

CITY OF WEST TORRENS



Notice of Panel Meeting

Notice is Hereby Given that a Meeting of the
COUNCIL ASSESSMENT PANEL

will be held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 10 AUGUST 2021
at 5.00pm**

**Hannah Bateman
Assessment Manager**

City of West Torrens Disclaimer

Council Assessment Panel

Please note that the contents of this Council Assessment Panel Agenda have yet to be considered and deliberated by the Council Assessment Panel therefore the recommendations may be adjusted or changed by the Council Assessment Panel in the process of making the formal Council Assessment Panel decision.

Note: The plans contained in this Agenda are subject to copyright and should not be copied without authorisation.

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1 MEETING OPENED**1.1 Acknowledgement of Country****1.2 Evacuation Procedures****2 PRESENT****3 APOLOGIES****4 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the Minutes of the meeting of the Council Assessment Panel held on 13 July 2021 be confirmed as a true and correct record.

5 DISCLOSURE STATEMENTS

In accordance with section 7 of the *Assessment Panel Members – Code of Conduct* the following information should be considered by Council Assessment Panel members prior to a meeting:

A member of a Council Assessment Panel who has a direct or indirect personal or pecuniary interest in a matter before the Council Assessment Panel (other than an indirect interest that exists in common with a substantial class of persons) –

- a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and
- b. must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

If an interest has been declared by any member of the panel, the Assessment Manager will record the nature of the interest in the minutes of meeting.

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 TRANSITIONAL APPLICATIONS

6.1.1 19-21 William Street, MILE END SOUTH

Application No 211/1298/2020

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Change of use from warehouse/retail showroom to specialised consulting rooms (veterinary hospital) and associated car parking, landscaping and signage
APPLICANT	X Huizing
APPLICATION NUMBER	211/1298/2020
LODGEMENT DATE	28/12/2020
ZONE	Industry Zone
POLICY AREA	N/A
APPLICATION TYPE	Non-Complying
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none">• City Assets• Waste Management External <ul style="list-style-type: none">• Nil
DEVELOPMENT PLAN VERSION	Consolidated 21 May 2020
DELEGATION	<ul style="list-style-type: none">• The relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of use to office in a Commercial Zone.
RECOMMENDATION	Support with conditions
OFFICER	Brendan Fewster

BACKGROUND

The application was lodged prior to 19 March 2020 and therefore subject to the transitional provisions in the *Planning, Development and Infrastructure Act 2016* (PDI Act) and is to be assessed against the Development Plan in accordance with Regulation 11(2) of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*.

SUBJECT LAND AND LOCALITY

The subject land comprises two contiguous allotments that are commonly known as 19-21 William Street, Mile End South. The land is formally described as:

- Allotment 98 in Deposited Plan 2602 in the area named Mile End South Hundred of Adelaide, Volume 5272 Folio 65; and
- Allotment 63 in Deposited Plan 23087 in the area named Mile End South Hundred of Adelaide, Volume 5272 Folio 66.

There are no easements, encumbrances or Land Management Agreements on the Certificate of Titles.

The subject site is mostly rectangular in shape, although there is a triangular portion of land at the rear due to the angle of the rear boundary. The site has a combined frontage of 30.48 metres (m), a depth of up to 68.24m and a total site area of approximately 1794 square metres (m²). The land backs onto a linear road reserve that forms part of the James Congdon Drive carriageway.

The site currently contains a large industrial building that was previously used as a warehouse and retail showroom. There is a total of 16 at-grade car parking spaces located at the front and rear of the site that are accessed from William Street. No access is provided from James Congdon Drive.

The land is generally flat and there are no Regulated trees on the site or on adjoining land that would be affected by the development.

The locality consists of medium size industrial development on the eastern side of William Street, including warehouse, distribution, service trade and mechanical repair uses. Land uses on the western side of the road are more commercial in nature and are located amongst several existing dwellings. The locality is of relatively low amenity due to the predominance of commercial/industrial land uses, buildings of varying size and appearance and the traffic generation that includes medium to large vehicles.

The site and locality are shown on the aerial imagery and maps below.



RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/722/2001	Change in land use from warehouse to road transport terminal	Approved (use not enacted)	03/07/2001

PROPOSAL

The application is for a change of land use from a warehouse and retail showroom to a veterinary hospital/clinic facility (consulting rooms). The proposed veterinary hospital is a specialised facility as it will provide emergency veterinary care that includes veterinary imaging.

The following is an overview of the proposed use:

- A total usable floor area of 801m²;
- 161m² of communal area (i.e. waiting and access areas);
- 265m² for staff amenities including office, storage, kitchen and toilets;
- 375m² of medical activity space including treatment area, lab, pharmacy, MRI and CT scan rooms, surgery and procedure rooms and X-ray room;
- Provision for additional dog runs and recovery adjacent to the internal medicine room should it be required; and
- The mezzanine level and an area on the ground floor at the rear will not be used.

There will be no external building work or alterations to internal load-bearing walls (internal alterations only).

The main operational hours are between 6:00am to 9:00pm Monday to Friday, with occasional emergency appointments outside of the core business hours.

The existing car park at the front and rear of the site will be upgraded with provision for 15 vehicles, including one disabled space.

The proposal includes improvements to existing landscaping and a sign measuring approximately 6.0m by 2.0m is to be attached to the front building façade.

The relevant plans and documents are contained in **Attachment 2**.

NON-COMPLYING

The application is a non-complying form of development as it comprises an office with a total floor area greater than 100m² and on a site that fronts an arterial road. An advertisement display is also a non-complying form of development.

The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008* (refer **Attachment 3**). This document highlights a number of social, economic and environmental impacts associated with the proposed development as follows:

- The proposal will provide consulting rooms which will serve the needs of the local (and wider) community and provides an additional service in the area;
- The establishment of the use as consulting rooms may result in a marginal increase in the employment options available in the local area;
- The proposal will prevent crime by putting the land to an active use providing surveillance in the area during operating hours;
- Given the proposed use will occupy an existing building, there will be minimal circumstances where the proposal would have a measurable environmental impact apart from resulting in a reduced external impact on the surrounding locality by way of noise, traffic impacts and hours of operation compared with the uses in the immediate locality;
- The proposal provides for the increased functional and economic use of the subject land;
- The development will not prejudice the continuation of surrounding land uses or impact on property value for adjoining businesses and residents;
- The proposal is able to connect to the existing infrastructure such as power, water, sewer and stormwater; and

- The proposal will provide an important and unique specialist service which benefits the local area and the wider metropolitan area.

Should the CAP resolve to approve the application, the concurrence of the State Commission Assessment Panel (SCAP) is not required in this instance given the recent amendments to Section 35 of the *Development Act 1993* under the *COVID-19 Emergency Response (Further Measures) Amendment Act 2020*.

Alternatively, should the CAP refuse the application, no appeal rights are afforded to the applicant. As the Administration resolved, under delegation, to proceed with an assessment of the proposal, the application is now presented to the Panel for a decision.

PUBLIC NOTIFICATION

The application is a Category 3 form of development pursuant to Section 38 of the *Development Act 1993*. No representations were received during the notification period.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> • Satisfied that adequate parking would be provided for the development subject to a condition to 'restrict' the development to 3 consultants only. • Recommend that 2 bicycle rails be provided, say adjacent to the outdoor waiting area at the front of the building. • Satisfied that the proposed development would not result in excessive traffic impacts on the adjacent road network. • For the occasional servicing by specialist waste disposal vehicles, there appears to be sufficient manoeuvring area, using the rear parking area, to enable a medium sized truck (such as an MRV) to enter and turnaround to exit the site in a forward direction. • It is recommended that further assessment from Council's Waste Management Team is required. • Given that the existing parking layout has been disturbed, it should be assessed under current standards. As such stormwater detention and quality should apply. • It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council. • An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development. <p>Although City Assets have recommend that stormwater management be assessed under current standards, this request is not considered reasonable from a planning perspective as changes to the car parking are being proposed so the parking is compliant with Australian Standards. There is also no building work taking place. All other matters have been addressed by the applicant or by conditions of consent.</p>
Waste Management	<ul style="list-style-type: none"> • The treatment of waste is considered appropriate, no further requirements are needed.

A copy of the relevant referral responses is contained in **Attachment 4**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Industry Zone as described in the West Torrens Council Development Plan.

There is no Desired Character statement for the Industry Zone.

Additional provisions of the Development Plan which relate to the proposed development are contained in **Attachment 1**.

QUANTITATIVE STANDARDS

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
LANDSCAPING <i>Module: Landscaping, Fences and Walls</i> <i>PDC 4</i>	10% minimum	Additional landscaping provided Approx. 10% Satisfied
CARPARKING SPACES <i>Module: Transportation and Access</i> <i>PDC 34</i>	Consulting rooms / medical 10 spaces per 100m ²	15 spaces Not Satisfied (refer to assessment below)

ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

Land Use Suitability

The subject land is situated within the Industry Zone and borders the Commercial Zone that is immediately to the west. Objective 1 of the Industry Zone envisages a range of industries as well as warehouses, storage and transport-related uses. Some commercial uses are also encouraged, such as small-scale offices and shops. The adjacent Commercial Zone envisages various commercial uses, including consulting rooms, and some light industry.

The proposal is seeking to change the use of an existing building that was previously used as a warehouse and retail showroom. The proposed use is a veterinary hospital that offers specialised veterinary care. The use is a consulting room by definition, however several of the specialised services provided, such as veterinary imaging and surgical procedures mean that a larger premises is required than that of a typical veterinary practice. Most veterinary appointments will be undertaken during the main business hours, however it is anticipated that approximately one emergency appointment per week will be needed outside of business hours.

While a consulting room is not an envisaged use within the Industry Zone and is more appropriately located within a commercial or centre zone, the need for a large 'existing' premises and the location of the subject land on the border of the Industry and Commercial Zones are factors that give support to such a land use in this instance. It is also important to note that the locality is characterised by a mix of industrial and commercial uses on both sides of road. For these reasons, the proposed veterinary hospital would not prejudice the role and function of the Industrial Zone, and similarly, the specialised nature and relatively low intensity of the proposed use would have a negligible impact on the function and economic sustainability of the adjacent Commercial Zone.

It is also worth noting that under the new Planning and Design Code the subject land is situated within the Strategic Employment Zone. In this zone, a consulting room would be performance assessed and the provisions of the zone (i.e. PO 1.2) actively encourage consulting rooms on land adjacent to another zone that is used for residential purposes, as such consulting rooms are considered low-impact.

For all of the above reasons, the proposed veterinary hospital would not undermine the Objectives of the Industry and Commercial zones, and when balanced against the specialised nature of the use and character of the locality, the proposal is considered orderly and appropriate in land use terms.

Interface and Operational Considerations

Although the subject land is situated within the Industry Zone and land on the western side of William Street is within the Commercial Zone, there are several residential properties observed along William Street, including immediately opposite the site. It would appear that these properties have co-existed with commercial and industrial activities for many years. No representations were received from nearby residents or business owners during the public notification period.

Objective 1 and Principle of Development Control (PDC) 1 and 2 of the General Section (Interface between Land Uses) seek to ensure that new development is designed and operated in a manner that adequately protects the amenity of the locality. Consulting rooms are typically non-invasive as they generate minimal noise and odour, and any noise and odour from animals being treated would be negligible and could be contained within the existing building without the need for any noise or odour attenuation measures.

From a traffic perspective, there would be minimal impact on nearby residential properties as the traffic generated by the veterinary hospital would be considerably less than that of other existing businesses within the locality. It is also noted that most traffic movements would take place during normal business hours.

Accordingly, the proposal would not adversely impact upon the amenity of nearby sensitive uses by way of noise, light spill, glare or traffic. The proposal is considered to satisfy Objectives and PDC 1 and 2 of the General Section (Interface between Land Uses).

Vehicle Access and Car Parking

The Development Plan provisions seek to ensure that new development provides safe and convenient access for vehicles and pedestrians and sufficient on-site car parking for patrons and staff.

The proposal will utilise an existing crossover at the northern end of the road frontage. City Assets consider the existing access arrangements to be safe and convenient, as required by PDC 24 of the General Section (Transportation and Access).

The existing at-grade car parking areas the front and rear of the site will be reconfigured as the existing car parks are not designed to Australian Standards. There will be provision for 15 vehicles that includes one disabled space. The design and layout of the car parking areas have been assessed by City Assets Department as satisfying the relevant Australian Standards.

For the purposes of a car parking assessment, *Table WeTo/2 – 'Off Street Vehicle Parking Requirements'* prescribes a car parking rate of 10 spaces per 100m² of floor area for a consulting room. While there would be a significant parking shortfall based on this parking rate, Council's Traffic Engineer considers the car park rate to be excessively high having regard to past surveys and assessments undertaken for this kind of use. Council's Traffic Engineer considers the proposed car parking provision to be acceptable subject to the conditions of consent that address the following:

- The number of consultants at any one time shall be restricted to 3;
- Two (2) bicycle rails shall be provided adjacent to the front of the subject building;
- Service vehicles undertaking private waste collection on-site shall be restricted to MRV size (reference AS 2890.2-2018).
- On-site waste collection shall occur during off-peak periods only.

Furthermore, Council's Traffic Consultant is satisfied that any additional traffic generated by the proposed development would not cause any traffic congestion or capacity issues along William Street or the surrounding road network.

Given the above considerations, the proposal would sufficiently meet the anticipated car parking demand generated by the development during peak periods. Accordingly, the proposal would not lead to conditions detrimental to the free flow and safety of pedestrian and vehicular traffic on the surrounding road network.

Landscaping

A landscape plan has been provided that includes new landscaping at the front and rear of the site. Several trees and shrubs and ground covers will be planted to provide shade and to enhance the appearance of the existing building and car parking areas. The amount of landscaping would satisfy the minimum landscaping requirement of 10 percent of the site.

The proposed landscaping would therefore enhance the overall appearance and amenity of the development in accordance with PDC 10 of the Industry Zone and PDC 1, 4 and 5 of the General Section (Landscaping, Fences and Walls).

There are no Regulated Trees on the site or on adjoining land that would be impacted by this development.

Waste Management

The applicant has confirmed that waste bins will be stored either at the rear of the site or within the building with bins to be collected by a private contractor at least once a week. Deceased animals will be stored temporarily in freezers and the Animal Welfare League provide a pick-up service for deceased animals.

Council's Team Leader Waste Management is satisfied with the proposed waste management arrangements. Conditions of consent has been included to ensure that waste bins are stored within the building as there is sufficient room to do so and that collection takes place during off peak times to minimise traffic conflicts.

The proposal is considered to satisfy PDC 2, 5 and 6 of the General Section (Waste).

Advertising

A small sign measuring approximately 6.0m by 2.0m is to be attached to the front building façade. The sign would be professionally prepared and is considered to be of suitable size and located appropriately so as not to visually dominate the building façade or cause distraction to motorists or endanger public safety.

PDC 1, 2, 4 and 14 of the General Section (Advertisements) have been satisfied.

SUMMARY

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the West Torrens Council Development Plan consolidated 21 May 2020.

In particular, the proposal:

- is an orderly form of development within the Industry Zone given the specialised and low-intensive nature of the use and the characteristics of the site and surrounding land;
- would not prejudice existing or future business activities within the adjacent Commercial Zone or nearby centres;
- would not significantly impact upon the amenity of nearby residential properties or the locality as the intensity of the proposed use would be low, the development would be appropriately managed and traffic generation would be minimal;
- provides sufficient on-site car parking and safe and convenient access so as not to lead to conditions detrimental to the free flow and safety of pedestrian and vehicular traffic within the site and on the adjacent road network;
- includes additional landscaping to improve the appearance of the site; and
- provides advertising that is coordinated and complementary to the respective business and designed and located to avoid visual clutter and driver distraction.

For all of the above reasons, the proposal would achieve the Objectives for the Industrial Zone and sufficiently accords with the relevant provisions of the West Torrens Council Development Plan. Accordingly, the application warrants the granting of Development Plan Consent subject to conditions.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land resolves to GRANT Development Plan Consent for Application No. 211/1298/2020 by X Huizing for change of use from warehouse/retail showroom to specialised consulting rooms (veterinary hospital) and associated car parking, landscaping and signage at 19-21 William Street, Mile End South (CT 5272/65 & CT 5272/66) and the following conditions of consent:

Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:

- Existing Floor Plans, Drawing No. 502, dated 17/12/20 prepared by Real Serve;
- Existing Elevation Plans, Drawing No. 503, dated 17/12/20 prepared by Real Serve;
- Existing / Demolition Plan, Drawing No. 100, Rev 2, dated 17/12/20 prepared by Perfect Practice;
- Landscape Plan, Drawing No. A-0.01, Rev 1, 10/05/21 prepared by Therian;
- Ground Floor Plan, Drawing No. A-1.01, Rev 4, 10/05/21 prepared by Therian;
- First Floor Plan, Drawing No. A-1.02, Rev 2, 10/05/21 prepared by Therian;
- Ground Floor Area Plan, Drawing No. A-1.03, Rev 4, 10/05/21 prepared by Therian;
- First Floor Area Plan, Drawing No. A-1.04, Rev 1, 10/05/21 prepared by Therian;
- Letter from Cirqa dated 17 February 2021;
- Statement of Effect prepared by APDS dated 20 May 2021; and
- Statement of Support prepared by APDS dated January 2021.

2. The existing mezzanine level shall not be used for any purpose as reflected on the approved plans.

Reason: To ensure the proposal proceeds in an orderly manner and in accordance with the approved plans.

3. The number of veterinary consultants on the premises shall not exceed three (3) at any one time.

Reason: To ensure there is adequate on-site car parking and that the proposal proceeds in an orderly manner.

4. Two (2) bicycle rails shall be provided adjacent to the front of the subject building prior to occupation of the development.

Reason: To ensure there is adequate on-site bicycle parking facilities.

5. The operation of the development approved herein shall be between 6:00am to 9:00pm Monday to Friday, with only emergency appointments permitted outside of these approved hours.

Reason: To ensure there is adequate on-site car parking and minimal disturbance to surrounding properties.

6. Waste collection shall be carried out at least once a week by a private contractor and take place during off-peak times to minimise traffic conflicts. Waste vehicles shall be restricted to Medium Rigid Vehicle (MRV) size.

Reason: To ensure traffic safety and to maintain the amenity of the locality.

7. All solid waste shall be stored in bins/containers having a close fitting lid with all bins/containers to be located within the building at all times other than when collection is taking place. The location of the bins/containers to be located within the building is to be identified on final plans submitted prior to the issue of Development Approval.

Reason: To ensure minimal disturbance to surrounding properties and to maintain the amenity of the locality.

8. All landscaping shall be planted in accordance with the approved plans (Landscape Plan, Drawing No. A-0.01, Rev 1, 10/05/21 prepared by Therian) and incorporate an appropriate irrigation system prior to the occupation of the development or the next available planting season. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.

9. All car parking areas shall be marked in a distinctive fashion to delineate the parking spaces, prior to the occupation of the development.

Reason: To ensure usable and safe car parking.

10. The proposed car parking layout and access areas and vehicle head clearances shall conform to Australian Standard AS 2890.1:2004- Off-street Car parking and Australian Standard 2890.6:2009 - Off-Street Parking for People with Disabilities.

Reason: To provide adequate, safe and efficient off-street parking for users of the development.

11. Driveway, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage or display of materials or goods.

Reason: To ensure the development proceeds in an orderly manner.

12. Floodlighting within car park and around the buildings shall be restricted to that necessary for access and security purposes only and be directed and shielded in such a manner as to cause no light overspill nuisance of nearby properties.

Reason: To maintain visual amenity and public safety in the locality.

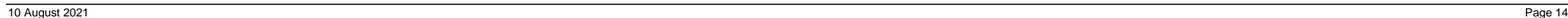
13. Any external lighting that may be associated with the signage shall be directed such that any overspill of light into the nearby premises is avoided and minimal impact on passing motorists occurs.

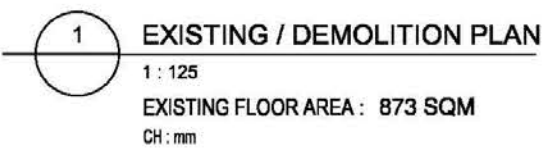
Reason: To maintain visual amenity and public safety in the locality.

Attachments

1. Relevant Development Plan Provisions
2. Proposal Plans and Supporting Documents
3. Statement of Effect
4. Internal Referral Responses

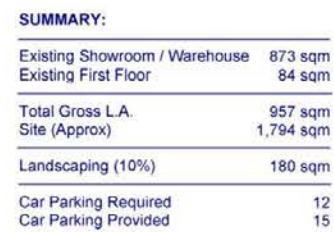
General Section		
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8 & 10
Interface between Land Uses	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2, 3, 6 & 7
Landscaping, Fences and Walls	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 8
Transportation and Access	<i>Objectives</i>	1, 2 & 4
	<i>Principles of Development Control</i>	1, 8, 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 & 43
Waste	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6



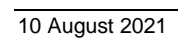


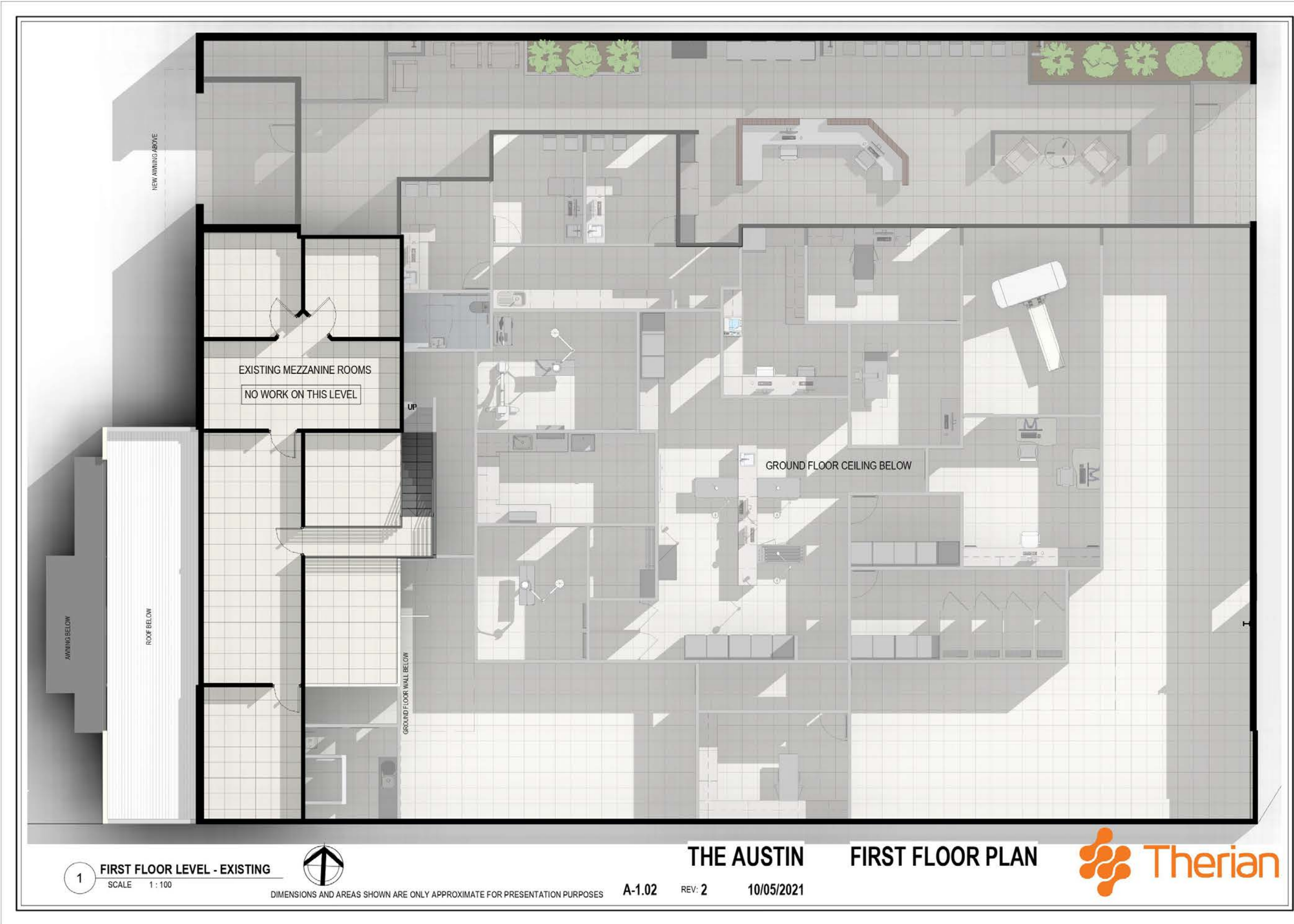
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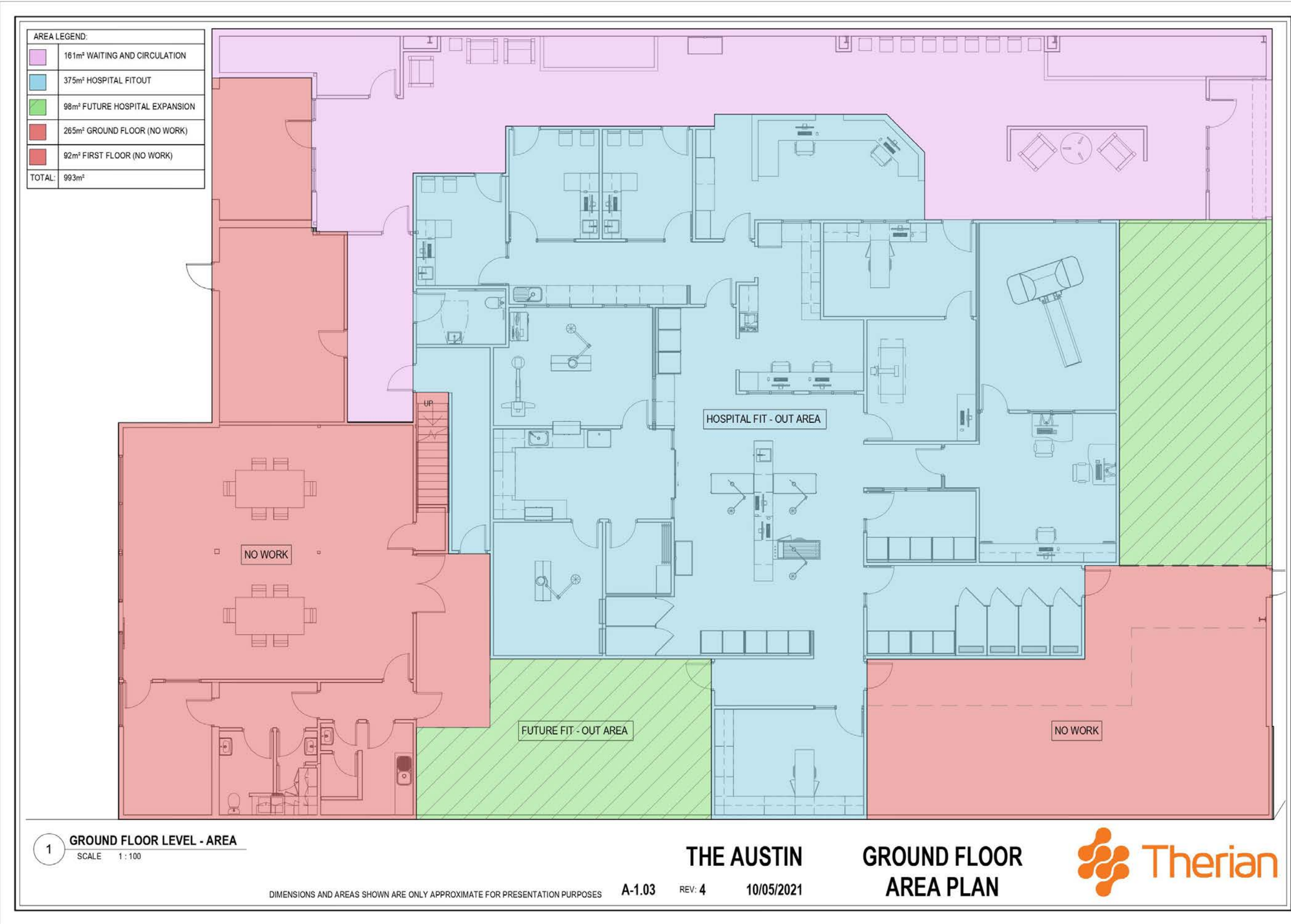
DATE:		10/12/20
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CHECKED BY:		KS
PROJECT MGR:		GS
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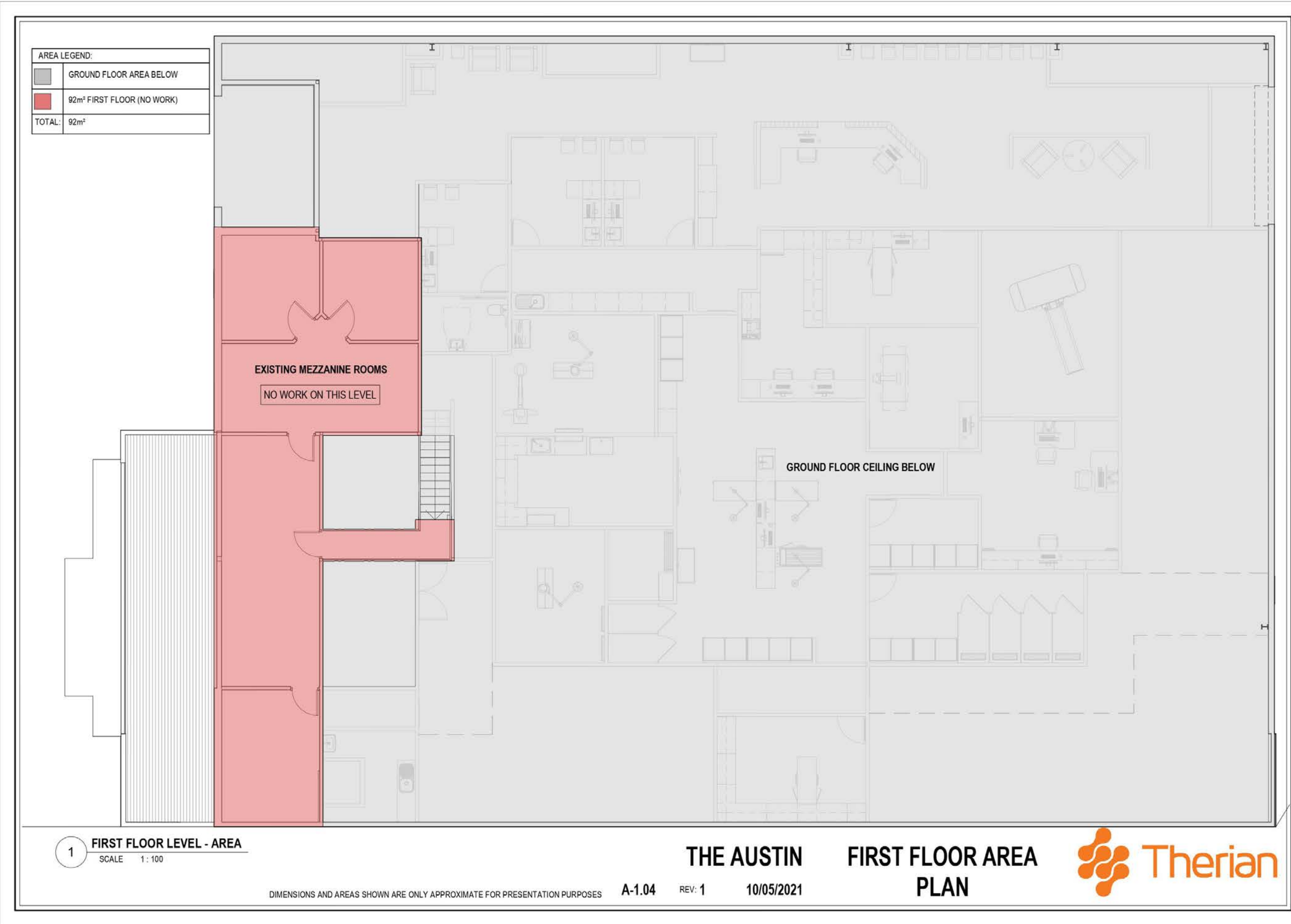


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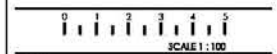
 <div>PERFECT PRACTICE <small>Designed for Health, built for life</small></div> <div>SYDNEY, MELBOURNE, BRISBANE, PERTH, ADELAIDE www.perfectpractice.com.au 1300 00 11 22</div>	<p>The dimensions here outlined are all in millimetres and to be checked on site. Discrepancies are to be checked with this office before commencing construction. Outlined dimensions are to be taken in preference to scale and any discrepancies between specifications, across of works and drawings to be checked with this office before construction.</p> <p>© copyright. This document is owned by, and the information contained in it is proprietary to Perfect Practice. By receipt hereof the holder agrees that no part of this document may be copied, reproduced, scanned or stored in any electronic database, whether in whole or part, in any form and any means, and agrees to return this document forthwith upon request. This document is not to be passed on, or transmitted to, any third party without the consent of Perfect Practice.</p>	<p>DRAWING TITLE: EXISTING ELEVATIONS</p>	<p>PROJECT DR XANDER HUIZING</p> <p>PROPOSED VET FITOUT</p> <p>19-21 WILLIAM STREET MILE END SOUTH, SA</p>	DRAWN BY: GM	JOB NO: 827	REV: 1	REV. 1	DESCRIPTION ISSUED FOR DA SUBMISSION	BY GM	DATE 17/12/2020		
				CHECKED BY: KS	DATE: 17/12/2020	TOTAL PAGES: 5						
				PROJECT MGR: GS	SCALE @ A3: 1:100 @ A1 1:200 @ A3	DRAWING NO: 503						

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LEGEND

DATUM NOTE
Assumed Datum

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CUPC

FOR DA SUBMISSION



Ref: 20375|BNW

17 February 2021

Mr Mark Kwiatkowski
Adelaide Planning & Development Solutions
52A Mount Barker Road
HAHNDORF SA 5245

Dear Mark,

PROPOSED VETERINARY HOSPITAL 19-21 WILLIAM STREET, MILE END

I refer to the proposal to develop a veterinary hospital at 19-21 William Street, Mile End. As requested, I have undertaken a review of traffic and parking matters associated with the proposed facility.

EXISTING SITUATION

The subject site is located at 19-21 William Street, Mile End. The site is bound by William Street to the west, James Congdon Drive to the east and industrial properties to the north and south. The City of West Torren's Development Plan identifies that the site is located within the Mile End South Industry Zone.

The site is currently occupied by a building containing 724 m² of warehouse floor area, 164 m² of showroom floor area and 84 m² of office floor area. Access to the site is provided via a single two-way access point on William Street. No direct access is provided to James Congdon Drive. A total of 16 parking spaces are currently provided within the site.

THE PROPOSAL

It is proposed to undertake a change-of-use for the site to accommodate a veterinary hospital facility. Specifically, the facility will provide emergency veterinary services including veterinary imaging facilities (which requires greater area than typical veterinary clinics). A number of internal rooms will be constructed within the existing building to accommodate consulting rooms, imaging rooms (MRI, CT Scan Xray), treatment and surgery rooms, administration offices, reception area and additional back-of-house/amenity areas.



The surgery, imaging and treatment rooms will operate in an ancillary nature to the consulting rooms (i.e. a veterinarian associated with one of the consulting rooms will, at times, utilise the surgery, imaging and treatments rooms rather than additional on-site practitioners). Such arrangements could also be conditioned by Council if desired (i.e. a maximum number of consultants on-site at any one time).

Specifically, the following staff numbers will be associated with the proposal:

- two veterinary specialists;
- three nurses; and
- one receptionist.

The facility will typically operate between 6:00 am and 9:00 pm, however will also operate outside of these times for occasional emergency cases. The facility will be a referral centre with clients and their pets being required to be referred from other veterinarians.

The existing access arrangements are proposed to be retained, however the parking areas will be upgraded to conform with current Australian Standards (resulting in the loss of one parking space but significantly improving accessibility to/from spaces). Specifically, as shown on the attached plan, the parking areas will comply with the requirements of Australian/New Zealand Standard, *Parking Facilities Part 1: Off-street car parking* (AS/NZS 2890.1:2004) and Australian/New Zealand Standard, *Parking Facilities Part 6: Off-street parking for people with disabilities* (AS/NZS 2890.6:2009) in that:

- regular parking spaces will be 2.5 m wide and 5.4 m long with four staff only spaces being 2.4 m wide by 5.4 m long and two small car spaces being 2.3 m wide and 5.0 m long;
- the disabled parking space will be 2.4 m wide and 5.4 m long (with an adjacent shared space of the same dimension);
- the parking aisles will be at least 5.8 m wide;
- turnaround movements (in the event all spaces are occupied) can be accommodate in the aisle intersection; and
- 0.3 m clearance will be provided to all objects greater than 0.15 m in height (where applicable) and columns will be located outside of the car clearance envelope).

PARKING ASSESSMENT

Council's Development Plan identifies a rate of ten car parking spaces per 100 m² of total floor area for consulting rooms (as well as medical centres and day surgeries). Such a rate



is excessively conservative and much higher than would realistically be generated by consulting room uses (particularly veterinary consulting which typically generates lower rates than general medical consulting).

In comparison, it is generally accepted that consulting rooms are more appropriately assessed on a 'per rooms' basis. For instance, the Aurecon "Parking Spaces for Urban Places" study recommended a rate of four spaces per consulting room with a discount of up to 10% potentially applying based on locality and accessibility factors (this rate includes allowance for parking for the consultant, their patients, support staff etc.). The full 10% discount would be applicable to the subject site. Therefore, a rate of 3.6 spaces per consulting room would apply on the basis of the Aurecon study.

In reality, it is anticipated that even lower demand rates would be associated with the site given it will be for veterinary consulting and medical imaging. As noted above, both of these uses typically generate lower demands than general medical consulting. For instance, a recent survey undertaken by CIRQA of demands at a veterinary clinic in Gawler identified a peak demand of two spaces per consulting room and a recent MFY survey of a medical imaging facility identified a rate of 2.5 spaces per consulting room.

Nevertheless, to provide a conservative assessment, the Aurecon rate of 3.6 spaces per consulting room has been adopted for the assessment. Additionally, the following assessment allows for separate allowance for the nursing and receptionist staff which provides further conservatism (given that such staff are included in the above parking rates). On this basis, the following conservative assessment has been prepared:

- **consultant rooms** – two veterinary consultants at a rate of 3.6 spaces per consulting room (7.2 spaces). This includes allowance for the consultant and their patients/clients;
- **nursing staff** – three nursing staff at a rate of one space per nurse (three spaces); and
- **reception** – one receptionist at a rate of one space per receptionist (one space).

On the basis of the above, there would be a peak demand for 12 parking spaces (rounded up) associated with the proposed uses. In reality, given the conservative nature associated with the assessment, it is likely that typical demands would be below ten vehicles. Given 15 spaces are currently provided on-site, the above demands would be easily accommodated.

TRAFFIC IMPACT

Available traffic generation guidelines do not identify appropriate rates for application to the assessment of veterinary rooms. However, in our experience, such facilities typically generate in the order of four to five peak trips per room. Adopting the higher rate of this



range, there would be in the order of ten peak hour trips generated by the veterinary services component of the proposal. Such a traffic generation also appears reasonable when considered against the proposed staffing numbers with additional allowance for client movements.

The number of movements generated by the facility will therefore be very low. Furthermore, this does not take into account the traffic generation associated with the site's previous use. Based on typical traffic generation rates, it is likely that in the order of ten peak hour trips would have been generated by the previous site uses. Accordingly, there will be negligible traffic impact associated with the proposal.

SUMMARY

It is proposed to undertake a change-of-use from the existing warehouse, showroom and offices on the subject site to a veterinary (consulting room) facility. The access and parking arrangements are proposed to remain as per the site's current layout.

The level of parking provided would be below that identified if assessed based on the Development Plan rate. However, the Development Plan rate is excessively conservative and would not identify realistic demands associated with the proposed use. In comparison, a review of comparable rates for parking demands associated with the subject uses indicates that (even assessed on a conservative basis) there will be more than adequate on-site parking to accommodate peak demands associated with the proposal.

Assessment of the traffic impacts indicates that there will be negligible change in the peak hour traffic volume generated by the proposal compared to the previous site uses.

It is therefore considered that the proposed change-of-use will result in acceptable traffic and parking conditions within and adjacent the site.

Please feel free to contact me on (08) 7078 1801 should you require any additional information.

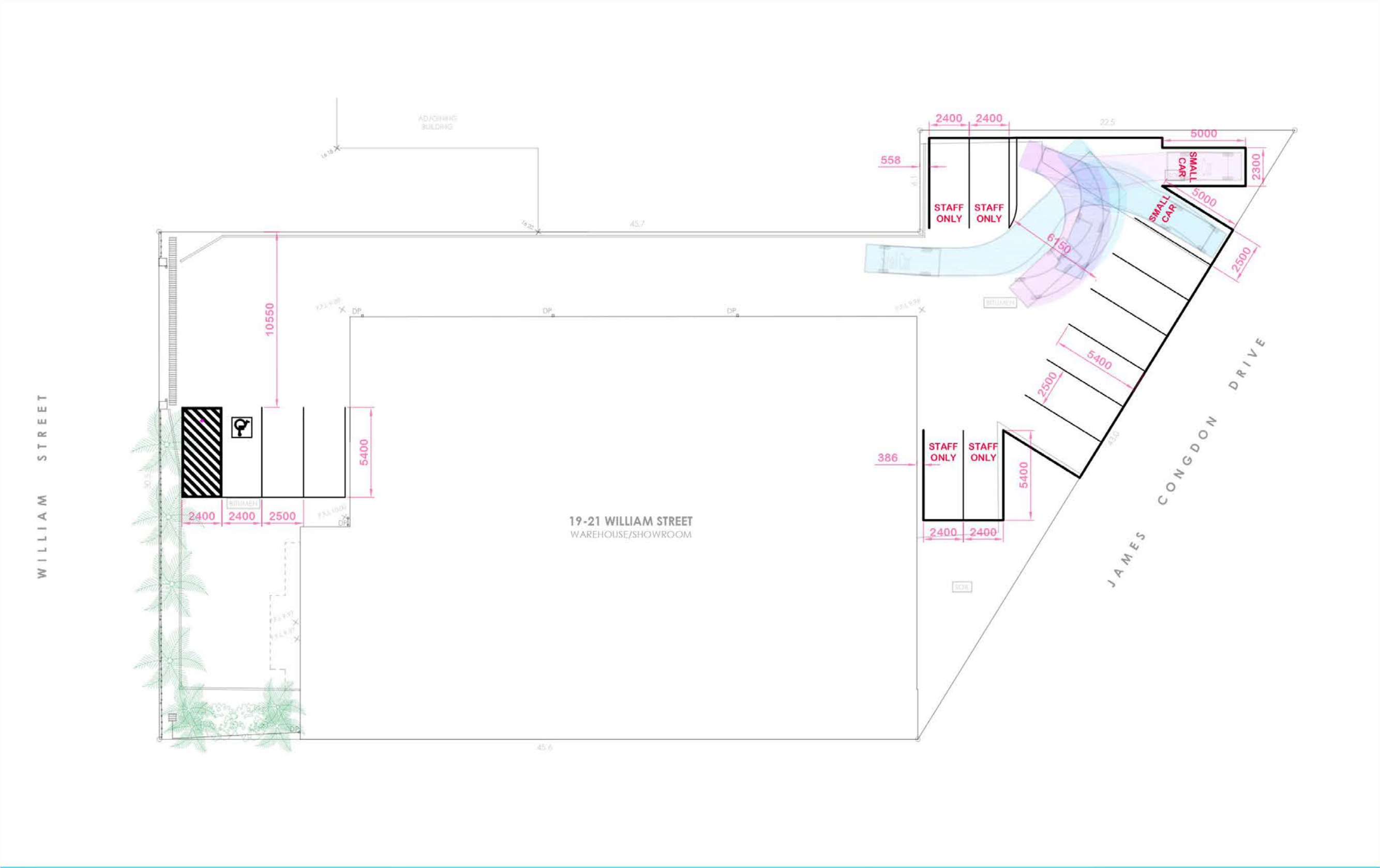
Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ben Wilson", written in a cursive style.

