aimed at activating zoned employment lands
- Pick up Council strategies/opportunities (where they align)

The draft plan acknowledges the challenges in managing interface issues between higher density and traditional low density developments. It also encourages a more compact urban form that allows for mixed land uses. The plan also acknowledges the importance of high quality public realm design as a catalyst for building communities and attracting investment and economic development.

Some of the key targets and policies from the draft Plan that are relevant to the assessment of this Major Development include:

*Target 3 increase the share of work trips made by active transport modes by 25% by 2045*

*Policy 5. Encourage medium rise development along key transport corridors, within activity centres and urban renewal areas that support public transport use.*

*Policy 9. Develop activity centres as vibrant places through a focus on mixed-use activity, main streets and public realm improvements.*

*Policy 25. Encourage urban renewal projects that take an all-inclusive approach to development by including streetscapes, public realm, public art and infrastructure that support the community.*

*Policy 29. Encourage development that positively contributes to the public realm by ensuring compatibility with its surrounding context and providing active interfaces with streets and public open spaces.*

*Policy P32. Recognise the value that communities place on heritage and ensure that new development is implemented sensitively and respectfully.*

*P46. Encourage more trees (including productive trees) and water sensitive urban landscaping in the private and public realm, reinforcing neighbourhood character and creating cooler, shady and walkable neighbourhoods and access to nature.*

*P50. Encourage the integration of green infrastructure in the public and private realm to support positive physical, mental and social health outcomes.*

*P76. Reduce car parking requirements in mixed-use areas near high frequency public transit services to encourage the use of alternative transport modes.*

*P107. Promote energy efficiency, the use of renewable energy sources and neighbourhood level alternative energy supplies in new developments to reduce energy costs and carbon footprint.*

### **10.3.2 The Integrated Transport and Land Use Plan**

In July 2015 the State Government released the revised Integrated Transport and Land Use Plan (ITLUP)

The ITLUP identifies the development of a new tram network to re-introduce tram services to inner and middle Adelaide. The objective of the proposal is to support the development of the inner city as a connected, dynamic and attractive place to live and work, and to increase activity in existing shopping and mixed-use precincts.

The eastern section of the network, refer to as 'EastLINK', is proposed to extend along the Parade and turning north to Magill Campus. The implementation timeframe for EastLINK is 'medium' (5 to 15 years).

### **10.3.3 Development Plan**

The Major Development has been against the relevant provisions of the Norwood, Payneham and St Peters (City) Development Plan Consolidated 28 April 2016. This assessment is provided throughout the body of the preceding Assessment Report.

## ***10.4 Environment Protection Act 1993***

Based on the information provided, no activities of environmental significance, as defined in Schedule 1 of the *Environment Protection Act 1993* (EP Act) have been identified. However, the Governor, before making a decision on the proposed development, should have regard to the objects of the Act, the general environmental duty and any relevant environment protection policies.

The objects of the Act are:

- *To promote the principles of ecologically sustainable development.*
- *To ensure that all reasonable and practicable measures are taken to protect, restore and enhance the quality of the environment having regard to the principles of ecologically sustainable development, and to prevent, reduce, minimise and, where practicable, eliminate harm to the environment.*

In addition, proper weight should be given to both long and short term economic, environmental, social and equity considerations in deciding all matters relating to environmental protection, restoration and enhancement. The Environment Protection Authority (EPA) is required to apply a precautionary approach to the assessment of risk of environmental harm and ensure that all aspects of environmental quality affected are considered in decisions relating to the environment.

The following Environment Protection Policies are applicable:

- *Environment Protection (Water Quality) Policy 2003.*
- *Environment Protection (Air Quality) Policy 1994.*

- *Environment Protection (Noise) Policy 2007.*
- *Environment Protection (Waste to Resources) Policy 2010.*

## **10.5 Building Rules Consent**

This AR does not include an assessment of the proposal against the provisions of the Building Rules under the *Development Act 1993*. If the Governor grants a development authorisation, further assessment of the proposed development against the Building Rules will be required. The proponent may choose to seek building rules consent from the City of Norwood, Payneham & St Peters or by a private building rules certifier.

Full development authorisation (equivalent to a development approval under Part 1 of the Act) would only be made by the Governor *after* the Council or a private certifier has assessed and certified that any 'building work' under the Act, complies with the Building Rules (and has supplied this information to the Minister, as required by Regulation 64 of the Development Regulations 2008). The Building Rules certification must of course be consistent with the development authorisation.

The mixed-use building including the basement level would need Building Rules Consent (and Certificate of Occupancy) to be obtained, prior to the commencement of operations on the site.

In addition, several components of the development (including signage, stormwater management, monitoring programs and operational protocols) would be required to meet the relevant Australian Standards, EPA Guidelines/Codes and other relevant engineering standards.