BEN WILSON

Director | CIRQA Pty Ltd

Enc. Proposed parking layout (C20375_01A_SH02)



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DRAWING AMENDMENTS				
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VETERINARY HOSPITAL
19-21 WILLIAM STREET, MILE END
NEW PARKING LAYOUT (15 SPACES)

PROJECT # 20375 SHEET # 01_SH02



STATEMENT OF SUPPORT

**CHANGE IN USE FROM WAREHOUSE / SHOWROOM TO SPECIALIST
VETERINARY CLINIC (CONSULTING ROOMS) WITH ANCILLARY CARPARKING**

19-21 WILLIAM STREET, MILE END SOUTH

Prepared for Xander Bart Huizing

Report prepared by Adelaide Planning & Development Solutions PTY LTD

Contact Mark Kwiatkowski

Telephone 0499933311

Email mark@adelaideplanning.com.au



STATEMENT OF SUPPORT

Lead Consultant

XANDER BART HUIZING

In association with

ADELAIDE PLANNING AND DEVELOPMENT SOLUTIONS PTY LTD

Document History and Status

Version	Date	Author
V 1.0	December 2020	Mark Kwiatkowski, APDS
C 2.0	January 2021	Mark Kwiatkowski, APDS

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1.0 Application Overview

Applicant	Xander Bart Huizing
Site Address	19-21 William Street, Mile End South
Description of land	CTs Volume 5272 Folio 65 and Volume 5272 Folio 66
Site area	Approximately 1725 square metres (combined)
Development Plan	West Torrens Council Development Plan Consolidated 21 May 2020
Zone	Industry Zone
Policy Area	No Policy Area applies
Maps	WeTo/9
Existing Land Use	Warehouse and showroom
Development proposal	Change in use from warehouse / showroom to Specialist Veterinary Clinic (consulting rooms) with ancillary carparking
Public notification	Not required at this stage of assessment. Category 3 at the next stage of assessment
Referrals	TBA
Relevant Authority	West Torrens Council
Primary Contact	Mark Kwiatkowski Mark@adelaideplanning.com.au 0499933311

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2.0 Introduction

This Statement of Support has been prepared by Adelaide Planning and Development Solutions (APDS) on behalf of Xander Bart Huizing.

Pursuant to Maps WeTo/9 of the West Torrens Council Development Plan consolidated 21 May 2020, the subject land is located within the Industry Zone.

The procedural matters table of the Industry Zone states:

Development (including combinations thereof, or more than one of a particular kind, alterations, extensions and/or additions to existing buildings or structures, building work, a change in the use of land, or division of an allotment) for the following is non-complying: Consulting room

The proposed consulting room is therefore is a non-complying form of development.

This statement constitutes a statement of support as required by Regulation 17(1) of the *Development Regulations 2008* for a non-complying form of development.

The following information accompanies this statement of support:

- Completed development application form and electricity declaration
- Certificate of Title
- Plans prepared by Perfect Practice
- Accommodation Schedule prepared by Perfect Practice.

In preparing this statement of support, I confirm that I have reviewed the proposal plans and the accommodation schedule provided by Perfect Practice along with the most pertinent provisions of the West Torrens Council Development Plan Consolidated 21 May 2020.

I have also inspected the subject land and locality.



3.0 Subject Land and Locality

3.1 Subject Land



Figure 1 Subject site identified in yellow

The subject land is an irregular shaped allotment located at 19-21 William Street, Mile End South and has a site area of approximately 1794 square metres with a frontage to William Street of 30 metres.

The approved use for the subject land is a warehouse with showroom, however, the site is currently vacant.



Figure 2 Street view of the subject site

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There are two areas of car parking toward the front and rear of the building, with the rear car parking area most recently used for storage and a service area. The site has a post and rail front fence with security gates with an area of landscaping behind the fence, adjacent to the front car parking area. Vehicular access is provided to William Street via a double width crossover and a two-way driveway on-site.

The site has a level topography and does not contain any regulated or native vegetation.

The subject land has connection to all services (power, water, gas, electricity, telephone).

4.2 Locality



Figure 3 Locality Plan

The locality contains a mixture of uses including offices, light industry / small-scale manufacturing, bulky goods outlets and some residential dwellings in poor condition.

The adjacent site to the south is currently vacant and being used for overflow parking for the motor home rental and sales business opposite. Several other sites further to the south are also vacant and devoid of any buildings or land uses.



The sites opposite the subject site are located within the Commercial Zone and contain several small, post war dwellings interspersed with commercial and light industrial uses within buildings of a much larger floor plate than the dwellings. It is anticipated that over time these older dwellings will be replaced with office / commercial / industrial buildings as the demand increases.

The wider locality to the east contains large footprint bulky goods outlets within the Mile End Homemaker Centre and Bunnings hardware outlet on the site to the north east.

The site is located within a 'triangle' of arterial roads, with James Congdon Drive to the east intersecting with Sir Donald Bradman Drive to the north and South Road to the west. The arterial road network contributes to a reduced amenity for uses within this triangle due to traffic pollution and noise.

The wider locality surrounding the subject site is zoned Commercial and Bulky Goods, with only a small portion of the locality left in the centre for industrial uses.

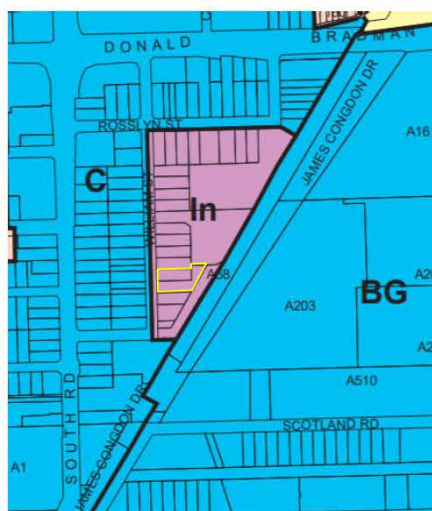


Figure 4 Zoning in the locality

The amenity level of the locality is generally considered to be poor principally due to the existing development within the Industry Zone, the poor quality of the houses in the street, the increased traffic volumes from the bulky goods outlets to the east and the surrounding arterial road network as discussed previously.

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4.0 Planning Assessment

4.1 Nature of Development

The application seeks the change in use from warehouse / showroom to Specialist Vet (consulting rooms) with ancillary carparking at 19-21 William Street, Mile End South.

More specifically, the proposal includes:

- A medical imaging specialist facility for animals
- Clients accepted via referral from other vets
- Six full time staff (two vets, three nurses and one receptionist). The receptionist will work mainly in the front office, with an additional back office desk to make dedicated phone calls etc.
- The three nurses will work mainly in the back office (clinical area) and will need a computer workstation each to write up the charts, update owners, write records, dispense medication and do other admin. The two vets will each have a computer workstation, one in the treatment area and one in the radiology control room.
- The upstairs office will not be used.
- Hours of operation from 6 am to 9 pm Monday to Friday. During these routine operating hours, clients (pet owners) will be able to book appointments.
- Some outside of usual hours 'emergency' medical imaging as needed (approximately one appointment per week)
- Internal alterations to the existing building to create 524 square metres of useable space including:
 - a 112.8 square metre 'Public' activity space including waiting area, concierge and consulting rooms.
 - a 48 square metre 'Staff' activity space comprising offices and kitchen / conference area.
 - a 266.4 square metre 'Medical' activity space including treatment area, lab, pharmacy, MRI and CT scan rooms, surgery and procedure rooms and Xray room.
 - a 32.4 square metre 'Support' activity space comprising dog runs, cat cages, laundry, storage and IT server room.
 - a 'Core' activity space including toilets, change rooms and lockers.
- Sealed car parking for 16 vehicles including a dedicated disabled space with access via a two-way access point to / from William Street.
- Ancillary landscaping to the exterior of the site and within the parking areas.
- Signage

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Details about Specialist Veterinary Clinic

In human medicine it is considered best practice for a GP to refer a patient to a specialist for diagnosis and treatment of complex medical issues. Patients then access the advanced expertise they need for a specific health problem whilst continuing to rely on their GP for the ongoing management of general health concerns, wellbeing and preventive care.

Veterinary referral hospitals work in a similar fashion. A veterinary specialist has undergone extensive advanced supervised training, culminating in the passing of a rigorous set of examinations, usually involving at least four years of study and peer assessment in addition to the six years it takes to become a vet. We plan to open a specialist veterinary hospital that will provide referral veterinary medicine, surgery and diagnostic imaging for the pets of Adelaide. We will rely on the GP vets to refer patients (animals) who present with more complex and specific health concerns.

Emergency appointments.

Most, if not all, of the appointments will be undertaken during our routine operating hours.

However, animals do adhere to the clock and get ill at all times of the day.

As such, we anticipate approximately one emergency appointment per week outside our routine operating hours.

Emergency appointments will be booked through a dedicated phone number (on call phone) which will be carried by the vet.

If the patient needs immediate attention, the vet will then travel to the clinic to meet the owners for a consult.

There is currently no plan to have someone onsite overnight, nor is there a limit to the times/days these emergencies will be accepted.

Waste

As a veterinary facility, we will produce various types of waste.

As part of our environment charter, we plan to minimise our waste, and recycle as much as possible.

EPA guidelines will be followed at all times.

Household: All commercial/industrial waste will be stored in dedicated bins at the back of the property, or within the back of the building. This will allow easy access by the collection trucks of a dedicated waste company (e.g. <https://www.adelaidewasteandrecyclingcentre.com.au/waste-services/industrial-bin-services/>). This will occur at least weekly or sooner if needed.

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Recyclables: All recycling will be stored in dedicated bins at the back of the property, or within the back of the building. It will be collected by a dedicated commercial waste collection company (e.g. <https://www.adelaidecobins.com.au/recycling/>). This will occur at least fortnightly or sooner if needed.

Medical waste: This includes sharps, pharmaceuticals and other contaminated (e.g. blood) waste. This waste will be stored onsite (at the back of the property, or within the back of the building), and be periodically collected by a dedicated veterinary/medical waste disposal company (e.g. <https://www.allmedicalwaste.com.au/>).

This will occur at least fortnightly or sooner if needed.

Euthanasia

In the unfortunate event of a pet euthanasia, the deceased animals (as is standard practice) will be stored in dedicated freezers. These freezers will be kept in the rear of the building, near the large roller doors. The Animal Welfare League (AWL) have a dedicated pickup service and will come the same day, as needed, with a truck to pick up the deceased animals. The AWL also handle all cremations (<https://awl.org.au/pet-cremations/services>) .

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4.2 Kind of Development

Pursuant to Maps WeTo/9 of the West Torrens Council Development Plan consolidated 21 May 2020, the subject land is located within the Industry Zone.

Within the Industry Zone, Consulting Rooms are non-complying development.

This statement constitutes a statement of support as required by Regulation 17(1) of the *Development Regulations 2008* for a non-complying form of development.

In preparing this statement of support, I can confirm that I have reviewed the proposal plans prepared by Real Serve along with the most pertinent provisions of the West Torrens Council Development Plan consolidated 21 May 2020.

I have also inspected the subject land and locality.

In my view, whilst being non-complying, the proposal is acceptable when balanced against all the relevant provisions of the Development Plan, the adjoining and nearby land uses and the intent of the relevant provisions of the zone.

This will be explored within the content of this report.

4.3 Development Plan Assessment

We have considered the most relevant provisions of the Industry Zone with respect to their intent as well as the relevant General Section provisions.

As noted previously, the subject land is located within the Industry Zone.

Although the Industry Zone envisages a range of land uses, 'consulting room' is not expressly envisaged.

Therefore, given the above non-complying trigger, the primary consideration for this proposal is the potential impact on the Industry Zone's objectives, which seek a wide range of industrial, warehouse, storage and transport land uses.

The proposal is not captured by the Category 1 or 2 Public Notice criteria of the zone or *Development Regulations 2008*, and therefore will require Category 3 notification.



4.3.1 Summary of Relevant provisions

The proposal is required to be assessed against the Development Plan in effect at the time of lodgement, currently being the West Torrens Council Development Plan Consolidated 21 May 2020. The following Industry Zone and General Section provisions are most relevant to the proposal.

Zone Provisions

Industry Zone: Objective 1, Principles 1, 2, 10, 11, 12

General Section Provisions

Advertisements: Objectives 1, 2, 3, Principles 1, 2, 4, 5, 6, 7, 8, 11, 14

Crime Prevention: Objective 1, Principles 3, 5, 6, 10

Design and Appearance: Objective 1, Principles 1, 2, 3, 12, 13, 14, 15, 19

Infrastructure: Objective 3, Principles 1, 2

Interface between Land Uses: Objectives 1, 2, 3, Principles 1, 2, 5, 8

Landscaping, Fences and Walls: Objectives 1, 2, Principles 1, 2, 3, 4, 6

Natural Resources: Objectives 5, 6 Principles 1, 2, 5, 6, 7, 8, 9, 10, 11, 12

Orderly and Sustainable Development: Objectives 1, 3, 4, Principles 1, 6

Transportation and Access: Objective 2, Principles 2, 5, 8, 14, 23, 24, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43

Waste: Objectives 1, 2, Principles 1, 2, 3, 4, 5, 6,

Whilst all of the above provisions are considered applicable to the proposal, a further and more detailed assessment will be undertaken if the application is determined to have sufficient merit to proceed with a further assessment in the Statement of Effect.

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4.3.2 Industry Zone – Land Use

Objective 1 of the Industry Zone anticipates a wide range of industrial, warehouse, storage and transport land uses. While consulting room is not specifically envisaged in the zone, the site is located opposite the Commercial Zone, which lists 'consulting room' as an envisaged land use. Furthermore, there are several existing consulting rooms in the locality, along South Road and Sir Donald Bradman Drive, which demonstrates that the proposal will not be out of place in this locality.

The scale of the proposed development on the subject land is in keeping with the existing land uses as it proposes to utilise the existing warehouse / showroom building and locate the car parking to the rear and front of the site. Further, the proposal will utilise the existing access point to William Street ensuring that vehicular movements are undertaken in the same manner as the previous land uses.

Minimal building work is to be undertaken to the main building other internal works and signage.

The proposed change in use to consulting room including associated car parking, landscaping, and internal works to the existing building is considered to be of a nature and scale that it will not detrimentally impact on the amenity of adjoining and nearby development and is an appropriate form of development in this instance.

4.3.3 General section – transportation, access and parking

The relevant transportation and access objectives and principles promote development that provides for the safe and efficient movement of all motorised and non-motorised transport modes.

The proposal is located on a secondary road, and nearby regular public transport routes along Sir Donald Bradman Drive and South Road to alleviate car parking numbers (especially for staff travelling to and from work).

The proposal will utilise the existing crossover point from William Street and the current access point provides suitable site lines to ensure the safe vehicular access to the land. The access level from William Street is to be at the existing footpath level to maintain pedestrian safety.

Table WeTo/2 indicates that a rate of ten car parks per 100 square metres of gross leasable floor area is required to accommodate consulting rooms.

The application proposes 16 car parking spaces including one (1) disabled parking space for an area of 524 square metres of proposed development).

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A traffic report has been provided by Cirqa which indicates

Council's Development Plan identifies a rate of ten car parking spaces per 100 m² of total floor area for consulting rooms (as well as medical centres and day surgeries). Such a rate is excessively conservative and much higher than would realistically be generated by consulting room uses (particularly veterinary consulting which typically generates lower rates than general medical consulting).

In comparison, it is generally accepted that consulting rooms are more appropriately assessed on a 'per rooms' basis. For instance, the Aurecon "Parking Spaces for Urban Places" study recommended a rate of four spaces per consulting room with a discount of up to 10% potentially applying based on locality and accessibility factors (this rate includes allowance for parking for the consultant, their patients, support staff etc.). The full 10% discount would be applicable to the subject site. Therefore, a rate of 3.6 spaces per consulting room would apply on the basis of the Aurecon study.

In reality, it is anticipated that even lower demand rates would be associated with the site given it will be for veterinary consulting and medical imaging. As noted above, both of these uses typically generate lower demands than general medical consulting. For instance, a recent survey undertaken by CIRQA of demands at a veterinary clinic in Gawler identified a peak demand of two spaces per consulting room and a recent MFY survey of a medical imaging facility identified a rate of 2.5 spaces per consulting room.

Nevertheless, to provide a conservative assessment, the Aurecon rate of 3.6 spaces per consulting room has been adopted for the assessment. Additionally, the following assessment allows for separate allowance for the nursing and receptionist staff which provides further conservatism (given that such staff are included in the above parking rates). On this basis, the following conservative assessment has been prepared:

- consultant rooms – two veterinary consultants at a rate of 3.6 spaces per consulting room (7.2 spaces). This includes allowance for the consultant and their patients/ clients;
- nursing staff – three nursing staff at a rate of one space per nurse (three spaces); and
- reception – one receptionist at a rate of one space per receptionist (one space).

On the basis of the above, there would be a peak demand for 12 parking spaces (rounded up) associated with the proposed uses. In reality, given the conservative nature associated with the assessment, it is likely that typical demands would be below ten vehicles. Given 16 spaces are currently provided on-site, the above demands would be easily accommodated.

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TRAFFIC IMPACT

Available traffic generation guidelines do not identify appropriate rates for application to the assessment of veterinary rooms. However, in our experience, such facilities typically generate in the order of four to five peak trips per room. Adopting the higher rate of this range, there would be in the order of ten peak hour trips generated by the veterinary services component of the proposal. Such a traffic generation also appears reasonable when considered against the proposed staffing numbers with additional allowance for client movements.

The number of movements generated by the facility will therefore be very low. Furthermore, this does not take into account the traffic generation associated with the site's previous use. Based on typical traffic generation rates, it is likely that in the order of ten peak hour trips would have been generated by the previous site uses. Accordingly, there will be negligible traffic impact associated with the proposal.

SUMMARY

It is proposed to undertake a change-of-use from the existing warehouse, showroom and offices on the subject site to a veterinary (consulting room) facility. The access and parking arrangements are proposed to remain as per the site's current layout.

The level of parking provided would be below that identified if assessed based on the Development Plan rate. However, the Development Plan rate is excessively conservative and would not identify realistic demands associated with the proposed use. In comparison, a review of comparable rates for parking demands associated with the subject uses indicates that (even assessed on a conservative basis) there is more than adequate on-site parking to accommodate peak demands associated with the proposal.

Assessment of the traffic impacts indicates that there will be negligible change in the peak hour traffic volume generated by the proposal compared to the previous site uses.

It is therefore considered that the proposed change-of-use will result in acceptable traffic and parking conditions within and adjacent the site.

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4.3.4 General section – Interface between land uses

The General Section - Interface between Land Uses seeks development that does not cause unreasonable interference, particularly referencing the emission of effluent, odour, smoke, fumes, and dust or other airborne pollutants, noise, hours of operation and traffic impacts. Further the development plan seeks development to be designed and sited to minimise negative impact on existing and potential future land uses considered appropriate in the locality and be designed, constructed and sited to minimise negative impacts of noise and to avoid unreasonable interference.

The consulting room will operate from 6am to 9pm Monday to Friday which will have an acceptable impact on the adjoining residences during times when the residences are normally occupied (evenings, mornings & weekends). During these routine operating hours, clients (pet owners) will be able to book appointments. As the main car parking area is located towards the rear of the site, and the crossover to the car parking area is located directly opposite a service trade premise, there will be very few impacts from car light spill onto adjacent properties.

The potential for conflict with the adjacent residential properties on the opposite side of William Street is unlikely as the crossover to the car parking area is staggered away from the residential properties. Furthermore, the residential properties are located within a Commercial Zone and therefore it is expected that a reduced level of amenity will be experienced for the residents.

Again, a further and more detailed assessment will be undertaken if the application is determined to have sufficient merit to proceed with a further assessment in the Statement of Effect.

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5.0 Conclusion

The application seeks the change in use from warehouse / showroom to Specialist Vet (consulting rooms) with ancillary carparking at 19-21 William Street, Mile End South.

The proposal will have an acceptable impact on the amenity of the nearby residential through appropriate hours of operation and will not adversely impact future development of the locality and/or detrimentally impact upon any surrounding development. Should the application be considered suitable for a further assessment and provision of a Statement of Effect, a more detailed analysis of the impacts of the proposal will be provided to determine the developments suitability.

It is considered that the proposal is appropriate from a transportation, access and parking perspective, with a traffic report demonstrating that adequate parking has been provided for this unique land use and a more detailed assessment will be undertaken on the proposal at the next stage of assessment.

Further detailed plans including elevations of the built form and signage details will be provided at the next stage of assessment.

After careful consideration of the proposed development and having regard to the relevant provisions of the Development Plan, it is my opinion, that the application represents an appropriate form of development in the context of the Industry Zone, the site's location adjacent the Commercial Zone, the General Section provisions of the West Torrens Council Development Plan Consolidated 21 May 2020 and the unique circumstances of the subject land and locality.

For all the reasons outlined in this statement, we consider the proposed development to satisfy the pertinent Development Plan provisions to warrant a further full and proper assessment of the proposal in accordance with Regulation 17(3) (b) of the *Development Regulations 2008*.

We look forward to your support to proceed to assess this proposal. If you have any further questions regarding this application or require additional information, please contact me on 0499 933 311.

Yours Sincerely,

Mark Kwiatkowski MPIA CPP

Director + Urban and Regional Planner

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Annexure A

Product	Register Search (CT 5272/65)
Date/Time	02/12/2020 08:37AM
Customer Reference	5811
Order ID	20201202000739



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5272 Folio 65

Parent Title(s)	CT 4362/305				
Creating Dealing(s)	CONVERTED TITLE				
Title Issued	07/06/1995	Edition	9	Edition Issued	24/09/2018

Estate Type

FEE SIMPLE

Registered Proprietor

T.H. BROWN FURNITURE PTY. LTD. (ACN: 007 518 087)
OF OFFC 20 12-20 O'CONNELL STREET NORTH ADELAIDE SA 5006

Description of Land

ALLOTMENT 98 DEPOSITED PLAN 2602
IN THE AREA NAMED MILE END SOUTH
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
11131904	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (SINGLE COPY ONLY)
11131904A	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (SINGLE COPY ONLY)

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan NIL

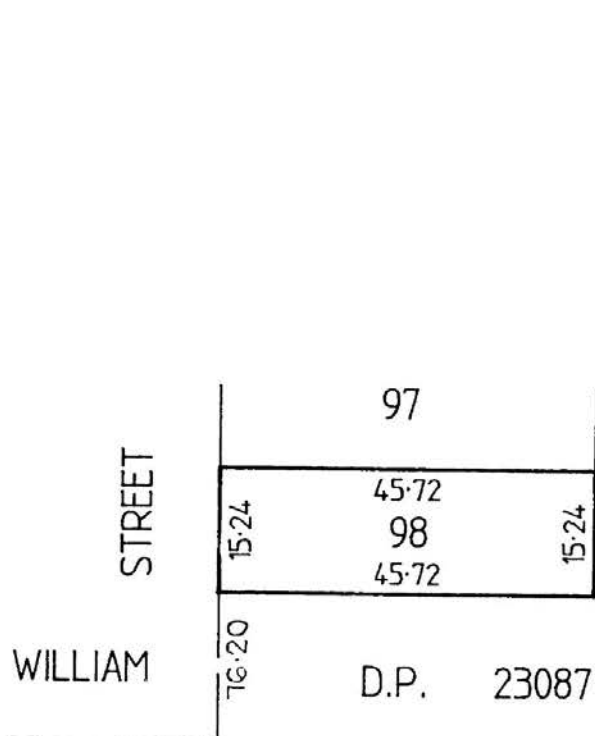
Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G368/2005

Administrative Interests NIL



Product	Register Search (CT 5272/65)
Date/Time	02/12/2020 08:37AM
Customer Reference	5811
Order ID	20201202000739



0 10 20 30 40 Metres



Product Register Search (CT 5272/66)
Date/Time 02/12/2020 08:38AM
Customer Reference 5811
Order ID 20201202000756



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5272 Folio 66

Parent Title(s) CT 4321/463
Creating Dealing(s) CONVERTED TITLE
Title Issued 07/06/1995 Edition 10 Edition Issued 24/09/2018

Estate Type

FEE SIMPLE

Registered Proprietor

T.H. BROWN FURNITURE PTY. LTD. (ACN: 007 518 087)
OF OFFC 20 12-20 O'CONNELL STREET NORTH ADELAIDE SA 5006

Description of Land

ALLOTMENT 63 DEPOSITED PLAN 23087
IN THE AREA NAMED MILE END SOUTH
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
11131904	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (SINGLE COPY ONLY)
11131904A	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (SINGLE COPY ONLY)

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes

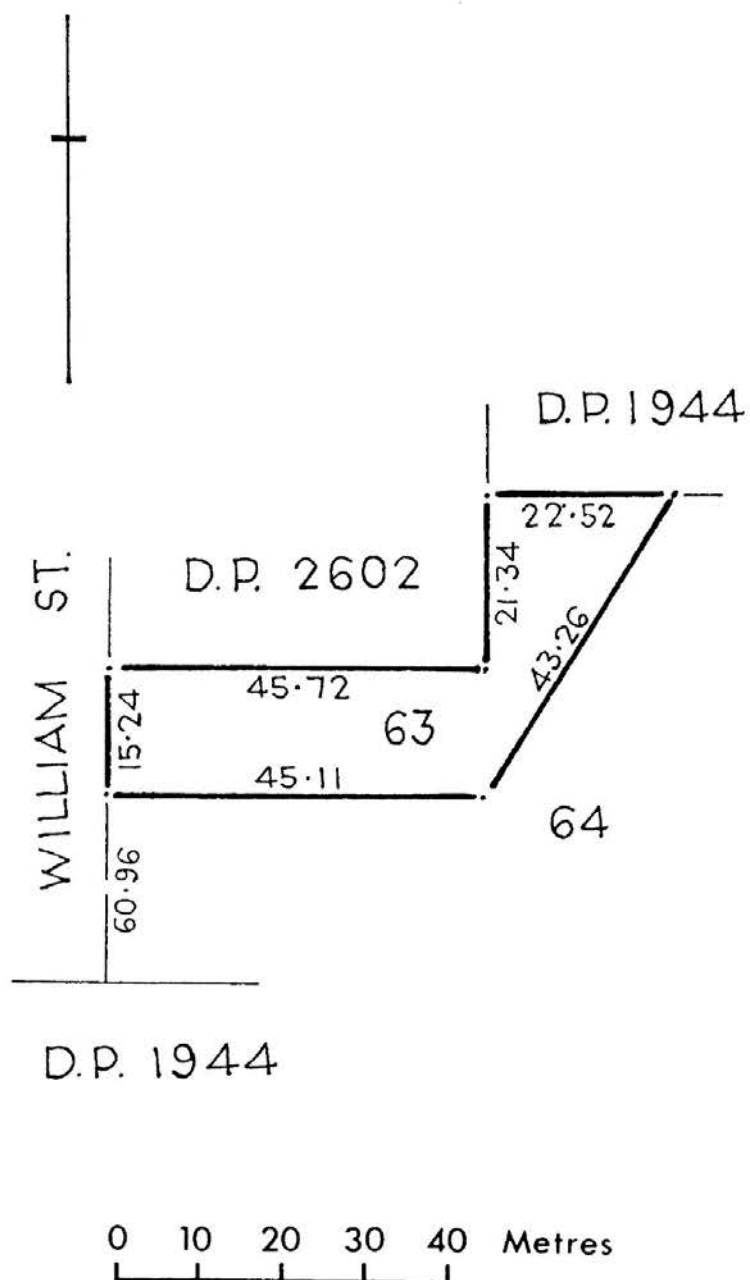
PLAN FOR LEASE PURPOSES VIDE G368/2005

Administrative Interests NIL



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5272/66)
02/12/2020 08:38AM
5811
20201202000756





STATEMENT OF EFFECT

**CHANGE IN USE FROM WAREHOUSE / SHOWROOM TO SPECIALIST
VETERINARY HOSPITAL WITH ANCILLARY CARPARKING**

19-21 WILLIAM STREET, MILE END SOUTH

Prepared for Xander Bart Huizing

Report prepared by Adelaide Planning & Development Solutions PTY LTD

Contact Mark Kwiatkowski

Telephone 0499933311

Email mark@adelaideplanning.com.au



STATEMENT OF EFFECT

Lead Consultant XANDER BART HUIZING

In association with ADELAIDE PLANNING AND DEVELOPMENT SOLUTIONS PTY LTD
CIRQA TRAFFIC CONSULTANTS

Document History and Status

Version	Date	Author
V 1.0	January 2021	Mark Kwiatkowski, APDS
V 2.0	22 February 2021	Mark Kwiatkowski, APDS
V 3.0	28 February 2021	Mark Kwiatkowski, APDS
V 4.0	20 May 2021	Mark Kwiatkowski, APDS

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1.0 Application Overview

Applicant	Xander Bart Huizing
Site Address	19-21 William Street, Mile End South
Description of land	CTs Volume 5272 Folio 65 and Volume 5272 Folio 66
Site area	Approximately 1725 square metres (combined)
Development Plan	West Torrens Council Development Plan Consolidated 21 May 2020
Zone	Industry Zone
Policy Area	No Policy Area applies
Maps	WeTo/9
Existing Land Use	Warehouse and showroom
Development proposal	Change in use from warehouse / showroom to Specialist Veterinary Hospital with ancillary carparking.
Public notification	Category 3
Referrals	NA
Relevant Authority	West Torrens Council
Primary Contact	Mark Kwiatkowski Mark@adelaideplanning.com.au 0499933311

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2.0 Introduction

This Statement of Effect has been prepared by Adelaide Planning and Development Solutions (APDS) on behalf of Xander Bart Huizing.

Pursuant to Maps WeTo/9 of the West Torrens Council Development Plan consolidated 21 May 2020, the subject land is located within the Industry Zone.

The procedural matters table of the Industry Zone states:

Development (including combinations thereof, or more than one of a particular kind, alterations, extensions and/or additions to existing buildings or structures, building work, a change in the use of land, or division of an allotment) for the following is non-complying: Consulting room

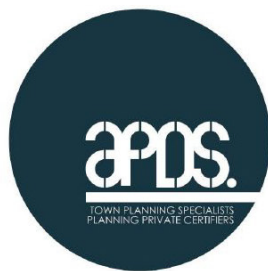
The proposed consulting room is therefore is a non-complying form of development.

This Statement of Effect has been prepared in accordance with Section 39(2) (d) of the *Development Act 1993*, and Regulation 17(5) of the *Development Regulations 2008*. This statement includes:

- (a) a description of the nature of the development and the nature of its locality; and
- (b) a statement as to the provisions of the Development Plan which are relevant to the assessment of the proposed development; and
- (c) an assessment of the extent to which the proposed development complies with the provisions of the Development Plan; and
- (d) an assessment of the expected social, economic and environmental effects of the development on its locality; and
- (e) any other information specified by the relevant authority when it resolves to proceed with an assessment of the application (being information which the relevant authority reasonably requires in the circumstances of the particular case).
- (f) and may include such other information or material as the applicant thinks fit.

In preparing this Statement of Effect, I confirm that I have reviewed the proposal plans by Therian, the accommodation schedule provided by Perfect Practice, the Traffic Report provided by Cirqa along with the most pertinent provisions of the West Torrens Council Development Plan Consolidated 21 May 2020. I have also inspected the subject land and locality.

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3.0 Subject Land and Locality

3.1 Subject Land



Figure 1 Subject site identified in yellow

The subject land is an irregular shaped allotment located at 19-21 William Street, Mile End South and has a site area of approximately 1794 square metres with a frontage to William Street of 30 metres.

The site is bound by William Street to the west, James Congdon Drive to the east and industrial properties to the north and south. The City of West Torren's Development Plan identifies that the site is located within the Mile End South Industry Zone.

The site is currently occupied by a building containing 724 m² of warehouse floor area, 164 m² of showroom floor area and 84 m² of office floor area. Access to the site is provided via a single two-way access point on William Street. No direct access is provided to James Congdon Drive. A total of 16 parking spaces are currently provided within the site.

The approved use for the subject land is a warehouse with showroom, however, the site is currently vacant.

Figure 2 Street view of the subject site



There are two areas of car parking toward the front and rear of the building, with the rear car parking area most recently used for storage and a service area. The site has a post and rail front fence with security gates with an area of landscaping behind the fence, adjacent to the front car parking area. Vehicular access is provided to William Street via a double width crossover and a two-way driveway on-site.

The site has a level topography and does not contain any regulated or native vegetation.

The subject land has connection to all services (power, water, gas, electricity, telephone).

3.2 Locality



Figure 3 Locality Plan

The locality contains a mixture of uses including offices, light industry / small-scale manufacturing, bulky goods outlets and some residential dwellings in poor condition.

The adjacent site to the south is currently vacant and being used for overflow parking for the motor home rental and sales business opposite. Several other sites further to the south are also vacant and devoid of any buildings or land uses.



The sites opposite the subject site are located within the Commercial Zone and contain several small, post war dwellings interspersed with commercial and light industrial uses within buildings of a much larger floor plate than the dwellings. It is anticipated that over time these older dwellings will be replaced with office / commercial / industrial buildings as the demand increases.

The wider locality to the east contains large footprint bulky goods outlets within the Mile End Homemaker Centre and Bunnings hardware outlet on the site to the north east.

The site is located within a 'triangle' of arterial roads, with James Congdon Drive to the east intersecting with Sir Donald Bradman Drive to the north and South Road to the west. The arterial road network contributes to a reduced amenity for uses within this triangle due to traffic pollution and noise.

The wider locality surrounding the subject site is zoned Commercial and Bulky Goods, with only a small portion of the locality left in the centre for industrial uses.

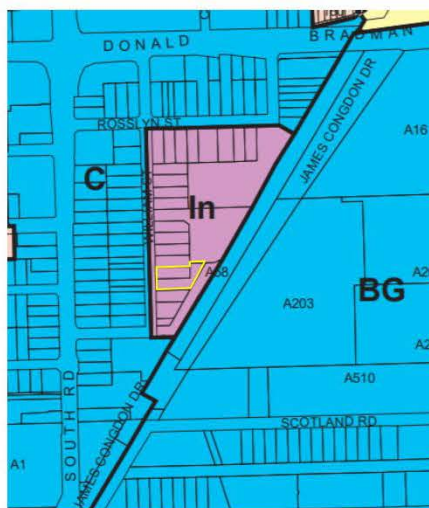


Figure 4 Zoning in the locality

The amenity level of the locality is generally considered to be poor principally due to the existing development within the Industry Zone, the poor quality of the houses in the street, the increased traffic volumes from the bulky goods outlets to the east and the surrounding arterial road network as discussed previously.

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4.0 Planning Assessment

4.1 Nature of Development

The application seeks the change in use from warehouse / showroom to Specialist Veterinary Hospital with ancillary carparking at 19-21 William Street, Mile End South.

It is proposed to undertake a change-of-use for the site to accommodate a veterinary hospital facility. Specifically, the facility will provide emergency veterinary services including veterinary imaging facilities (which requires greater area than typical veterinary clinics). A number of internal rooms will be constructed within the existing building to accommodate consulting rooms, imaging rooms (MRI, CT Scan Xray), treatment and surgery rooms, administration offices, reception area and additional back-of-house/ amenity areas.

The surgery, imaging and treatment rooms will operate in an ancillary nature to the consulting rooms (i.e., a veterinarian associated with one of the consulting rooms will, at times, utilise the surgery, imaging and treatments rooms rather than additional on-site practitioners).

More specifically, the proposal includes:

- A medical imaging specialist facility for animals
- The facility will be a referral centre with clients and their pets being required to be referred from other veterinarians.
- Seven full time staff (three veterinary specialists; three nurses and one receptionist). The receptionist will work mainly in the front office, with an additional back-office desk to make dedicated phone calls etc. For the vast majority of the time, the facility will have only two consulting specialists. However, as provision has been made for a third specialist which allows for a third consult room into the design as required.
- The three nurses will work mainly in the back office (clinical area) and will need a computer workstation each to write up the charts, update owners, write records, dispense medication and do other admin. The three vets will each have a computer workstation, one in the treatment area and one in the radiology control room.
- The existing upstairs office area will not be used.
- Hours of operation from 6 am to 9 pm Monday to Friday. During these routine operating hours, clients (pet owners) will be able to book appointments.
- Some outside of usual hours 'emergency' medical imaging as needed (approximately one appointment per week). Emergency appointments will be booked through a dedicated phone

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number (on call phone) which will be carried by the vet. If the patient needs immediate attention, the vet will then travel to the clinic to meet the owners for a consult. If necessary, overnight care for the in-patients will be provided for. There is no limit to the times/days these emergencies will be accepted.

- Internal alterations to the existing building to create 801 square metres of useable space including:
 - 161 square metres for 'Public' activity space including waiting area and circulation
 - 265 square metres for Staff activity space comprising storage, amenities offices and kitchen,
 - a 375 square metre 'Medical' activity space including treatment area, lab, pharmacy, MRI and CT scan rooms, surgery and procedure rooms and Xray room.
 - Provision for additional dog runs and recovery, adjacent to the internal medicine room. This would only be utilised if the existing number of dog runs proves insufficient. It is not anticipated to fit out this space but wanted to include a provision for this during the development application.
 - The upper storey will not be used and a further area on the ground floor will not be used.
- Provision for additional dog runs and recovery, adjacent to the internal medicine room. This would only be utilised if the existing number of dog runs proves insufficient. It is not anticipated to fit out this space but wanted to include a provision for this during the development application
- Subject to business performance, is focussed on the additional service offering of MRI. We have included a provision space for MRI in the floorplan. The MRI will be operated by the existing veterinary specialist and staff.
- Sealed car parking for 15 vehicles including a dedicated disabled space with access via a two-way access point to / from William Street. The existing access arrangements are proposed to be retained; however, the parking areas will be upgraded to conform with current Australian Standards (significantly improving accessibility to/from spaces). Specifically, as shown on the attached plan, the parking areas will comply with the requirements of Australian/New Zealand Standard, Parking Facilities Part 1: Off-street car parking (AS/NZS 2890.1:2004) and Australian/New Zealand Standard, Parking Facilities Part 6: Off-street parking for people with disabilities (AS/NZS 2890.6:2009)
- Ancillary landscaping to the exterior of the site and within the parking areas with other trees and shrubs.
- Signage

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Details about Specialist Veterinary Clinic

In human medicine it is considered best practice for a GP to refer a patient to a specialist for diagnosis and treatment of complex medical issues. Patients then access the advanced expertise they need for a specific health problem whilst continuing to rely on their GP for the ongoing management of general health concerns, wellbeing and preventive care.

Veterinary referral hospitals work in a similar fashion. A veterinary specialist has undergone extensive advanced supervised training, culminating in the passing of a rigorous set of examinations, usually involving at least four years of study and peer assessment in addition to the six years it takes to become a vet. The proposal includes a specialist veterinary hospital that will provide referral veterinary medicine, surgery and diagnostic imaging for the pets of Adelaide. GP vets are relied upon to refer patients (animals) who present with more complex and specific health concerns.

Emergency appointments.

Most, if not all, of the appointments will be undertaken during our routine operating hours. However, animals do not always adhere to the clock and get ill at all times of the day. As such, it is anticipated that approximately one emergency appointment per week outside our routine operating hours will be needed.

Emergency appointments will be booked through a dedicated phone number (on call phone) which will be carried by the vet. If the patient needs immediate attention, the vet will then travel to the clinic to meet the owners for a consult. If necessary, overnight care for the in-patients will be provided for.

There is currently no plan to have someone onsite overnight, nor is there a limit to the times/days these emergencies will be accepted.

4.2 Kind of Development

Pursuant to Maps WeTo/9 of the West Torrens Council Development Plan consolidated 21 May 2020, the subject land is located within the Industry Zone.

Within the Industry Zone, Consulting Rooms are deemed non-complying development.

This statement constitutes a Statement of Effect as required by Regulation 17(5) of the *Development Regulations 2008* for a non-complying form of development.



In preparing this Statement of Effect, I can confirm that I have reviewed the proposal plans prepared by Real Serve along with the most pertinent provisions of the West Torrens Council Development Plan consolidated 21 May 2020.

I have also inspected the subject land and locality.

In my view, whilst being non-complying, the proposal is acceptable when balanced against all the relevant provisions of the Development Plan, the adjoining and nearby land uses and the intent of the relevant provisions of the zone.

This will be explored within the content of this report.



4.3 Development Plan Assessment

We have considered the most relevant provisions of the Industry Zone with respect to their intent as well as the relevant General Section provisions.

As noted previously, the subject land is located within the Industry Zone.

Although the Industry Zone envisages a range of land uses, 'consulting room' is not expressly envisaged.

Therefore, given the above non-complying trigger, the primary consideration for this proposal is the potential impact on the Industry Zone's objectives, which seek a wide range of industrial, warehouse, storage and transport land uses.

The proposal is not captured by the Category 1 or 2 Public Notice criteria of the zone or *Development Regulations 2008*, and therefore will require Category 3 notification.

4.3.1 Summary of Relevant provisions

The proposal is required to be assessed against the Development Plan in effect at the time of lodgement, currently being the West Torrens Council Development Plan Consolidated 21 May 2020. The following Industry Zone and General Section provisions are most relevant to the proposal.

Zone Provisions

Industry Zone: Objective 1, Principles 1, 2, 10, 11, 12

General Section Provisions

Advertisements: Objectives 1, 2, 3, Principles 1, 2, 4, 5, 6, 7, 8, 11, 14

Crime Prevention: Objective 1, Principles 3, 5, 6, 10

Design and Appearance: Objective 1, Principles 1, 2, 3, 12, 13, 14, 15, 19

Infrastructure: Objective 3, Principles 1, 2

Interface between Land Uses: Objectives 1, 2, 3, Principles 1, 2, 5, 8

Landscaping, Fences and Walls: Objectives 1, 2, Principles 1, 2, 3, 4, 6

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Natural Resources: Objectives 5, 6 Principles 1, 2, 5, 6, 7, 8, 9, 10, 11, 12

Orderly and Sustainable Development: Objectives 1, 3, 4, Principles 1, 6

Transportation and Access: Objective 2, Principles 2, 5, 8, 14, 23, 24, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43

Waste: Objectives 1, 2, Principles 1, 2, 3, 4, 5, 6,

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4.3.2 Industry Zone – Land Use

Objective 1 A zone primarily accommodating a wide range of industrial, warehouse, storage and transport land uses.

Principle of Development Control 1 The following forms of development are envisaged in the zone:

- *industry except special industry*
- *office*
- *petrol filling station*
- *public service depot*
- *service trade premises*
- *shop of 250 square metres or less in gross leasable area*
- *store*
- *road transport terminal*
- *warehouse.*

Principle of Development Control 2 Development listed as non-complying is generally inappropriate.

Principle of Development Control 10 A minimum of 10 percent of the site should be landscaped.

Principle of Development Control 11 A landscaped buffer strip of at least 3 metres in width should be provided along all road frontages and along at least one side boundary, except where the development is adjacent to the boundary of a residential zone, in which case, an intensively landscaped area of at least 3 metres should be provided between the non-residential development and the boundary of the residential zone, with such area containing trees which have the capacity to grow to a height which screens development as viewed from the residential zone.

Principle of Development Control 12 Advertisements and advertising hoardings should not include any of the following:

- (a) flashing or animated signs*
- (b) bunting, streamers, flags, or wind vanes*
- (c) roof-mounted advertisements projected above the roof line*
- (d) parapet mounted advertisements projecting above the top of the parapet.*

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Objective 1 and Principle of Development Control 1 of the Industry Zone anticipates a wide range of industrial, warehouse, storage and transport land uses. While consulting room is not specifically envisaged in the zone, the site is located opposite the Commercial Zone, which lists 'consulting room' as an envisaged land use. Furthermore, there are several existing consulting rooms in the locality, along South Road and Sir Donald Bradman Drive, which demonstrates that the proposal will not be out of place in this locality.

The scale of the proposed development on the subject land is in keeping with the existing land uses as it proposes to utilise the existing warehouse / showroom building and locate the car parking to the rear and front of the site. Further, the proposal will utilise the existing access point to William Street ensuring that vehicular movements are undertaken in the same manner as the previous land uses.

Minimal building work is to be undertaken to the main building and includes mainly internal works and signage.

The existing generous garden beds located along the front and southern (front) side of the property boundary are proposed to be planted with a mixture of shrubs as delineated on the site plan. The width of the southern garden bed is approximately three metres which enables substantial planting in front of the building to screen and soften the appearance. Additional large triangular garden beds are provided adjacent the car parking area toward the rear of the site which will be planted with a mix of trees and shrubs to provide shading and improve the visual amenity of the car parking area. Additional landscaping will provide an enhanced appearance on the site. As such, the proposal is considered to satisfy Principles of Development Control 10 and 11 regarding the provision of landscaping.

A new sign is being proposed on the front of the building in the same location and approximately the same size as the previous sign, which advertised the former tenancy. No additional signage is being proposed at this stage.

The proposed change in use to consulting room including associated car parking, landscaping, and internal works to the existing building is considered to be of a nature and scale that it will not detrimentally impact on the amenity of adjoining and nearby development and is an appropriate form of development in this instance.

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4.3.3 General section – Advertisements

The following Objectives and Principles of Development Control relate to the proposed signage on the site.

Objective 1 Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.

Objective 2 Advertisements and/or advertising hoardings that do not create a hazard.

Objective 3 Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.

Principle of Development Control 1 The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:

- (a) consistent with the predominant character of the urban or rural landscape*
- (b) in harmony with any buildings or sites of historic significance or heritage value in the area*
- (c) co-ordinated with and complement the architectural form and design of the building they are to be located on.*

Principle of Development Control 2 The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:

- (a) clutter*
- (b) disorder*
- (c) untidiness of buildings and their surrounds*
- (d) driver distraction.*

Principle of Development Control 4 The content of advertisements should be limited to information relating to the legitimate use of the associated land.

Principle of Development Control 5 Advertisements and/or advertising hoardings should:

- (a) be completely contained within the boundaries of the subject allotment*
- (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees*
- (c) not obscure views to vistas or objects of high amenity value.*

Principle of Development Control 6 Advertisements and/or advertising hoardings should not be erected on:

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- (a) a public footpath or veranda post*
- (b) a road, median strip or traffic island*
- (c) a vehicle adapted and exhibited primarily as an advertisement*
- (d) residential land.*

Principle of Development Control 7 Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building.

Principle of Development Control 8 The total advertisement area on the fascias, parapets, gable ends, windows and other surfaces of buildings should not exceed:

- (a) 20 per cent of the sides of the building*
- (b) in relation to the front wall of a building, 20 per cent of the area above 3.7 metres or above a canopy.*

Principle of Development Control 11 Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.

Safety

Principle of Development Control 14 Advertisements and/or advertising hoardings should not create a hazard by:

- (a) being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road*
- (b) being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals*
- (c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high*
- (d) obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (e.g., junctions, bends, changes in width, traffic control devices).*

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The proposed signage will be located on the front of the existing building, in the same location as the previous signage, and has been designed to complement the architectural form of the building to which it relates and the character of other buildings / signage the area. It is proposed to be contained completely within the site, erected on the front of the building, below the parapet and covers less than 20 per cent of the front of the building.

The sign advertises the uses proposed to be undertaken on the site and does not contain any third-party advertising.

The signage is not proposed to be illuminated and will not cause a distraction to drivers on nearby roads.

One sign is being proposed so that the visual appearance of the building and site is not cluttered by advertisements. The signage will not move or flash and generally complies with the relevant objectives and principles relating to advertisements.

4.3.4 General section - Crime prevention

The following Objectives and Principles of Development Control relate to how the proposal addresses crime prevention.

Objective 1 A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance.

Principle of Development Control 3 Development should provide a robust environment that is resistant to vandalism and graffiti.

Principle of Development Control 5 Development, including car park facilities should incorporate signage and lighting that indicate the entrances and pathways to, from and within sites.

Principle of Development Control 6 Landscaping should be used to assist in discouraging crime by:

- (a) screen planting areas susceptible to vandalism*
- (b) planting trees or ground covers, rather than shrubs, alongside footpaths*
- (c) planting vegetation other than ground covers a minimum distance of two metres from footpaths to reduce concealment opportunities.*

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Principle of Development Control 10 Development should avoid pedestrian entrapment spots and movement predictors (e.g., routes or paths that are predictable or unchangeable and offer no choice to pedestrians).

With regard to the above Objective and Principles of Development Control, the proposal seeks the change in use to consulting rooms within an existing (former) warehouse / showroom building which will allow casual surveillance from staff and visitors to the site. The location of existing building, proposed parking areas and glass frontage to the waiting room area at the front of the building allows for clear sightlines to the car parking area and to the street.

The current building presents a robust environment that is resistant to vandalism and graffiti and will withstand normal use. The existing front fence and gate are proposed to be retained to minimise opportunities for vandalism and graffiti to the existing building. In any event, should the building be vandalised, this would be immediately removed from the site by the tenant.

The car park at the rear of the site is proposed to be illuminated by a spotlight at the rear of the building and the front car park will be lit by the light spill from the waiting area during operating hours. Any additional lighting will be in keeping with the relevant Australian Standards relating to the AS 4282-1997 - Control of the obtrusive effects of outdoor lighting.

The proposal has been designed with CPTED principles embedded into the design. The design of the proposal provides a development with large windows to the primary facade of the existing building which allows for clear sightlines to the front of the site allowing for casual surveillance.

The entrance to the consulting rooms is easily identifiable from the carparking area to maximise opportunities for observing people entering or exiting the site and have been designed to allow optimum natural surveillance of the entrance and surrounds. Further, the operating hours associated with the consulting room use on the site will ensure casual / informal surveillance of the area during weekdays and into the early evening.

It is considered the current design of the proposal therefore satisfies the intent of the above Objective and Principles of Development Control relating to crime prevention.



4.3.5 General section - Design and appearance

The following Objectives and Principles of Development Control relate to the design and appearance aspects of the proposal.

Objective 1 Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

The proposal satisfies the above Objectives relating to design and appearance in that it utilises the existing a well-designed building on a large site which provides a high standard of design and complements the predominant built form in the immediate and wider locality.

Principle of Development Control 1 Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:

- (a) building height, mass and proportion*
- (b) external materials, patterns, colours and decorative elements*
- (c) roof form and pitch*
- (d) façade articulation and detailing*
- (e) verandas, eaves, parapets and window screens.*

Principle of Development Control 2 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.

Principle of Development Control 3 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:

- (a) the visual impact of the building as viewed from adjoining properties*
- (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.*

Principle of Development Control 12 Buildings (other than ancillary buildings, group dwellings or buildings on allotments with a battle axe configuration) should be designed so that the main façade faces the primary street frontage of the land on which they are situated.

Principle of Development Control 13 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.

Principle of Development Control 14 Buildings should be designed and sited to avoid extensive areas of uninterrupted walling facing areas exposed to public view.



Principle of Development Control 15 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.

Principle of Development Control 19 Outdoor storage, loading and service areas should be:

- (a) screened from public view by a combination of built form, solid fencing and/or landscaping*
- (b) conveniently located and designed to enable the manoeuvring of service and delivery vehicles*
- (c) sited away from sensitive land uses.*

The proposed use will not visually impact on the local environment and the existing building sits comfortably within the streetscape with appropriate siting and landscaping in keeping with the intent of the zone. The proposal utilises a building that has high standard of design and appearance which maintains and reflects the positive aspects of the local environment and built form.

The proposed alterations and additions to the existing building are primarily internal and will not alter the appearance of the existing building to the street, other than new paint finishes and new signage.

The site layout, parking areas and access paths have been designed to allow for access through the site for pedestrians and vehicles whilst being functional. The design of the site has focused on creating a safe, well-designed pedestrian environment and a functional space for vehicle movements. When viewed from surrounding properties, the proposed alterations will not be visible (at they are contained within the existing building) resulting in a development which will not be out of scale or character with the existing buildings in the immediate locality.

All waste will be stored in dedicated bins located at the rear of the property in a servicing and waste area and will be collected by a commercial waste and recycling collection company. Medical waste will either be stored at the rear of the property or within the rear part of the building and will be regularly collected by external waste contractors. The management of waste is explained in more detail in the 'General section - Waste' part of this Statement of Effect.



4.3.6 General section – Infrastructure

The following Objectives and Principles of Development Control relate to the use of infrastructure.

Objective 3 The efficient and cost-effective use of existing infrastructure.

Principle of Development Control 1 Development should only occur where it has access to adequate utilities and services, including:

- (a) electricity supply*
- (b) water supply*
- (c) drainage and stormwater systems*
- (d) garbage disposal and recycling collection*
- (e) effluent disposal systems*
- (f) formed all-weather public roads*
- (g) telecommunications services*
- (h) gas services.*

Principle of Development Control 2 Development should incorporate any relevant and appropriate social infrastructure, community services and facilities.

The subject land has connection to all relevant services (power, water, electricity, phone) and will utilise the existing infrastructure which is connected to the subject land and existing building. Further, the stormwater system associated with the existing building will ensure appropriate drainage of the land.

4.3.7 General section – Interface between land uses

The following Objectives and Principles of Development Control relate to the interfaces between adjacent land uses.

Objective 1 Development located and designed to minimise adverse impact and conflict between land uses.

Objective 2 Protect community health and amenity from adverse impacts of development.

Objective 3 Protect desired land uses from the encroachment of incompatible development.

Principle of Development Control 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:

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- (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*
- (h) traffic impacts.*

Principle of Development Control 2 Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.

Principle of Development Control 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.

Principle of Development Control 8 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 General Section - Interface between Land Uses seeks development that does not cause unreasonable interference, particularly referencing the emission of effluent, odour, smoke, fumes, and dust or other airborne pollutants, noise, hours of operation and traffic impacts. Further the development plan seeks development to be designed and sited to minimise negative impact on existing and potential future land uses considered appropriate in the locality and be designed, constructed and sited to minimise negative impacts of noise and to avoid unreasonable interference.

The proposed consulting room will operate from 6am to 9pm Monday to Friday which will have an acceptable impact on the adjoining residences during times when the residences are normally occupied (evenings, mornings & weekends). During these routine operating hours, clients (pet owners) will be able to book appointments. As the main car parking area is located towards the rear of the site, and the crossover to the car parking area is located directly opposite a service trade premise, there will be very few impacts from car light spill onto adjacent properties.

The potential for conflict with the adjacent residential properties on the opposite side of William Street is unlikely as the crossover to the car parking area is staggered away from the residential properties. Furthermore, the residential properties are located within a Commercial Zone and therefore it is



expected that a reduced level of amenity will be experienced for the residents and the land use on these sites may change as the demand for commercial land increases.

4.3.8 General section - Landscaping, fences and walls

The following Objectives and Principles of Development Control relate to the landscaping, fences and walls aspects of the proposal.

Objective 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.

Objective 2 Functional fences and walls that enhance the attractiveness of development.

Principle of Development Control 1 Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:

- (a) complement built form and reduce the visual impact of larger buildings (e.g., taller and broader plantings against taller and bulkier building components)*
- (b) enhance the appearance of road frontages*
- (c) screen service yards, loading areas and outdoor storage areas*
- (d) minimise maintenance and watering requirements*
- (e) enhance and define outdoor spaces, including car parking areas*
- (f) maximise shade and shelter*
- (g) assist in climate control within and around buildings*
- (h) minimise heat absorption and reflection*
- (i) maintain privacy*
- (j) maximise stormwater reuse*
- (k) complement existing vegetation, including native vegetation*
- (l) contribute to the viability of ecosystems and species*
- (m) promote water and biodiversity conservation.*

Principle of Development Control 2 Landscaping should:

- (a) include the planting of drought tolerant species, including locally indigenous species where appropriate*
- (b) be oriented towards the street frontage*
- (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.*

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Principle of Development Control 3 Landscaping should not:

- (a) unreasonably restrict solar access to adjoining development*
- (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding*
- (c) introduce pest plants*
- (d) increase the risk of bushfire*
- (e) remove opportunities for passive surveillance*
- (f) increase leaf fall in watercourses*
- (g) increase the risk of weed invasion*
- (h) obscure driver sight lines*
- (i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.*

Principle of Development Control 4 A minimum of 10 per cent of a development site should be landscaped. The development site refers to the land which incorporates a development and all the features and facilities associated with that development, such as outbuildings, driveways, parking areas, landscaped areas, service yards and fences. Where a number of buildings or dwellings have shared use of such features and facilities, the development site incorporates all such buildings or dwellings and their shared features and facilities.

Principle of Development Control 6 Fences and walls, including retaining walls, should:

- (a) not result in damage to neighbouring trees*
- (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality*
- (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance*
- (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street*
- (e) assist in highlighting building entrances*
- (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites*
- (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land*
- (h) be constructed of non-flammable materials.*

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The proposal does not include the removal of any existing vegetation on the subject land. Furthermore, the proposed development will include additional planting of shrubs and trees along the existing front landscaping bays and to the rear of the carparking area which will increase and improve the landscaping on the subject land as shown on the landscaping plan.



The existing fencing sounding the property is proposed to be retained as part of the proposal. This will assist in reducing opportunities for crime and maintain the existing appearance and character of the locality when viewed from adjoining properties and the street.

It is considered that the proposal has been designed to satisfy the relevant provisions of the Development Plan as they relate to landscaping, fences and walls.

4.3.9 General section - Natural resources

The following Objectives and Principles of Development Control relate to the impacts of the proposal on natural resources.

Objective 5 Development consistent with the principles of water sensitive design.

Objective 6 Development sited and designed to:

- (a) protect natural ecological systems
- (b) achieve the sustainable use of water
- (c) protect water quality, including receiving waters
- (d) reduce runoff and peak flows and prevent the risk of downstream flooding

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- (e) minimise demand on reticulated water supplies*
- (f) maximise the harvest and use of stormwater*
- (g) protect stormwater from pollution sources.*

Principle of Development Control 1 Development should be undertaken with minimum impact on the natural environment, including air and water quality, land, soil, biodiversity, and scenically attractive areas.

Principle of Development Control 2 Development should ensure that South Australia's natural assets, such as biodiversity, water and soil, are protected and enhanced.

Principle of Development Control 5 Development should be designed to maximise conservation, minimise consumption and encourage reuse of water resources.

Principle of Development Control 6 Development should not take place if it results in unsustainable use of surface or underground water resources.

Principle of Development Control 7 Development should be sited and designed to:

- (a) capture and re-use stormwater, where practical*
- (b) minimise surface water runoff*
- (c) prevent soil erosion and water pollution*
- (d) protect and enhance natural water flows*
- (e) protect water quality by providing adequate separation distances from watercourses and other water bodies*
- (f) not contribute to an increase in salinity levels*
- (g) avoid the water logging of soil or the release of toxic elements (h) maintain natural hydrological systems and not adversely affect:*
 - (i) the quantity and quality of groundwater (ii) the depth and directional flow of groundwater*
 - (iii) the quality and function of natural springs.*

Principle of Development Control 8 Water discharged from a development site should:

- (a) be of a physical, chemical and biological condition equivalent to or better than its pre-developed state*
- (b) not exceed the rate of discharge from the site as it existed in pre-development conditions.*



Principle of Development Control 9 Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.

Principle of Development Control 10 Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded.

Principle of Development Control 11 Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.

Principle of Development Control 12 Stormwater management systems should preserve natural drainage systems, including the associated environmental flows.

The proposal will not increase the amount of hard / paved surfaces on the site and will not alter the existing stormwater management system currently in use on the site, which directs the water toward the street stormwater network.

As such, it is considered that the proposal satisfies the objectives and principles of development control relating to natural resources.

4.3.10 General section - Orderly and sustainable development

The following Objectives and Principles of Development Control relate to orderly and sustainable development.

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

Objective 3 Development that does not jeopardise the continuance of adjoining authorised land uses.

Objective 4 Development that does not prejudice the achievement of the provisions of the Development Plan.

Principle of Development Control 1 Development should not prejudice the development of a zone for its intended purpose.

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Principle of Development Control 6 Where development is expected to impact upon the existing infrastructure network (including the transport network), development should demonstrate how the undue effect will be addressed.

With respect to the orderly and sustainable development provisions, it is considered that the proposed development is orderly and economic in that it is contained on an existing site within the existing building. The proposal will utilise the existing facilities and services to the site (power, sewer, water, telecommunications etc.) and will not jeopardise the continuance of the land uses adjoining the site.

The proposal does not prejudice the zone for its intended purpose as outlined in the above assessment against the zone provisions and will not conflict with the adjoining land uses within the Industry and Commercial zones.

The proposed consulting rooms will result in an efficient use of the land with the use of the existing building which has been designed in accordance with the quantitative and qualitative requirements of the Development Plan and is consistent with other development in the immediate and wider locality. The proposal will have an acceptable impact on the amenity of the locality as outlined in 'General section - Interface with land uses' of this Statement of Effect.

On this basis it is considered that the proposal satisfies the above provisions in relation to orderly and sustainable development.

4.3.11 General section – Transportation and access

The following Objectives and Principles of Development Control relate to the transportation, access and parking aspects of the proposal.

Objective 2 Development that:

- (a) provides safe and efficient movement for all transport modes*
- (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles*
- (c) provides off-street parking*
- (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks*
- (e) provides convenient and safe access to public transport stops.*

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The proposal includes a change-of-use from the existing warehouse, showroom and offices on the subject site to a veterinary (consulting room) facility. The access and parking arrangements are proposed to remain as per the site's current layout.

The level of parking provided would be below that identified if assessed based on the Development Plan rate. However, the Development Plan rate is excessively conservative and would not identify realistic demands associated with the proposed use. In comparison, a review of comparable rates for parking demands associated with the subject uses indicates that (even assessed on a conservative basis) there is more than adequate on-site parking to accommodate peak demands associated with the proposal. This is explained further in the 'vehicle parking' part of this section.

Assessment of the traffic impacts indicates that there will be negligible change in the peak hour traffic volume generated by the proposal compared to the previous site uses. The report from Cirqa indicates:

Council's Development Plan identifies a rate of ten car parking spaces per 100 m² of total floor area for consulting rooms (as well as medical centres and day surgeries). Such a rate is excessively conservative and much higher than would realistically be generated by consulting room uses (particularly veterinary consulting which typically generates lower rates than general medical consulting).

In comparison, it is generally accepted that consulting rooms are more appropriately assessed on a 'per rooms' basis. For instance, the Aurecon "Parking Spaces for Urban Places" study recommended a rate of four spaces per consulting room with a discount of up to 10% potentially applying based on locality and accessibility factors (this rate includes allowance for parking for the consultant, their patients, support staff etc.). The full 10% discount would be applicable to the subject site. Therefore, a rate of 3.6 spaces per consulting room would apply on the basis of the Aurecon study.

In reality, it is anticipated that even lower demand rates would be associated with the site given it will be for veterinary consulting and medical imaging. As noted above, both of these uses typically generate lower demands than general medical consulting. For instance, a recent survey undertaken by CIRQA of demands at a veterinary clinic in Gawler identified a peak demand of two spaces per consulting room and a recent MFY survey of a medical imaging facility identified a rate of 2.5 spaces per consulting room.

Nevertheless, to provide a conservative assessment, the Aurecon rate of 3.6 spaces per consulting room has been adopted for the assessment. Additionally, the following assessment allows for separate allowance for the nursing and receptionist staff which provides further conservatism (given that such staff are included in the above parking rates).

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On this basis, the following conservative assessment has been prepared:

- *consultant rooms – three veterinary consultants at a rate of 3.6 spaces per consulting room (10.8 spaces). This includes allowance for the consultant and their patients/ clients;*

- *nursing staff – three nursing staff at a rate of one space per nurse (three spaces);*

and

- *reception – one receptionist at a rate of one space per receptionist (one space).*

On the basis of the above, there would be a peak demand for 15 parking spaces (rounded up) associated with the proposed uses. In reality, given the conservative nature associated with the assessment, it is likely that typical demands would be below ten vehicles. Given 16 spaces are currently provided on-site, the above demands would be easily accommodated.

It is therefore considered that the proposed change-of-use will result in acceptable traffic and parking conditions within and adjacent the site in accordance with the above objective.

Movement Systems

Principle of Development Control 2 Development should be integrated with existing transport networks, particularly major rail, road and public transport corridors as shown on Location Maps and Overlay Maps – Transport and designed to minimise its potential impact on the functional performance of the transport network.

Principle of Development Control 5 Land uses that generate large numbers of visitors such as shopping centres, places of employment, schools, hospitals and medium to high density residential uses should be located so that they can be serviced by the public transport network and encourage walking and cycling.

Principle of Development Control 8 Development should provide safe and convenient access for all anticipated modes of transport.

Principle of Development Control 14 Development should provide for the on-site loading, unloading and turning of all traffic, including any waste collection vehicles, likely to be generated.

The relevant transportation and access objectives and principles promote development that provides for the safe and efficient movement of all motorised and non-motorised transport modes.



According to the report provided by Cirqa, available traffic generation guidelines do not identify appropriate rates for application to the assessment of veterinary rooms. However, such facilities typically generate in the order of four to five peak trips per room. Adopting the higher rate of this range, there would be in the order of ten peak hour trips generated by the veterinary services component of the proposal. Such a traffic generation also appears reasonable when considered against the proposed staffing numbers with additional allowance for client movements.

The number of movements generated by the facility will therefore be very low. Furthermore, this does not take into account the traffic generation associated with the site's previous use. Based on typical traffic generation rates, it is likely that in the order of ten peak hour trips would have been generated by the previous site uses. Accordingly, there will be negligible traffic impact associated with the proposal.

Appropriate areas are proposed for the loading and unloading of vehicles, traffic movements and waste collection in accordance with Principle of Development Control 14.

Access

Principle of Development Control 23 Development should have direct access from an all-weather public road.

Principle of Development Control 24 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*
- (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.*

The access to the site for motorised and non-motorised vehicles is proposed from William Street which is an all-weather public road and is connected to the wider street network. The proposal will utilise the existing crossover point from William Street and the current access point provides suitable site lines to ensure the safe vehicular access to the land. The access level from William Street is to be at the existing footpath level to maintain pedestrian safety.

**Access for People with Disabilities**

Principle of Development Control 32 Development should be sited and designed to provide convenient access for people with a disability.

A parking space has been provided at the front of the site, near the front entry for people with a disability, meeting the principle above.

Vehicle Parking

Principle of Development Control 34 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table WeTo/2 - Off Street Vehicle Parking Requirements.

Principle of Development Control 35 Development should be consistent with Australian Standard AS 2890 Parking facilities.

Principle of Development Control 36 Vehicle parking areas should be sited and designed to:

- (a) facilitate safe and convenient pedestrian linkages to the development and areas of significant activity or interest in the vicinity of the development*
- (b) include safe pedestrian and bicycle linkages that complement the overall pedestrian and cycling network*
- (c) facilitate safe and convenient traffic circulation*
- (d) result in minimal conflict between customer and service vehicles*
- (e) avoid the necessity to use public roads when moving from one part of a parking area to another*
- (f) minimise the number of vehicle access points onto public roads*
- (g) avoid the need for vehicles to reverse onto public roads*
- (h) where practical, provide the opportunity for shared use of car parking and integration of car parking areas with adjoining development to reduce the total extent of vehicle parking areas and the requirement for multiple access points*
- (i) not dominate the character and appearance of a site when viewed from public roads and spaces*
- (j) provide landscaping that will shade and enhance the appearance of the vehicle parking areas*
- (k) include infrastructure such as underground cabling and connections to power infrastructure that will enable the recharging of electric vehicles.*

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Principle of Development Control 37 Vehicle parking areas should be designed to reduce opportunities for crime by:

- (a) maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads*
- (b) incorporating walls and landscaping that do not obscure vehicles or provide potential hiding places*
- (c) being appropriately lit*
- (d) having clearly visible walkways.*

Principle of Development Control 38 Where parking areas are not obviously visible or navigated, signs indicating the location and availability of vehicle parking spaces associated with businesses should be displayed at locations readily visible to customers.

Principle of Development Control 39 Vehicle parking areas that are likely to be used during non-daylight hours should provide floodlit entry and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the parking area.

Principle of Development Control 40 Vehicle parking areas should be sealed or paved to minimise dust and mud nuisance.

Principle of Development Control 41 To assist with stormwater detention and reduce heat loads in summer, outdoor vehicle parking areas should include landscaping.

Principle of Development Control 42 Vehicle parking areas should be line-marked to delineate parking bays, movement aisles and direction of traffic flow.

Principle of Development Control 43 On-site visitor parking spaces should be sited and designed to:

- (a) not dominate internal site layout*
- (b) be clearly defined as visitor spaces not specifically associated with any particular dwelling*
- (c) be accessible to visitors at all times.*

The proposal is located on a secondary road, and nearby regular public transport routes along Sir Donald Bradman Drive and South Road to alleviate car parking numbers (especially for staff travelling to and from work).

Table WeTo/2 envisages that a rate of ten car parks per 100 square metres of gross leasable floor area is required to accommodate consulting rooms.

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The application proposes 15 car parking spaces including one (1) disabled parking space for an area of 524 square metres of proposed development).

A traffic report has been provided by Cirqa which indicates that Council's Development Plan identifies a rate of ten car parking spaces per 100 m² of total floor area for consulting rooms (as well as medical centres and day surgeries). Such a rate is excessively conservative and much higher than would realistically be generated by consulting room uses (particularly veterinary consulting which typically generates lower rates than general medical consulting).

In comparison, it is generally accepted that consulting rooms are more appropriately assessed on a 'per rooms' basis. For instance, the Aurecon "Parking Spaces for Urban Places" study recommended a rate of four spaces per consulting room with a discount of up to 10% potentially applying based on locality and accessibility factors (this rate includes allowance for parking for the consultant, their patients, support staff etc.). The full 10% discount would be applicable to the subject site. Therefore, a rate of 3.6 spaces per consulting room would apply on the basis of the Aurecon study.

In reality, it is anticipated that even lower demand rates would be associated with the site given it will be for veterinary consulting and medical imaging. As noted above, both of these uses typically generate lower demands than general medical consulting. For instance, a recent survey undertaken by CIRQA of demands at a veterinary clinic in Gawler identified a peak demand of two spaces per consulting room and a recent MFY survey of a medical imaging facility identified a rate of 2.5 spaces per consulting room.

Nevertheless, to provide a conservative assessment, the Aurecon rate of 3.6 spaces per consulting room has been adopted for the assessment. Additionally, the following assessment allows for separate allowance for the nursing and receptionist staff which provides further conservatism (given that such staff are included in the above parking rates). On this basis, the following conservative assessment has been prepared:

- consultant rooms – three veterinary consultants at a rate of 3.6 spaces per consulting room (10.8 spaces). This includes allowance for the consultant and their patients/ clients;
- nursing staff – three nursing staff at a rate of one space per nurse (three spaces); and
- reception – one receptionist at a rate of one space per receptionist (one space).

On the basis of the above, there would be a peak demand for 16 parking spaces (rounded up) associated with the proposed uses. In reality, given the conservative nature associated with the

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assessment, it is likely that typical demands would be below ten vehicles. Given 15 spaces are currently provided on-site, the above demands would be easily accommodated and therefore the proposal meets the above principles of development control related to parking.

4.3.12 General section - Waste

The following Objectives and Principles of Development Control relate to the management of waste.

Objective 1 Development that, in order of priority, avoids the production of waste, minimises the production of waste, reuses waste, recycles waste for reuse, treats waste and disposes of waste in an environmentally sound manner.

Objective 2 Development that includes the treatment and management of solid and liquid waste to prevent undesired impacts on the environment including, soil, plant and animal biodiversity, human health and the amenity of the locality.

Principle of Development Control 1 Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in the order of priority as shown below:

- (a) avoiding the production of waste*
- (b) minimising waste production*
- (c) reusing waste*
- (d) recycling waste*
- (e) recovering part of the waste for re-use*
- (f) treating waste to reduce the potentially degrading impacts*
- (g) disposing of waste in an environmentally sound manner.*

Principle of Development Control 2 The storage, treatment and disposal of waste materials from any development should be achieved without risk to health or impairment of the environment.

Principle of Development Control 3 Development should avoid as far as practical, the discharge or deposit of waste (including wastewater) onto land or into any waters (including processes such as seepage, infiltration or carriage by wind, rain, sea spray, stormwater or by the rising of the water table).

Principle of Development Control 4 Untreated waste should not be discharged to the environment, and in particular to any water body.

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Principle of Development Control 5 Development should include appropriately sized area to facilitate the storage of receptacles that will enable the efficient recycling of waste.

Principle of Development Control 6 Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:

- (a) screened and separated from adjoining areas*
- (b) located to avoid impacting on adjoining sensitive environments or land uses*
- (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system*
- (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water*
- (e) protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours*
- (f) stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner.*

As a veterinary facility, the proposal will produce various types of waste, which will be managed, recycled and minimised as much as possible. Furthermore, the proposal will always adhere to the guidelines established by the Environment Protection Authority.

Household: All commercial/industrial waste will be stored in dedicated bins at the rear of the property, or within the rear of the building. This will allow easy access by the collection trucks of a dedicated waste company (e.g., <https://www.adelaidewasteandrecyclingcentre.com.au/waste-services/industrial-bin-services/>). This will occur at least weekly or sooner if needed.

Recyclables: All recycling will be stored in dedicated bins at the back of the property, or within the back of the building. It will be collected by a dedicated commercial waste collection company (e.g., <https://www.adelaidecobins.com.au/recycling/>). This will occur at least fortnightly or sooner if needed.

Medical waste: This includes sharps, pharmaceuticals and other contaminated (e.g., blood) waste. This waste will be stored onsite (at the back of the property, or within the back of the building), and be periodically collected by a dedicated veterinary/medical waste disposal company (e.g., <https://www.allmedicalwaste.com.au/>). This will occur at least fortnightly or sooner if needed.



Euthanasia: In the unfortunate event of a pet euthanasia, the deceased animals (as is standard practice) will be stored in dedicated freezers. These freezers will be kept in the rear of the building, near the large roller doors. The Animal Welfare League (AWL) have a dedicated pickup service and will come the same day, as needed, with a truck to pick up the deceased animals. The AWL also handle all cremations (<https://awl.org.au/pet-cremations/services>).

All waste areas satisfy Principle of Development Control 6 in that they are proposed to be screened from and located away from adjoining properties, located on an impervious surface, enclosed to be protected from natural elements such as wind and rain and located wholly within the site. All waste will be managed to prevent undesired impacts on the environment and the amenity of the locality in accordance with the above objectives and principles of development control.

5.0 Social, Environmental and Economic effects

The proposal provides the following Social, Environmental and Economic impacts:

5.1 Social

Social benefits arising from the approval of the proposal include:

- The proposal will provide consulting rooms which will serve the needs of the local (and wider) community and provides an additional service in the area.
- The establishment of the use as consulting rooms may result in a marginal increase in the employment options available in the local area.
- General amenity impacts have been addressed within the above assessment and will have a benign external impact on the surrounding locality by way of noise, traffic impacts and hours of operation.
- The proposal will prevent crime by putting the land to an active use providing surveillance in the area during operating hours.

5.2 Environmental

Environmental benefits arising from the approval of the proposal include:

- Given the proposed use will occupy an existing building, there will be minimal circumstances where the proposal would have a measurable environmental impact apart from resulting in a reduced external impact on the surrounding locality by way of noise, traffic impacts and hours of operation compared with the uses in the immediate locality including other warehouses and commercial land uses and The proposal maintains and enhances (expands on) the landscaping on the site.

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5.3 Economic

Economic benefits arising from the approval of the proposal include:

- The proposal provides for the increased functional and economic use of the subject land.
- The development will not prejudice the continuation of surrounding land uses or impact on property value for adjoining businesses and residents.
- The proposal is able to connect to the existing infrastructure such as power, water, sewer and stormwater.
- The proposal will provide an important and unique specialist service which benefits the local area and the wider metropolitan area.

6.0 Conclusion

Having regard to the provisions of the West Torrens Council Development Plan and consideration of the detail in the proposal plans, we are satisfied the application is an appropriate form of development considering the context of the locality and existing land use. The application seeks the change in use from warehouse / showroom to Specialist Vet (consulting rooms) with ancillary carparking at 19-21 William Street, Mile End South.

The proposal will have an acceptable impact on the amenity of the nearby residential through appropriate hours of operation and will not adversely impact future development of the locality and/or detrimentally impact upon any surrounding development.

It is considered that the proposal is appropriate from a transportation, access and parking perspective, with a traffic report demonstrating that adequate parking has been provided for this unique land use using an empirical assessment.

After careful consideration of the proposed development and having regard to the relevant provisions of the Development Plan, it is my opinion, that the application represents an appropriate form of development in the context of the Industry Zone, the site's location adjacent the Commercial Zone, the General Section provisions of the West Torrens Council Development Plan Consolidated 21 May 2020 and the unique circumstances of the subject land and locality.

For all the above reasons, notwithstanding its non-complying status, and having regard to the above assessment, the proposal is considered to demonstrate sound performance against the pertinent Development Plan standards. Accordingly, Development Plan Consent is warranted.



If you have any further questions regarding this application or require additional information, please contact me on 0499 933 311.

Yours Sincerely,

Mark Kwiatkowski MPIA CPP

Director + Urban and Regional Planner

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Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/1298/2020

Assessing Officer: Jordan Leverington
Site Address: 19-21 William Street, MILE END SOUTH SA 5031
Certificate of Title: CT-5272/65, CT-5272/66
Description of Development Change of use from warehouse/retail showroom to specialised consulting (veterinary) rooms and associated car parking signage

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

- ☐ Site drainage and stormwater disposal
- ☐ Required FFL
- ☐ On-site vehicle parking and manoeuvrability
- ☐ New Crossover
- ☐ Your advice is also sought on other aspects of the proposal as follows:

.....
.....

PLANNING OFFICER - Jordan Leverington DATE 1 June, 2021



Memo

To Jordan Leverington
From Richard Tan
Date 01-Jun-2021
Subject 211/1298/2020, 19-21 William Street, MILE END SOUTH SA 5031

Jordan Leverington,

The following City Assets Department comments are provided with regards to the assessment of the above development application:

1.0 Traffic Requirements

The following comments have been provided by Council's Traffic Consultant, Mr Frank Siow:

I have reviewed the amended plans provided by the Applicant and the accompanying Statement of Effect (SOE) report. I note that further clarification has been provided on the amended plans and SOE regarding future uses of several areas (which were left undefined in the previous proposal).

Before I consider the parking issue, I make the following observations regarding land uses and for others to consider:

- Quite a large area on the ground level appears to be set aside for 'future dog runs and recovery ward' and 'future MRI scan/Equipment'. I am unable to determine if it is reasonable to leave these areas aside on the basis of them being 'future' land uses that may be needed.
- On Level 1, it would appear that the mezzanine rooms are surplus to requirements of the proposed development and not fitted out for use. I am unable to say if designating this area as a 'non-use' is appropriate from a planning perspective. However, I note that this mezzanine area is accessible from a staircase that is located inside the hospital area (ie not directly accessible from the public area) and therefore there is less likelihood that the mezzanine area could be leased out as a separate tenancy.

1.1 Parking Assessment

Further details have been provided on how the proposed specialist facility would function.



Table WeTo/2 lists the parking rates for 'consulting rooms' and 'medical centre' as 10 spaces per 100m². In my opinion, such a rate is excessive. For example, in previous work that I had undertaken for the North East Specialist Centre development in Winsor Gardens (which had since been constructed) parking surveys were carried at the Tennyson Specialist Centre to quantify peak parking rates that may be applicable for such a specialist centre. The peak parking rate found for the Tennyson Specialist Centre (with multiple tenancies) was 4.2 spaces per 100m², well below the 10 spaces per 100m² requirement. Previous work that I had undertaken at another specialist centre opposite the Queen Elizabeth Hospital had a peak parking rate of less than 4 spaces per 100m².

Given the description of the proposal in the SOE, particularly with the spatial requirement for the imaging services of the specialist veterinary hospital (which includes scanning/MRI equipment rooms), I am of the opinion that the parking rate of 4 spaces per consulting room would be reasonable to use for the development. Such a rate is referenced in the parking guideline, *Parking spaces for urban places: Car parking study*, which is commonly referenced by traffic engineers. While not directly relevant, I also note that the new Planning and Design Code specifies a parking rate of 4 spaces per 100m² for 'consulting rooms'.

The proposal specifies a maximum of 3 consultants for the subject development. Applying the above parking rate of 4 spaces per consulting room, the parking required would be 12 spaces. The provision of 17 spaces would therefore exceed this requirement.

Having regard to the above assessment, in particular the description of how the specialists veterinary services would operate, on balance, I am satisfied that adequate parking would be provided for the development, but subject to a condition being included to 'restrict' the development to 3 consultants only. This is to ensure that once development approval has been obtained, the Applicant is not able to fill in the other rooms with additional consultants that would increase the parking demand beyond what has been described by the Applicant.

To encourage cycling as a mode of transport, I recommend that 2 bicycle rails be provided, say adjacent to the outdoor waiting area at the front of the building.

1.2 Traffic Assessment and Servicing



I am satisfied that the proposed development would not result in excessive traffic impacts on the adjacent road network.

I leave it to others to comment about the general waste collection by Council services. For the occasional servicing by specialist waste disposal vehicles, there appears to be sufficient manoeuvring area, using the rear parking area, to enable a medium sized truck (such as an MRV) to enter and turnaround to exit the site in a forward direction. I recommend that a condition be included to require these service vehicles to access the site during off-peak periods when the car park is generally under-utilised, which would assist the refuse truck to turnaround.

1.3 Summary

The following conditions are recommended, if approval were to be granted for the development:

- The number of consultants at any one time shall be restricted to 3.
- Two (2) bicycle rails shall be provided adjacent to the front of the subject building.
- Service vehicles undertaking private waste collection on-site shall be restricted to MRV size (reference AS 2890.2-2018).
- On-site waste collection shall occur during off-peak periods only.

2.0 Waste Management

2.1 Due to the nature of this application, it is recommended that further assessment from Council's Waste Management Team is required. A common waste storage area should be indicated on the plan.

It is recommended that further assessment from Council's Waste Management Team is required.

3.0 Stormwater Management

I noticed that the applicant has proposed new parking layout in the amended plan. Given that the existing parking layout has been disturbed, it should be assessed under current standards. As such stormwater detention and quality



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should apply. I leave this to the planner's consideration on whether this is acceptable or not.

3.1 Stormwater Detention

Stormwater detention measures will be required to be undertaken to limit the peak discharge rate for the site critical 20 year ARI storm event to equivalent to a predevelopment arrangement with a 0.25 runoff coefficient.

In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration.

It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council.

3.2 Stormwater Quality

Council typically requests the implementation of stormwater quality measures for development of this nature to address the removal of stormwater pollutants from the stormwater flow exiting the site.

The following table outlines current recommended practice for the targeted improvement of stormwater quality from new developments of scale, as outlined in the State Government's Water Sensitive Urban Design Policy - 2013. The targets being;

Parameter	Target
Reduction Litter/Gross Pollutant	90%*
Reduction in Average Annual Total Suspended Solids (TSS)	80%*
Reduction in Average Annual Total Phosphorous (TP)	60%*
Reduction in Average Annual Total Nitrogen (TN)	45%*

* Reduction as compared to an equivalent catchment with no water quality management controls.

Although these measures are often addressed through the installation of proprietary devices, Council encourages the use of Water Sensitive Urban Design measures to improve the quality of site discharge flows



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which may also provide other added benefits to the development, such as permeable pavers or raingardens.

An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development.

Regards
Richard Tan
Civil Engineer



Waste Management Assessment

Development Application No: 211/1298/2020

Assessing Officer: Jordan Leverington

Site Address: 19-21 William Street, MILE END SOUTH SA 5031

Certificate of Title: CT-5272/65

Description of Development Change of use from warehouse/retail showroom to specialised consulting (veterinary) rooms and associated car parking signage

TO TEAM LEADER WASTE MANAGEMENT - REGULATORY SERVICES

Please provide your comments in relation to:

☐ Any aspect that you feel needs further attention or detail

.....
.....



Memo

To Jordan Leverington
From Nick Teoh
Date 14-Jan-2021
Subject 211/1298/2020 19-21 William Street, MILE END SOUTH SA 5031

Dear Jordan Leverington

The following Waste Management comments are provided with regards to the assessment of the above develop application:

Waste Management

I refer to the Statement of Support document provided on 12 January 2021 regarding waste management for the proposed development at 19-21 William Street, Mile End South, the treatment of waste is considered appropriate, no further requirements are needed.

Kind regards

Nick Teoh
Team Leader Waste Management

6.2 PDI ACT APPLICATIONS

6.2.1 364 Anzac Highway, PLYMPTON

Application No 21002880

Appearing before the Panel will be:

Representor: **Ms Kristie Arthur** of 6/360 Anzac Highway, Plympton wishes to appear in support of the representation.

Applicant: **Mrs Tracey Michaels** of TMC Building Design Group wishes to appear in response to the representation.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	21002880
APPLICANT	Tracey Michaels
ADDRESS	364 Anzac Highway PLYMPTON SA 5038
NATURE OF DEVELOPMENT	Construction of a carwash and associated plant room, water tanks, acoustic fence, signage and landscaping
ZONING INFORMATION	<p>Zones:</p> <ul style="list-style-type: none"> • Housing Diversity Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Affordable Housing • Building Near Airfields • Heritage Adjacency • Hazards (Flooding - Evidence Required) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) • Minimum Frontage • Minimum Site Area • Maximum Building Height (Levels)
LODGEMENT DATE	7 April 2021
RELEVANT AUTHORITY	Council Assessment Panel
PLANNING & DESIGN CODE VERSION	2021.3
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes
REFERRALS STAUTORY	Commissioner of Highways
REFERRALS NON-STAUTORY	City Assets

DELEGATION	CAP <ul style="list-style-type: none">A representor has lodged a valid representation and wishes to be heard
RECOMMENDING OFFICER	Brendan Fewster
RECOMMENDATION	Support with a reserved matter and conditions

BACKGROUND

This proposal was originally lodged as a non-complying development under the *Development Act 1993*, however the applicant decided to lodge a new application under the *Planning, Development and Infrastructure Act 2016*, which allows it to be assessed on its merits as a performance assessed application.

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 142 Filed Plan 7585 in the area named Plympton Hundred of Adelaide, Volume 6011 Folio 766, and is more commonly known as 364 Anzac Highway, Plympton. The land is mostly rectangular in shape, with the rear boundary having an irregular configuration where it fronts Cross Road. The land has a frontage of 15.24 metre (m) wide to Anzac Highway, a secondary frontage of 11.89m to Cross Road and a site area of 694 square metres (m²).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title.

The site currently contains a detached dwelling, carport and domestic outbuilding. The land is relatively flat with only minor variances across the site. There are no Regulated trees on the site or on adjoining land that would be affected by the development.

The locality comprises a mix of land uses that are mostly residential and commercial in nature. Immediately west of the subject land is a Local Activity Centre Zone, which accommodates an integrated service station comprising petrol filling and convenience retailing. There is a shop in the form of a small supermarket on the northern side of Anzac Highway.

The surrounding area is residential in land use and built form character, comprising a mix of detached dwellings, group dwellings and residential flat buildings up to two storeys in height and of varying size and style.

A significant contributor to the character and amenity of the locality is the proximity of the intersection of two arterial roads (Cross Road and Anza Highway). The volume and frequency and traffic on these roads impacts significantly on the overall amenity of the area.

The subject land and locality are shown on the aerial imagery and maps below.



RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/329/2021	Demolition of a single storey dwelling and associated structures and construction of a car wash facility with associated signage and landscaping	Withdrawn	30/3/2021

PROPOSAL

For the purposes of an assessment the proposal is broken down into elements. Each element will have an assessment pathway as set out in the Planning & Design Code

Elements	Application Category
Car wash <ul style="list-style-type: none"> • Dual lane • Entry from Cross Road and egress via Anzac Highway • Onsite queuing space for 8 vehicles • Wall height of 5.97m and total height at the ridge line of 7.4m • Walls are tilt up concrete panels with a painted finish • Colorbond roof at a 25° pitch • Automatic PVC blinds at entry and exit of car wash building • Enclosed bin storage area • 2 x 5000L rainwater tanks • 234m² of landscaping 	Performance Assessed
Sign (Cross Road) <ul style="list-style-type: none"> • Maximum height of 4m and width of 4.4m • Setback 2.8m from Cross Road boundary • Advertising area of 4.4m² • Internally illuminated 	Performance Assessed
Sign (Anzac Highway) <ul style="list-style-type: none"> • 700mm high and 4.8m wide • Low level sign with black powdercoated frame • Advertising area of 2.4m² • No internal illumination 	Performance Assessed
Sign (Side Wall) <ul style="list-style-type: none"> • Fixed to side wall of building • Advertising area of 3.2m² • Internally illuminated 	Performance Assessed
Acoustic wall <ul style="list-style-type: none"> • 3.2m high • Three fence options (refer to Acoustic Fence Detail) • Erected along the entire length of the north-eastern boundary • Erected along section of south-eastern boundary 	Performance Assessed

The relevant plans and documents are contained in **Attachment 2**.

PUBLIC NOTIFICATION

The application required public notification because it was performance assessed and not exempt from notification by *Table 5 - Procedural Matters* of the zone in the Planning and Design Code (The Code).

Properties notified	49 properties were notified during the public notification process
Representations	One (1) representation was received
Persons wishing to be heard	Ms Kristie Arthur wishes to be heard
Summary of representations	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> • Property value • Noise pollution • Light spill • Stormwater flooding of Anzac Highway • Traffic congestion • Works shift work and is concerned about the impact of the carwash on her sleep • There is already four car washes in the area
Applicant's response to representations	<p>Summary of applicant's response:</p> <ul style="list-style-type: none"> • The impact on property value is not a valid planning concern • The aesthetics of the area will be improved by the development • An acoustic consultant was engaged to ensure the noise issues could be resolved. An acoustic wall along the boundary and PVC blinds on the carwash itself are considered to mitigate the noise concerns • Light spill, cooking smells and late night trading of the service station is not part of this application. The lighting from the proposed carwash will be directed away from residential properties and is not expected to cause concern • 10,000L of rainwater will be collected from the building and stored in tanks to be used in the car wash. • The proposed car wash has an onsite queuing area which is considered to exceed the likely demand at any one time.

A copy of the representations and the applicant's response is contained in **Attachment 3**.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> Initially held concerns with the egress point being in conflict with the entry for the petrol station. This has since been resolved by reducing providing a separation between the two as shown in the amended plans. A concern was raised about how a waste vehicle would enter and exit the site to collect rubbish. The applicant has confirmed that only council collected bins will be stored in this location and no truck will need to enter the site. The FFL's of the proposed development have been assessed as satisfying minimum requirements. In-Site Water has indicated a 10kL rainwater retention and 10kL rainwater detention tank has been proposed, however the stormwater management plan has only indicated 2 x 5kL rainwater (retention) tank. An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development.
Waste Management	<ul style="list-style-type: none"> Satisfied that the waste storage and collection is appropriate.

EXTERNAL REFERRALS

Department	Comments
DPTI	<ul style="list-style-type: none"> Is generally supportive and has directed Council to add a number of standard conditions to any consent. These have been included within the recommendation.

A copy of the relevant referral responses are contained in **Attachment 4**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Housing Diversity Neighbourhood Zone as described in the Code. The subject land is also affected by the following Overlays:

- Airport Building Heights (Regulated);
- Advertising Near Signalised Intersections;
- Affordable Housing;
- Building Near Airfields;
- Heritage Adjacency;
- Hazards (Flooding - Evidence Required);
- Major Urban Transport Routes;
- Prescribed Wells Area;
- Regulated and Significant Tree;
- Stormwater Management;
- Traffic Generating Development; and
- Urban Tree Canopy

The relevant Planning and Design Code extracts are contained in **Attachment 1**.

QUANTITATIVE STANDARDS

All elements of the proposal the proposal are assessed for consistency with the quantitative requirements of the Code as outlined in the table below:

CODE PROVISION	STANDARD	ASSESSMENT
Housing Diversity Neighbourhood Zone PO 3.1	Max building height - 12.5m	7.4m max height Satisfies
Housing Diversity Neighbourhood Zone PO 3.1	Max building levels - 3 levels	Single storey building Satisfies
Housing Diversity Neighbourhood Zone PO 4.1	Primary street setback - 3.0m	8.8m to Anzac Highway Satisfies
Housing Diversity Neighbourhood Zone PO 5.1	Secondary street setback - 0.9m	20.0m+ Satisfies
Housing Diversity Neighbourhood Zone PO 7.1	Side setback - 900mm + wall height above 3m	3.1m north-eastern boundary Satisfies On south-western boundary Does Not Satisfy
GENERAL PROVISIONS		
Advertisement PO 1.1 (I)	Max 15% of wall area	Approx. 15% of facades Satisfies
Advertisement PO 2.1	No more than 1 freestanding advertisement per occupancy	2 x freestanding signs Does Not Satisfy

ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

Land Use

For the purposes of the defining the proposed land use, the Environment Resources and Development Court (ERD Court) in the case of *Serpeyn Pty Ltd v City of West Torrens* considered whether a car wash is a form industry. The Commissioner in this case resolved that:

"In my view, few people would regard a car wash as an industry, and accordingly, the Council's, original decision to classify the proposal as an undefined use was correct. That being the case, it is a use which properly falls for consideration against the relevant provisions of the Development Plan"

On this basis, the proposed car wash is an undefined land use that must be considered on its merits against the complete Planning and Design Code as a performance assessed development.

The subject land is situated within the Housing Diversity Neighbourhood Zone. While Desired Outcome (DO) 1 and PO 1.1 of this zone primarily envisages medium density housing, some commercial uses are supported provided such development contributes to a liveable neighbourhood and does not compromise the residential amenity of the area. DTS 1.1 and PO 1.3 identify shops, consulting rooms, community facilities, offices, a place of worship and schools as suitable land uses.

As highlighted above, the ERD Court has previously determined that a car wash is not an industry, but rather a less intensive land use that is undefined. Although the car wash will not be directly linked to the adjacent service station, it will complement the existing service station from a land use perspective as car wash facilities are often integrated with petrol filling services. It will also contribute positively to the function and liveability of the surrounding neighbourhood by providing local residents and passing traffic with facilities to clean their cars. Automated car wash facilities are becoming more widely used within neighbourhoods due to their convenience and the changing needs of residents. For example, in medium and high density developments there are not always on-site areas for the cleaning of vehicles, which means there is reliance upon commercial car wash facilities.

In order to demonstrate that the proposal is of a low impact nature, the applicant has submitted an Environmental Noise Assessment. The report considers that the proposed development would satisfy the noise criteria of the *Environmental Protection Noise Policy 2007* based on 24-hour operation subject to the inclusion of several noise attenuation measures. Similarly, any nuisance from vehicles accessing the site is not considered to be significant given the access from arterial roads and the relatively low traffic generation. Matters relating to noise and traffic management are considered in more detail below.

On balance, the proposed car wash facility is considered to satisfy the general policy intent for development in the Housing Diversity Neighbourhood Zone by contributing to making the neighbourhood a convenient place to live without compromising residential amenity. The proposal is therefore considered acceptable in land use terms.

Built Form and Setbacks

The proposed car wash facility includes a modest size building, which accommodates two car wash bays, a plant room and an entrance canopy. The building is of simple design that incorporates pitched roofs, concrete panel cladding and Colorbond © metal roof sheeting. The building design is of a high commercial standard that will complement the adjacent service station facility.

The proposed building will have a maximum height of 7.4m, which is well within the maximum building height of 12.5m prescribed by DTS 3.1 of the Zone. Similarly, the setbacks to both road frontages satisfy DTS 4.1 and 5.1 and provide sufficient area for landscaping to establish buffers at the interface with adjoining residential properties and to enhance the street appearance of the development.

The design and appearance of the proposal is of a high commercial standard and when considered against the existing site conditions and the intent of the Housing Diversity Neighbourhood Zone, the proposed development would respond positively to the surrounding built form character. DO 1 (Design in Urban Areas) and the above-mentioned provisions are therefore satisfied.

Interface, Noise and Operation

The site adjoins residential properties on the north-eastern side and to the rear. The owner of the adjoining residence at 6/360 Anzac Highway, Plympton has submitted a representation and raised concerns with the potential for noise, light spill and traffic nuisance as well as other matters.

DO1 and PO 1.2 (Interface between Land Uses) seek to ensure that new development is designed and operated in a manner that adequately protects the amenity of the locality. The applicant has submitted an Environmental Noise Assessment prepared Eco Acoustics Pty Ltd, which provides an analysis of the existing acoustic environment and the predicted noise levels against Environment Protection Authority (EPA) noise criteria. The assessment recommends a number of acoustic treatments and operational restrictions in order for the development to meet the goal noise levels of the *Environment Protection (Noise) Policy 2007*. These acoustic measures include:

- The proposed automatic car wash to be fitted with an entry and exit door equivalent to a PVC clear 3mm door blade (which provides a minimum R_w 23);
- The entry canopy to the wash bays to be a solid Colorbond roof structure;
- A 2.8 metre high acoustic barrier (adjusted to 3.2 metres above natural ground level) to be erected along the north-east boundary and portion of the eastern boundary; and
- The plant room roof to be internally lined with 50mm 32kg/m³ sound absorbing insulation.

The applicant has confirmed that the recommended acoustic measures will be incorporated into the development and this has been reinforced with a condition of approval should the Panel be minded to support the development. With the acoustic measures in place, the proposed development is considered achieve the relevant *Environment Protection (Noise) Policy* criteria when assessed at the nearest existing noise sensitive premises in accordance with DTS 4.1 (Interface between Land Uses).

At a maximum height of 3.2m, which is only 1.0m higher than a standard fence that does not require approval, the proposed acoustic fence/barrier along the north-eastern boundary would not unduly impact on the amenity of this adjoining property as it is noted that the nearest adjoining dwelling does not appear to have any private open space or main living room windows on this side.

While the Environmental Noise Assessment confirms that the car wash has been designed for 24-hour operation, it is considered that unrestricted hours of operation may give rise to increased noise, annoyance and disturbance to residents in the locality. The applicant has agreed to limit the hours of operation to between 5:00am and 11:00pm on any day (7 days per week). While these hours exceed those recommended by DTS 2.1, the operating hours are consistent with the adjacent service station and are reasonable given the noise attenuation measures and the low-level traffic generation.

In terms of on-site lighting, the applicant has confirmed that all external lighting will be designed in accordance with AS 4282 *Control of the Obtrusive Effects of Outdoor Lighting*. This includes the positioning of lights away from property boundaries and the use of light sensing devices and baffles. A condition to this effect has been included within the recommendation.

Accordingly, the proposal would not adversely impact upon the amenity of nearby sensitive uses by way of noise, light spill, glare or traffic all of which can be appropriately managed.

Vehicle Access and Traffic

The proposal includes an in-only access from Cross Road and an exit-only access onto Anzac Highway. Following some initial concerns raised by City Assets with respect to the potential for conflict with the entry of the adjacent service station, the proposed access on Anzac Highway has been amended. The application has also been referred to the Department for Infrastructure and Transport (DIT) and no concerns have been raised. As the concerns with the Anzac Highway access have been addressed, the proposed access arrangements are considered to facilitate safe vehicle movements onto the adjacent arterial roads. PO 2.1, 3.1, 3.3 and 3.4 (Transport, Access and Parking) are therefore satisfied.

The Code does not specify any minimum parking standards for a car wash. In any event, the proposed use is considered a low traffic generator in so far as vehicles entering the site would only use the car wash as there are no vacuum bays or dog wash facility. One on-site car parking spaces is provided for staff, which is reasonable as no more than one staff member (attendant) would be on duty at any one time.

The limited car parking provision is appropriate in this instance and the proposed access arrangements and low traffic generation would ensure the proposal does not lead to conditions detrimental to the free flow and safety of pedestrian and vehicular traffic within the vicinity of the site and the local road network.

Landscaping

A detailed landscape plan has been prepared that proposes a mix of trees, shrubs and ground covers to provide shade, screening along property boundaries, minimise heat loads and to enhance the street appearance of the development. While the Code does not specify a minimum amount of landscaping, the proposed landscaping is comprehensive and would sufficiently achieve the outcomes outlined in PO 3.1 (Design in Urban Areas).

There are no Regulated Trees on the site or on adjoining land that would be impacted by this development.

Waste Management

The proposal includes a designated bin enclosure toward the rear of the site that is well-setback from boundaries. As the proposal would generate minimal waste given the car wash facility is automated and does not include any vacuum bays, the Council's standard three-bin service will be utilised. Council's Waste Management Officer is satisfied with the proposed waste storage and collection arrangements. PO 11.1 (Design in Urban Areas) is satisfied.

Stormwater Management/Waste Water Management

The proposed development includes a stormwater management system for the on-site management of stormwater runoff from the proposed building, car parking areas and other impervious surfaces. The stormwater system incorporates 2 x 5,000L rainwater tanks and a series of pits/sumps and a bunded oil separator.

Although City Assets is satisfied in principle with the civil design, as there are some inconsistencies with the capacity of the rainwater tanks and limited stormwater quality details, a Reserved Matter is recommended so that these matters can be addressed prior to the granting of Development Approval.

In addition, the applicant is required to obtain a Trade Waste Discharge Permit from SA Water prior to commencing operation of the facility. This requirement can be reinforced through a note being added to the approval reminding the applicant of their obligations in this regard.

Advertising

The proposed development includes signage on the facades of the building as well two freestanding signs adjacent to the road frontages. Some of the signs will be internally illuminated and display the business name and logo or related brand information. The proposed advertising displays are coordinated and complementary to the proposed businesses in terms of their size, scale and appearance. While DTS 2.1 (Advertisements) recommends only one freestanding sign per occupancy, the number of signs and their siting is such that they would not detract from streetscape or amenity of neighbouring properties or cause distraction to drivers on the adjacent road network. The DIT has raised no concerns with the proposed advertising signage subject to conditions to control illuminance.

The proposal would not be at variance to DO 1 (Advertisements).

SUMMARY

Having considered all the relevant provisions of the Planning and Design Code, the proposal is considered to be not seriously at variance with the Planning and Design Code Version 2021.3.

In particular, the proposal:

- comprises a low-impact land use that would contribute to making the neighbourhood a convenient place to live without compromising residential amenity;
- is appropriately designed and setback from property boundaries so as to contribute positively to the surrounding built form character;
- would not significantly impact upon the amenity of nearby residential properties or the locality given the inclusion of appropriate measures for the control and management of noise, light spill and traffic;
- requires minimal on-site car parking and is provided with safe and convenient access so as not to lead to conditions detrimental to the free flow and safety of pedestrian and vehicular traffic within the site and on the adjacent road network; and
- includes landscaping that would enhance the overall appearance of the development and assist with screening to adjacent residential properties.

For all of the above reasons, the proposal would not entrench an inappropriate development within the Housing Diversity Neighbourhood Zone. On balance, the proposal reasonably satisfies the relevant provisions of the Planning and Design Code Version 2021.3 and therefore the application warrants the granting of Planning Consent.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code Version 2021.3; and
2. Application No. 2100880 by Mrs Tracey Michaels to undertake the construction of a carwash and associated plant room, water tanks, acoustic fence, signage and landscaping at 364 Anzac Highway, Plympton (CT6011/766) is GRANTED Planning Consent subject to the following reserved matter and conditions of consent:

Reserved Matters:

The following information shall be submitted for further assessment and approval by the City of West Torrens as reserved matters under Section 102(3) of the *Planning, Development and Infrastructure Act 2016*:

1. A detailed stormwater management system and computations for the development. The stormwater management system shall include:
 - a. Harvesting and re-use of stormwater runoff from the building and impervious surfaces that is to be designed by a suitably qualified stormwater/civil engineer to demonstrate the most economical and sustainable solution for the development; and
 - b. Stormwater quality improvement measures that are demonstrated to satisfy the State Government Water-Sensitive Urban Design policy guidelines.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council reserves its decision on the form and substance of any further conditions of Planning Consent that it considers appropriate to impose in respect of the reserved matters outlined above.

Planning Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
 - Existing Conditions Layout Plan, Sheet 1 of 7, Issue B dated 15 March 2021 prepared by TMC Building Design Group;
 - Proposed Overall Site Plan, Sheet 2 of 7, Issue B dated 4 June 2021 prepared by TMC Building Design Group;
 - Proposed Car Wash Layout Plan, Sheet 3 of 7, Issue B dated 4 June 2021 prepared by TMC Building Design Group;
 - Proposed Elevations Plan, Sheet 4 of 7, Issue B dated 15 March 2021 prepared by TMC Building Design Group;
 - General Parking Layout, Sheet 5 of 7, Issue B dated 4 June 2021 prepared by TMC Building Design Group;
 - Proposed Landscape Plan, Sheet 6 of 7, Issue B dated 4 June 2021 prepared by TMC Building Design Group;
 - Proposed Car Wash Lighting Plan, Sheet 7 of 7, Issue B dated 4 June 2021 prepared by TMC Building Design Group;
 - Preliminary Site Stormwater Layout Plan, Sheet C1 of 7, Issue B dated 4 June 2021 prepared by TMC Building Design Group;
 - Typical Acoustic Fence Detail, Sheet SK1, Issue B dated 30 June 2021 prepared by TMC Building Design Group;
 - Development Approval Report dated 14 March 2021 prepared by TMC Building Design Group;
 - Stormwater Calculations prepared by Water Sensitive SA; and
 - Environmental Noise Assessment dated 15 February 2021 prepared Eco Acoustics Pty Ltd.
2. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times to the satisfaction of Council.

Reason: To ensure safe and convenient vehicle access and to suppress dust.

3. Driveway, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage or display of materials or goods.

Reason: To ensure the development proceeds in an orderly manner.

4. The operation of the development approved herein shall be between 5:00am and 11:00pm on any day (7 days per week).

Reason: To ensure there is adequate on-site car parking and minimal disturbance to surrounding properties.

5. All landscaping shall be planted in accordance with the approved plans (Proposed Landscaping Plan, Drawing No. 6 of 7, Issue B dated June 2021 TMC Building Design Group) and incorporate an appropriate irrigation system prior to the occupation of the development or the next available planting season. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.

6. All external lighting on the site shall be designed in accordance with AS 4282 *Control of the Obtrusive Effects of Outdoor Lighting*, with all lighting directed and shielded in such a manner as to cause no light overspill nuisance of nearby properties.

Reason: To maintain visual amenity and public safety in the locality.

7. The development approved herein shall incorporate the following recommendations outlined in the Environmental Noise Assessment (15 February 2021) prepared by Eco Acoustics to the satisfaction of Council prior to occupation/operation of the development:

- The proposed automatic car wash to be fitted with an entry and exit door equivalent to a PVC clear 3mm door blade (which provides a minimum Rw 23);
- The entry canopy to the wash bays to be a solid Colorbond © roof structure;
- A 2.8 metre high acoustic barrier (adjusted to 3.2 metres above natural ground level) shall be erected along the north-east boundary and portion of the eastern boundary in accordance with Proposed Landscape Plan, Sheet 6 of 7, Issue B dated 4 June 2021 prepared by TMC Building Design Group and Typical Acoustic Fence Detail, Sheet SK1, Issue B dated 30 June 2021 prepared by TMC Building Design Group; and
- The plant room roof to be internally lined with 50mm 32kg/m³ sound absorbing insulation.

Reason: To ensure minimal disturbance to surrounding properties.

Conditions imposed upon direction of DIT:

8. All vehicles shall enter and exit the site in a forward direction.
9. All on-site vehicle manoeuvring areas shall remain clear of any impediments.
10. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.
11. The illuminated signage shall be limited to a low level of illumination so as to minimise distraction to motorists ($\leq 150\text{cd/m}^2$).

12. The signage shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.

Attachments

1. **Relevant Planning and Design Code Provisions**
2. **Proposal Plans & Supporting Documents**
3. **Representation & Applicant's Response**
4. **Internal & External Referral Responses**

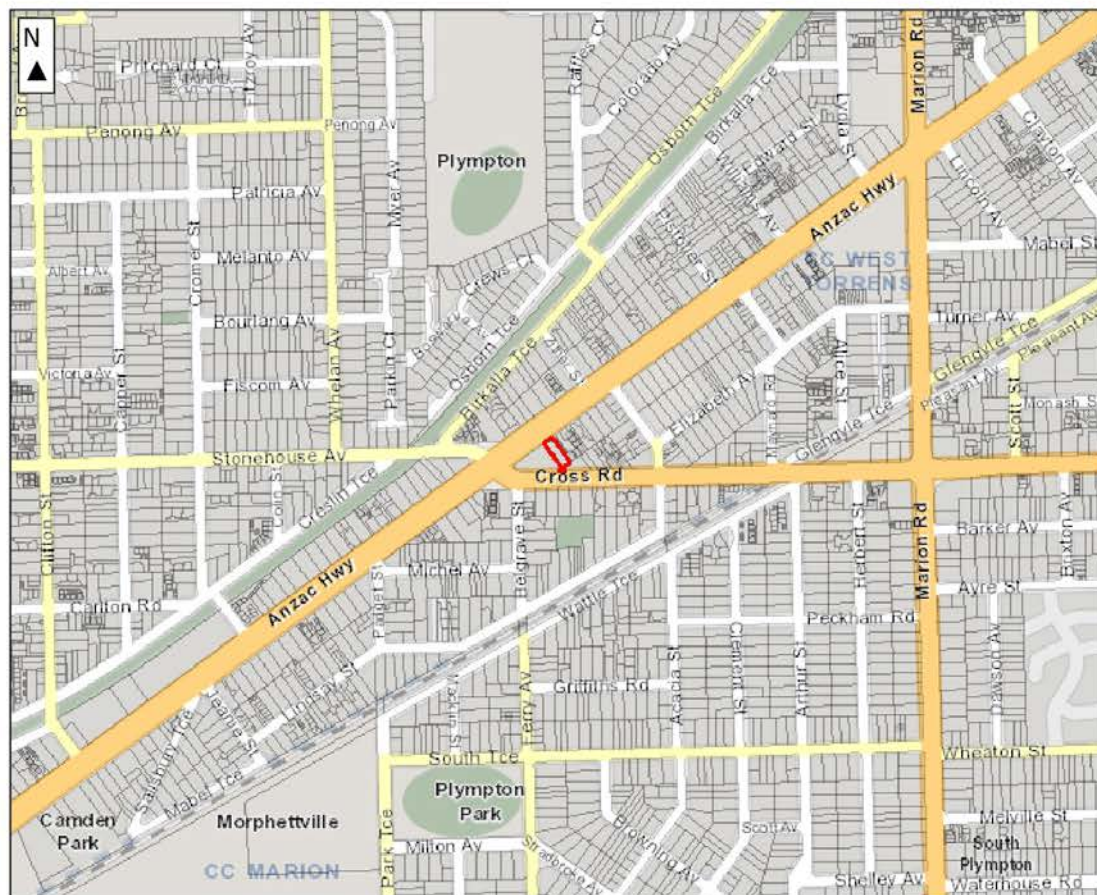
01/08/2021

Parcel Report

SAPPA Parcel Report

Date Created: July 31, 2021

The South Australian Property and Planning Atlas is available at the Plan SA website <https://sappa.plan.sa.gov.au/>

**Address Details****Unit Number:**

Scale ≈ 1:9028 (on A4 page)

Street Number: 364

250 metres ≈

Street Name: ANZAC**Street Type:** HWY**Suburb:** PLYMPTON**Postcode:** 5038

The information provided,
is not represented to be accurate,
current or complete at the time of
printing this report.

Property Details:**Council:** CITY OF WEST TORRENS**State Electorate:** ASHFORD (2014), MORPHETT (2018)**Federal Electorate:** HINDMARSH (2013), HINDMARSH (2016),
HINDMARSH (2019)**Hundred:** ADELAIDE**Valuation Number:** 2133358005**Title Reference:** CT6011/766**Plan No. Parcel No.:** F7585A142*Zoning details next page*

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Government of South Australia
Attorney-General's Department

1/2

01/08/2021

Parcel Report

Zone Details

Zones

Housing Diversity Neighbourhood (Z2404) - HDN

Overlays

Airport Building Heights (Regulated) (O0303) - All structures over 15 metres

The Airport Building Heights (Regulated) Overlay seeks to ensure building height does not pose a hazard to the operation and safety requirements of commercial and military airfields.

Advertising Near Signalised Intersections (O0305)

The Advertising Near Signalised Intersections Overlay seeks to ensure advertising near signalised intersections does not pose an unacceptable risk to pedestrian or road safety.

Affordable Housing (O0306)

The Affordable Housing Overlay seeks to ensure the integration of a range of affordable dwelling types into residential and mixed use development.

Building Near Airfields (O0601)

The Building Near Airfields Overlay seeks to ensure development does not pose a hazard to the operational and safety requirements of commercial and military airfields.

Heritage Adjacency (O2413)

The Heritage Adjacency Overlay seeks to ensure development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those places.

Hazards (Flooding - Evidence Required) (O2416)

The Hazards (Flooding - Evidence Required) Overlay adopts a precautionary approach to mitigate potential impacts of potential flood risk through appropriate siting and design of development.

Major Urban Transport Routes (O3907)

The Major Urban Transport Routes Overlay seeks to ensure safe and efficient vehicle movement and access along major urban transport routes.

Prescribed Wells Area (O4804)

The Prescribed Wells Area Overlay seeks to ensure sustainable water use in prescribed wells areas.

Regulated and Significant Tree (O5404)

The Regulated and Significant Tree Overlay seeks to mitigate the loss of regulated trees through appropriate development and redevelopment.

Stormwater Management (O5710)

The Stormwater Management Overlay seeks to ensure new development incorporates water sensitive urban design techniques to capture and re-use stormwater.

Traffic Generating Development (O6001)

The Traffic Generating Development Overlay aims to ensure safe and efficient vehicle movement and access along urban transport routes and major urban transport routes.

Urban Tree Canopy (O6302)

The Urban Tree Canopy Overlay seeks to preserve and enhance urban tree canopy through the planting of new trees and retention of existing mature trees where practicable.

Variations

Maximum Building Height (Metres) (V0002) - 12.5

Maximum building height is 12.5m

Minimum Frontage (V0004) - _9_9_5_7_15

Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 9m; row dwelling is 5m; group dwelling is 7m; residential flat building is 15m

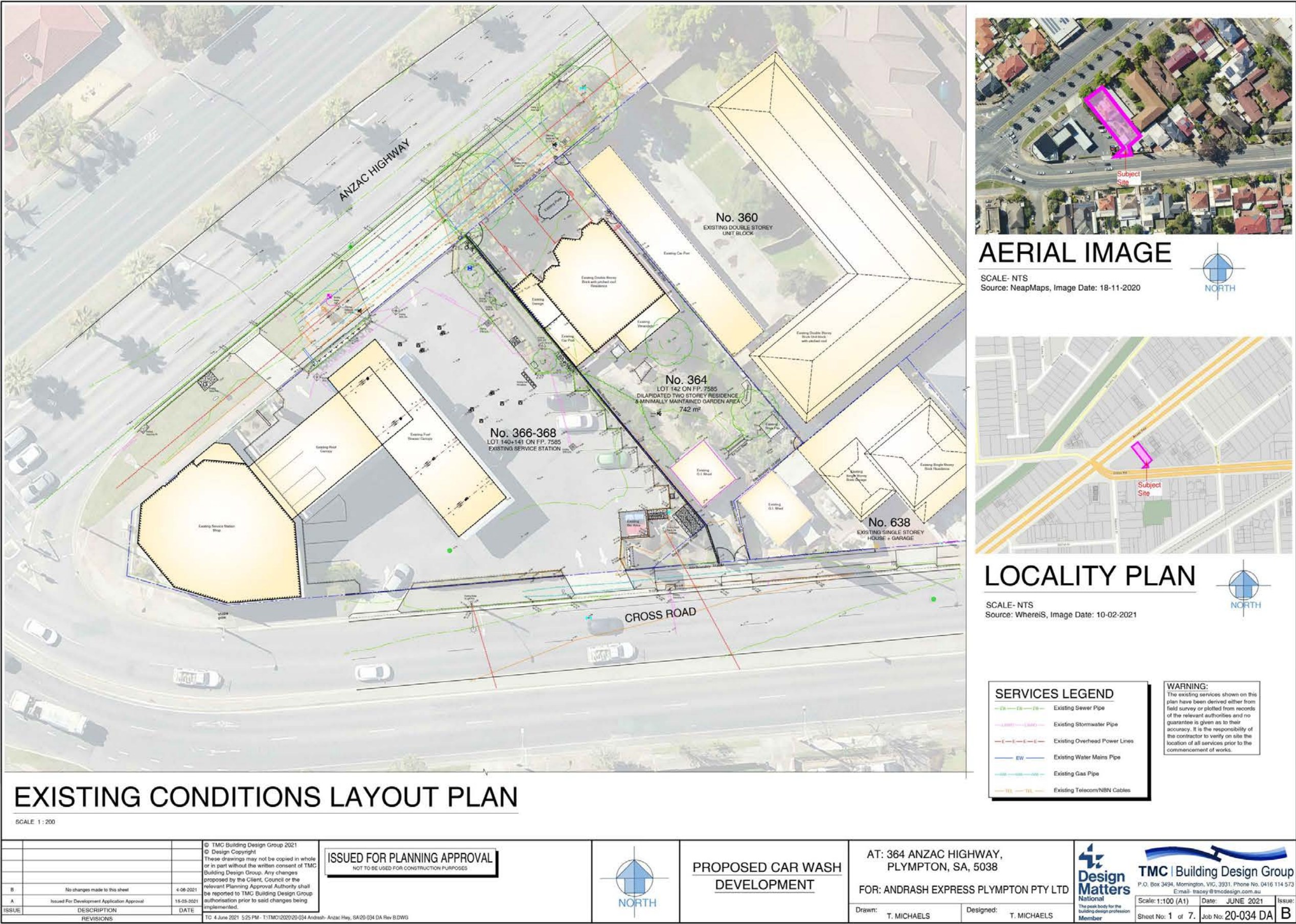
Minimum Site Area (V0005) - _250_200_150_150_150

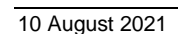
Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 200 sqm; row dwelling is 150 sqm; group dwelling is 150 sqm; residential flat building is 150 sqm

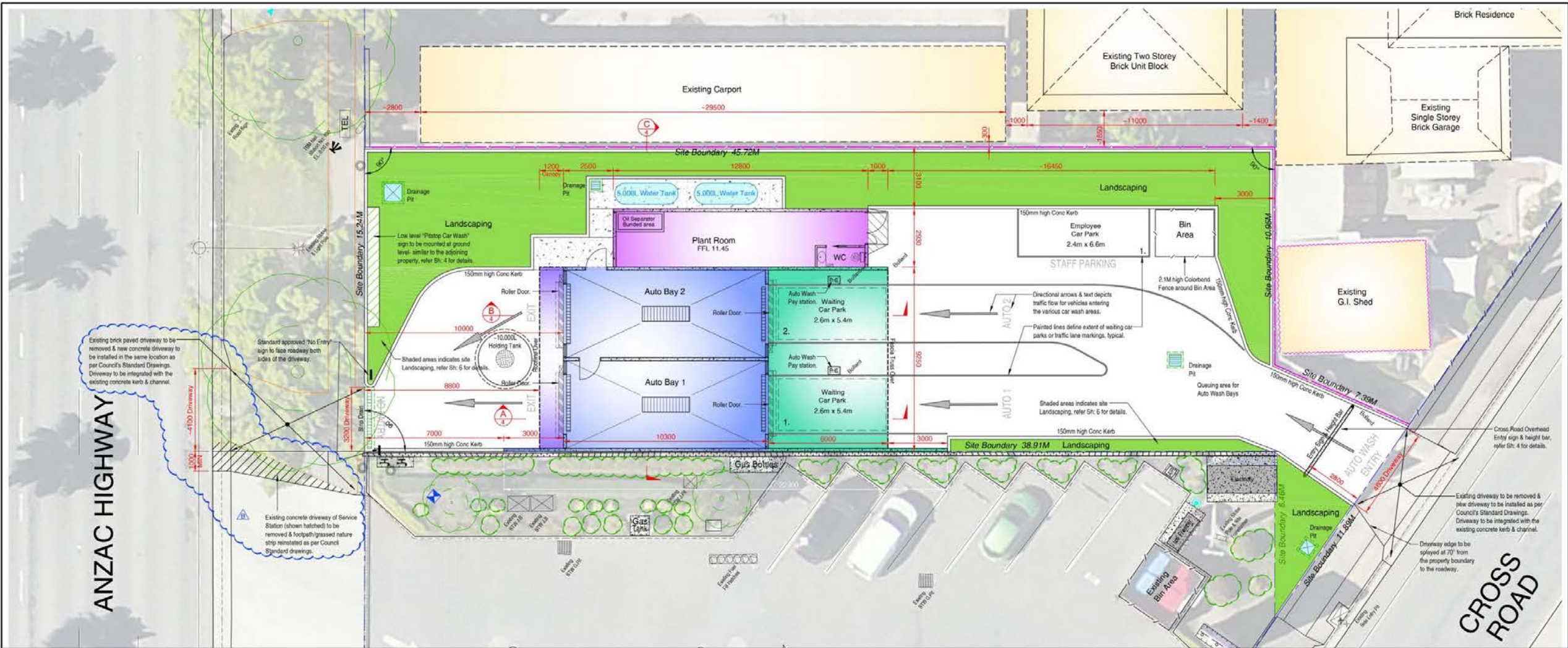
Maximum Building Height (Levels) (V0008) - 3

Maximum building height is 3 levels

2/2







PROPOSED CAR WASH LAYOUT PLAN

SCALE 1 : 100

SITE ANALYSIS	
BUILDING TYPE - CAR WASH	ROOF AREA
Auto Bay Roofed Areas	95.2 M ²
Auto Bay Entry Canopy Roofed Area	55.5 M ²
Auto Bay Exit Canopy Roofed Area	11.1 M ²
Plant Room Roofed Area	37.5 M ²
Driveway Paved Area (non-roofed)	309.0 M ²
Landscaping Area	233.7 M ²
Car spaces provided in Carwash Bays	2 Car Spaces
Car spaces queuing for Carwash (MIN)	8 Car Spaces
Car space provided for Employee	1 Car Space
Total Car Wash Roofed Area	199.3 M ²
Total Site Area	742 M ²
Percentage of Site Coverage- Landscaping	31.5 %

CAR WASH MATERIALS SCHEDULE	
Walls	Concrete panels with painted finish Concrete panels with painted finish. Including panel feature filled joints or cement sheet 1200mm x 400mm tiled areas with 10mm tiled joints fixed to concrete panels. Painted/timber features fixed to concrete panels raised roof areas.
Roof	Colorbond roof pitched at 25° over Wash Bays, Plant Room and Exit roof canopy. Colorbond roof pitched at 3° over Wash Bay Entry Canopy. All roofed areas are to drain into suitable sized gutters.
Fascias	Express Wall cladding (or similar) to the fascia truss.
Doors	Commercial Security door + Solid core metal clad Security door to Secure Storage & Plant Room. Auto Wash Bay clear acoustic roller doors.
Rainwater Goods	Colorbond
Driveway	Coloured concrete in all Wash Bays. Concrete in all Driveway areas.

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B.	Anzac Hwy exit driveways updated	4-06-2021
A.	Issued For Development Application Approval	15-03-2021
ISSUE	DESCRIPTION	DATE
REVISIONS		

TO: 4 June 2021 5:25 PM - T:\TMC\2020\20-034 Andrash- Anzac Hwy_ 5A\20-034 DA Rev B.DWG

ISSUED FOR PLANNING APPROVAL
NOT TO BE USED FOR CONSTRUCTION PURPOSES



PROPOSED CAR WASH DEVELOPMENT

AT: 364 ANZAC HIGHWAY,
PLYMPTON, SA, 5038

FOR: ANDRASH EXPRESS PLYMPTON PTY LTD

Drawn: T. MICHAELS

Designed: T. MICHAELS



TMC Building Design Group

P.O. Box 3494, Mornington, VIC, 3931. Phone No. 0416 114 573
E-mail: tracey@tmcdesign.com.au

Scale: 1:100 (A1)

Date: JUNE 2021

Issue:

Sheet No: 3 of 7.

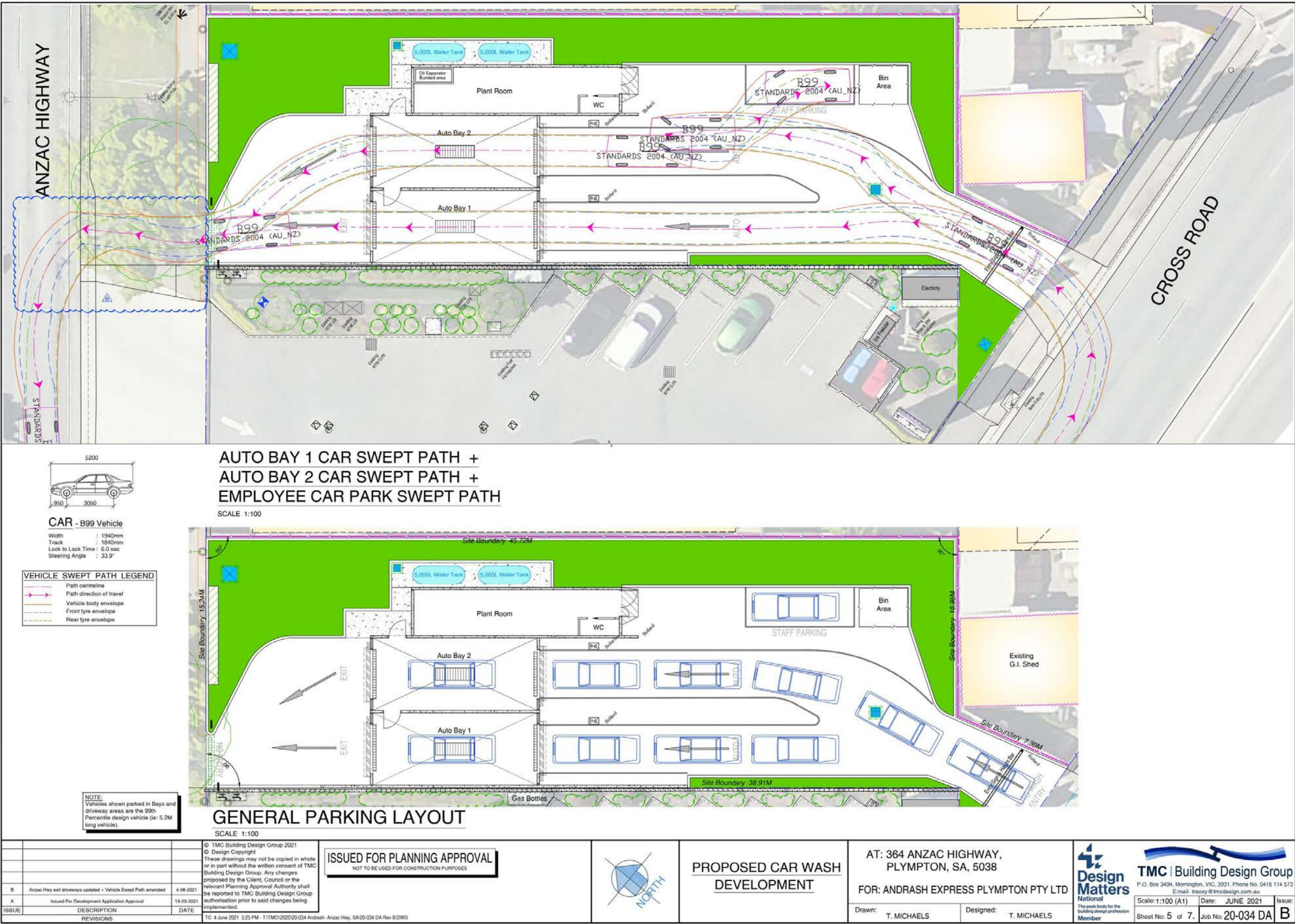
Job No: 20-034 DA

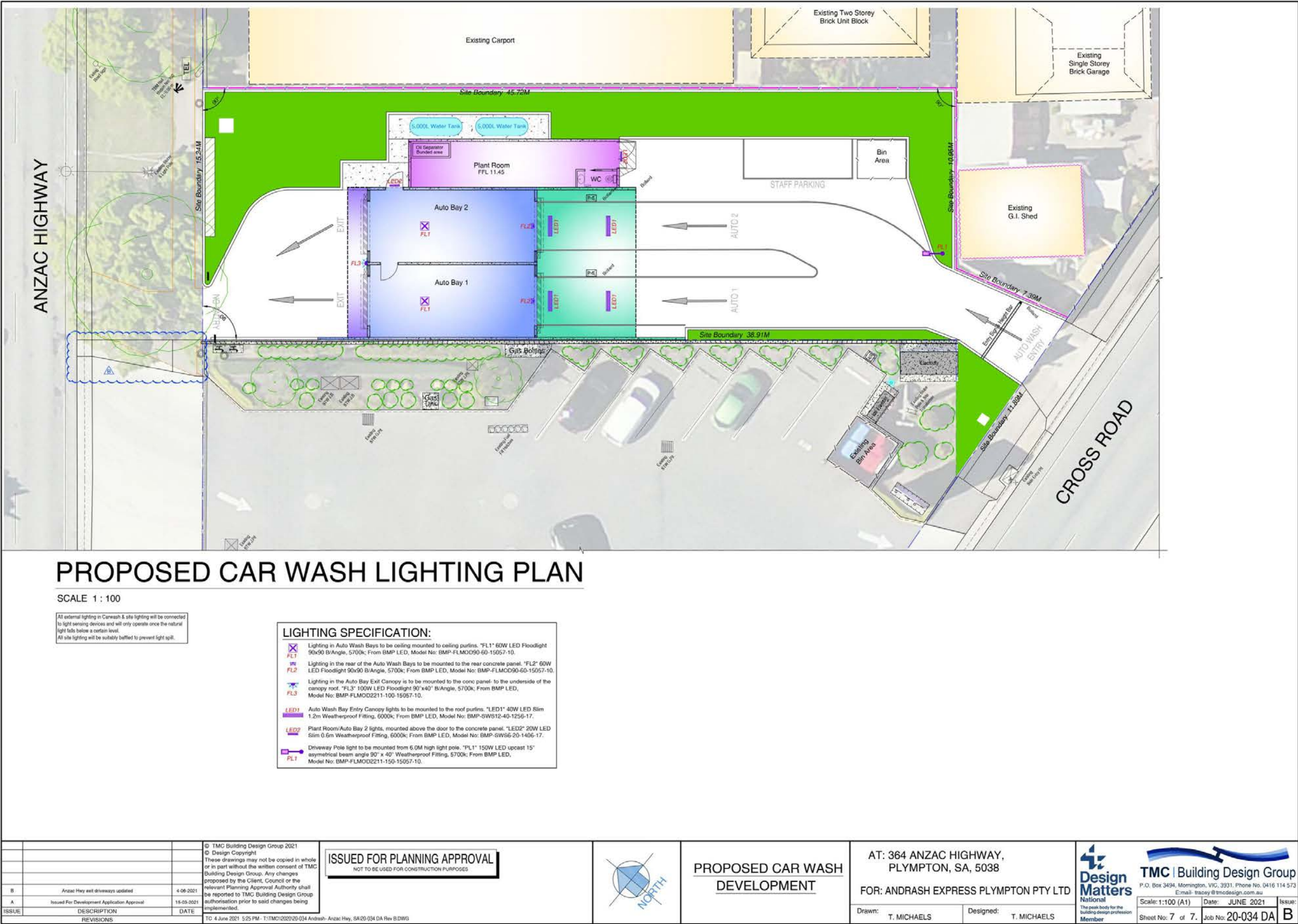
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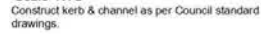


Colour Notes: Colours have been taken from the Dulux Paint Range & Colorbond colour range









All Car Wash building roofed areas are to be connected by a sealed line directly into the 2 x 5,000L rain water tanks. The water tanks are to be plumbed into the Car Wash equipment for water to be used in the car washing process.

1. Contractor / builder are to acquaint themselves with location of all services prior to commencement of work - no responsibility will be taken for any damage to services whether shown or not.
2. All work (including Pits & Crossovers) is to comply with the City of West Torrens Council specifications & Standard Stormwater Drawings.
3. All Stormwater pipes with their size not noted on plan to be 150mm Ø uPVC quality with MIN grade of 1:100 and are to be fully sealed. All pipes under driveway areas to be 150mm Ø uPVC quality. I.O. (inspection opening) fittings are to be installed at all pipe junctions and changes of direction except at pits. New stormwater pipes installed under hard stand (ie Concrete) driveway & paved areas are to have a MIN cover of 450mm from finished surface level to top of the stormwater pipe UNO. Pipes installed in garden areas (not exposed to vehicle access) are to have a MIN cover of 100mm from finished surface level to top of the stormwater pipe UNO by manufacturer of alternative pipe type. Pipes installed under non-hard stand (ie Gravel/Crushed Rock) driveway areas exposed to vehicle access are to have a MIN cover of 600mm from finished surface level to top of the stormwater pipe.
4. All drainage works & installation of same shall comply with AS 3500 2 Part 3 Stormwater Drainage. Stormwater pipes shall be located in sufficient proximity to other services per AS 3500 3 Cl 6.2.6.
5. Agricultural drains shall be 90/100mm diameter 'Drainco' laid in continuous lengths to a minimum grade of 1 in 400 alternatively- they are to be specified by the Structural Engineer.
6. All excess spoil to be disposed of off site as directed.
7. All concrete to be Fc 32 MPa MIN.
8. The contractor shall arrange all inspections and obtain certificates of approval plus any additional instructions from the relevant authorities prior to backfilling/enclosing new services.
9. Backfilling of trenches is to be in accordance with the relevant Council Standard Specifications, Manufacturers specifications and/or in accordance with the Soil report.
10. Forty-eight hours notice shall be given to the relevant Council before starting works outside property boundary.
11. Pavement make up to be as noted on the Civil Engineering drawings.
12. Connect to legal point of discharge to the satisfaction of the City of West Torrens Council's Engineer.
13. All pit wall & base thicknesses shall be 150mm MIN.
14. All pit gratings shall be as noted on the Pit Schedule. They shall be installed & maintained in accordance with the Manufacturer's recommendations.
15. All drains are to be laid in accordance with manufacturers specifications.
16. Concrete encasement around pipes, where noted on the drawings, shall be of square cross section with 100mm MIN cover to pipe.
17. Any footpaths, driveways or existing features disturbed, broken or affected by the works are to be reinstated to the complete satisfaction of The City of West Torrens Councils Supervisor/Engineer.
18. Dial 1100 Before You Dig for existing underground services which may be affected by the proposed services.
19. All excess spoil to be disposed of off site as directed.



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B	Anzac Hwy exit driveways updated	4-06-2021		
A	Issued For Development Application Approval	15-05-2021		
ISSUE	DESCRIPTION	DATE		
	REVISIONS		TO: 4 June 2021 5:25 PM - T:\TMC\2020\20-034 Andresh - Anzac Hwy, 84/20-034 DA Rev B.DWG	

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Sheet No: C1 of 1.	Job No: 20-034 DA	B





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Sheet No: SK1	Job No: 20-034 DA	B

DEVELOPMENT APPROVAL REPORT

PROPOSED: CAR WASH DEVELOPMENT

SUBJECT SITE:

364 ANZAC HIGHWAY,
PLYMPTON, S.A. 5038

LOT 142 of FP 7585,
Vol 6011 Folio 766,
Hundred of Adelaide.

CLIENT:

ANDRASH COMMERCIAL PLYMPTON PTY LTD

DATE:

14TH MARCH 2021

JOB NO:

20-034 DA



TMC | Building Design Group

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1. PROJECT OVERVIEW

Address	364 Anzac Highway, Plympton, SA, 5038
Real Property Description	Lot 142 on FP 7585
Site Area	742 M ²
Topography	The site is predominately flat. There is an approximate 400mm slope from the northern end of the block- Anzac Highway (high spot) to the southern end of the block- Cross Road (low spot).
Current Use	The existing site has an existing (partially dilapidated/run-down) Two (2) Storey brick-veneer residence with attached garage/car port and a detached galvanized iron shed at the rear. The site has a mix of grass and garden areas with a brick paved driveway to Anzac highway and a concrete driveway to Cross Road- both in poor/damaged condition.
Property Owner	Andrash Commercial Plympton Pty Ltd
Applicant	TMC Building Design Group
Proposal	Development Application for the 'Car Wash' use and Buildings/Works, on-building signage, standalone signs, and two (2) existing driveways upgrades. Also to include the demolition of the existing house and shed.
Local Government Area	The City of West Torrens
Planning Scheme	West Torrens Council Development Plan- 21 st May 2020.
Defined Use	Car Wash (not defined in the Development Plan).
Area Classification	Residential "R" Zone.
Policy Classification	Policy 18- Medium Density
Precinct Classification	N/A
Overlay Maps	Transport- Anzac Highway + Cross Road- Primary Arterial Road. Strategic Transportation Route- Anzac Highway. Affordable Housing Designated Area.



2. THE PROPOSAL

This application seeks approval for a change of use for the proposed Car Wash development and buildings/works associated with the use of the land for a car wash, landscaping, advertising signage, and two (2) existing driveway upgrades.

The development consists of:

1. Two (2) Automatic Car Wash bays,
2. A Plant Room with staff amenities,
3. Fenced/gated Bin area,
4. Business Identification signage internally illuminated,
5. Suitable directional signage,
6. Standalone Sign (internally illuminated),
7. Removal and reinstatement of the two (2) existing driveways,
8. Suitable Landscaping + acoustic fencing for the site.

The subject site address is 364 Anzac Highway in Plympton, (Lot 142 on FP 7585, Vol 6011, Folio 766 in the area named Plympton, Hundred of Adelaide). The subject site's overall site area is 742M².

Provisions for the above mentioned development will be contained within one building structure having a total roofed area of 199.4 M² which yields an overall site coverage of 26.9%. The actual building internal floor area (ie: Plant Room and Auto Bays- excluding external roof canopies) covers 132.8 M².

The car wash building has been orientated to best cater for safe vehicle manoeuvrability through the site, to maximise the length of vehicle queuing, to create an aesthetically pleasing building façade and to maximise the usage of the buildable areas on the site. The car wash building is orientated in a southwest – northeast direction (following the Anzac Highway road alignment); and has been setback 8.8M to the Exit Verandah roof canopy and 10M to the main building line from the front Anzac Highway site boundary, and a 3.1M setback to the northeast side site boundary. This building will house all of the car wash facilities, (ie: the automatic wash bays, the Plant Room and staff amenities). A fenced and gated area to rear southeast corner of the site will serve as the Bin storage area. The two (2) existing site driveways (one on Anzac Highway and one on Cross Road) will need to be removed (as these driveways are currently damaged and in poor condition) and reinstated as concrete driveways in accordance with the Council's standard drawings serve as the dedicated entry/exit points for the site.

Refer to the attached Application drawings detailing all aspects of the site and design requirements:

1. Existing Conditions Plan, Aerial Image and Locality Plan,
2. Proposed Overall Site Plan,
3. Proposed Car Wash Layout Plan, Site Analysis Summary and Schedule of materials,
4. Building Elevations and Sections, Signage details and Colour Schedule,
5. Vehicle Swept Paths diagrams + Site Car Parking layout,
6. Proposed Landscaping Plan, details and landscaping notes,
7. Proposed Car Wash Lighting Plan + Lighting Specification,
8. Proposed Stormwater Layout Plan + notes.



Also, refer to the attached reports to support the application;

1. Acoustic Report- by EcoAcoustics, Report No: 21010918-01, Dated: 15th February 2021,
2. Dialux Lighting Report- by BMPLED, Dated: 13th March 2021,
3. Stormwater Report–by TMC Building Design Group, Dated: 14th March 2021.

The building construction materials will primarily consist of painted concrete tilt panels with timber features (to emulate the residential/Tudor/heritage look of the area), Cemintel Express Panel cladding to the fascia truss (over the Entry Canopy) and 1200mm x 400mm feature panelling sections on various parts of the building elevations (fixed over the concrete panels) to match with the existing adjoining Service Station building, and 25° pitched Colorbond sheet roofing to all externally visible roof areas. The architectural building design and colour selection is as per the “Andrash” Car Wash branding guidelines and corporate colours. The proposed development will fit in favourably with the existing adjoining residential buildings (to the northeast of the subject site) and the existing Service Station (to the southwest of the subject site). The wash bays have been positioned and sized to allow clear visibility into each wash bay, provide generous turning circles, vast queueing areas, which in turn promotes safe passage for vehicle movements around the site, and the public walking past the site.

Traffic can enter and exit the site in a forward direction from the two existing (upgraded) driveways accessing Cross Road (entry only) and Anzac Highway (exit only)- left turn in-left turn out. Traffic movements, pavement grades and sight distances comply with the relevant Australian Standards and Austroads design requirements.

The proposed development will have suitable stormwater drainage facilities installed (ie- eaves gutters and box gutters, down pipes, pipes, pits etc...). A Stormwater Management Plan is included with the application and can be amended (if required) to suit after the initial assessment by Council Engineer's to finalise the site specific design requirements.

A pleasant array of landscaping will be planted throughout the subject site. The various species of plants selected is suited to the local climate and the design is a great improvement on the current sites minimally maintained garden/lawn/landscaped areas. The plant selection has been carefully designed at vehicle access locations to ensure that adequate pedestrian sight distances for drivers has been achieved and to offer suitable screening from the adjoining residential areas.

The site is zoned Residential (R) zone and is located in the Medium Density Policy #18 area. This report has been compiled in response to the West Torrens Council Development Plan (Dated 21st May 2020). This application is being made to The City of West Torrens as the responsible authority who is permitted to grant a permit in this instance.



3. EXISTING CONDITIONS

3.1. THE SUBJECT SITE

The subject site has frontage to two (2) different roads; the main frontage is via Anzac Highway (on the northwest side) and the secondary frontage is from Cross Road (on the southeast side). The subject site is located approximately 65M from the traffic light intersection of Anzac Highway and Cross Road/Stonehouse Avenue in Plympton, S.A. The site to which this application relates to comprises of a primarily rectangular shaped block covering 742 M² in total. Figure 1 and 2 (below) shows the site location with regard to the surrounding area. There are no easements contained within the site.

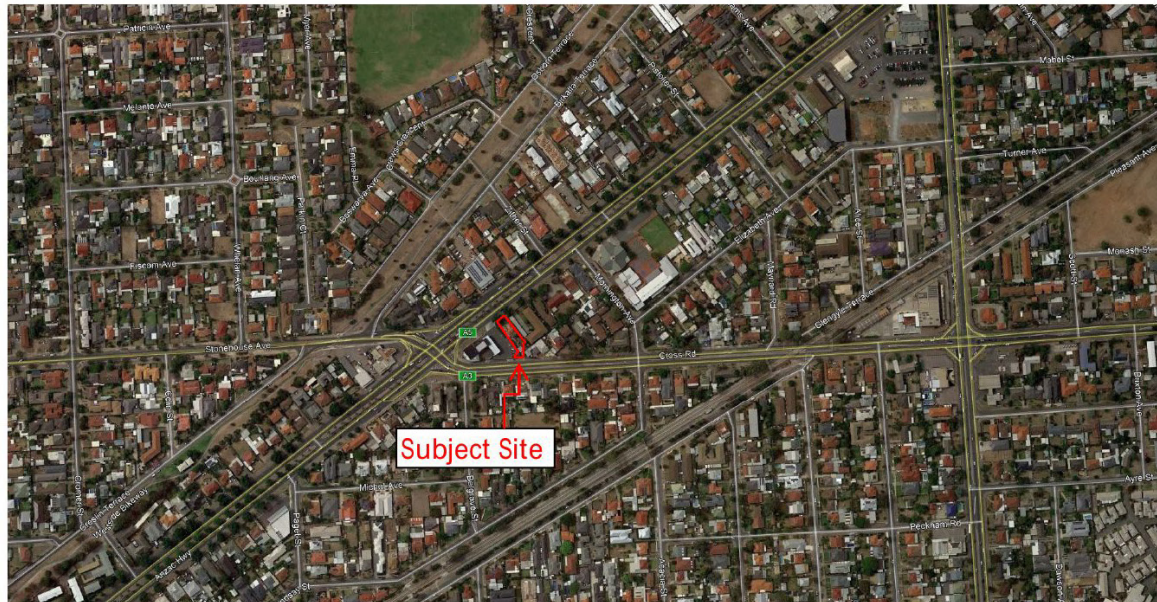


Figure 1: Aerial Photo of the site and surrounding area. Source- Google Earth, Image Date: 17th Nov 2018



Figure 2: Aerial Photo of the site and immediate surrounding area.
Source- NearMaps, Image Date: 18th Nov 2020.

The subject site currently has a Two-Storey brick-veneer house with pitched roofs with attached garage/carport, rear standalone galvanised iron shed and minimally maintained garden/grassed areas; refer Photos 1-6 below. The site is relatively flat and has two existing driveways constructed. Refer to the “*Existing Conditions Plan*” Sh: 1 of the Application drawings for further details of the existing conditions.



Photo: 1, Shows the subject site along the northwest property boundary line along Anzac Highway.



Photo: 2, Shows the front of the existing residence and front garden area- taken from Anzac Highway.



Photo: 3, Shows the southwestern side of the subject site, viewed from within the existing X-Convenience Service Station. This image shows the existing acoustic (black) fence which is to be removed and reinstated along the northeast/southeast carwash site property boundary in accordance with the acoustic report.



Photo: 4, Shows the existing adjoining Two-Storey unit block and carport. The roof of the existing house on the subject site can be seen along the right side of the photo.





Photo: 5, Is taken along Cross Road looking north into the subject site. The existing Service Station fuel blade sign can be seen to the left, low level galvanised iron gates (of the subject site) are centrally located, and the higher galvanised iron fence/shed and Single Storey brick-veneer building of 638 Cross Road are on the right side of the photo.



Photo: 6, Is a close up view of the rear of the subject site looking at the rear lower level galvanised iron gates and galvanised iron shed beyond. The Service Station development is to the left (west) and existing Unit Block/GI Shed and Residence to the right (east).

3.2. THE SURROUNDING ENVIRONS

Refer to Figure 3 and 4 for aerial images of the broader street network, in satellite view and Map view.

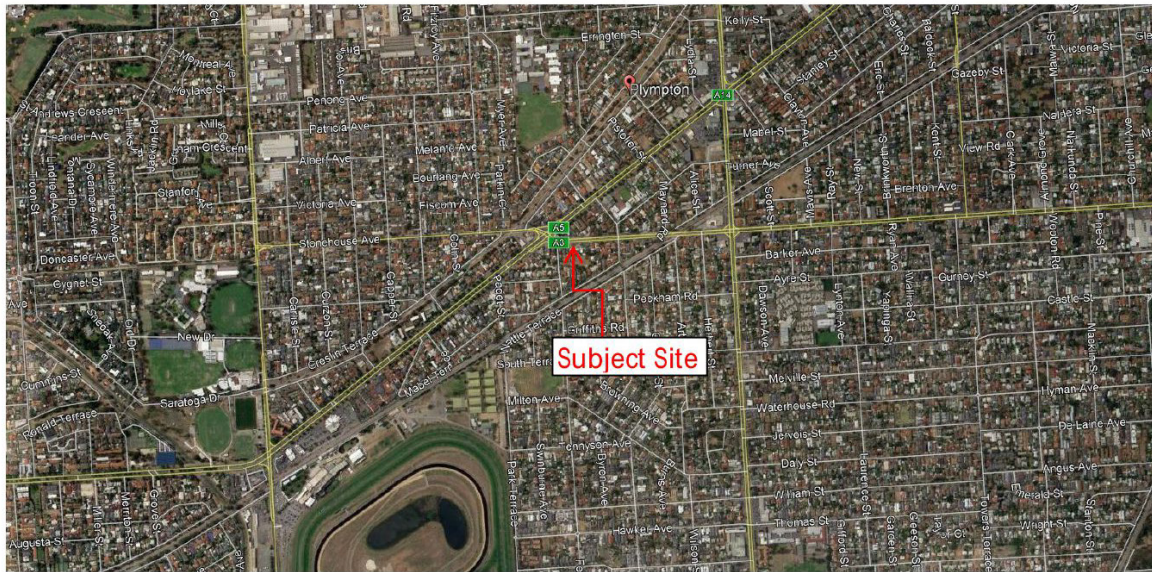


Figure 3: Aerial Photo of the site and general surrounds.
Source- Google Earth, Image Date- 17th Nov 2018.

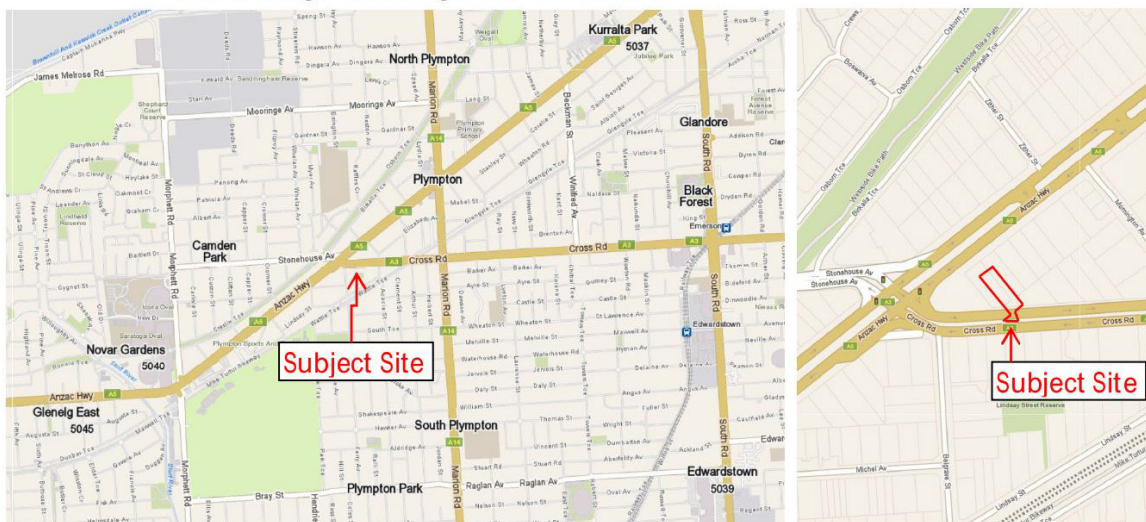


Figure 4: Street Map view of the site and surrounds.
Source- Wherels, Image Date- March 2021.

To the northwest of the subject site is Anzac highway; a ~30M wide bitumen roadway- 3 lanes both ways + slip lanes on each side, with vehicle travel in both directions and central dividing grassed medium strip.

To the southwest of subject site is the existing X-Convenience Service Station (who also owns the subject site). The current DA approved hours of operation 5am to 12 midnight Sunday to Thursday, and 24 hour operation from 5am Friday to 12 midnight Sunday.

To the southeast of the subject site is Cross Road; a ~18M wide bitumen roadway- 2 lanes both ways, with vehicle travel in both directions and central dividing grassed medium strip.

To the northeast of the subject site is 360 Anzac Highway- a Two-Storey unit block and carport, and 638 Cross Road- a Single-Storey brick residence with detached galvanised iron garage.



4. SITE ZONE REQUIREMENTS:

As shown in Figure 5 (below); the subject site and all surrounding areas are zoned Residential "R". The adjoining property to the southwest of the subject site is zoned Local Centre "LCe".

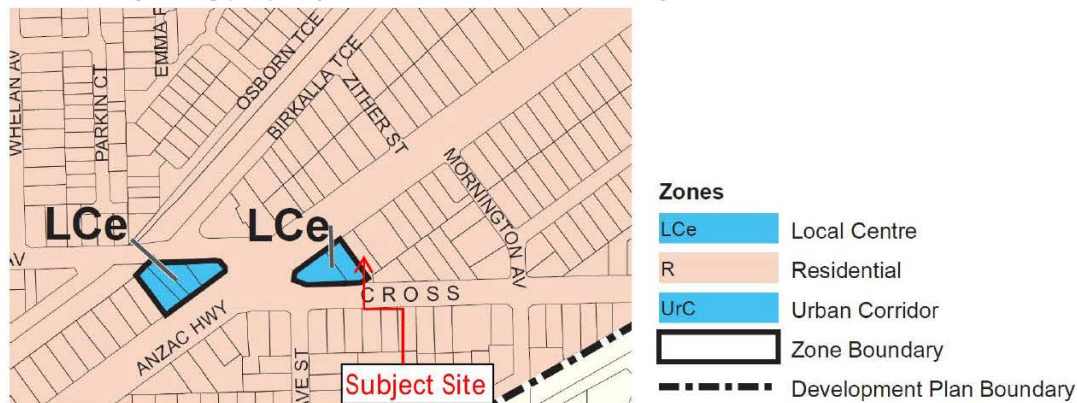


Figure 5: Planning Zone Map WeTo/15 of the site and surrounding areas.

Source- West Torrens Council Development Plan- 21 May 2020.

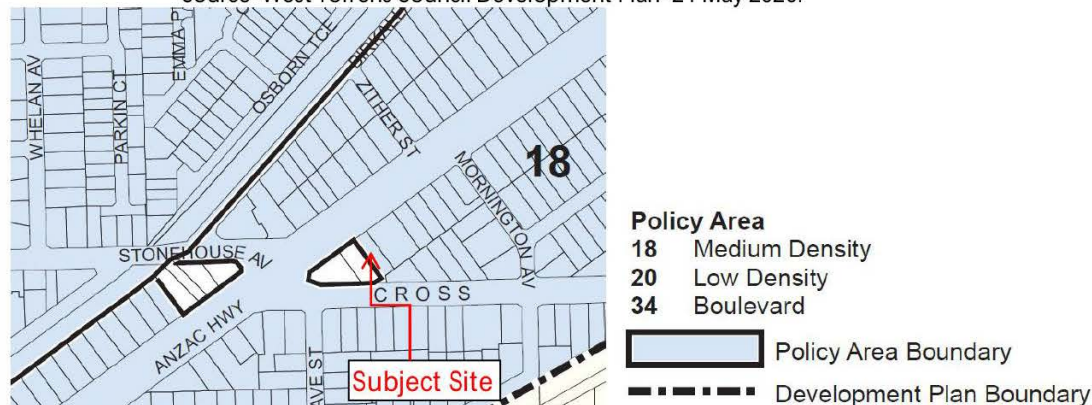


Figure 6: Policy Area Map WeTo/15 of the site and surrounding areas.

Source- West Torrens Council Development Plan- 21 May 2020.

Anzac Highway and Cross Road are both considered to be primary arterial roads (refer to Overlay Map WeTo/15 'Transport') and are maintained by the Department for Transport Energy and Infrastructure (DPTI).

Overlay Map WeTo/15 'Strategic Transport Routes' states that Anzac Highway (which runs to the northwest of the site) is a Strategic Transport Route.

Overlay Map WeTo/15 'Affordable Housing' states that the subject site is in an Affordable Housing area.

There are no other planning overlays or Heritage restrictions that affect the subject site.

The proposed Car Wash 'use' is not specifically defined within the West Torrens Council Development Plan (WTDCP). However, the Car Wash 'use' is listed as a non-complying development within a Residential Zone. Given the proximity of the subject site to the existing adjoining Service Station (owned by the same Company as the subject site), the small nature of the proposed Car Wash, the proposed mitigation measures included in the proposed design (ie: acoustics, lighting, hours of operation, traffic queuing etc...), the proposed reduction in site area and overall building height of the existing dwelling; the subject site has great merit to be considered suitable for a car wash development. Therefore this application has been submitted and we request that it be assessed on its merit.



5. DEVELOPMENT PLAN CONSIDERATIONS

5.1. ZONE REQUIREMENTS

The below paragraphs address the Residential Zone and Medium Density Policy Area #18 requirements for the proposed development.

5.1.1. RESIDENTIAL (R) ZONE:

Table 1 provides a detailed response to the relevant Zone and policy requirements and decision guidelines that are applicable to this application:

Note the Affordable Housing section has not been addressed as the proposal does not involve this type of use.



TABLE: 1

Name	Assessment Provisions	Proposal
Residential Zone- Land Use	2. Development listed as non-complying is generally inappropriate.	<p>Generally Complies-</p> <p>The 'Car Wash' use is listed as a Non-complying Development within this zone. Following conversations with the Council Duty Planner, it was discussed that an application could be made for the Car Wash 'use' on the subject site, and the application would be assessed on its merit.</p> <p>I have been fortunate to have designed many (over 120) car wash sites all around Australia and New Zealand over the last 18 years, and I would be considered one of the leading all-encompassing Car Wash designers in Australia. From my experience, in other states around Australia, the Car Wash 'use' is commonly allowed in residential zones providing that all aspects of the 'use' are successfully mitigated for all adjoining residential properties. These areas of importance include;</p> <ul style="list-style-type: none"> - Acoustics, - Traffic, - Site Lighting, - Infrastructure- ie: stormwater design, sewer discharge and water supply, - Built Form, setbacks, building materials etc... - Hours of operation. <p>This Development Application is very extensive in its response to these areas and comprises 'responsible' design techniques. By the conclusion of this report it will be clear how compliance has been achieved with the general intent of the DCP.</p> <p>Given my past experience in Car Wash design; having reviewed the DCP and the proposed Car Wash development building layout and built form; I truly believe that the proposed Car Wash use on this site is a great solution for this Residential/Local Centre zone interface.</p>
	3. Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that: (a) serves the local community, (b) is consistent with the character of the locality, (c) does not detrimentally impact on the amenity of nearby residents.	<p>Complies-</p> <p>The proposed car wash development will serve as a much needed day-to-day community facility. The Car Wash is a perfect ancillary use to the adjoining Service Station. The purpose of the proposed car wash is to provide a facility whereby the public can wash their car in a safe and environmentally friendly fashion.</p> <p>The proposed design of this car wash represents a small scale development with a built area of less than 200 M², which has mitigated all possible negative effects of traffic, noise, stormwater/effluent disposal, visual bulk etc... to the adjoining residential properties. A great deal of effort has gone into the building design to ensure that the local character of the façade is a representation of that commonly found throughout the locality.</p> <p>The development has been positioned on the subject site as best as practical to minimise building areas, maximise traffic queuing lengths, and to create a safe flow path of vehicles around the site whilst maintaining the functionality of the car wash practice. The site is very open, giving customers good visibility throughout, increasing customer safety and reducing the visual bulk of the overall structure. The proposed building materials and finishes complement the existing nearby buildings.</p>



Form and Character		<p>The "Car Wash" use is a facility used by the public; developments such as these represent the only way to safely wash your vehicle to protect the environment (by not polluting the stormwater system via effluent runoff into the stormwater drainage network and thereafter damaging the local waterway ecology). The car wash use cross promotes a sense of community by providing fundraising opportunities for local community and sporting groups etc... and being able to provide sponsorship for same.</p> <p>Complies- No outbuildings are proposed.</p>	
	4. The use and placement of outbuildings should be ancillary to and in association with a dwelling or dwellings.		
	5. Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.	<p>Complies- The proposed development complies with the general intent of the desired character of the zone and local policy area. References are made to small scale non-residential activities, whereby the use is complementary to the surrounding dwellings and the use is such that it serves the needs of the local community. The local Policy also refers to sites of medium density, ie: more intense, larger, bigger, greater densities of development etc... It mentions highly varied streetscapes, managing the interface with adjoining different land uses (ie: the adjoining Local Centre zoned Service Station), using landscaping to enhance the building appearance, and mitigating impacts to adjacent existing dwellings in terms of building appearance, height, visual bulk, overshadowing etc...</p> <p>The proposed Car Wash use and building design ticks all of these boxes and provides a perfect transition from the adjoining intense Service Station use and built form on the southwest side of the subject site, shifting to the adjoining Two-Storey unit block to the northeast side of the subject site.</p> <p>Complies- The proposed development is only One-Storey in height. The maximum vertical side wall height is less than 6M above the natural ground level.</p>	
	6. Except where otherwise specified by a policy area, dwellings and buildings containing dwellings should be designed within the following parameters: - Maximum number of storeys: 2 Storeys (above natural ground level), - Maximum vertical side wall height: 6 metres (measured from the natural ground level).		
	7. Dwellings should be set back from allotment or site boundaries to: (a) contribute to the desired character of the relevant policy area, (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.	<p>Complies- The proposed Car Wash building has a front (Anzac Highway) and one side (north-eastern site boundary) setback greater than the existing residential dwelling. All setbacks comply with the required minimum building setbacks outlined in the relevant zone and policy areas.</p>	



<p>8. Except where specified in Medium Density Policy Area 18 and Medium Density Policy Area 19, development (including any veranda, porch, etc) should be set back from the primary road frontage in accordance with the following table. (Table not shown).</p> <p>9 – 11. Refer to Policy #18 requirements.</p>	<p>Complies- The building setbacks outlined in the Medium Density Policy Area #18 have been complied with.</p>
<p>12. Side boundary walls in residential areas should be limited in length and height to:</p> <p>(a) minimise their visual impact on adjoining properties,</p> <p>(b) minimise the overshadowing of adjoining properties.</p>	<p>Complies- These items refer to building siting requirements that are defaulted to the Medium Density Policy Area #18 requirements.</p> <p>Complies- The side boundary wall abutting the adjoining residential zone has been adequately setback and articulated to minimise any visual impact on the adjoining property. The proposed car wash building is located directly behind the middle of the existing ~29.5M long carport of the adjoining unit block. As the proposed building only consists of one main pitched roofed area, the visual impact on the adjacent unit block will be improved. Due to the proposed building location within the subject site, there is no chance of overshadowing into the adjoining residential properties.</p>
<p>13 Except where otherwise specified by a policy area, side boundary walls comply with the following:</p> <p>(a) side boundary walls should be located immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height,</p> <p>(b) side boundary walls:</p> <p>(i) should have a maximum vertical wall height of 3 metres,</p> <p>(ii) should have a maximum length of 8 metres,</p> <p>(iii) should be constructed along one side of the allotment only and no further than 14 metres from the front boundary,</p> <p>(c) where there is an existing adjacent boundary wall which is setback greater than 1 metre from the front setback standard established for the rest of the street, side boundary walls should be located not more than 1 metre closer to the primary street frontage.</p>	<p>Complies- There are no side boundary walls proposed against the residential zoned property site boundaries. The side boundary wall that is provided runs along the southwest site boundary of the existing Service Station (zoned Local Centre). Currently the existing residential dwelling also has the attached garage and carport along this side boundary.</p>

<p>Medium Density Policy Area #18 <i>Form and Character</i></p>	<p>14 Development should ensure that sunlight to solar panels of existing buildings is maintained for a minimum of 2 consecutive hours between 9.00am and 3.00pm on 22 June.</p>	<p>Complies- The proposed development will not impact on the amount of sunlight to any existing solar panels installed on the adjoining properties. In fact, due to the proposed smaller roofed area, the proposed development will improve any access of sunlight available to solar panels.</p>
<p>Medium Density Policy Area #18 <i>Form and Character</i></p>	<p>1 Development should not be undertaken unless it is consistent with the desired character for the policy area.</p> <p>4. Medium density development that achieves gross densities of between 23 and 45 dwellings per hectare (which translates to net densities of between 40 and 67 dwellings per hectare, where net density can be calculated by dividing 10000 by the site area and multiplying that number by the number of proposed dwellings for the site) should be in the form of 2 to 4 storey buildings.</p>	<p>Generally Complies- The desired character of the Medium Density Policy Area #18 expects a 'medium density' uptake of the site, ie: greater and more intense that that could be found in general residential areas.</p> <p>The subject site has frontages to both Cross Road and Anzac Highway and within close proximity to the intersection of Anzac Highway and Cross Road/ Stonehouse Avenue which is a major intersection.</p> <p>Anzac Highway has a mixed use of general residential, medium density residential (ie: multi-storey unit blocks), commercial, shops, restaurants, banks, school, supermarkets, car rental shops etc... currently provided throughout the length of this roadway. The local area along Anzac Highway truly represents a mixed variety of many different types of uses and intensities of development.</p> <p>The proposed Car Wash 'use' is a small scale development (only two (2) automatic wash bays are proposed) compared with typical car wash sites that generally contain a variety of automatic and self-serve wash bays, vacuum bays and dog washing facilities. The built form has been designed to incorporate many of the residential building features commonly found in the general area. The proposed building will contribute to achieving a slightly varied streetscape and use appropriately designed and located landscaping to add to the overall visual appeal of the site.</p> <p>The proposed building will not overshadow or provide negative impacts on the adjoining residential properties.</p> <p>Not Applicable- The proposed development does not contain any residential dwellings. The proposed development is less intense than if the site was to be developed for a multi-storey unit development, therefore it will have less impact on the existing residences.</p>



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TMC Building Design Group



5.2. GENERAL SECTION

Table 2 below addresses the general requirements for the proposed development.

TABLE: 2

Name	Assessment Provisions	Proposal
<u>Crime Prevention Objectives</u>	1. A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance.	<u>Complies-</u> As the car wash overall development is typically an open style structure; this allows high visibility for customers with many simultaneous view lines to/from the public domain external of the site and from within the Service Station site. The proposed design also has the following passive and active system benefits: <ol style="list-style-type: none"> 1. The proposed building layout will increase the perceived risk to a criminal by increasing the possibility of detection, challenge and capture, 2. Increase the effort required to commit a crime by increasing the time, energy or resources needed to be expended to do so, 3. Reduce the potential rewards of crime by minimising, removing or concealing any 'crime benefit', 4. Installing a high level of site security by the use of an externally monitored 24 hour CCTV system being provided, Providing surveillance from the adjoining Service Station (who owns and will operate the Car Wash).
<u>Design and Appearance- Principals of Development Control</u>	1. Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following: <ol style="list-style-type: none"> (a) building height, mass and proportion (b) external materials, patterns, colours and decorative elements (c) roof form and pitch (d) facade articulation and detailing (e) verandas, eaves, parapets and window screens. 	<u>Complies-</u> Refer to Sh: 54 of the Application Drawings for the proposed building Elevations, Sections and proposed building colours/materials. The proposed design will complement and improve upon the built form of the existing dilapidated residential dwelling. The proposed Car Wash building is a purpose built structure to best contain the relevant equipment, mitigate the impact to adjoining properties, be fit for purpose, incorporate local building techniques/themes and commonly used materials for this type of use. The proposed Car Wash building will have an overall building height less than the existing adjoining residential unit development. The proposed building is smaller in area, overall building height and visual bulk than the existing residential dwelling currently on the site. The proposed Car Wash building also has a greater front setback to Anzac Highway than the existing dwelling. The proposed Car Wash is designed to high standards using materials and a colour scheme that is suitable for the local Tudor style features commonly found on the residential dwellings in the locality, in line with the Company corporate branding colours, attractive and suitable for the proposed use and in accordance with Council's Design and Appearance requirements. The proposed building will not dominate the surrounding area in height or bulk- due to the building setback distance, screening from the existing street



		<p>trees, varying building heights/roof pitch/building colours and extensive landscaped areas.</p> <p>All visible roof areas have been designed with a 25° roof pitch. Heritage style eaves gutters will be used throughout the development.</p> <p>Most wall surfaces of the Car Wash building are articulated via verandah roofs, have varying building heights, have pleasing Tudor style features on gable end walls, and large 'tile' areas to match the existing Service Station façade which breakup plain painted concrete panel walls.</p> <p>Complies- The proposed wall/fascia cladding materials consist of painted concrete panels, Express Panel cladding and Colorbond pitched roofing of a dark colour. Therefore the adjoining properties will not be subject to glare from within the subject site.</p> <p>Complies- The proposed Car Wash building adjacent to residential zoned properties has a building setback of 3.1M and high quality landscaped areas of generally 3.0M around the perimeter of the rear of the site (which are locally reduced in driveway areas). As per the existing residential dwelling; the proposed Car Wash building is sited against the boundary of the existing Service Station (ie: which is zoned Local Centre). The length of this wall has been determined by the Building Regulations for fire separation from the Service Station site. The proposed building location will not overshadow or affect the amount of sunlight into the neighbouring properties.</p> <p>Not Applicable- There is no plant or equipment located on the roofed areas.</p> <p>Complies- The adjoining Unit block to the northeast (360 Anzac Highway) currently has a ~29.5M long carport offset ~300mm from the subject site boundary and the unit block (located at the rear of the property) has a roofed length of ~11M and is offset ~1.85M from the subject site boundary (as shown on Sh: 3 of the Application Drawings). This represents a site boundary total coverage of 88.5%; the existing carport coverage alone represents a site boundary coverage of 63.4%. As the proposed Car Wash building is located towards the middle of the existing adjoining carport, has a setback of 3.1M from the northeast site boundary, is smaller in bulk form and overall building height than the current Two-Storey residential dwelling, and is only a Single Storey building; the proposed Car Wash building will not affect the level light, solar access, overshadowing or privacy of the adjoining unit block or adjoining residences. In fact, the proposed development will improve the current access to many of these elements; thus being a positive outcome for the site.</p>
	<p>2. The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.</p> <p>3 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise: (a) the visual impact of the building as viewed from adjoining properties (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.</p> <p>4. Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.</p> <p>9. The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of: (a) windows of main internal living areas (b) ground-level private open space (c) upper-level private balconies that provide the primary open space area for a dwelling (d) solar collectors (such as solar hot water systems and photovoltaic cells).</p>	
<i>Overshadowing</i>		



Visual Privacy	10. Development should minimise direct overlooking of the habitable rooms and private open spaces of dwellings through measures such as: (a) appropriate site layout and building orientation, (b) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct to avoid direct line of sight, (c) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms (d) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.	<p>Complies- As the proposed Car Wash building is only Single Storey, there will be no overlooking problems caused from the proposal.</p> <p>As previously mentioned, the site is well orientated, has generous setbacks to the residential site boundaries, is smaller in overall built area, bulk and height than the current buildings on the site, and provides adequate spatial separation to the surrounding habitable residences.</p> <p>The proposed acoustic fence (refer to the Landscaping Plan, Sh: 6 for locations and heights) is predominately located behind the adjoining carport. If required, minor sections of the acoustic fence can be constructed of a clear perspex material to comply with any local overshadowing requirement to the adjoining unit block. Note that the southeast property (638 Cross Road) currently has a roofed construction for the length of boundary abutting the subject site- therefore overshadowing/overlooking of this property is not a concern.</p>
	11 Permanently fixed external screening devices should be designed and coloured to complement the associated buildings external materials and finishes.	<p>Complies- It is proposed to construct a like and similar acoustic fence to that currently along the site boundary with the Service Station.</p>
	12 Buildings (other than ancillary buildings, group dwellings or buildings on allotments with a battle axe configuration) should be designed so that the main façade faces the primary street frontage of the land on which they are situated.	<p>Complies- The main building façade faces Anzac Highway; refer to the North-West Elevation, Sh: 4 of the Application drawings.</p>
	13 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.	<p>Complies- The building has been designed to emulate many of the existing residential features found within the locality. The proposed signage is minimal (whilst still maintaining functionality) sympathetic to the residential zone; with the main signage located facing the existing Service Station site. The proposed landscaping will maintain the high level set by the adjoining Service Station.</p>
	14 Buildings should be designed and sited to avoid extensive areas of uninterrupted walling facing areas exposed to public view.	<p>Generally Complies- The proposed South-West elevation (refer Sh: 4 of the Application drawings) is the only wall that is of any length (due to the fire design requirements) being 22.3M. This wall has a large degree of articulation in height, building colour, and has large sections of 'tiled' areas which match in with the existing Service Station site built form. As this wall is a side boundary wall and setback from the Anzac Highway site boundary by 7M (to the closest point), some views are screened by existing street trees or the existing fuel canopy, the visual impact external from the site would be minimal.</p>



	<p>15 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.</p> <p>16 In mixed use and medium and high density residential areas, development facing the street should be designed to provide interesting and pedestrian friendly street frontages by:</p> <ul style="list-style-type: none"> (a) including features such as frequent doors and display windows, retail shopfronts and/or outdoor eating or dining areas (b) minimising the frontage for fire escapes, service doors, plant and equipment hatches (c) avoiding undercroft, semi-basement or ground floor vehicle parking that is visible from the primary street frontage (d) using colour, vertical and horizontal elements, roof overhangs and other design techniques to provide visual interest and reduce massing e) including awnings, eaves, verandahs or similar, to the street where setbacks and ground floor uses allow. 	<p>Not Applicable- Pedestrian entry points are not required as only automatic car washing type is offered at the site. Therefore all customers will stay in their car whilst using the site. As vacuum and dog wash facilities are not offered on the site, external pedestrian access is not required.</p> <p>Complies- At ground level the wash bays will have a nice open feel, with 3.0M x 2.5M door openings and side panel windows.</p> <p>Overhead a 25° pitched verandah roof overhangs the exit doorways for the length of the wash bays; this in turn breaks up the overall height of the wall facing Anzac Highway, allowing a pleasing Tudor look to this overhead wall. This type of façade is similar to many residential buildings within the locality.</p> <p>No vehicle parking areas are visible from Anzac Highway or Cross Road.</p> <p>No undercroft or basement car parking is provided.</p>
<i>Outdoor Storage and Service Areas</i>	<p>19 Outdoor storage, loading and service areas should be:</p> <ul style="list-style-type: none"> (a) screened from public view by a combination of built form, solid fencing and/or landscaping (b) conveniently located and designed to enable the manoeuvring of service and delivery vehicles (c) sited away from sensitive land uses. 	<p>Complies- No outdoor storage is proposed.</p> <p>The proposed Bin area is located in the rear corner of the site which will be screened from view from both Anzac Highway and Cross Road.</p> <p>No service areas are required for the site.</p>
<i>Building Setbacks from Road Boundaries</i>	<p>20 Except in areas where a new character is desired, the setback of buildings from public roads should:</p> <ul style="list-style-type: none"> (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality, (b) contribute positively to the function, appearance and/or desired character of the locality. 	<p>Complies- The existing residence is setback ~7.78M at the closest point, and the attached garage is setback ~8.7M from the Anzac Highway site boundary (as seen on Sh: 1 of the Application drawings). The proposed Car Wash main building is setback 10M, and front verandah roof is setback 8.8M from the Anzac Highway site boundary (as seen on Sh: 3 of the Application drawings).</p> <p>The Car Wash Entry Canopy is setback ~25M from the Cross Road site boundary.</p> <p>All building setbacks do contribute positively to the function and goal of the desired local character of the area.</p>



<p>Infrastructure Objectives</p>	<p>1 Infrastructure provided in an economical and environmentally sensitive manner. 2 The visual impact of infrastructure facilities minimised. 3 The efficient and cost-effective use of existing infrastructure.</p>	<p>Complies- The subject site has access to all required utilities and services. The subject site will adequately drain all required stormwater from the site in compliance with Council's Engineers requirements. The Car Washing process will utilise all run-off water captured on all roofed areas- thus greatly reducing the overall site's annual stormwater discharge volume. The proposed development does not involve the removal of any regulated or significant tree.</p>
<p>Interface between Land Uses <i>Principals of Development Control</i></p>	<p>1. 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, h) Traffic impacts.</p>	<p>Complies- Airborne pollutants and air quality- Air-borne emissions are mitigated by the inclusion of the roller doors at the entry and exit of the wash bays; thus preventing any overspray or water exiting from exiting the wash bays. No air pollution emissions are produced from the Plant Room equipment. Vibration, Electrical Interference, Odour, Smoke, Fumes and Dust The proposed development will not emit any vibration, odour, smoke, fumes or dust and it will not cause any electrical interference to adjoining properties. Noise- Every step has been taken to mitigate the acoustic impacts of the car wash equipment used within the site. An acoustic report has been completed for the proposed development (refer EcoAcoustics Report No: 21010918-01, Dated 15th February 2021). This detailed report involved measuring the actual background noise levels. All noise mitigation steps have been included in the proposed drawings. Hence, the proposed design will comply with the SA Environmental Protection (Noise) Policy 2007 criteria. The noise report shows compliance for the site to operate 24 hours- 7 days per week. Site Lighting & Light Spill- All new site lighting for the proposed Car Wash development will be designed in accordance with <i>AS 4282 Control of the Obtrusive Effects of Outdoor Lighting</i>. All driveway areas and Wash Bays/canopies will have suitable lighting installed to allow for the safe travel of vehicles manoeuvring around the site. The proposed lighting layout (refer Sh: 7 of the Application drawings) and selection has taken into account the existing street lighting locations, the proposed building and roof covered areas, any effect from the proposed landscaping to ensure that no blind spots/hot spots area created. All lighting around the site will use LED light fittings. Lighting installed in all Automatic wash bays will not spill out from these bays due to the enclosed nature of the bays. All external lighting under the roof canopy areas will be sufficiently located and angled within the area concerned. All additional site lights will be fitted with suitable baffle devices (where required) that prevent light from spilling off the site. This practice is common in all car washing facilities. All external lighting will be fitted with a light sensing device that will only operate once the natural light falls below a certain level. Also refer to the Dialux report detailing the proposed light and light level contours etc....</p>



	<p>Glare- All products/materials used and colour selection made for the proposed buildings has been selected with the view to minimise glare to the roadway and surrounding properties.</p> <p>Hours of Operation and Staffing Requirements- The proposed operating hours for the development are to match the existing Service Station site:</p> <ul style="list-style-type: none"> • 5:00am to 11:00pm – 7 days per week. <p>The site is designed to operate as a minimally manned site, with highly sophisticated security cameras being installed around the site and in the Plant Room. This will ensure that the site is constantly monitored remotely at all times. A total of 1 employee (from the adjoining Service Station site) will be in attendance on the site on an as-needed basis, typically 1-3 hours per day.</p>	<p>Glare- All products/materials used and colour selection made for the proposed buildings has been selected with the view to minimise glare to the roadway and surrounding properties.</p> <p>Hours of Operation and Staffing Requirements- The proposed operating hours for the development are to match the existing Service Station site:</p> <ul style="list-style-type: none"> • 5:00am to 11:00pm – 7 days per week. <p>The site is designed to operate as a minimally manned site, with highly sophisticated security cameras being installed around the site and in the Plant Room. This will ensure that the site is constantly monitored remotely at all times. A total of 1 employee (from the adjoining Service Station site) will be in attendance on the site on an as-needed basis, typically 1-3 hours per day.</p>
2. Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.	<p>Complies-</p> <p>The car wash use will not detract on current or future uses on adjoining properties. The subject site is positioned in a good location for customers that will provide a needed service to the community which is in high demand. The proposed car wash use is a complementary ancillary business to the existing adjoining Service Station site.</p>	<p>Complies-</p> <p>The car wash use will not detract on current or future uses on adjoining properties. The subject site is positioned in a good location for customers that will provide a needed service to the community which is in high demand. The proposed car wash use is a complementary ancillary business to the existing adjoining Service Station site.</p>
3. Development adjacent to a Residential Zone should be designed to minimise overlooking and overshadowing of nearby residential properties.	<p>Complies-</p> <p>The proposed car wash development will not overlook or overshadow the adjoining residential properties.</p>	<p>Complies-</p> <p>The proposed car wash development will not overlook or overshadow the adjoining residential properties.</p>
5. Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.	<p>Complies-</p> <p>The proposed car wash development has been designed to achieve compliance with all required Australian Standards, Authority Regulations and Council requirements. Any impact from: traffic, acoustic, light spill, stormwater, sewerage, emissions, built form, overshadowing, overlooking, privacy etc.... have all been successfully mitigated.</p>	<p>Complies-</p> <p>The proposed car wash development has been designed to achieve compliance with all required Australian Standards, Authority Regulations and Council requirements. Any impact from: traffic, acoustic, light spill, stormwater, sewerage, emissions, built form, overshadowing, overlooking, privacy etc.... have all been successfully mitigated.</p>
6. Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.	<p>Complies-</p> <p>As previously stated, the proposed car wash development complies with all relevant noise regulations.</p>	<p>Complies-</p> <p>As previously stated, the proposed car wash development complies with all relevant noise regulations.</p>
7. Non-residential buildings and structures in zones other than the Urban Corridor Zone should be set back from boundaries of the site where it abuts the Residential Zone: (a) a minimum of 5 metres from the front property boundary (b) a minimum of 3 metres from side or rear property boundaries where the vertical wall height (from natural ground level) is 4 metres or less, plus an additional 0.6 metres for every metre that the vertical wall height (from natural ground level) exceeds 4 metres.	<p>Complies-</p> <p>The proposed Car Wash building complies with all setback requirements. Refer to the North-West Elevation, South-East Elevation, and Section C on Sh: 4 of the Application drawings; whereby the 'residential building envelope setback' is clearly shown as a dashed red line.</p>	<p>Complies-</p> <p>The proposed Car Wash building complies with all setback requirements. Refer to the North-West Elevation, South-East Elevation, and Section C on Sh: 4 of the Application drawings; whereby the 'residential building envelope setback' is clearly shown as a dashed red line.</p>



<p>Noise generating Activities</p>	<p>8. 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.</p>	<p>Complies- Ensuring compliance with the SA Environmental Protection (Noise) Policy is a high priority for the owner of the proposed development- especially for the adjoining and nearby residential dwellings.</p> <p>As previously mentioned in item "Interface between Land Uses- Principals of Development Control- Noise"; the site will adopt all of the recommendations presented in the acoustic report to ensure that the site operates (from a noise perspective) within the required regulatory framework at all times.</p>
<p>Air Quality</p>	<p>9. Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.</p> <p>12 Development with the potential to emit harmful or nuisance-generating air pollution (including gaseous odours) should incorporate air pollution control measures to prevent harm to human health or unreasonable interference with the amenity of sensitive uses within the locality.</p>	<p>Complies- All of the noise attenuation measures that are listed in the acoustic report will be adopted throughout the site. This will ensure that the car wash could operate 24 hours – 7 days per week with full compliance with the SA Environmental Protection (Noise) Policy criteria.</p> <p>Complies- Air-borne emissions are mitigated by the inclusion of the roller doors at the entry and exit of the wash bays; thus preventing any overspray or water exiting from exiting the wash bays.</p> <p>No air pollution emissions are produced from the Plant Room equipment.</p>
<p>Landscaping, Fences and Walls <i>Principals of Development Control</i></p>	<p>1. Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:</p> <p>(a) complement built form and reduce the visual impact of larger buildings (eg: taller and broader plantings against taller and bulkier building components),</p> <p>(b) enhance the appearance of road frontages,</p> <p>(c) screen service yards, loading areas and outdoor storage areas,</p> <p>(d) minimise maintenance and watering requirements,</p> <p>(e) enhance and define outdoor spaces, including car parking areas</p> <p>(f) maximise shade and shelter,</p> <p>(g) assist in climate control within and around buildings,</p> <p>(h) minimise heat absorption and reflection,</p> <p>(i) maintain privacy,</p> <p>(j) maximise stormwater re-use,</p> <p>(k) complement existing vegetation, including native vegetation,</p> <p>(l) contribute to the viability of ecosystems and species,</p> <p>(m) promote water and biodiversity conservation.</p>	<p>Complies- A pleasant array of landscaping plants of varying heights (medium 5M to low level 0.5M) have been designed for the proposed Car Wash site (refer Sh: 6 of the Application Drawings). The landscaping has been carefully designed at vehicle access locations to ensure that adequate sight distance and pedestrian safety requirements are achieved. All plant species have been selected with consultation with a local plant nursery and with consideration to Council's Landscape Guidelines to ensure that the plants are suitable for the local soil/climate, frost/heat tolerant, for ease of maintenance, will suit the use of the site, and can be readily sourced. The plant species selected are hardy, typically low in maintenance, will give good variation of form/colour, many are found on the existing Service Station development or are commonly used in other developments around the region.</p> <p>The proposed landscaping achieves the requirements listed and will provide a good level of visual separation between the adjoining residential sites to ensure that their privacy is maintained.</p>



	<p>2. Landscaping should:</p> <p>(a) include the planting of locally indigenous species where appropriate,</p> <p>(b) be oriented towards the street frontage,</p> <p>(c) result in the appropriate clearance from powerlines and other infrastructure being maintained.</p> <p>3 Landscaping should not:</p> <p>(a) unreasonably restrict solar access to adjoining development</p> <p>(b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding</p> <p>(c) introduce pest plants</p> <p>(d) increase the risk of bushfire</p> <p>(e) remove opportunities for passive surveillance</p> <p>(f) increase leaf fall in watercourses</p> <p>(g) increase the risk of weed invasion</p> <p>(h) obscure driver sight lines</p> <p>(i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.</p> <p>4 A minimum of 10 per cent of a development site should be landscaped. The development site refers to the land which incorporates a development and all the features and facilities associated with that development, such as outbuildings, driveways, parking areas, landscaped areas, service yards and fences. Where a number of buildings or dwellings have shared use of such features and facilities, the development site incorporates all such buildings or dwellings and their shared features and facilities.</p> <p>5 A landscape area of at least 3 metres in width should be provided between non-residential development and the boundary of a residential zone.</p>	<p>Complies- Planting species that has been selected is suitable for the subject site in size, scale and planting location. The landscaping is located away from all existing known powerlines.</p> <p>Complies- Due to the location of the existing site boundary fence, existing site trees, existing adjoining buildings/carport within the close proximity to the subject site; the proposed development will improve adjoining properties mount of solar access. The proposed landscaping has not introduced pest plants, increased the risk of a bushfire or weed infestation, obscured driver sight lines and are located a sufficient distance away from buildings and infrastructure not to cause damage. The proposed landscaping has not removed the ability of passive surveillance from outside of the site.</p> <p>Complies- The proposed Car Wash development proposed a very large 31.5% (or 233.6M²) of the car wash site as being landscaping.</p> <p>Complies- A landscaping width of 3.1M is provided along the entire northeast site boundary. A landscaping width varying from 1.0M – 3.0M is provided along the south-eastern site boundary; note that the portion of landscaping that is not behind the existing Gl. Shed is 3.0M wide. This chamfer of landscaping is required due to the driveway design and to aid in a smooth vehicle travel path into the site. Landscaping provided fronting Anzac Highway is a minimum of 6.1M wide.</p>
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	<p>6. Fences and walls, including retaining walls, should:</p> <ul style="list-style-type: none"> (a) not result in damage to neighbouring trees, (b) be compatible with the associated development and with existing predominant, attractive fences, and walls in the locality, (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance, (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street, (e) assist in highlighting building entrances, (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites, (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land, (h) be constructed of non-flammable materials. 	<p>Complies-</p> <p>A 2.8M minimum high acoustic fence is proposed along the north-eastern site boundary, which wraps around to the south-eastern site boundary until it overlaps with the existing GI shed on the adjoining property (of 638 Cross Road). Thereafter a 2.4M high non-combustible fence is provided until it reaches the Cross Road site boundary. Refer to the Proposed Landscaping Plan, Sh: 6 of the Application Drawings) for locations.</p> <p>The predominant portion of the acoustic fence is located behind the existing adjoining carport or in areas currently shielded by existing trees/fence etc...</p> <p>No other fences are proposed along any site boundary.</p>
<p>Natural Resources</p> <p><i>Water Sensitive Urban Design</i></p>	<p>5. Development should be designed to maximise conservation, minimise consumption and encourage re-use of water resources.</p> <p>7. Development should be sited and designed to:</p> <ul style="list-style-type: none"> (a) capture and re-use stormwater, where practical, (b) minimise surface water runoff, (c) prevent soil erosion and water pollution, (d) protect and enhance natural water flows, (e) protect water quality by providing adequate separation distances from watercourses and other water bodies, (f) not contribute to an increase in salinity levels, (g) avoid the water logging of soil or the release of toxic elements, (h) maintain natural hydrological systems and not adversely affect: <ul style="list-style-type: none"> (i) The quantity and quality of groundwater, (ii) The depth and directional flow of groundwater, (iii) The quality and function of natural springs. 	<p>Complies-</p> <p>The site includes 2 x 5,000L rain water tanks to capture all and re-use all of the rain water that falls on the roofed areas for the car washing process. This will reduce the volume of mains water consumption and utilise 'free' water from rain events. This rain water can also be used for irrigation purposes if required.</p> <p>Complies-</p> <p>The site involves capturing rain water from the car wash building roofed areas and re-using it during the car washing process and for irrigation. This will allow the overall site's stormwater run-off volume to dramatically reduce.</p> <p>The proposed development will not pollute the stormwater, cause soil erosion, alter the quality of nearby watercourses, increase salinity levels, release toxic elements into the water system, or alter the natural hydrological groundwater system.</p>



	Items 8 to 16.	<p>Will Comply- Refer to the attached Water Sensitive SA- Stormwater calculations (produced by TMC) which show that the proposed development will comply to the Volume, Flow and Efficiency stormwater objectives.</p> <p>The site has suitable provisions to prevent stormwater from overflowing into adjoining properties and to exit the site without entering into the Plant Room/Wash Bays.</p> <p>Following a review of the project by Council's Engineer, design solution options will be required to be discussed regarding the minor shortfall in achieving the stormwater Quality requirements for the site. It is requested that Council's Engineer contact the Applicant for discussions and so that the stormwater design can be finalised.</p>
<p>Siting and Visibility <i>Principals of Development Control</i></p>	<p>1 Development should be sited and designed to minimise its visual impact on:</p> <ul style="list-style-type: none"> (a) the natural, rural or heritage character of the area (b) areas of high visual or scenic value, particularly and coastal areas (c) views from the coast, near-shore waters, public reserves, tourist routes and walking trails (d) the amenity of public beaches <p>4. Buildings and structures should be designed to minimise their visual impact in the landscape, in particular:</p> <ul style="list-style-type: none"> (a) the profile of buildings should be low and the roof lines should complement the natural form of the land (b) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land (c) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas that reduce the bulky appearance of buildings. <p>5 The nature of external surface materials of buildings should not detract from the visual character and amenity of the landscape.</p>	<p>Complies- The proposed Car Wash building has been sited/designed to minimise the visual impact to the adjoining properties and be inclusive of the traditional building façade design/features of the adjoining residential and Service Station developments.</p> <p>Complies- The proposed building roof line is similar to many local residential dwellings. The built form and overall building size is smaller than the existing dwelling on the site. The proposed landscaping will complement the proposed building and be well maintained in alignment with the existing Service Station site.</p> <p>Complies- The proposed variations in building materials, roof heights, articulated wall heights etc... will not detract from the visual character and amenity of the landscape.</p>
<p>Transportation and Access <i>Movement Systems</i></p>	<p>9. 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.</p> <p>10. Driveway crossovers affecting pedestrian footpaths should maintain the level of the footpath.</p>	<p>Complies- See the below section on "Transportation and Access, Item 24" for a detailed description of sightlines and the proposed exit onto Anzac Highway.</p> <p>Complies- The existing levels of the existing driveways (which are to be removed due to their poor state of repair and reinstated in accordance with Council Standard Drawings) and abutting footpaths will be maintained at all times.</p>

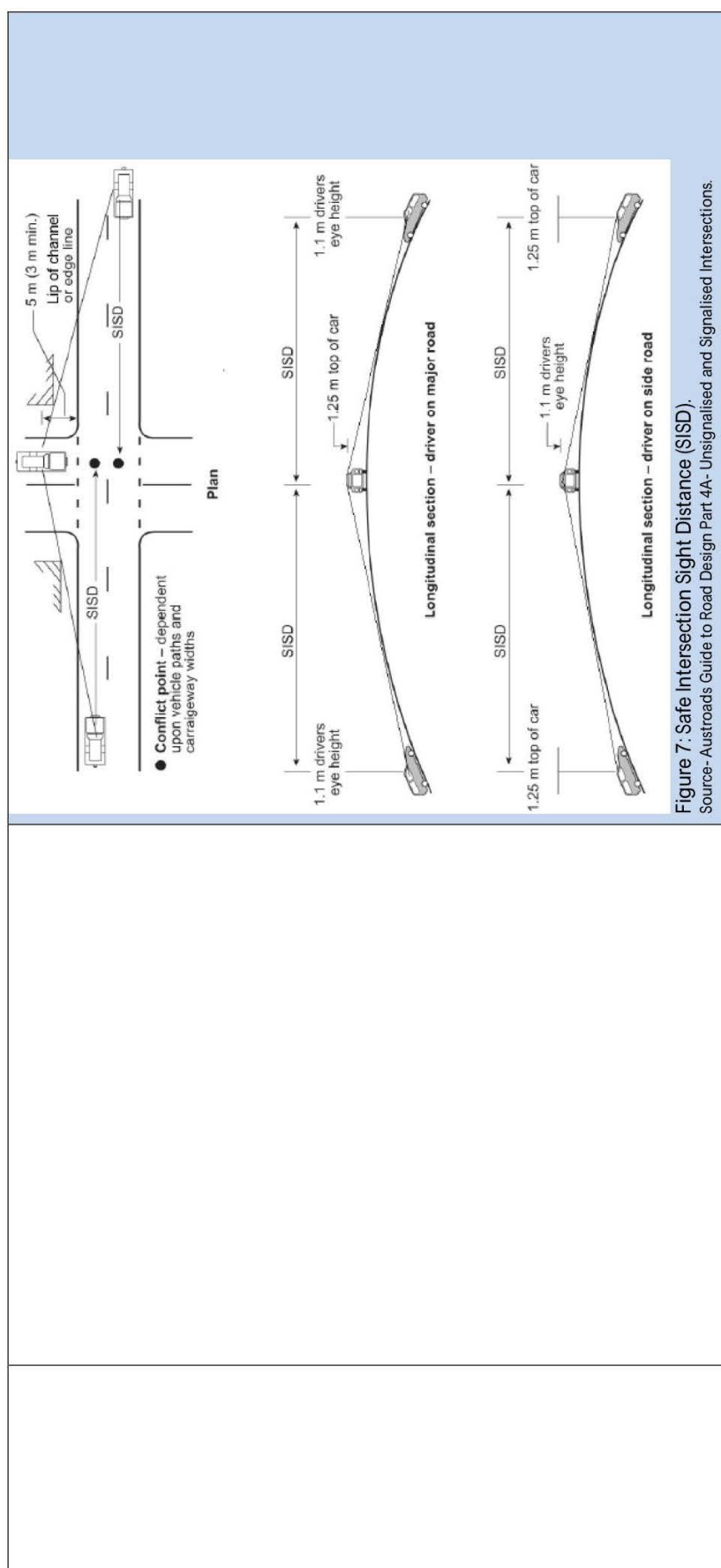


	14. Development should provide for the on-site loading, unloading and turning of all traffic, including any waste collection vehicles, likely to be generated.	<p>Complies-</p> <p>The proposed design has made generous allowances for all expected vehicle movements throughout the site. Vehicles only travel within the site in a forwards direction. A height restriction device is installed at the site entry to prevent any oversized vehicles from entering the site. Waste collection vehicles are not required to enter the site- as standard wheelie bin kerb-side collection will occur as there is no need to have a skip bin present on the site which requires internal collection.</p>
<p>Transportation and Access</p> <p>Access</p>	<p>23. Development should have direct access from an all weather public road.</p> <p>24. Development should be provided with safe and convenient access which:</p> <p>(a) avoids unreasonable interference with the flow of traffic on adjoining roads,</p> <p>(b) provides appropriate separation distances from existing roads or level crossings,</p> <p>(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,</p> <p>(d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.</p>	<p>Complies-</p> <p>Both Anzac Highway and Cross Road are bitumen sealed roadways.</p> <p>Complies-</p> <p>The control of traffic flow patterns through any site is of great importance in order to maximise the sites potential, maximise the customer experience and most importantly to create a safe passage for all vehicles to manoeuvre throughout the site.</p> <p>This site has been designed to achieve clear lines of site, clear driveway dedicated entry and exit locations, line and directional arrow markings (so customers know what lane to be in and the direction to travel), painted lane markings stating "Auto Wash Entry", "Auto 1", "Auto 2", "Exit", "No Entry" etc...; directional signage will also be used at site access locations "No Entry" (located at the Anzac Highway driveway) around the site to complement the lane/line marking as required. Refer to Sh: 3 of the Application Drawings to see the proposed site line/lane markings, traffic directional arrows, and protection bollards etc...</p> <p>Currently there are no published generation rates for Car Wash facilities located in this area in Adelaide. However, based on past projects where Traffic Impact Assessments have been completed for similar sites with a similar or greater wash bay layouts, and from knowledge of the typical car wash usage rates (supplied by the Car Wash Equipment Supplier); it is expected that this site could generate an average of around 80 VPD (vehicle movements per day). Note that this figure is also subject to seasonal fluctuations. During peak operating days it could be expected that the site could generate up to 110 VPD. This traffic volume represents only 5.5% of the estimated daily traffic volume of the existing Service Station site (which was estimated at 2,000 daily trips, (Source- InfraPlan- Traffic Report, dated: 7th August 2013).</p> <p>It is important to note that typical Car Wash site peak operating hours vary significantly from peak traffic network morning/evening hours of travel. Usually the Car Wash weekday peak hours of operation are between from 11am to 2pm Monday-Friday and the weekend peak hours of operation are from 10am to 3pm.</p> <p>During the busiest hour of operation of average daily usage (ie: typically on weekdays) it is expected that the Car Wash will generate 7 VPH (vehicles movements per hour), ie: 1 car entering/exiting the site every 8-9 minutes. During the busiest hour of operation of peak daily usage (ie: typically on a weekend) it is expected that the Car Wash could generate 17</p>



<p>VPH (vehicles movements per hour), ie: 1 car entering/exiting the site around every 3-4 minutes. It is obvious to state that the proposed Car Wash use will generate more trips than the existing residence; however a very high percentage of the patronage of the site will be via passing trade (mostly from customers that also use the adjoining Service Station) and the car wash as a standalone use will generate very few local trips. As such the proposed Car Wash development will have an insignificant effect on the nearby Anzac Highway/Cross Road intersection.</p> <p>With the existing traffic volumes along Cross Road and Anzac Highway, the clear sight lines, and large width of the roadway; it is considered that the existing driveway left-turn only exit onto Anzac Highway can easily cope with this volume of traffic movement. Hence the proposed car wash will not impact negatively upon the local road network.</p> <p>Typically it takes around 6 minutes for a vehicle to be washed in the Auto Bays. As there are 2 Auto Bays provided, a vehicle can be washed every 3 minutes. There is a minimum allowance for 8 vehicles to be queued prior to the entry of the Auto Wash Bays. From past Traffic Management studies/reports that have been conducted of other Car Wash sites in Adelaide and around Australia; the proposed site accommodates queuing for an additional 2+ vehicles per wash bay higher than what has been identified as the standard minimum queuing length. When you compare the expected traffic generation rates, with the typical wash cycle time and queuing spaces available; you can easily determine that there is an excessive amount of queuing on this site which will allow the site to function superbly and enhance the customer experience on the site. Therefore, there is no chance that any vehicle would come close to queuing onto Cross Road.</p> <p>The potential for the proposed development to create traffic disruption along Cross Road or Anzac Highway is minimal. The safety performance of all driveways and intersections is dependent on providing sufficient horizontal and vertical sight distances for all vehicles entering and exiting the site. Sometimes lines of sight are required at greater angles to the driver's normal viewing position, ie: through the side windows of a vehicle etc... Sometimes there can be bends in the path of travel which can affect the driver's ability to accurately estimate oncoming vehicles speed and stopping distances along that length. The proposed design takes into account both of the horizontal and vertical lines of sight, approach sight distance (ASD), safe intersection sight distance (SISD), minimum gap sight distance (MGSD) and entering sight distance (ESD), and also possible effects from other obstructions caused by trees, signage, fences, buildings, safety barriers etc.... Figure 7 explains the types of sight distances, and Table 3 shows the sight distance requirements on level grades for passenger cars only.</p>	
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Design speed (major road) (km/h)	ESD -entering sight distance (1.05 m to 1.05 m) (m)	ASD - Approach sight distance (1.05 m to 0.0 m)		SISD - Safe intersection sight distance (1.05 m to 1.05 m)	
		Absolute minimum 1.5 secs	Desirable 2.0 secs	Absolute minimum 1.5 secs	Desirable 2.0 secs
		m	m	m	m
40	100	33	39	66	72
50	125	47	54	89	96
60	160	63	71	113	121
70	220	82	91	140	149
80	305	103	114	170	181
90	400	128	140	203	215
100	500	157	170	240	253
110	500	190	205	282	297
120	500	229	245	329	345

Table 3: Intersection Sight Distances for Level Grade.

Source- Austroads Guide to Road Design Part 4A- Unsignalised and Signalised Intersections.

Anzac Highway is a three lane two way road, with slip lanes located on both sides of the road, and a 60km/hr speed zone applies along the front of the site. The road is very wide (at approximately 30M in total width) and is separated by a central medium strip. From the site exit driveway location; Anzac Highway is without any horizontal bend for over 3km's in the northeast direction. Therefore, the minimum requirements for the approach sight distance will be easily achieved for the intersection of the (existing) exit driveway and Anzac Highway. Anzac Highway also offers a more than satisfactory safe intersection sight distance (SISD) for a driver exiting the Car Wash site to observe vehicles already on the roadway. As the total length of the driveway exiting out of the subject site is 10M long; an exiting vehicle that could moving into a collision situation would have adequate time to decelerate to a stop before reaching the collision point. Vehicles will typically be travelling at low speeds when exiting the Car Wash was bay in any case.

Therefore based on the estimated traffic generation rates for the proposed development, the large queueing lengths available prior to exiting the site, and the characteristics of Anzac Highway; the car wash development will not adversely affect the existing traffic flow characteristics or intersection performance along Anzac Highway.



<p>Transportation and Access <i>Vehicle Parking</i></p>	<p>26. Development with access from arterial roads or roads as shown on Overlay Maps - Transport should be sited to avoid the need for vehicles to reverse on to or from the road.</p>	<p>Complies- All vehicles can enter and exit the site in a forwards direction. Refer to Sh: 5 of the Application drawings for the typical site vehicle swept path diagrams. This is a great improvement on the existing residence- whereby it is not possible to enter/exit the site from either Anzac Highway or Cross Road in a forward direction.</p>
	<p>28 Development with access from arterial roads or roads as shown on Overlay Maps - Transport should be sited to avoid the need for vehicles to reverse on to or from the road.</p>	<p>Complies- All vehicles will entry/exit the site in a forwards direction.</p>
	<p>30 Driveways, access tracks and parking areas should be designed and constructed to: (a) follow the natural contours of the land, (b) minimise excavation and/or fill, (c) minimise the potential for erosion from run-off, (d) avoid the removal of existing vegetation, (e) be consistent with <i>Australian Standard AS 2890 Parking facilities</i>.</p>	<p>Complies- All internal driveway/parking areas are designed and will be constructed to achieve the surface levels/contours shown on the drawings (refer Sh: 2 of the Application drawings for the proposed site levels) and is in compliance with the Civil Engineers documentation. The site is required to have a small amount of fill placed in order to achieve the necessary cover and fall of the stormwater pipes to reach their point of discharge. The general overall site design will minimise any soil erosion from stormwater run-off.</p>
	<p>34 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table WeTo/2 - Off Street Vehicle Parking Requirements. 35 Development should be consistent with Australian Standard AS 2890 Parking facilities.</p>	<p>Complies- All car parking, driveway and queuing areas will be suitably sized in accordance with AS 2890.1 <i>Off-Street Parking</i>. Due to the nature of the car wash- there are minimal/no actual 'car parking' areas (except for the staff car park) as cars are either waiting in a queuing lane prior to entering into the wash bay, in the wash bay or exiting the site. As 'Car Wash' is not a listed use in the various car parking tables given throughout the Development Plan. Therefore the below will demonstrate practical compliance/justification for the car parking that has been provided on the site. Refer to Sh: 5 of the Application Drawings for the overall site General Car Parking Layout. This plan shows 2 vehicles parking inside the Auto Bays, plus a minimum of 8 vehicles queuing prior to the entry of the Auto Bays and 1 Staff car park. All vehicle car parking/queuing has been generally designed for B99 Design Vehicles. The site will not (usually) generate trips by cyclists as the site is for washing vehicles in an automatic wash bay- typically people are in a car. Therefore a dedicated bicycle parking area has not been provided. Typically a dedicated disabled car space is not provided in a car wash development as the sole purpose for visiting the car wash site is to wash your car; therefore the customer will remain inside their car throughout this process.</p>



<p>Waste <i>Principals of Development Control</i></p>	<p>37 Vehicle parking areas should be designed to reduce opportunities for crime by:</p> <ul style="list-style-type: none"> (a) maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads, (b) incorporating walls and landscaping that do not obscure vehicles or provide potential hiding places, (c) being appropriately lit, (d) having clearly visible walkways. <p>39 Parking areas that are likely to be used during non daylight hours should provide floodlit entrance and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the parking area.</p>	<p>Complies- There are no entrapment spots or blind corners on the Car Wash site for customers to be detained in. As the site only contains automatic wash bays, customers will not be required to exit their vehicle at any time. All areas of the site will be appropriately lit to minimise any 'hiding' spots.</p>
	<p>40. Parking areas should be sealed or paved in order to minimise dust and mud nuisance.</p> <p>42. Parking areas should be line-marked to indicate parking bays, movement aisles and direction of traffic flow.</p>	<p>Complies- Lighting will be provided in the wash bays, throughout the site and at driveway access locations to ensure compliance with AS 4282 <i>Control of the Obtrusive Effects of Outdoor Lighting</i>. Refer to the attached Dialux report and the Proposed Car Wash Lighting Plan (Sh: 7 of the Application Drawings) for the location and sizing of all proposed lights.</p>
		<p>Complies- All hardstand surfaces will be suitably concreted.</p>
		<p>Complies- All Entry/Exit driveways, Wash Bay lanes, the staff parking bay etc... will be suitably line-marked as shown on the Proposed Car Wash Layout Plan, Sh: 3 of the Application drawings.</p>
	<p>6. Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:</p> <ul style="list-style-type: none"> (a) screened and separated from adjoining areas, (b) located to avoid impacting on adjoining sensitive environments or land uses, (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system, (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water, (e) protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours, (f) stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner. 	<p>Complies- As there are no Vacuum Bay or Self-Serve Wash bay facilities provided on the site, the only rubbish that will be produced will be from empty chemical drums from the car washing process and any associated packaging. This rubbish will be cut down and placed in normal wheelie bins that will be placed in the Bin area, screened behind a Colorbond fence/locked gated area. These bins will be collected as needed by a private waste collection contractor. The bin area will not impact upon the environment or affect any existing land use of the adjoining property.</p>



<p>Waste <i>Waste Treatment Systems</i></p>	<p>10. Development that produces any sewage or effluent should be connected to a waste treatment system that complies with (or can comply with) the relevant public and environmental health legislation applying to that type of system.</p> <p>13. Any on-site wastewater treatment system/ re-use system or effluent drainage field should be located within the allotment of the development that it will service.</p>	<p>Complies- Waste effluent disposal for the site will be via gravity feed pipe system to the appropriate sewer connection with the permission of SA Water. All effluent water/silt discharged/removed from the site (from the wash bay Silt Pits/Holding Tank) will be treated to EPA accepted standards or carried offsite by EPA licenced contractors.</p> <p>Silt pits will be installed in each Automatic Wash Bay which are then connected into the 10,000L Holding Pit and ran through the Oil Separator prior to being discharged from site to the approved sewerage connection point.</p> <p>A trade waste discharge licence will be obtained from the local Water Authority after the Planning Application has been granted.</p> <p>Silt pits between the Automatic Wash Bays are interconnected with pipes to prevent any overflow of effluent water escaping from these wash bays. The Oil Separator will be fitted with duty and standby pumps to ensure that the sewer site discharge of effluent is maintained.</p> <p>Particular attention has been given so that no effluent escapes from the wash bay areas and discharges into the stormwater system. This is achieved by giving the wash bays a 100mm minimum fall from outside of the bay to the silt pit in the centre of the respective bay, having roller doors at the entry and exit of each wash bay, and placing a strip drain (connected into the central Silt Pit) to prevent water from running out from the wash bay.</p> <p>The fascia trusses over the entry and exit of the wash bays have a suitable roof overhang to prevent stormwater from entering into the wash bays.</p>
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6. ADVERTISEMENTS/SIGNAGE

There are three (3) proposed signs for the subject site. This number is necessary as there are 2 separate road frontages. The proposed signs have been designed to be minimal in size/number, specific in wording, true to the “Pitstop” Car Wash brand and logo, and sympathetic to the surrounding locality.

The proposed signage has generally been located to avoid clutter and designed to avoid driver distraction and to fit in with the existing Service Station signage. The signage content is specific to the proposed site use and hours of operation, and will not be obstructed by landscaping areas, or interfere with existing signage on the adjoining Service Station site.

As there are no guidelines for acceptable signage in a residential area; the signage requirements for the adjoining Local Centre zone have been applied to the site. This allows a free standing advertisement to have an area of 4 M², plus an additional 0.1 M² per meter of site frontage with a public road.

1. Cross Road Overhead Freestanding Entry Sign:

- This sign can be viewed on the Cross Road Overhead Entry Sign, Sh: 4 of the Application drawings,
- This proposed sign is setback 2.8M into the subject site,
- The proposed total area of the sign is 4.4 M²,
- The allowed total area of the sign is 4 M² + (11.89M x 0.1M) = 5.19 M²
- Both the sign and bubble car shall be internally illuminated with the face colours as shown on the sign elevation.

2. Anzac Highway Low Level Sign:

- This sign can be viewed on the Anzac Highway Low Level Sign, Sh: 4 of the Application drawings,
- The proposed sign will be connected to minimal black powdercoated frame fixed to the underside of the letters. Which, in turn, is fixed to the narrow concrete footing under-covered by astro turf-as shown below in Photo 7,
- The proposed total area of the sign is 2.4 M²,
- The allowed total area of the sign is 4 M²,
- The sign is not internally illuminated.



Photo 7: Existing free standing “X Convenience” sign located at the frontage of Anzac Highway of the adjoining Service Station site.



3. Southwest Side Boundary Signage:

- This sign can be viewed on the South-West Elevation Sh: 4 of the Application drawings,
- The proposed sign will be fixed to the concrete panels,
- The proposed total area of the sign "pitstopcarwash" is 1.7 M²,
- The proposed total area of the Bubble Car logo is 1.5 M²,
- The total wall area is 107.3 M². Therefore the signage has a total area of 3.2 M² and represents 3% of the total wall area,
- Both the sign and bubble car shall be internally illuminated with the face colours as shown on the building elevation, with white sides.



7. CONCLUSION

The proposal has been designed by a professional with 18 years of experience in designing/detailing all aspects of car washes; from Town Planning to Structural/Civil/Hydraulic Engineering, Architectural drafting/building design construction documentation, and Car Wash Equipment layout documentation. It is assured that the highest building standards and car wash best practices have been followed in the documentation of this proposal.

This Development Application seeks approval for a car wash development at 364 Anzac Highway, Plympton in South Australia. The proposed Car Wash 'use' is a non-complying use on this site which is zoned in the Residential (R) zone. Based on the detailed assessment outlined above; the proposed development demonstrates a high level of consistency or exceeds the strategic requirements and standards set by the West Torrens Council Development Plan and by other regulating authorities. The proposed development will mitigate all possible acoustic, traffic, light, stormwater, sewerage, built form etc... impacts to acceptable levels for the allowance of the car wash use on this site.

The existing dilapidated Two-Storey residence will be demolished, and the proposed car wash building will be set back 10M from the Anzac Highway frontage and 25M from the Cross Road frontage. The site is more than suitable for the proposed development 'use', will add to the general amenity of the area. With the latest in technology of car washing equipment being installed on the site; high energy efficiency and lower water usage will be achieved; thus further minimising the environmental impacts and demands on local existing infrastructure. The car wash use will not detract on current or future uses on adjoining properties. The site is positioned in a good location for customers that will provide a service to the community which is in high demand immediately adjacent to the existing Service Station (of the same owner as the subject site).

The "car wash" use is a growing routine that is widely accepted by the public as an environmentally friendly and responsible, convenient, cost effective, fast method of washing their vehicle. The proposed building design and landscaping will be a positive impact in the area and will not have any negative effects on the local infrastructure or traffic flow and safe movements in or around the subject site. The site contains an abundant amount of queuing and suitable staff car parking. The open plan nature of the design will promote safe passage for all patrons using the site.

Should you have any questions or seek any clarification on the information provided, I invite you to contact me directly via telephone on 0416 114 573 or email tracey@tmcdesign.com.au for a timely response.

Yours Faithfully,



TRACEY MICHAELS B.ENG (Hon), M.ENG (Mgmt)

Designer/Director

TMC Building Design Group



Stormwater Calculations







Report for

Project Details

Project Name	364 Anzac Highway, Plympton		
User Email	tracey@tmcdesign.com.au		
Web files link			
Site Area (m2)	742	Project ID	288
Planning number			
Development type	Non-residential development		
Existing site details	Residential >750m2 per dwelling		
Street address	364 Anzac Hwy, Plympton SA 5038, Australia		

Results

 VOLUME	 FLOW	 QUALITY	 EFFICIENCY
Objective: Harvest or infiltrate stormwater	Objective: Control peak discharge flows	Objective: Improve stormwater runoff water quality	Objective: Increase drought resilience
Target: No more than a 10% increase in runoff volume	Target less than or equal to zero. If greater than zero this is the additional Site Storage Requirement (SSR) volume required	Target: Achieve a score of 100 or more	Target: Achieve greater than 25% potable water use reduction
VOLUME RESULT	FLOW RESULT	QUALITY RESULT	EFFICIENCY RESULT
4.6 % change in annual average volume	-5.0 m ³ of additional site storage required	87 Pollution reduction score (out of 100)	57.3 % water saving

VOLUME PASSES

FLOW PASSES

EFFICIENCY PASSES

QUALITY FAILS

Job No: 20-034 Civil, Rev A
TMC Building Design Group
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 Mornington, VIC, Australia, 3931
 +61 416 114 573
 www.tmcdesign.com.au

Design Criteria

The development must be designed and constructed in accordance with the following:

Stormwater management measures selected are

This includes all impervious areas in the site connected to Council or Stormwater Authority drains. This excludes pervious areas like pervious paving, garden, gravel and lawn areas)

- Raintank Volume = 10000 litres connected to 199m² of roof, additional detention tank volume included = 10000 litres
- 309.0m² of Driveway called 'Driveway' draining to m² of None

Conditions of approval

Rainwater Tanks

Total rainwater retention tank volume (L)	10000	
Area of roof connected to rainwater tank (plumbed to household) (m ²)	199.0	
Total rainwater detention tank volume (L)	10000.00	
Rainwater tanks connected to		
Other rainwater tank end uses (L/day)	10000	Irrigated Garden Area (m ²)
Additional* Site Storage (m ³)		*Site storage added adjacent to the legal point of discharge for peak flow detention or volume infiltration
Recycled water source		
Water tank reliability %	2.6	
Rainwater tank overflow %	0.4	

Water Efficiency Specifications

Basin WELS star rating	> 5 Star WELS rating
Toilet WELS rating	> 4 Star WELS rating
Bath WELS star rating	Not Applicable
Washing Machine WELS star rating	Not Applicable
Kitchen Taps WELS rating	Default or unrated
Urinal WELS rating	Not Applicable
Shower WELS star rating	Not Applicable
Dishwasher WELS star rating	Not Applicable

Project Design Specifications

Building Spaces

- Shop, restaurant or retail - BCA Class 6 of 199.4m² with an average occupancy of 6.0 people

Estimated Total Building Occupancy	6.0
------------------------------------	-----

Stormwater Quality Calculations

Rainwater Tank Runoff reduction (%)	99.6
Rainwater Tank(s) Total Nitrogen (TN) reduction	440.5
Total Impervious Area (m ²)	199.4, 309.0
Total Nitrogen (TN) % reduction (g/yr)	39.0
Water Quality Score (%)	87
Rainwater Used (kL)	96.4
Total demand (L/day)	10000.00
Roof Runoff (kL)	96.8
Rainwater Tank Overflow (kL)	0.4

Peak Flow Storage Requirement Calculations

FLOW reduction strategy	On Site Detention (OSD)
Catchment strategy used	

Site Storage Calculations

Base case (pre-development) fraction impervious (ratio)	0.40
Base case runoff coefficient	0.287
Post development detention requirement (Site Storage Requirement)	
Post development fraction impervious (ratio)	0.69
Post development runoff coefficient	0.562
Pre-development FLOW volume (m ³)	3.5
Post-development FLOW volume (m ³)	6.9

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FLOW Volume storage required for 'yield minimum' (m ³)	6.9
FLOW volume storage required for 'regime in balance' (m ³)	3.4
On Site Retention (m ³)	3.4
Permissible Site Discharge (PSD) (L/sec)	1.9
Critical Storm Duration - the Catchment time of concentration - Tc(catchment) in minutes	30
Rainfall Depth (mm) for Critical Storm Duration - Tc (Catchment)	16.47
Rainfall intensity - i at Tc(catchment) (mm/h)	32.9
Site time of Concentration (min) - Tc(site)	10.0
Rainfall Depth (mm) for tc(site) - (IFD at Site Time of Concentration)	10.26
Rainfall intensity - i at tc(site) (mm/h)	61.56

Detention Calculator - Site Storage Requirement (SSR) - Uses rational method (Boyd's Equation)

Please note that this section is not applicable if Volume retention and/or Infiltration strategy is used

Storm Duration (mins)	Rainfall Depth (mm)	Peak Post Development flow (L/s)	Runoff Volume (m ³)	Stored Volume (m ³)
5	7.06	9.81	3.92	3.16
10	14.2	9.87	7.90	6.38
15	17.4	8.06	9.67	7.39
30	23.2	5.37	12.89	8.33
60	29.3	3.39	16.27	7.15
120	36	2.09	20.06	1.82

About In-Site Water

This report is generated by user inputs from the toolkit at In-Site Water. In-Site water is an online Integrated Water Management tool designed for use on smaller sites (less than 2 hectares) in Australia that need quick and accurate stormwater engineering answers. In-Site water is simple to use but provides robust stormwater design and engineering answers.

For enquiries, contact Water Sensitive SA www.watersensitivesa.com

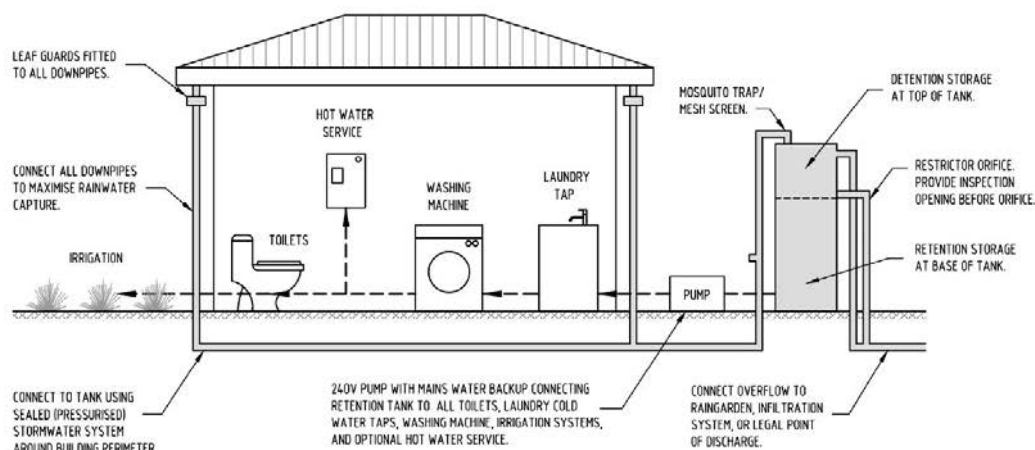
Disclaimer

This guide is of a general nature only. Advice from a suitably qualified professional should be sought for your particular circumstances. Depending on each unique situation, there may be occasions where compliance is not achieved. The following dot points are outside the scope of this report, however it is critical that all designers consider the following:

- Manage expectations and risks around occasional surface water and ponding.
- Ensure that uncontrolled stormwater does not flow over property boundaries or otherwise cause a nuisance.
- Plan for major flood pathways – locate away from, adapt (raise floors above predicted flood levels) and defend buildings against potential major flooding.
- Plan to reduce annual average damages and safety risks.
- Take into account local conditions such as slope, topography and soils (type, reactivity, permeability, water table level, salinity, dispersiveness, acid sulphate soils, etc.).
- Ensure that soil moisture and building clearance is considered in areas of reactive clays or where varying soil moisture levels could damage buildings, infrastructure or other constructions.
- For steeper sites, ensure the design includes geotechnical considerations such as slope stability with varying soil saturation levels.
- Compliance with other Australian Standards, laws, guidelines, regulations and Council requirements.

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Example details for this project (if applicable). Please see the *InSite Guide* for more details:



RETENTION TANK RETICULATION DETAIL

N.T.S.

NOTE: THE DESIGN AND INSTALLATION OF ALL STORMWATER SYSTEMS SHALL COMPLY WITH AS/NZS 3500.3:2010 "STORMWATER DRAINAGE".

Above: Roof to Tank treatment



Proposed Car Wash Development
364 Anzac Highway Plympton
Environmental Noise Assessment

15 February 2021

Report Number: 21010918-01

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Report: 21010918-01

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Any recommendations, opinions or findings stated in this report are based on facts as they existed at the time Eco Acoustics performed the work. Any changes in such circumstances and facts upon which this report is based may adversely affect any recommendations, opinions or findings contained within this report.

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Date of Issue:	15 February 2021		

Revision History				
Revision	Description	Date	Author	Checked



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Ref: 21010918-01



Executive Summary

EcoAcoustics Pty Ltd conducted an assessment of a proposed car wash site located at 364 Anzac Highway Plympton. This noise impact assessment report has been completed to support the proposal, as part of the development application. The purpose of this report is to assess the noise emissions from the site in accordance with the prescribed standards contained in the *Environmental Protection (Noise) Policy 2007* (Noise EPP).

To ensure compliance with the Noise EPP during all time periods, the following recommendations are required to be incorporated into the proposed development:

- The proposed automatic car wash will be fitted with entry and exit doors equivalent to a PVC clear 3mm door blade (which provides a minimum R_w 23);
- The entry canopy to the wash bays will be a solid colourbond roof structure;
- A 2.8 metre high (relative to natural ground heights) acoustic barrier is to be constructed on the property boundary as shown in *Figure 1.2*; and
- The plant room roof is to be internally lined with 50mm 32kg/m³ sound absorbing insulation.

With the included recommendations, the site can operate 24 hours per day 7 days per week.

The results of the noise predictions show that the proposed site can comply with the noise criteria set out in Noise EPP for all time periods at nearby residential receivers with the inclusion of the attenuation measures discussed in Section 5.



1 Introduction

EcoAcoustics Pty Ltd conducted an assessment of a proposed car wash site located at 364 Anzac Highway Plympton. This noise impact assessment report has been completed to support the proposal, as part of the development application. The purpose of this report is to assess the noise emissions from the site in accordance with the prescribed standards contained in the *Environmental Protection (Noise) Policy 2007*.

Appendix A contains a description of some of the terminology used throughout this report.

1.1 Site Locality & Surroundings

The site and surroundings are shown in an aerial photo in *Figure 1.1*. The site is located at 364 Anzac Highway Plympton, within the City of West Torrens. The proposed site is adjacent to an existing service station. A residential unit block is located to the north east, and additional noise sensitive premises are located to the north across Anzac Highway, and south across Cross Road.

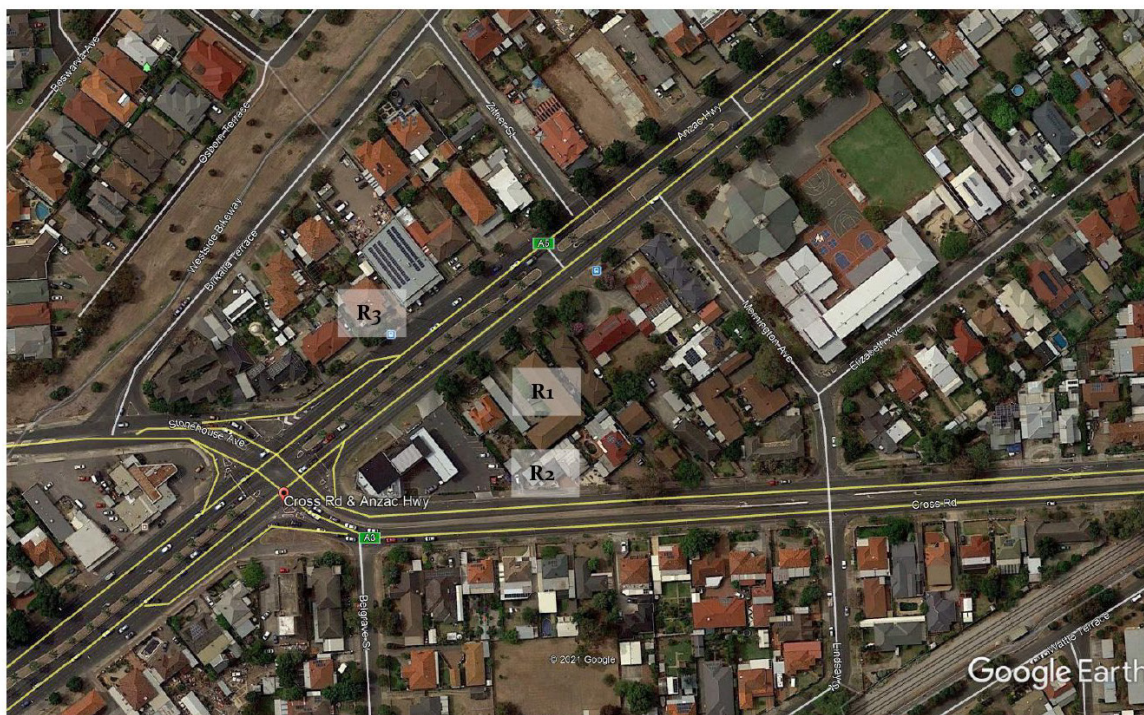


Figure 1.1: Site and Surroundings (Source: Google Earth)



1.2 Site Layout

The proposed carwash will comprise

- Two automatic wash bays; and
- mechanical plant.

The overall site layout is presented on *Figure 1.2*. *Figure 1.3* presents the site elevations.

It is understood that the hours of operation for the site will operate 24 hours per day 7 days per week.

The potential noise impacts associated with the site include:

- automatic wash bays;
- mechanical plant associated with the site;
- vehicles travelling around the site.

Table 1.1 shows the percentage breakdown of useage that has been applied to determine the appropriate noise levels during the 24 hour operations.

Table 1.1: Percentage Breakdown of Car Wash Usage

Noise Source	Percentage Breakdown of Usage	
	07:00 to 19:00 hrs	22:00 to 07:00 hrs
Automatic wash bays	70	15

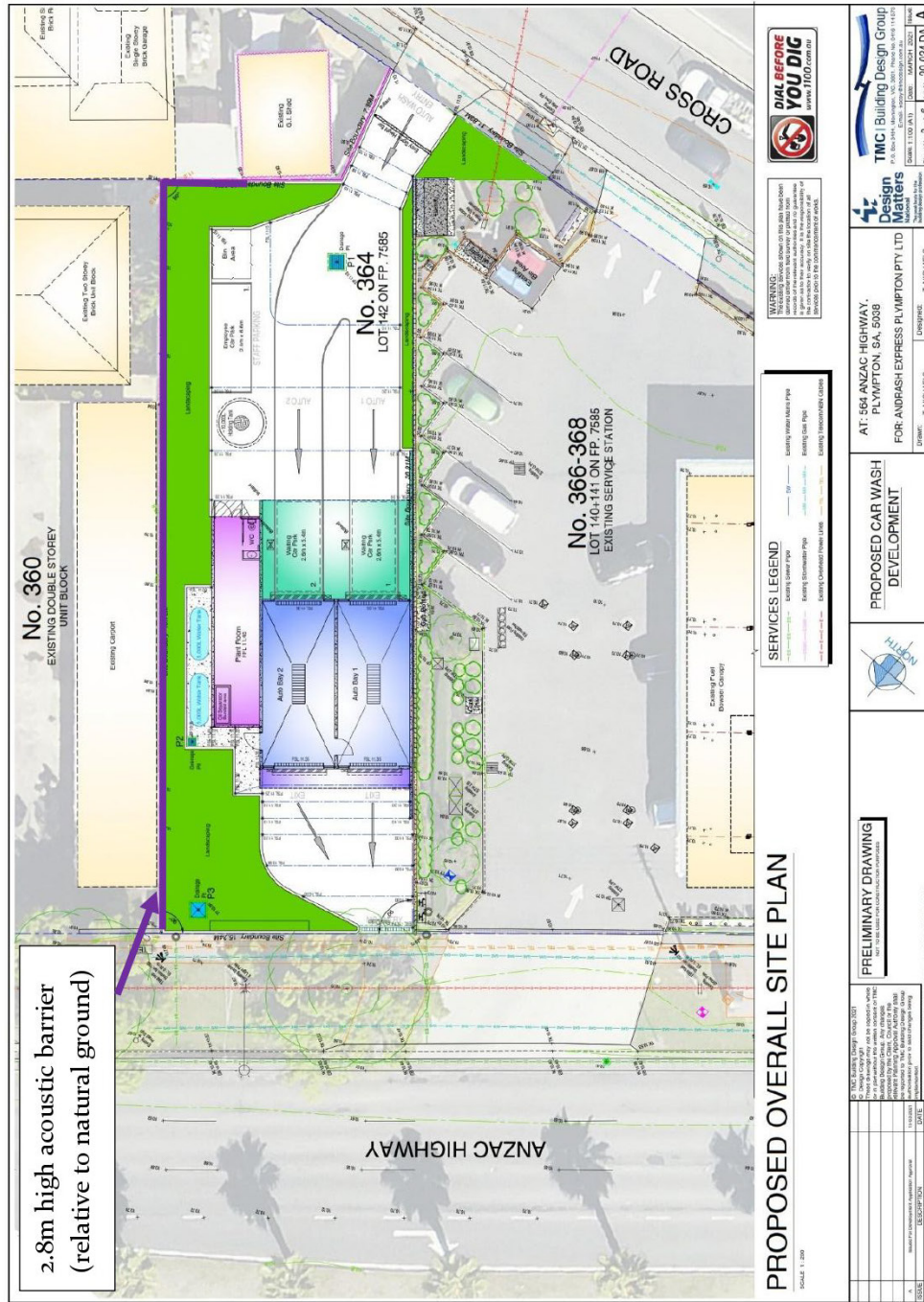


Figure 1.2: Overall Existing Site Plan (source: TMC Building Design Group)

Ref: 21010918-01

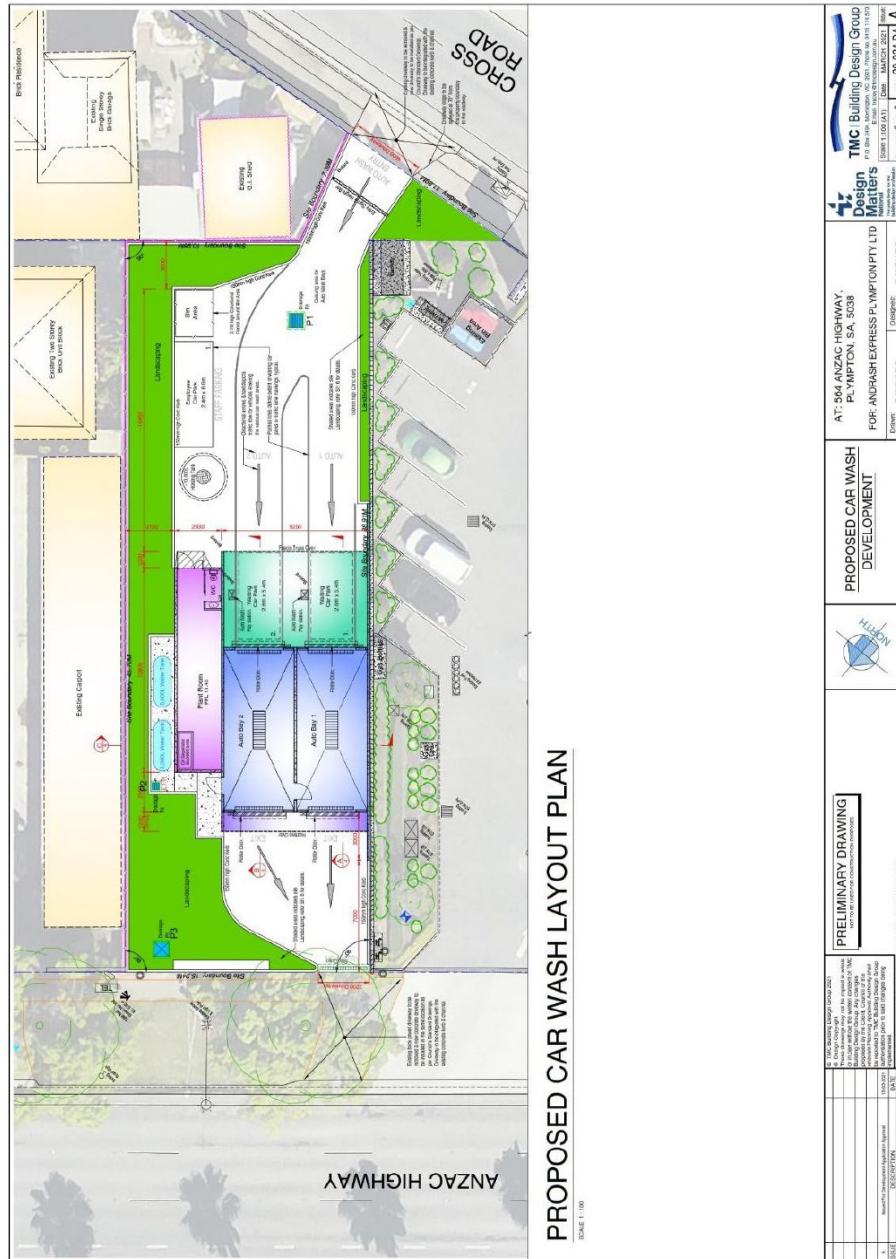


Figure 1.4: Proposed Site Layout (source: TMC Building Design Group)

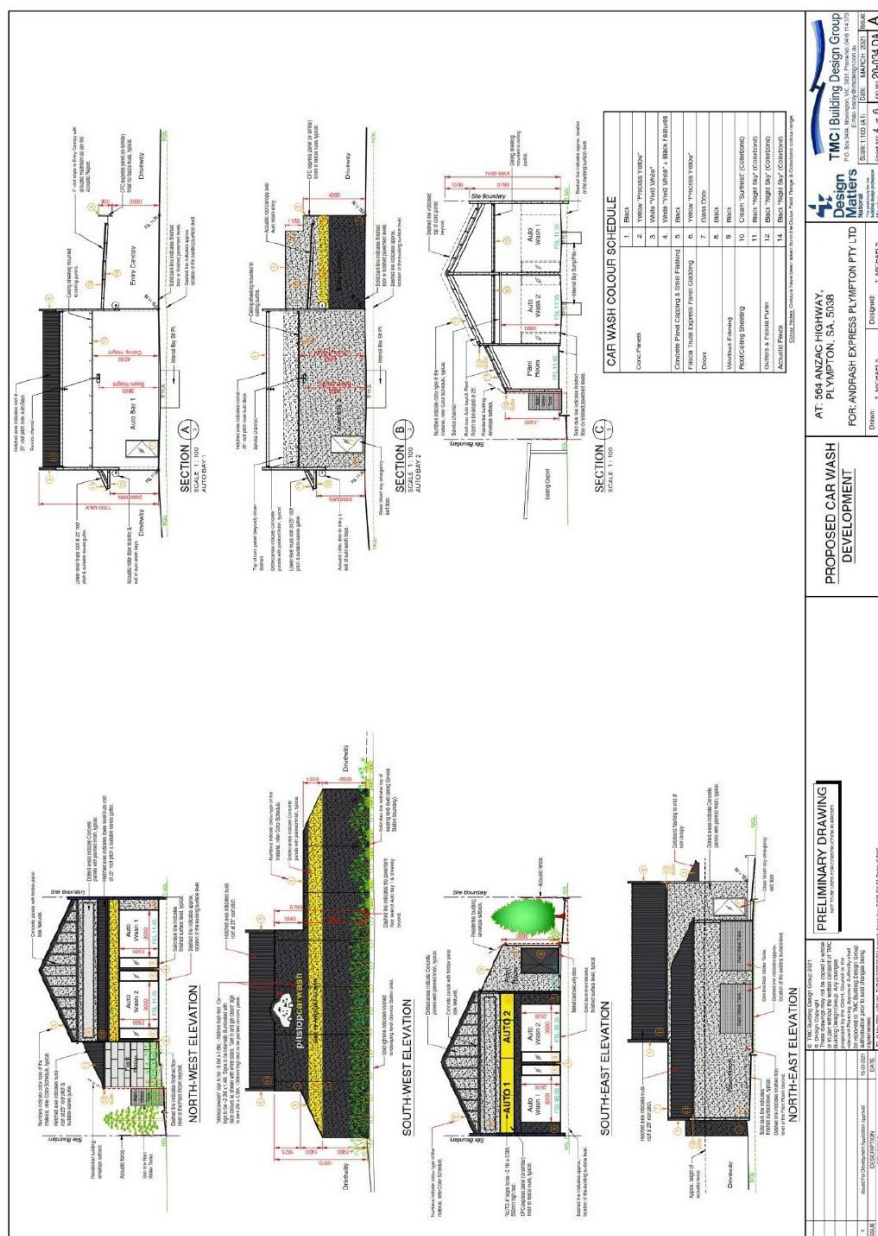


Figure 1.5: Proposed Elevations (source: TMC Building Design Group)



2 Criteria

Within the South Australia, the noise emissions from commercial premises are governed by the *Environmental Protection Noise Policy 2007* (Noise EPP). This covers noise emissions from proposed noise sources associated with the site.

The assessment of noise emissions under the Noise EPP is based on the calculation of a noise limit at a receiver position, taking into account the land use in the surrounding area, along with the ambient noise level. Once the indicative noise level has been established, the L_{eq} noise emission from the industry is predicted.

The Noise EPP classifies day time as between 7.00 am and 10.00 pm on the same day and night time as between 10.00 pm on one day and 7.00 am on the following day.

The nearest residential receiving premises are denoted on *Figure 1.1*. These residential premises are located within a residential zone abutting a commercial zone. As such, the appropriate indicative noise levels are shown in *Table 2.1*.

Table 2.1: Noise EPP Indicative Noise Level Limits

Premises Receiving Noise	Period	Parameter	Noise Limit dB(A)
Nearest Residential Premises (ref Fig 1.1)	Day	L_{Aeq}	52
	Night	L_{Aeq}	45
	Night	L_{Amax}	60

The Noise EPP also states that the measured source noise level must be adjusted by the following amounts if the noise source contains modulation, tonal, impulsive or low-frequency characteristics:

- 1 characteristic: +5 dB(A)
- 2 characteristics: +8 dB(A)
- 3 or 4 characteristics: +10 dB(A)



3 Noise Modelling

3.1 Methodology

Computer modelling using SoundPlan 8.2 has been used to calculate the noise levels at nearby residences. Noise modelling is used as it is not affected by background noise sources and can provide the noise level for various weather conditions.

The software incorporates the CONCAWE algorithms enabling the modelling to include the influence of wind and atmospheric stability. Input data required in the model are:

- Topographical data;
- Ground Absorption; and
- Source sound power levels.

3.1.1 Topographical Data

Topographical data was based on a site visit, information provided by the client, and obtained from Google Earth.

3.1.2 Ground Absorption

Ground absorption varies from a value of 0 to 1, with 0 being for an acoustically reflective ground (e.g. water or bitumen) and 1 for acoustically absorbent ground (e.g. grass). In this instance value of 0.6 has been used for the surrounding area, and 0 has been used for the site.

3.1.3 Source Sound Levels

Table 3.1 shows the sound power levels used in the modelling. The sound power levels have been determined based on file data and manufacturer's data provided by the client, along with the measurements of the existing site.

Table 3.1: Source Sound Power Levels

Description	Octave Band Centre Frequency, dB (Hz)							Overall dB(A)
	63	125	250	500	1k	2k	4k	
Automated carwash entry/exit	82	83	83	85	87	86	85	92
Automated carwash entry or exit with closed automatic PVC 3mm door (achieving R_w 23)	70	75	72	71	65	61	53	71
Plant Room	57	57	58	59	60	62	61	68
Cars travelling on site	96	89	85	83	79	78	70	85



4 Noise Impact Assessment

Figure 4.1 presents the 3-dimensional noise model of the site and surroundings. The noise level predictions for the car wash assume the following:

- The proposed automatic car wash will be fitted with an exit door equivalent to a PVC clear 3mm door blade (which provides a minimum R_w 23);
- Based on the sound power data provided, the noise associated with the automatic car wash has no tonal, impulsive or modulating characteristics therefore no penalty adjustment is applicable;
- The percentage breakdown contained in *Table 1.1* has been used to determine the impact of the site during the day and night time periods;
- The entry canopy to the wash bays will be a solid colourbond roof structure;
- A 2.8 metre high acoustic barrier (relative to natural ground height) is located along the property boundary as shown in *Figure 1.2*;
- The plant room roof is to be lined internally with 50mm 32kg/m³ sound absorbing insulation.

Table 4.2 presents the predicted daytime noise levels associated with the site and compares the results to the criteria from Noise EPP. All predictions include the noise attenuation requirements discussed in Section 6 of this report. *Figures 4.2 and 4.3* present the noise contours for the proposed carwash for the day time period at the ground and first floors respectively.

Table 4.1: Predicted Noise from Proposed Site

Location (ref Figure 1.1)	Floor	Predicted Day Noise Level, L_{eq} dB(A)	Complies with Day Period Noise Limit of 52dB(A)	Predicted Night Noise Level, L_{eq} dB(A)	Complies with Night Period Noise Limit of 45dB(A)
Rec R1	Ground floor	31	Complies	28	Complies
	First floor	33	Complies	30	Complies
Rec R2	Ground floor	30	Complies	29	Complies
Rec R3	Ground floor	30	Complies	27	Complies

The results presented in *Table 4.1* show that the predicted, noise levels comply with the noise limits at all times of the day and night at all nearby residences based on the usage percentages presented in *Table 1.1*.

The Noise EPP requires that the site be assessed in accordance with the maximum instantaneous noise associated with the development during the night time period. For this site, cars travelling around the site will produce the noisiest instantaneous sound. *Table 4.2* presents the results of calculations to determine the instantaneous maximum noise levels from vehicles on the site.



Table 4.2: Predicted Noise from Vehicles

Location (ref Figure 1.1)	Floor	Predicted Night Noise Level, L_{Amax} dB(A)	Complies with Night Period Noise Limit of 60dB(A)
Rec R1	Ground floor	38	Complies
	First floor	39	Complies
Rec R2	Ground floor	43	Complies
Rec R3	Ground floor	41	Complies

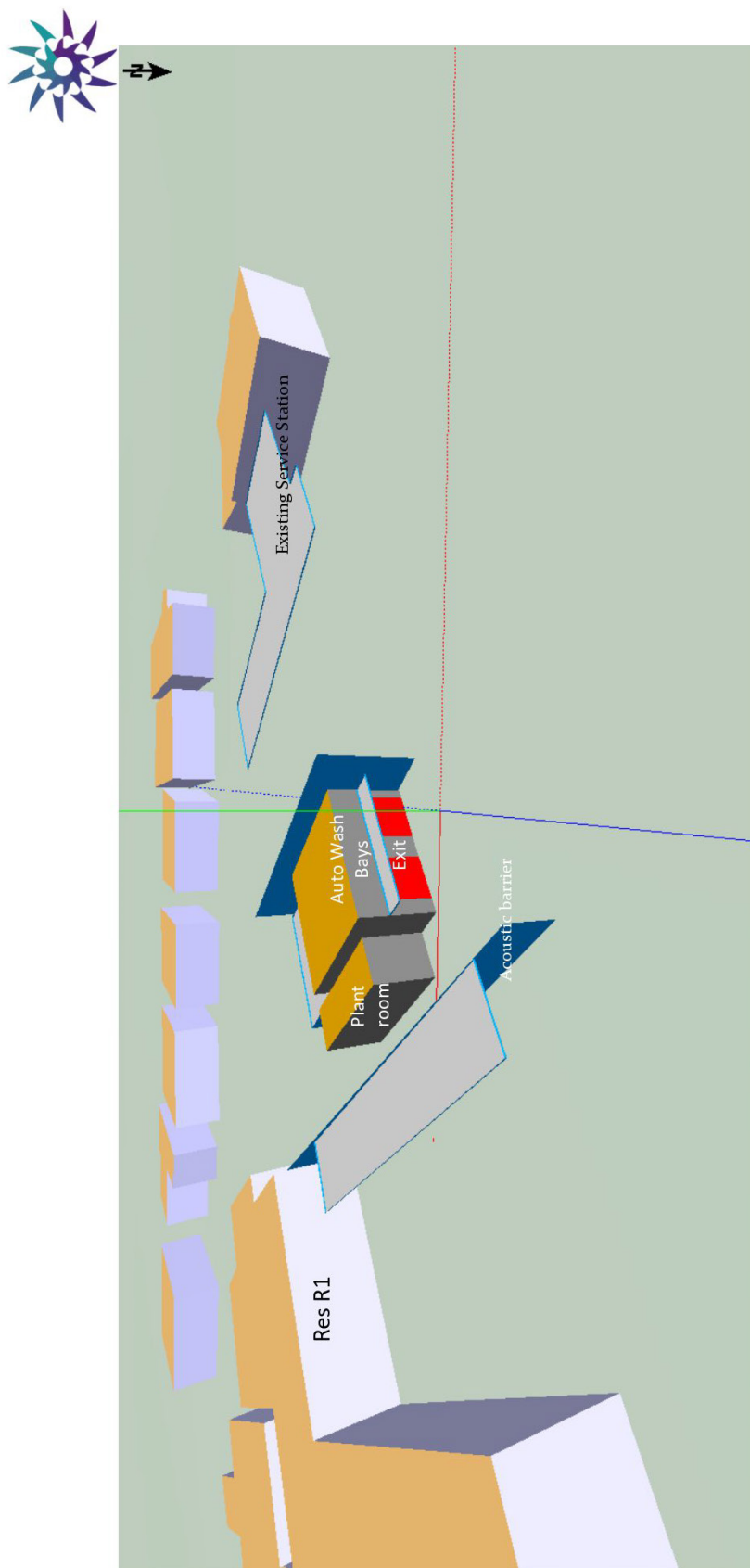
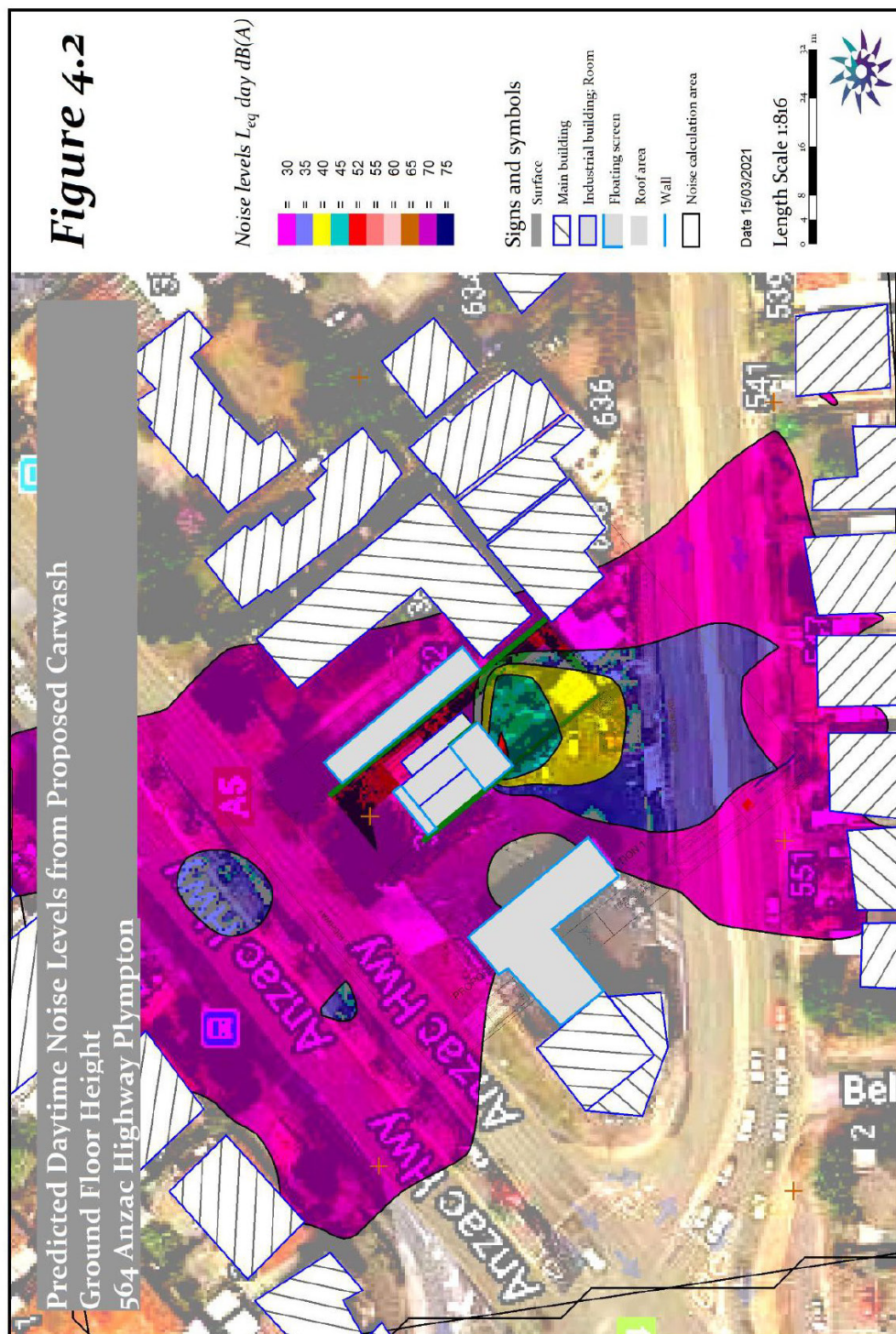
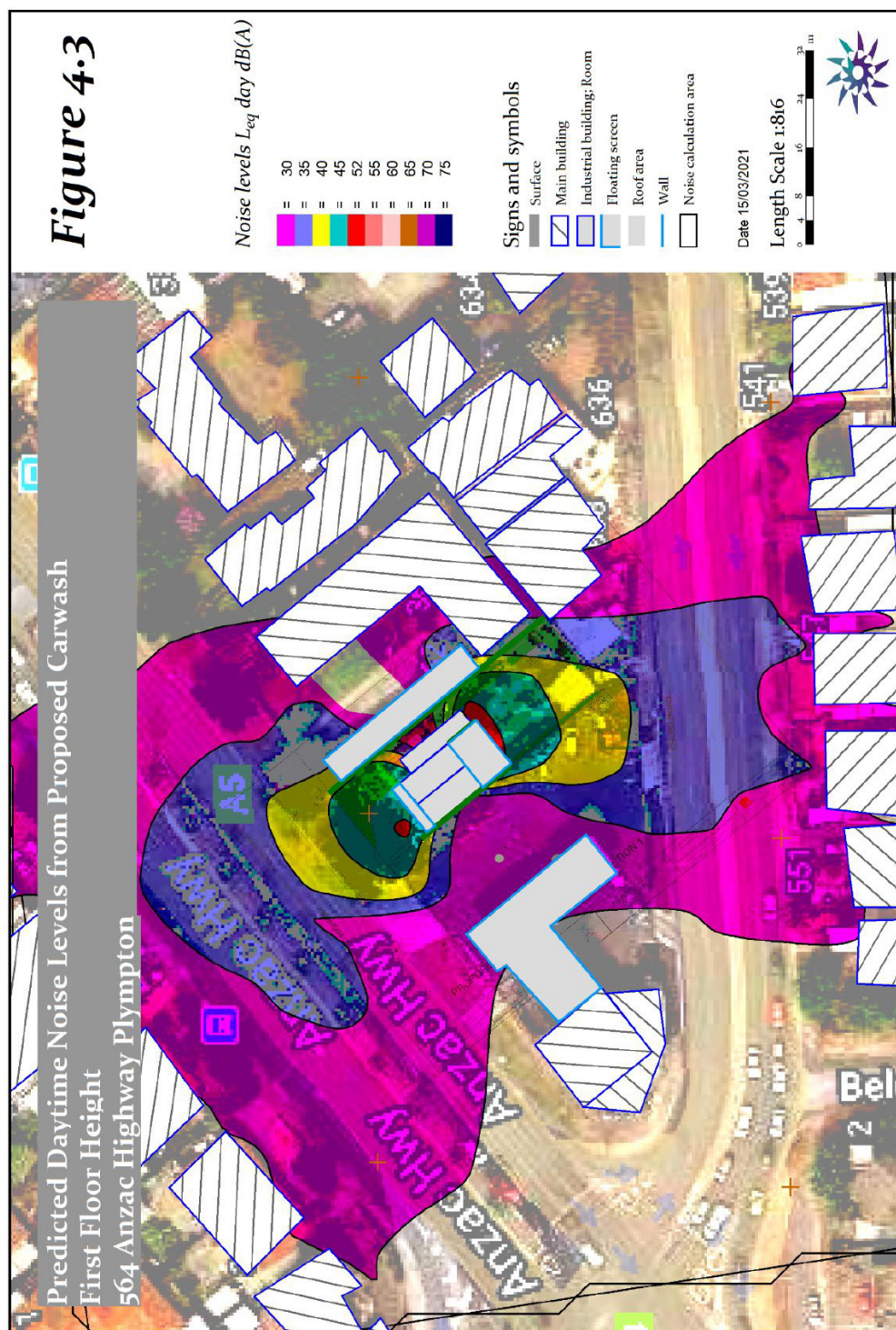


Figure 4.1: 3-Dimensional Noise Model



Ref: 21010018-01

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Ref: 21010918-01

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5 Recommendations and Discussion

To ensure compliance with the Noise EPP during all time periods, the following recommendations are required to be incorporated into the proposed development:

- The proposed automatic car wash will be fitted with an entry and exit door equivalent to a PVC clear 3mm door blade (which provides a minimum R_w 23);
- The entry canopy to the wash bays will be a solid colourbond roof structure;
- A 2.8 metre high (relative to natural ground contours) acoustic barrier is to be located as shown in *Figure 1.2*; and
- The plant room roof is to be internally lined with 50mm 32kg/m³ sound absorbing insulation.



6 Conclusion

The results of the noise predictions show that the proposed site can comply with the noise criteria set out in Noise EPP for all time periods at nearby residential receivers with the inclusion of the attenuation measures discussed in Section 5.



Appendix A

Terminology





Terminology

Ambient Noise

Ambient noise refers to the level of noise from all sources, including background noise as well as the source of interest.

A-Weighting

An A-weighted noise level is a noise level that has been filtered as to represent the way in which the human ear distinguishes sound. This weighting indicates the human ear is more sensitive to higher frequencies than lower frequencies. The A-weighted sound level is described as L_A dB.

Background Noise

Background noise is the noise level from sources other than the source of interest. Background may originate from such things as traffic noise, wind induced noise, industrial noise etc.

Decibel (dB)

The decibel is the unit that characterises the sound power levels and sound pressure of a noise source. It is a logarithmic scale with regard to the threshold of hearing.

Impulsive Noise

An impulsive noise source is a short-term impact noise which may originate from such things as banging, clunking or explosive sound.

L_{A1}

An L_{A1} level is the A-weighted noise level which is overreached for one percent of a measurement period. It represents the average of the maximum noise levels measured.

L_{A10}

An L_{A10} level is the A-weighted noise level which is exceeded for 10 percent of the measurement period and is considered to represent the “intrusive” noise level.

L_{A90}

An L_{A90} level is the A-weighted noise level which is overreached for 90 percent of the measurement period. It represents the “background” noise level.

L_{Aeq}

L_{Aeq} refers to the comparable steady state of an A-weighted sound which, over a specified time period, contains the same acoustic energy as the time-varying level during the specified time period. It represents the “average” noise level.

L_{AFast}

The noise level in decibels, obtained using the A frequency weighting and the F time weighting as specified in AS1259.1-1990. L_{AFast} is used when examining the presence of modulation.

L_{Amax}

The L_{Amax} level is the maximum A-weighted noise level throughout a specified measurement.



$L_{A\text{Peak}}$

The $L_{A\text{Peak}}$ level is the maximum reading (measured in decibels) during a measurement period, using the A frequency weighting and P time weighting AS1259.1-1990.

$L_{A\text{Slow}}$

A $L_{A\text{Slow}}$ level is the noise level (measured in decibels) obtained using the A frequency weighting and S time weighting as specified in AS1259.1-1990

Maximum Design Sound Level

Maximum Design Sound Level is the level of noise beyond hearing range of most people occupying the space start, become dissatisfied with the level of noise.

Modulating Noise

A modulating source is an audible, cyclic and regular source. It is present for at least 10% of a measurement period. The quantitative definition of tonality is:

a fluctuation in the discharge of noise which;

- a) is more than 3 dB $L_{A\text{Fast}}$ or is more than 3 dB $L_{A\text{Fast}}$ in any one-third octave band;
- b) is present for at least 10% of the representative

One-Third-Octave Band

One-Third-Octave-Band are frequencies that span one-third of an octave which have a centre frequency between 25 Hz and 20 000 Hz inclusive.

Reverberation Time

Reverberation time refers to an enclosure for a sound of a specified frequency or frequency band as well as the time that would be necessary for the reverberantly decaying sound pressure level in the enclosure to decrease by 60 decibels.

RMS

The root mean square level is used to represent the average level of a wave form such as vibration.

Satisfactory Design Sound Level

Satisfactory Design Sound Level refers to the level of noise that has been found to be acceptable for the environment in question, which is also to be non-intrusive.

Sound Pressure Level (L_p)

Sound Pressure Level refers to a noise source which is dependent upon surroundings, and is influenced by meteorological conditions, topography, ground absorption; distance etc. Sound Pressure Level is what the human ear actually hears. Noise modelling predicts the sound pressure level from the sound power levels whilst taking into account the effect of relevant factors (meteorological conditions, topography, ground absorption; distance etc).



Sound Power Level (L_w)

A sound power level of a noise source cannot be directly measured using a sound level meter. It is calculated based on measured sound pressure levels at recognised distances. Noise modelling includes source sound power levels as part of the input data.

Specific Noise

Specific Noise relates to the component of the ambient noise of interest. It can be specified as the noise of interest or the noise of concern.

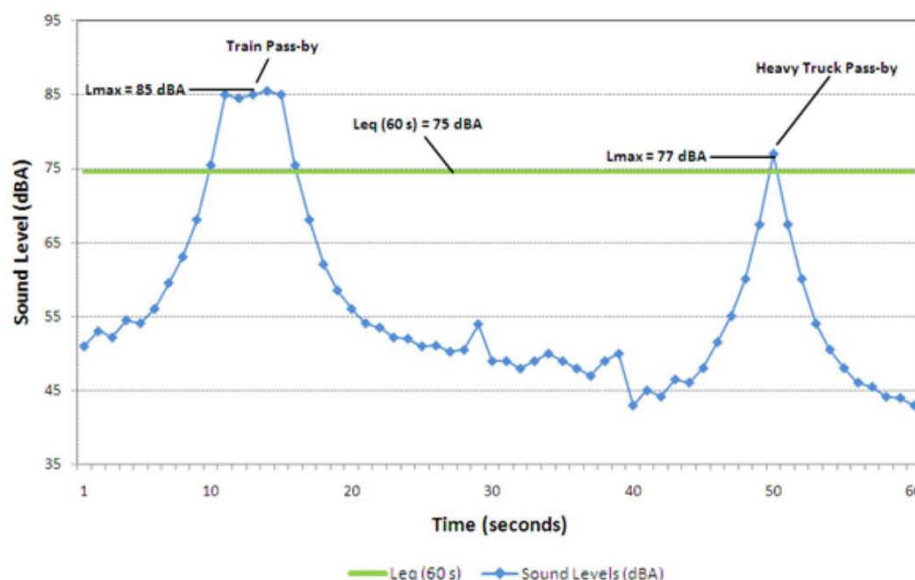
Tonal Noise

A tonal noise source can be designated as a source that has a specific noise emission over one or several frequencies, such as droning. The quantitative definition of tonality is:

the presence in the noise emission of tonal characteristics where the difference between —

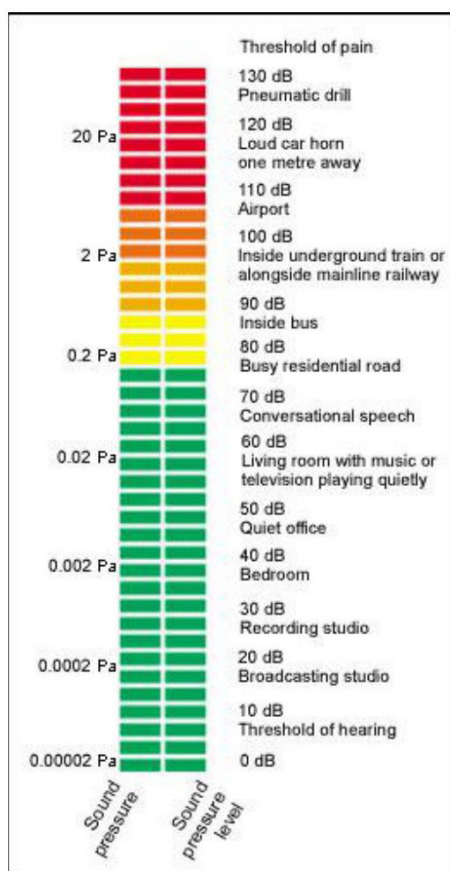
- the A-weighted sound pressure level in any one-third octave band; and
- the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands, is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A\text{ Slow}}$ levels.

Chart of Noise Level Descriptors





Typical Noise Levels



1**Details of submitter No: 1 - Kristie Arthur**

Submitter:	Kristie Arthur
Submitter Address:	6/360 Anzac hwy, Plympton, Australia

1

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Kristie

Last name:

Arthur

Daytime Phone:

Would you like to present your submission in person at a hearing?

- ☒ I wish to be heard in support of my representation
- ☐ I do not wish to be heard in support of my representation

Nominated Speaker:

Last

My position is:

- ☐ I support the development
- ☐ I support the development with some concerns (detail below)
- ☒ I oppose the development

The specific reasons I believe that planning consent should be granted/refused are:

I live next door , my back yard runs along fence line .

This land is zoned residential , I believe my property value will be major affected . I own my property have live here 17yrs . I am concerned about noise pollution, the environment is already affected by the bright blue lighting coming from service station next to proposed property.I believe this development will affect all residents souruonding this property. I pay rates for my property . This is another" big business" putting it over the local community .

Storm water issues already cause flooding on Anzac hwy when it rains . The residents are already affected by the late night trading from petrol station . They are already polluting the environment with noise , cooking smells , cars lining the hwy blocking our driveway . At times I can't get in or out of my driveway . I work shift work , my sleep is important . I believe my health will be adversely

T24Consult Page 1 of 2

1

affected.

There are already four car washes in area we don't need more .

Please DO NOT APPROVE FOR SAKE OF LOCAL RESIDENTS HEALTH SAFETY AND WELFARE MENTAL HEALTH .

WHAT ABOUT US THE RATE PAYERS !

PLEASE CONSIDER EVERY ONE WHO CALLS THIS AREA HOME .

THE OWNERS OF THIS PROPERTY HAVE LEFT IT TO ROTT! DELINQUENTS AND VAGRANTS FEQUENT THE PROPERTY AND HAVE AFFECTED THE SAFETY OF RESIDENTS SOURUONDING IT.

NOT COMMUNITY MINDED AT ALL .

THEY HAVE LEFT FRUIT TREES ROTTING IN YARD , WHICH I BELIEVE IS OR WILL ATTRACT FRUIT FLY .

COMPLETE DISREGARD OF SOURUONDING COMMUNITY .

PLEASE CONSIDER US THE LITTLE PEOPLE AND LOYAL RATE PAYERS .

KIND REGARDS

Kristie Arthur

Unit 6 360 Anzac hwy

P,YMPTON 5038

Attached Documents

File
No records to display.

21st May 2021

Jordan Leverington
Senior Development Officer- Planning
City of West Torrens
165 Sir Donald Bradman Drive
HILTON, S.A. 5033
Email: jleverington@wtcc.sa.gov.au

Cc: Rachel Stewart (via email)

RE: Development Application Submission
364 ANZAC HIGHWAY, PLYMPTON, S.A. 5038
PROPOSED CAR WASH DEVELOPMENT
Job No: 20-034 DA
Development Application No: 21002880


TMC Building Design Group

A.B.N. 811 428 67 114
P. O. Box 3494, Mornington, Vic, 3931
Mob: 0416 114 573,
Email: tracey@tmcdesign.com.au

Dear Jordan,

In response to the one (1) representation received following the completion of the public notification period I would like to address Ms. Kristie Arthur's concerns in point by point form;

1) *Decline in property value / The condition of the existing dwelling on the site -*

Unfortunately, these points are not a valid planning consideration under the current Planning Regulations. The proposed Car Wash will be of great visual improvement to the local area and will offer a new service to the community. The subject site (where the car wash is to be located) currently has an old dilapidated two storey residential dwelling, overgrown garden areas (front and back), and a rear galvanised iron Garage shed that has seen better days. This property was purchased in 2016- and whilst the garden areas were in better condition at that stage, the house, internally, showed many signs of significant structural damage and building failure which is why the property remains un-tenanted. See Photos 1 + 2 below of the existing external conditions.



Photo 1: Front of existing house



Photo 2: Existing rear Garden area

The aesthetics of the local area will be greatly improved by the demolition of the existing structures and grounds. The proposed building has been specifically designed to emulate many of the residential features found within the locality. The proposed Car Wash use and building design provides a perfect transition from the adjoining Service Station use and built form on the southwest side of the subject site, shifting to the adjoining Two-Storey unit block to the northeast side of the subject site. The proposed car wash building is located as to not overshadow any of the neighbouring units.

It is obvious that the proposed Car Wash would positively add to the amenity of the neighbourhood, diversifying the services currently offered in the local area, offer a complementary use to the existing Service Station already operating on the adjoining site and blending in with the 'residential' look of other buildings in the vicinity.

It is highly unlikely that property prices will fall locally due to the proposed Car Wash use. They may in fact increase due to the well maintained, professionally designed building and formal landscaping areas, and the improved security, amenity and privacy that will be afforded to the adjoining properties as currently exists on the adjoining Service Station.

2) *Concerns about noise pollution-*

It is common for concerns to be raised regarding acoustics during the planning stage by a property owner of an adjoining property. The acoustic design of our car wash sites is an area that we hold in very high importance and is a primary focus throughout the entire design/documentation process to ensure its accuracy of mitigation.

The acoustic consultant that has been engaged for this project has worked specifically with TMC since 2012. They have a fantastic understanding of car wash equipment, how car washes operate and what acoustic mitigation measures work/what do not in a car wash application. The Environmental Noise Assessment report has been submitted to Council as part of this development application.

The acoustic report shows compliance for a 24 hour – 7 day operation of the car wash site. In order to be considerate to the adjoining residential dwellings, it is proposed to match the hours of operation for the Car Wash with the current trading hours for the Service Station of 5am to 11pm- 7 days per week.

The acoustic effects on this site are very simple to mitigate as there are only 2 automatic wash bays that will generate any noise on the site. There is no external vacuum bays, no rubbish trucks/large vehicles using the site, no dog washes etc... The noise from an automatic car wash is easily contained via the implementation of acoustic grade roller doors on the front/rear of each automatic wash bay, having an acoustically insulated roof for the Plant Room, placing a lower level roof over the entry area for the automatic wash bays, and by having an acoustic fence around the side/rear of the property.

What is often found is that the adjoining residents end up living in a quieter environment after the Car Wash has been constructed due to the acoustic mitigation measures that have been constructed for the car wash. This is because these acoustic treatments not only reduce the noise emitted from the car wash operation to the acceptable level, but often reduce the surrounding noise heard from the adjoining roadways and other nearby noise emitting sources etc...



3) *Lighting from the Service Station entering into the property-*

Light spill from the adjoining Service Station is not a planning consideration for this application- as this application solely relates to the proposed Car Wash development.

To ensure that the Car Wash site complies with AS 4282 *"Control of the Obtrusive Effects of Outdoor Lighting"* a site specific Dialux report has been submitted to Council as part of this development application assessment. A Proposed Car Wash Lighting Plan (Sh: 7 of the submitted application drawings) has been prepared and *"Site Lighting and Light Spill"* has been specifically addressed in the Planning Report (refer to page 22- *"Interfaces between Land Uses"*).

There is only one (1) pole light that is required to light the rear of the site to comply with the Australian Standards. The positioning of this light is in line with the rear of the adjoining unit block and set ~13M to the south-west rear corner of the unit block. This light is a 150W LED light with a 90° degree forward and 40° sideways beam angle and is upcast 15° to the vertical. This means that this particular light will throw light mainly in a forwards direction and be limited in the sideways lumens that the light emits. With this light selection, light location, proposed landscaping and the existing adjoining unit block orientation; this light will not have any spill/impact on the adjoining properties amenity.

4) *Impacts on Stormwater in the streets-*

There are two 5,000L rainwater tanks that will capture all stormwater that falls on all roofed areas. This water will be used in the car wash washing cycle. This will also help diminish the demand for traditional 'mains water' use during the car washing cycle.

A Stormwater Management Plan will be designed in consultation with the Council Engineers and will comply with all necessary requirements.

5) *Late night trading of the existing Service Station-*

The trading hours of the adjoining Service Station is not a planning consideration for this application- as this application solely relates to the proposed Car Wash development. As previously mentioned; the proposed Car Wash trading hours are consistent with the allowed trading hours of the Service Station.

6) *Noise, cooking smells coming from the existing Service Station-*

Noise and cooking smells from the adjoining Service Station is not a planning consideration for this application- as this application solely relates to the proposed Car Wash development.

Concerns regarding noise generated from the Car Wash have been addressed in Item 2 above.

Concerns regarding air emissions from the Car Wash operation is addressed in the Planning Report (refer to page 22 *"Airborne Pollutants and Air Quality"*, and page 24 *"Air Quality"*). As both Car Wash bays have roller doors to the front and back of the wash bays; this will prevent any water from escaping/over spraying from the wash bays.

No air pollution or air emissions are produced from the equipment contained within the Plant Room.



7) *Cars lining the highway blocking their driveway-*

If vehicles are blocking the adjoining driveway, this may be occurring during peak periods caused from vehicles backing up due to the nearby traffic lights.

The Planning Report goes into detail regarding the expected traffic generation, queuing and movements expected by the proposed Car Wash. Refer to "Transportation and Access- Access", page 28 and "Transportation and Access- Vehicle Parking" page 32.

Vehicles enter into the proposed Car Wash site from Cross Road and exit the site onto Anzac Highway. As such, vehicles from the Car Wash site cannot actually block off or impact on the driveway of the adjoining unit block as they enter onto Anzac Highway after the unit block driveway.

8) *Not community minded-*

The small proposed Car Wash facility is community minded as it serves the ongoing daily need of people to wash their vehicle in a safe and environmentally friendly fashion.

Please take a minute to watch the two videos that have been produced by the Australian Car Wash Association with regards to pollution, home car washing and protecting our precious waterways.

<http://thedirtytruth.com.au/>



The proposed car wash also creates jobs (both in the short and long term), provides fundraising opportunities to community/school/sporting groups and is the most environmentally friendly way to wash your car.



9) *Disregard to the surrounding community/Health, safety and welfare to the community-*

It can be a common misconception that car washes are dirty, loud, invasive, or a setting for criminal acts to occur at. Often this couldn't be further from the truth. A professionally designed Car Wash site layout that has a focus on crime prevention (as documented in the Planning Report "*Crime Prevention*", page 18) actually deters criminal type of activities. On this particular site the actual building design is compact, passive surveillance is achieved into a high proportion of the site area, an extensive externally monitored CCTV security system will be installed throughout the site, the site design limits entrapment zones, customers do not need to leave their vehicles to use the wash bays, there is no change machine/vending area which reduces the 'crime benefit' and 'crime reward', and the site design increases the criminals perceived risk of detection, challenge and capture.

The car wash will not cause any impact to the surrounding community, especially to the nearby residential dwellings through noise impacts, light spill, traffic, infrastructure or built form. The proposed small Car Wash will provide the community with an environmentally friendly, economical, safe, well designed building and landscaping that is a vast improvement on the structurally unsound two storey dwelling that currently exists on the site.

If you have any further questions or need any further clarification on any of the above items that you have mentioned in your letter or have any new area of concern please do not hesitate to contact me.

Yours faithfully,



TRACEY MICHAELS B.ENG (Hon), M.ENG (Mgmt)

Designer/Director

TMC Building Design Group

To Jordan Leverington
From Richard Tan
Date 3/5/2021
Subject 364 Anzac Highway Plympton

Jordan

The following City Assets Department comments are provided with regards to the assessment of the above development application:

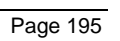
1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1** In accordance with the provided 'Preliminary Site Stormwater Layout Plan' (TMC, Ref: 20-034DA-C1/1-A, dated 03/2021) the FFLs of the proposed development (11.45 minimum) have been assessed as satisfying minimum requirements (11.25 minimum) in consideration of street and/or flood level information.

2.0 Traffic Requirements

- 2.1** The following comments have been provided by Council's Traffic Consultant, Mr Frank Siow:

It is unclear how the large bin is to be collected by the refuse truck. There is no swept path provided showing how the refuse truck would exit after the bin pick-up (as it is unclear if the truck is able to drive through the car wash building). While there may have been some discussion with others regarding the bin collection, I have not been provided with further details of this aspect. I leave it to others to comment about any other arrangement that may have been agreed to, in addressing the bin pick-up issue.



I am concerned with the 'overlap' between the car wash exit point on Anzac Highway and the existing left-in only entry point for the service station. The Applicant should consider shifting the exit point to the north to remove the overlap. There is an existing tree and light pole which may be impacted (several constraints present).

The application documentation provided suggests that this site shares the same ownership as the service station site. If that were the case, it would seem to me that the two sites should be consolidated into one site as an integrated development, with an internal link provided between the car wash and the service station. Therefore, instead of having to drive out to Cross Road to use the car wash, the patrons could then directly enter the car wash via the service station car park, like other typical integrated service station sites.

3.0 Verge Interaction

3.1 As per the comments provided by Council's Traffic Consultant, it is recommended that internal link should be provided between the car wash and the service station without construction of new crossover.

3.2 It should be noted that any existing crossover that will be made redundant should be reinstated to vertical kerb prior to the completion of any building works at the applicant's expense. It should also be indicated on revised plans that any redundant crossovers will be reinstated.

It is recommended that revised plans showing the reinstatement of redundant crossovers be provided to Council.

4.0 Waste Management

4.1 Due to the nature of this application, it is recommended that further assessment from Council's Waste Management Team is required.

It is recommended that further assessment from Council's Waste Management Team is required.

5.0 Stormwater Management

5.1 Stormwater Harvest and Re-use

City Assets typically strongly encourages the inclusion of stormwater collection and active re-use, particularly with function with possible high demand of water reuse and hence a high volume of reduction of stormwater runoff from the site can be simply achieved.

Collection and active re-use of stormwater in developments of this nature can go a long way towards the achieving the other stormwater management measures if water quality and detention, as well as the sustainability benefits which area achieve through water conservation considerations.

The proposed development has included 2 x 5000L rainwater tank for roof runoff harvest and reuse. However, with a roof area of 199m², even with 100% roof area connected to the tanks, the rainwater is highly likely to be empty all the time due to the 10000L or more water reuse daily.

5.2 Stormwater Detention

The applicant has provided stormwater report generated by the In-Site Water by Water Sensitive SA which is supported by City Assets. Although the stormwater quantity (detention) requirements of the In-Site Water is different from Council's requirements, however, internal calculation has indicated that the difference in the outcome of the calculation is minor. Hence for this development, the stormwater detention calculation has been considered acceptable.

There is however, some contradicting information in the In-Site Water report and the stormwater management plan listed in the following that requires further clarification:

- The In-Site Water has indicated a 10kL rainwater retention and 10kL rainwater detention tank has been proposed, however the stormwater management plan has only indicated 2 x 5kL rainwater (retention) tank.

5.3 Stormwater Quality

Based on the result provided by Water Sensitive SA In-Site Water, the stormwater quality for the site failed to meet the quality target.

Council typically requests the implementation of stormwater quality measures for development of this nature to address the removal of stormwater pollutants from the stormwater flow exiting the site.

The following table outlines current recommended practice for the targeted improvement of stormwater quality from new developments of scale, as outlined in the State Government's Water Sensitive Urban Design Policy - 2013. The targets being;

Parameter	Target
Reduction Litter/Gross Pollutant	90%*
Reduction in Average Annual Total Suspended Solids (TSS)	80%*
Reduction in Average Annual Total Phosphorous (TP)	60%*
Reduction in Average Annual Total Nitrogen (TN)	45%*

* Reduction as compared to an equivalent catchment with no water quality management controls.

Although these measures are often addressed through the installation of proprietary devices, Council encourages the use of Water Sensitive Urban

Design measures to improve the quality of site discharge flows which may also provide other added benefits to the development, such as permeable pavers or raingardens.

An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development.

In reply please quote: 2021/00630, Process ID: 667239
Enquiries to: Daniel Sladic
Telephone: 7109 7872
E-mail: dit.luc@sa.gov.au



Government of South Australia

Department for Infrastructure
and Transport

**TRANSPORT PLANNING AND
PROGRAM DEVELOPMENT**

Transport Assessment

GPO Box 1533
ADELAIDE SA 5001

ABN 92 366 288 135

20 April 2021

Jordan Leverington
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

Dear Mr Leverington

SCHEDULE 9 REFERRAL RESPONSE

Development No.	21002880
Applicant	Tracey Michaels
Location	364 Anzac Highway, Plympton
Proposal	Construction of a carwash

The above application has been referred to the Commissioner of Highways in accordance with Section 122 of the Planning, Development and Infrastructure Act 2016, as the prescribed body listed in Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

CONSIDERATION

This property abuts Cross Road and Anzac Highway, arterial roads under the care, control and management of the CoH. At this location, Cross Road and Anzac Highway carry approximately 13,300 vehicles per day (2.5% commercial vehicles) and 32,500 (3% commercial vehicles) respectively with both roads having a posted speed limit of 60km/h. The subject site is located approximately 60 metres east of the Anzac Highway/Cross Road signalised intersection.

The subject site currently has existing access points on both Anzac Highway and Cross Road. Access to the development is proposed to be via separate ingress (via Cross Road) and egress (via Anzac Highway) points utilizing the existing crossover locations which is supported. All movements will be limited to left in or left out only.

The Department for Infrastructure and Transport (DIT) has reviewed the Development Approval Report produced by TMC (Job No. 20-034 DA, dated 14 March 2021) and concurs that the traffic generated by this development will be easily accommodated by the adjacent road network and that sufficient queuing capacity will be provided to ensure vehicles do not queue back onto Cross Road.

The Department has released the 'Advertising Signs Assessment Guidelines for Road Safety' publication to assist with the review and assessment of advertising signs abutting the arterial road network. DIT has reviewed the proposed signage against the above guidelines and considers it meets the assessment criteria.

#16970472

ADVICE

The Department Infrastructure and Transport supports the proposed development and directs the planning authority to attach the following conditions to any approval:

1. All vehicles shall enter and exit the site in a forward direction.
2. All on-site vehicle manoeuvring areas shall remain clear of any impediments.
3. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.
4. The illuminated signage shall be limited to a low level of illumination so as to minimise distraction to motorists ($\leq 150\text{cd/m}^2$).
5. The signage shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.

Yours sincerely



MANAGER, TRANSPORT ASSESSMENT
for **COMMISSIONER OF HIGHWAYS**

#16970472

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

9 RELEVANT AUTHORITY ACTIVITIES REPORT**9.1 Activities Summary - August 2021****Brief**

This report presents information in relation to:

1. Any development appeals before the Environment, Resources and Development (ERD) Court where the Council Assessment Panel (CAP) is the relevant authority;
2. Other appeal matters before the ERD Court of which SCAP are the relevant authority;
3. Any deferred items previously considered by the CAP
4. Summary of applications that have been determined under delegated authority where CAP is the relevant authority; and
5. Any matters being determined by the State Commission Assessment Panel (SCAP).

RECOMMENDATION

The Council Assessment Panel receive and note the information.

Development Application appeals before the ERD Court

CAP is the relevant authority			
DA Number	Address	Description of development	Status
211/356/ 2016/A	50 Davenport Terrace, RICHMOND	Variation to Development Application 211/356/2016 - Increase Group 'C' building from 3 storeys to 5 storeys containing a total of 98 dwellings (38 additional dwellings)	Judgement and Court Order issued 16 July 2021 - copy attached
211/1143/2020	25 Mortimer Street, KURRALTA PARK	Demolition existing structures and construction of 2 residential flat buildings, the front building comprising 2 x 3-storey dwellings and 1 x 2-storey dwelling, all including a roof top alfresco and car parking; the rear building comprising 3 x 2-storey dwellings all including a roof top alfresco and car parking; front fencing and perimeter retaining walls and fencing	Appealed by applicant. Compulsory conference held 15 July 2021. Compromise proposal to be presented at September CAP meeting.

SCAP is the relevant authority			
DA number	Address	Description of development	Status
211/M015/19	1 Glenburnie Terrace, PLYMPTON	Six-storey residential flat building (32 dwellings) & associated car parking	Compromise Plans have been received by SCAP and referred to Council for comment. To be tabled at future SCAP meeting - to be heard in confidence. No further update available.
211/M022/17	79 Port Road, THEBARTON	Multi-storey mixed use development, incorporating commercial tenancy, 2 storey car park, 9-storey residential flat building, four x 3-storey residential flat buildings and car parking	Compromise plans have been received and Council comments provided to SCAP 09 November 2020. The compromise proposal was scheduled for conciliation conference 28 January 2021. No further update available.

Deferred CAP Items

Nil

Development Applications determined under delegation (CAP is the relevant authority)

Awaiting PlanSA Portal functionality to report on relevant applications.

Development Applications pending determination by SCAP

DA Number	Reason for referral	Address	Description of development
211/M135/21 Lodged 16/03/21	Schedule 10	1 Selby Street, Kurralta Park	Construction of a 10-storey residential flat building with associated car parking and site works. Under Assessment
211/M134/21 Lodged 16/03/21	Schedule 10	4-10 Railway Terrace Mile End	Construction of a mixed use residential/commercial development comprising 2 x residential flat buildings comprising 6 dwellings and 28 dwellings associated landscaping, carparking and public realm improvements. Under Assessment

211/M129/21 Lodged 17/02/21	Schedule 10 (Council comments sent through to SCAP 18/03/21)	8 Eton Road, Keswick	Construction of a six (6) storey mixed use building comprising residential and commercial tenancies together with car parking and landscaping. Under Assessment
211/M030/18 Lodged 30/11/18	Schedule 10	192 Anzac Highway, Glandore	Demolition of existing structures and construction of an eight (8) storey residential flat building comprising 40 dwellings, including the removal of a significant tree. SCAP deferred matter at its 26/5/2021 meeting.

Conclusion

This report is current as at 2 August 2021.

Attachments

1. 50 Davenport Terrace, Richmond - Court Order
2. 50 Davenport Terrace, Richmond - Judgement

OFFICE USE ONLY

Case Number: ERD-20-000192

Date Filed: 13 July 2021

FDN: 24

**ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT OF SOUTH AUSTRALIA**

No. 192 of 2020

BETWEEN

ADELAIDE WORKERS HOMES INC
Appellant

- and -

CITY OF WEST TORRENS
Respondent

ORDER

Judicial Officer:	Commissioner Rumsby
Date of Hearing:	1 and 2 June 2021
Date of Order:	13 July 2021
Appearances:	Mr J McElhinney, for the Appellant Ms V Shute, for the Respondent

THE COURT ORDERS that:

1. The Appeal is dismissed and Council's decision is upheld.

A handwritten signature in black ink, appearing to read "J. Pollock", is written over a horizontal dotted line.

DEPUTY REGISTRAR

ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT OF SOUTH AUSTRALIA

DISCLAIMER - Every effort has been made to comply with suppression orders or statutory provisions prohibiting publication that may apply to this judgment. The onus remains on any person using material in the judgment to ensure that the intended use of that material does not breach any such order or provision. Further enquiries may be directed to the Registry of the Court in which it was generated.

ADELAIDE WORKERS HOMES INC v CITY OF WEST TORRENS

[2021] SAERDC 19

Judgment of Commissioner Rumsby

13 July 2021

ENVIRONMENT AND PLANNING - ENVIRONMENTAL PLANNING - DEVELOPMENT CONTROL

Applicant appeal against the Council refusal to add two additional storeys and 43 dwellings to an approved but not yet built three storey residential flat building - the uniquely large and comprehensive land of the appellant, with its predominant three storey buildings, are at odds with the medium density PA 19 provisions - visual impact on the prevailing residential character and Davenport Terrace streetscape considered - whether imposes on nearby Historic Conservation Area - independence of the Council's consultant planner considered and whether he has properly assessed only the changes brought about under the variation application.

Held - Council's planner did not err in his approach and his evidence is accepted as being properly formed as an independent expert - in the context of the exceptional circumstances and discordant features, flexibility is required - the magnitude of the exceedance is excessive and not supported given also the evident further impact on the prevailing streetscape and built character - appeal dismissed and Council's refusal upheld.

Development Act 1993 (SA); Development Regulations 2008 (SA), referred to.
Town of Gawler v Impact Investment Corporation Pty Ltd [2007] SASC 356; *Paradise Developments Pty Ltd v Nature Conservation Society of South Australia Inc* (1990) 59 SASR 239; *Hassen v Murray Bridge District Council* (1984) 35 SASR 448; *Alexandrina Council v Strath Hub Pty Ltd* [2003] SASC 382, (2003) 129 LGERA 389; *Mar Mina (SA) Pty Ltd v City of Marion & Anor* [2008] SASC 120; *City of Charles Sturt v Hatch* [1999] SASC 824; *Nadebaum v City of Mitcham* [1995] EDLR 589, considered.

Appellant: ADELAIDE WORKERS HOMES INC **Counsel:** MR J MCELHINNEY - **Solicitor:** GRIFFINS LAWYERS

Respondent: CITY OF WEST TORRENS **Counsel:** MS V SHUTE - **Solicitor:** KELLEDY JONES

Hearing Date/s: 01/06/2021, 02/06/2021

File No/s: ERD-20-192

B

ADELAIDE WORKERS HOMES INC v CITY OF WEST TORRENS
[2021] SAERDC 19

THE COURT DELIVERED THE FOLLOWING JUDGMENT:

1 Adelaide Workers Homes Incorporated (“AWH”) has appealed against the decision of the City of West Torrens (“the Council”) to refuse its application to add a further two storeys to the approved three storey residential flat building termed ‘Building Group C’ (“Building C”) located centrally to the AWH’s substantial Davenport Terrace, Richmond housing estate.

2 Mr J McElhinney, of counsel, appeared on behalf of AWH. Messrs D Dawson, a consultant town planner, and P Weaver, a consulting traffic engineer, both prepared written statements, and gave expert oral evidence. Mr J Phillips, a qualified chemical engineer, produced a statement of evidence in respect of a waste management plan he had prepared. He appeared briefly before the Court but was not required for cross-examination. Lastly, Mr J Hooper, chairperson of the AWH and managing partner of HLB Mann Judd Accountants – who, under contract, provide accounting and various business services to AWH – also prepared a written statement and gave evidence.

3 Ms V Shute, of counsel, appeared on behalf of the Council. She called Mr B Fewster, a consultant town planner retained by the Council from time to time, to provide written statement and give expert oral evidence.

4 At the commencement of the hearing and in the presence of the parties the Court viewed the subject land and its, largely agreed, locality.

Background

5 As set out in the written statement of Mr Hooper,¹ the AWH is a charitable organisation established in 1898 under a bequest of the late Sir Thomas Elder to provide affordable housing for working men and their families. Its affairs are administered by a board of trustees. While it has largely been self-funded, it has also been the beneficiary of Federal and State Government grants to assist it in its goals of providing affordable housing.

6 The AWH has adapted to changing social mores and needs since it was first incorporated and its name change recognises its role to provide affordable housing for all low-income workers, including women, and now also retired workers. Its clientele “... are sourced via the organisations’ website, via internal referral from existing tenants and/or via direct advertising online ...”² using various real estate search engines.

¹ Exhibit A3.

² Exhibit A3, p 4, section 3.3.

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- 7 Tenants must meet strict eligibility criteria in respect of their salaried income and/or assets in order to qualify for AWH accommodation. Upon acceptance, tenants are expected to conform with a tenancy agreement, the standard wording of which was attached to Mr Hooper's statement. That agreement covers matters including the rights and obligations of tenants and the landlord; the terms of payment and consequences of any default; the grounds of termination of a tenancy; notice requirements where a tenant seeks to vacate a tenancy; and the like. Relevantly, under the standard tenancy agreement terms,³ the AWH undertakes to provide one allocated car park space per unit and to preclude the parking of visitors in the common, or community, areas on-site, matters which Mr Hooper conceded⁴ may need to be reviewed – to which I refer later.
- 8 The Davenport Terrace, Richmond housing estate in which the subject, Building C, is centrally located is undergoing a comprehensive redevelopment. The land has largely been cleared of the former 1960s era buildings, and a comprehensive new building form has been introduced with the construction of two of the five approved three storey residential flat buildings – stage one (Building D on the north-western corner of Davenport Terrace and Ellen Street) having been completed and occupied, whilst stage two (Building E on Ellen Street) has just been completed but, at the time of hearing, was yet to be occupied.
- 9 This comprehensive redevelopment is being undertaken pursuant to an earlier development approval which the subject proposal seeks to further vary, but essentially only in respect of the subject Building C. The background to the substantive development approval and the works presently underway within the estate was usefully summarised by Mr Dawson:⁵

Adelaide Workers Homes lodged Development Application 211/356/2016 with Council on 10 April, 2016 for the following works:

- Land division creating fifteen (15) Community Titled Allotments;
- Demolition of existing buildings;
- Construction of seven (7) two to four storey residential flat buildings comprising 218 dwellings and
- Ancillary office, car parking, communal facilities, outbuildings, landscaping and access ways.

The application was considered, and refused by Council's Development Assessment Panel on 9 August, 2016. A subsequent appeal was lodged by Adelaide Workers Homes and a compromise proposal for a reduction in the height of the central building (identified as

³ Exhibit A3, p 10, attachment A, clause 25.2.

⁴ T, p 9, l 17.

⁵ Exhibit A2, p 6, section 2.2.

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Group C upon the plans) was put to, and accepted by, Council. An order was issued by the Court on 17 November 2016 granting consent to the compromise proposal.

The approved development consists of seven residential flat buildings ranging in height from two to three storeys with a total of 218 dwellings and 254 car parks along with several community and private landscaped areas.

Construction of two of the approved residential flat buildings has been completed with the clearance of the site and construction of the remaining approved buildings on going. It is understood that the construction of the three-storey residential flat building on the corner of Davenport Terrace and Milner Road is due to commence in the coming weeks.

Subject Land

- 10 The land the subject of this matter occupies, as I have said, the central portion of a 1.91ha holding of AWH at Richmond. The housing estate is a large, regular, land holding comprising eight contiguous allotments collectively referred to as 48-50 Davenport Terrace, Richmond. It enjoys a 175m, or thereabouts, frontage to Davenport Terrace on its northern boundary, a 106.5m Ellen Street frontage on its western boundary, and a 109.6m frontage to Milner Road on its eastern boundary. The holding's southern boundary is lined by housing, primarily detached dwellings, fronting the eastern deviation of Ellen Street.
- 11 As the proposal is confined to a variation of the approved height of Building C, and also a minor variation to its basement car park layout, with no change to the approved access arrangements, and only a minor change to the common car parking areas to accommodate the proposed waste management arrangements, I consider the 'land' the subject of this matter to be confined essentially to the building floor plate of Building C. I do not regard the whole of the 1.91ha holding as being the "subject land".
- 12 On my calculations, the subject land occupies an area of 2,550m², or thereabouts. It is setback some 53m from Ellen Street, 29m from its Davenport Terrace frontage, behind common garden and car parking areas, and some 60m from Milner Road, ostensibly behind Buildings A and B which, when constructed, will occupy much of that street frontage. The subject land is also some 40m from its southern boundary with the established Ellen Street residential properties – which, under the substantive development approval, will be lined by 15 two-storey 'townhouses' in two groups, referred to as Buildings F and G, separated by a common garden and recreational area.
- 13 The land the subject of this variation-only proposal is cleared. It sits over a bitumen-paved roadway and its circular turnaround. From my observations at the view, the existing ground level around the subject Building C floorplate will need to be raised somewhat to match with the completed finished ground levels and the associated carpark and common roadway levels of abutting Building E.

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Locality

14 The two town planning experts each considered and defined a locality for the purposes of making their planning appraisal of the proposal. Both based their locality boundaries on their understanding of the extent to which the subject proposed building at its proposed additional height would be visible.

15 The locality boundaries of both experts extended to the south roughly as far as Keswick Creek, and west as far as Hill Place, a cul-de-sac off Davenport Terrace, some 75m west of Ellen Street. To the north of Davenport Terrace, Mr Dawson's locality extended some 100m taking in three or four residential properties beyond those fronting Davenport Terrace itself, whilst Mr Fewster's locality was confined essentially to the Davenport Terrace-fronting properties alone, but extending north along Washington Street given its direct line of sight to the proposed Building C. The planners adopted the same approach to defining the eastern boundary of their respective localities. Mr Fewster confined the eastern edge of his locality to the Milner Road-fronting properties only, but with an easterly projection along Frederick Street from where the proposed Building C could be viewed. He also extended his locality boundary east along Davenport Terrace, albeit, on my assessment, there would be very limited line of sight from that part of the locality. On the other hand, Mr Dawson's eastern locality boundary extended for a distance of some two or three residential properties, or some 75m, east of Milner Road.

16 Whilst little turns on the minor differences between the respective locality boundaries, I adopt the locality as defined by Mr Dawson, but would extend it marginally north along Washington Street and east along Frederick Street.

17 The town planning witnesses largely agreed the established features and land use context of the locality, which Mr Dawson helpfully described as follows:⁶

The locality is characterised by low to medium density residential development in the form of single and two storey detached dwellings, two storey residential flat buildings, single storey group dwellings and two storey row dwellings. The surrounding dwellings display a range of styles, age and external materials. Residential yards are generally well landscaped with a mixture and scattering of landscaping and mature trees within the road reserves.

Residential development on the eastern side of Milner Road is a mixture of older, original single storey dwellings (both detached and semi-detached, some of which are designated as Contributory Items) with newer infill development in the form of two storey detached dwellings and residential flat buildings...

Keswick Creek is an open drainage channel located along the southern edge of the locality.

Davenport Terrace acts as a connector road linking the local area to South Road to the east and Brooker Terrace to the west. Milner Road connects Sir Donald Bradman Drive to the

⁶ Exhibit A2, pp 6-8.

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north, past Richmond Oval to Richmond Road (via Holder Avenue) to the south. Davenport Terrace has a road reserve width of approximately 21 metres and Milner Road a road reserve width of approximately 20 metres. Both streets have designated/line marked on-street parking bays. Other streets within the locality are generally of a lower order and width.

Non-residential development is limited to the café and hairdresser on the corner of Ellen Street and Davenport Terrace ...

Overall, the locality displays a medium to high level of amenity on account of the maintained homes, landscaped gardens and reasonable quality public realm improvements. There appears to be a higher level of traffic and movement through the locality than would be anticipated in an inner suburban residential context on account of the higher order nature of Davenport Terrace and Milner Road as well as the proximity to, and connect [sic] with, South Road and Sir Donald Bradman Drive.

Key features of the broader neighbourhood are shown within the Neighbourhood Plan included within Appendix 2. These include:

- Richmond Oval to the south east;
- commercial development along South Road to the east;
- commercial development along Sir Donald Bradman Drive to the north including the Hilton Plaza Shopping Centre;
- the City of West Torrens Civic Centre, Hamra Centre and Memorial Gardens/playground to the west; and
- Cowandilla Learning Centre and Cowandilla Primary School and Children's Centre to the west.

18 I also note that whilst Mr Fewster similarly considered the amenity of his locality to be “*relatively high*”,⁷ he did not regard the AWH estate as a positive contributor to that prevailing residential character, where he opined⁸ “*I do not consider the existing buildings and associated car parking on the subject land to contribute positively to the existing amenity of the area. In particular, the buildings are considered to contrast with the existing character by virtue of their three-storey height and considerable bulk, their siting close to the road frontages and their somewhat dated architectural style.*” – a topic to which I will later return.

Proposal

19 The proposal involves a variation to the comprehensive redevelopment of the AWH land at Davenport Terrace, Richmond (Development No. 211/356/2016) approved on 17 November 2016 pursuant to consent orders of this Court. As I have said, it is proposed to add two building levels to the approved, centrally-located, Building C, bringing the total building height above the finished (raised)

⁷ Exhibit R2 at [34].

⁸ Exhibit R2, p 9, para 35.

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ground level to 17.5m. A similar palette of materials and colours have been applied to the proposed building, having complementary design features and architectural ‘language’ as was originally approved for Building C as a three storey building.

20 Also proposed is a minor re-design of the basement car park to bring it into conformity with the pertinent Australian Standards.

21 The consequences of these proposed changes, in summary, are:

- 43 additional dwellings (14 one bedroom/ 29 two bedroom), including the conversion of an ancillary office to a dwelling;
- four fewer basement car park spaces; and
- minor changes to the plaza deck, in particular, the configuration of the void and the raised landscape bed, and also the feature screens.

22 Under the proposed changes, Building C would accommodate, in total, 100 dwellings (31 one bedroom/69 two bedroom) and 74 basement vehicle parking spaces. The changes to the AWH estate, as a whole, would provide for a total of 261 dwellings (103 single bed or studio apartments; 137 two bed apartments; 5 three bed apartments; and 15 three bed “townhouses”). It would be served by a total of 246 car spaces, the majority of which are to be provided in at-grade common areas around the AWH land, except for the 74 basement spaces under Building C, and the 32 spaces dedicated to Buildings F and G on the estate’s southern boundary.

23 Also submitted by the AWH for hearing purposes was a waste management plan⁹ for the housing estate, as a whole. Among other things, it confirmed the storage locations throughout the AWH estate for the various waste streams. Consideration was also given to the practicalities of on-site manoeuvring within car parking areas. As a consequence, minor changes were proposed to the car parking areas already established for completed Buildings D and E, and for the future car park of Building B. Those changes were limited to designating new bin locations, providing backing spaces for ‘blind aisle’ parking areas, and relocating a number of disabled parking spaces.

24 The proposed variation requires a development approval which, within the Residential Zone (RZ) and its Medium Density Policy Area 19 (PA19), is neither listed as a complying nor non-complying kind of development, and falls to be determined as a consent on-merit matter. As this proposal seeks to vary an approval

⁹ Attached to Exhibit A4.

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which had been categorised and processed as a Category 3 matter, the same procedures, as required,¹⁰ were followed in this matter.

Development Plan provisions

- 25 I consider the following provisions, from the consolidated 12 July 2018 edition of the West Torrens Council Development Plan, to be of particular relevance in this matter:

Zone Section

Residential Zone

Objectives: 1, 2, 3 and 4

Desired Character

Principles of Development Control: 1, 5, 7, 10, 12, 15 and 16

Medium Density Policy Area 19

Objective: 1

Desired Character

Principles of Development Control: 1, 2, 3, 5 and 6

General Section

Crime Prevention

Objective: 1

Principles of Development Control: 1, 2, 3, 5 and 6

Design and Appearance

Objective: 1

Principles of Development Control: 1, 4, 5, 9, 10, 13, 14 and 19

Energy Efficiency

Objective: 1

Principle of Development Control: 2

Hazards

Objective: 4

Principles of Development Control: 2, 4, 5, 6 and 7

Historic Conservation Area

Objectives: 1 and 3

Principle of Development Control: 1

Medium and High Rise Development (3 or more storeys)

Objectives: 2, 3, 4 and 7

¹⁰ Refer s 39(7)(c) *Development Act, 1993*.

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Principles of Development Control: 1, 3, 4, 5, 6, 7, 14, 15, 16, 18, 20, 21, 22, 25, 26, 27 and 29

Orderly and Sustainable Development

Objectives: 1 and 4

Principle of Development Control: 1

Residential Development

Objectives: 1, 2, 3, 4 and 5

Principles of Development Control: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 21, 22, 23, 24, 25, 29, 30, 31 and 32

Transportation and Access

Objective: 2

Principles of Development Control: 8, 34, 35, 36(h), 37, 39, 40, 42, 43, 44, 45 and 46

Preliminary Arguments

- *Council Expert Independent?*

26 Counsel for the appellant questioned why Mr Fewster did not disclose in full the breadth of his prior involvement with the proposal. Counsel put that, as the Council's contracted consultant planner engaged to assess and report on this matter when before it as the primary planning authority, together with his appearances as the Council representative at the joinder application hearing, the preliminary conference and a conciliation conference before the Court, this compromised his independence. Counsel said¹¹ that whilst Mr Fewster was entitled to be accepted as an expert, he cannot be considered to be independent, unlike Mr Dawson who had no prior involvement in this matter until his instructions in the course of the Court proceedings. It was submitted¹² that, as such, where Mr Fewster's views depart from those of Mr Dawson, Mr Dawson's views should be preferred.

27 In Mr Fewster's statement of evidence he summarised his relevant qualifications and employment history. He identified that in his own private practice he was also contracted to a number of councils to provide planning services. He failed, however, to identify his current contract with the City of West Torrens.

¹¹ T, p 101, ll 1-9; 30-36.

¹² T, p 107, ll 27-32.

28 He also listed¹³ all of the documents and reports that he had relied upon in informing his opinions in this matter, including the Council administration report. Inexplicably, however, he did not identify that he had authored that report.

29 Whilst Mr Fewster's prior involvement in this matter was in plain sight in the Council book of hearing documents and Court records, it is a little baffling why this was not made clear in his statement. On my assessment, Mr Fewster simply appears to have been oblivious to the desirability of fully disclosing that he had first formed his opinions in this matter in the course of his assessment and reporting on the proposal when it was before the Council. This is revealed in his response to cross-examination when questioned as to why he did not disclose his prior involvement, when he said ... *"(i)t's of no relevance at all ... I assess what's in front of me and I prepared my statement on that basis."*¹⁴

30 Counsel for the Council said¹⁵ that, as has been the Court's practice in these *de novo* hearings, council planners who have assessed and reported on the proposal have ordinarily been accepted as independent experts. I note, in this respect, that it is ordinarily accepted that the Council planner's role will also entail explaining their appraisal to the development applicant and their agents, and advising, broadly, as to what measures, if any, are needed to be made in order to secure their support. Such a limited role does not, however, disclose an issue which vitiates their independence and objectivity, and hence their acceptance as an independent expert.

31 Consultant town planners engaged by the proponent, on the other hand, can find themselves contributing from the outset to the design brief for, and refinement of the proposal; strategising how the relevant authority and the public notification process is to be 'managed'; appearing at Panel meetings on behalf of the development applicant in responding to representors; and, as part of the project team, advising as to actions required to secure an approval and executing the project, including the case to be presented before the Court. Where they do so they run the risk of being so entwined to the course plotted by the proponent, or 'wedded' to the scheme, that they are unable to detach themselves from it. Where the consultant planner has had such an intimate knowledge of, and deep engagement in, the proposal they may be considered to no longer be at a sufficient arm's length from the scheme and its outcomes as to be regarded as truly independent.

32 This is, of course, not a matter which the council planner is burdened with.

33 That Mr Fewster failed to disclose his prior involvement in this matter does indeed raise the Court's heightened sensitivity to these considerations. However, I

¹³ Properly, as required pursuant to the Court's Practice Direction 6.

¹⁴ T, p 62, ll 17-22.

¹⁵ T, p 108, ll 7-21; p 109, ll 2-11.

am satisfied that he had formed his views and gave expert evidence in an impartial manner at arm's length from the Council case. Indeed, there can be no suggestion that he was unable to objectively revisit matters or new material put before him given his preparedness to discard the traffic and parking, and waste management, concerns as he had originally expressed in his report to the Council. Further, that his opinions in respect of the suitability of the scale/mass and visual impact of the proposal have been unwavering since his initial report was prepared for the Council cannot, of itself, be construed as evidence of his lack of objectivity.

- *Variation-only Proposal*

34 Counsel for AWH submitted that Mr Fewster had erred by failing to confine his assessment of the proposal to only those changes proposed in this matter – being an application to vary the terms of the substantive approval over the AWH land. Counsel submitted that, as required under s 39(7)(c) of the *Development Act, 1993*, as a variation application, the assessment in this matter is limited to the matters sought to be varied, and not features of the substantive approval which are not the subject of the variation.

35 Counsel for AWH put¹⁶ that Mr Fewster was simply unprepared to accept any intensification of a development that he considered should not, in the first instance, have been approved.

36 Mr Fewster was indeed critical of the existing development approval which he said was “*a little disappointing in terms of what could have been achieved.*”¹⁷ He also observed and detailed the variances of the AWH land, as a whole, from the prevailing features and character of its wider locality. However, Mr Dawson had made similar observations,¹⁸ and there is little disagreement as to the discordant, or non-conforming, features of the AWH land with the prevailing, and desired, character.

37 Mr Fewster confirmed that he understood that Building C was not a new building but a variation to an approved building. He further said¹⁹ that his analysis focussed on the consequences of that variation and not the AWH land as a whole, and that it was the proposed additional two floors that, in his view, would produce an unacceptable and excessive building height and mass. In this respect, he said²⁰ that whilst he had concerns with the “*... overall scaling and density, and the closeness of buildings to the road frontages ... (under the substantive approval for the AWH land) ... this proposal just tips it far, far over the edge.*”

¹⁶ T, p 107 ll 34-35.

¹⁷ T, p 67, l 3.

¹⁸ T, p 55, ll 4-12.

¹⁹ T, p 67, l 7.

²⁰ T, p 66, ll 1-4.

- 38 Mr Fewster, in my view, had properly confined himself to the consequences of this variation-only proposal and did not err in his approach to the assessment of this matter.

Discussion

- 39 The visual and other amenity impacts of the proposal on surrounding residents, particularly those to the south of the AWH land, was one of the three outstanding issues set out in the joint statement prepared by the town planning witnesses as ordered by the Court.²¹ However, this was not seriously pursued at the hearing,²² and there was general agreement between the parties that, in the circumstances, any overlooking or overshadowing arising from the proposed additional two floor levels would not be unreasonable. Further, noise and other allied activity impacts which may arise given the addition of 43 households to the AWH estate, in the context of the total number of dwellings on the estate, was also considered to be a minor matter.

- 40 The remaining matters on which the town planning experts formally²³ disagreed were:

1. the degree to which the character and amenity of the locality will be impacted; and
2. the degree to which the Historic Conservation Area will be impacted.

- 41 I consider these matters in turn.

Character and Amenity Impacts

Medium Density Policy Area 19

Objective 1: Development that contributes to the desired character of the policy area.

DESIRED CHARACTER

Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.

New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.

²¹ Exhibit R3.

²² T, p 75, ll 22-31; T, p 76, ll 9-22.

²³ Exhibit R3.

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Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.

Design and Appearance

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following: (a) building height, mass and proportion (b) external materials, patterns, colours and decorative elements (c) roof form and pitch (d) façade articulation and detailing (e) verandas, eaves, parapets and window screens.

...

Medium and High Rise Development (3 or More Storeys)

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Buildings should be designed to respond to key features of the prevailing local context within the same zone as the development. This may be achieved through design features such as vertical rhythm, proportions, composition, material use, parapet or balcony height, and use of solid and glass.

...

- 42 In Mr Fewster's opinion, notwithstanding its positioning towards the middle of the AWH estate, Building C, at its proposed additional height, would materially impact on the character and amenity of the locality. He said²⁴ that views of it would be available from between the three storey buildings on the surrounding street frontages; from residential properties on its southern boundary; and variously throughout the locality. He further considered that uninterrupted views would be available from large sections of Davenport Terrace, and also from Washington Street to the north and Frederick Street to the east.

- 43 In Mr Fewster's view, the proposal "... would tower over the existing/proposed lower perimeter buildings ... which are only two and three storeys high, and would visually intrude upon and overwhelm the adjacent streetscapes and rear yards of adjacent residential properties ... (to the south)".²⁵

- 44 He considered that the addition of two floors would create a materially greater building mass and form than had been approved and would further

²⁴ T, p 73, ll 10-19; and Exhibit R2 at [54]-[56].

²⁵ Ibid, p 13 at [54].

emphasise the discord of the AWH land with the widely prevailing one and two storey residential character.

45 On the other hand, Mr Dawson considered that, in light of the three storey residential flat buildings approved on the street frontages of the AWH land, Building C, at its additional height, would largely be obscured from view. This, he said, was highlighted in the sightlines plan attached to his statement of evidence.²⁶ He opined²⁷ that “... (i)n those locations where a view between buildings, or over the top of them from locations further afield, is possible the bulk and scale of the three storey buildings (or the two storey townhouses from views from the south) in the foreground will be the most dominant visual element. The view of Building C either behind or past those buildings will be a secondary consideration that will ultimately be softened and screened by the proposed landscaping across the subject land.”

46 He further said²⁸ that notwithstanding “... the additional levels will be visible from ... (these more limited or distant locations) ... the extra height and bulk of the building will be seen within the context of the ... (whole of the AWH estate) ... and not within the broader single to two storey context of the surrounding suburb.”

47 Mr Dawson agreed that Building C would be most exposed to Davenport Terrace given the wide expanse of the common car parking and landscaping area between Buildings A and D. However, he considered that, from this vantage, the height of landscaping proposed within the car parking and common garden areas at maturity, as depicted in Section B-B on the sightlines plan,²⁹ together with street trees along Davenport Terrace, would soften the visual impact.

48 The sightlines plans relied upon by Mr Dawson identify the relative building heights and angle of vision for pedestrians from the selected viewpoints only. They show that from those sections of surrounding streets where the perimeter buildings are positioned directly in front of Building C it will not be in view. However, this does not disclose that Building C won't be seen nor make an appreciable impact on the characteristics of the AWH land as viewed by persons walking and driving its surrounding streets or, generally, in the wider locality.

49 Along the exposed sections of Davenport Terrace, Building C will appear as the centre-piece, or focus, of the AWH development. The wide expanse of the common, unbuilt upon, land (of some 66m) will give it considerable exposure from its northerly aspect regardless of the ‘softening’ that may in future be achieved

²⁶ Exhibit A2, Appendix 3.

²⁷ Exhibit A2, pp 13-14.

²⁸ Exhibit A2, p 14 at [2].

²⁹ Ibid.

with the maturing of the predominantly deciduous trees planted in the car parking area, and approved for the common garden area forward of Building C.

- 50 Building C at its additional height will, in my view, have a strong and discordant presence to Davenport Terrace and will appear as a tall and intrusive element as viewed from within, and beyond, the locality. From more distant vantages throughout the locality, I also expect that Building C will largely appear as an ‘outlier’ above the prevailing, albeit variable, building heights. Although not the element of the AWH land that has the greatest street presence, it is a discordant element, and one that will further highlight and worsen the discord of the AWH land with the desired and more widely prevailing character.

Heritage Conservation Area Impacts Acceptable?

- 51 There is no statement in respect of the Historic Conservation Area’s (“HCA’s”) historic value. Further, as the HCA is not directly involved in this matter, I consider the most relevant provisions is:

Historic Conservation Area

Objective 1: The conservation of areas of historical significance.

- 52 The HCA at Richmond is depicted³⁰ on land opposite Milner Road from the AWH estate. It is a compact area, bounded to the north by Davenport Terrace, and by Richmond Oval to the south. It extends almost as far as the South Road commercial strip on its eastern boundary.

- 53 The HCA includes, on Milner Road, predominantly, early 20th Century single storey, face brick, detached and semi-detached dwellings of hip/gable rooves and traditionally-composed window detailing with sunhoods, verandahs and simple ornamentation – a number of which are identified as ‘contributory items’.³¹ Behind the street-fronting Milner Road dwellings are buildings of somewhat mixed architectural style and construction eras.

- 54 Mr Fewster acknowledged that whilst the primary visual impact would arise from the three storey buildings approved within the AWH estate, he said³² that this would be further “*exacerbated*” by the proposed five storey Building C.

- 55 On the other hand, Mr Dawson did not consider there to be any appreciable heritage conservation impact.

- 56 Building C is 70m, or thereabouts, from the HCA boundary and some 85m from the nearest contributory items on Milner Road. The proposal does not impact

³⁰ Refer West Torrens Council Development Plan Overlay Map WeTo/9.

³¹ Ibid.

³² Ibid.

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directly on the HCA nor, in my view, does it materially impact its Milner Road streetscape given the siting of Building C largely behind approved three storey residential flat buildings (Buildings A and B). Whilst the vertical projection of the proposed two additional floors will be seen from the Frederick Street projection, and glimpsed also along Milner Road between Buildings A and B (when constructed), and elsewhere within the HCA, I consider that the additional building height in the context of the approved scheme for the AWH land, and also the distances involved, will have limited impact on the setting of contributory places or the values of the HCA generally.

- 57 Whilst not one of the listed matters in dispute,³³ the cases presented by the parties largely centred around the relevance of the PA 19 provisions given the established, and approved, discordant features of the AWH land, as a whole.

Has the desired maximum building height been rendered redundant?

Medium Density Policy Area 19

Objective 1: Development that contributes to the desired character of the policy area.

DESIRED CHARACTER

Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.

PRINCIPLES OF DEVELOPMENT CONTROL

...

- 3 Dwellings should be designed within the following parameters:

Parameter	Value
Minimum setback from primary road frontage	3 metres
Minimum setback from secondary road frontage	2 metres
Minimum setback from back boundary	6 metres
Maximum site coverage (the area of a site covered by the ground floor level of a building, including the dwelling, garage, carport and outbuilding, but excluding unroofed balconies, verandas and pergolas)	60 per cent
Maximum building height (from natural ground level)	Allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway: three storeys or 12.5 metres All other locations: two storeys or 8.5 metres

³³ Exhibit R3.

58 It was agreed, as I have previously said, that the AWH land was a uniquely large property in the policy area, developed at some odds with its surrounds.³⁴

59 Mr Dawson also acknowledged³⁵ that notwithstanding the land's unique circumstances, "... (i)t doesn't mean, necessarily, you can do what you like in ... (the)... centre (of the estate); there's still limits ...". However, in his view, the upper limit to the acceptable building height was only reached when the undesirable consequences of that building height became evident, where he said,³⁶ that "... (y)ou will obviously get to a point that it is too high and starts to get visible from around the locality and starts to overbear and overshadow. I don't think two floors are doing that, at this stage, but I think there is some leeway to look at an additional height and additional density on that site because of its unique size and development that's already been approved ...".

60 Counsel for AWH said that the policy settings of PA 19 "... must be considered, but to what effect... (for)... this particular development ..." in all of the above circumstances. He said that the practical consequences, given the misalignment of the AWH land with those policy settings, is that they have been made "*redundant*."³⁷

61 Mr Fewster acknowledged³⁸ that the maximum building height provisions set out under the policy area could not be applied as a mandatory requirement – as it was not his understanding that that was how "... a Development Plan should be read...".

62 Whilst he acknowledged the need for flexibility, and a "*balanced*"³⁹ approach with respect to the height (and density)⁴⁰ outcomes for Building C, in its context, he considered that the "... *significant departure* ..." ⁴¹ from the desired maximum building height (17.5m *vis-à-vis* 8.5m maximum) was well beyond that which could reasonably be contemplated.

63 Both parties sought to rely on the guidelines laid out by the Supreme Court in the matter *Town of Gawler v Impact Investment Corporation Pty Ltd*⁴² as to the

³⁴ Including where Mr Dawson said that the AWH land was "... *definitely divergent from the locality around it, particularly given how close some of these buildings are sited to the frontages. I don't know there's any other examples of that ... it is quite different and distinct from the locality and even the broader locality around it.*" Per T, p 55, ll 4-12; and also Mr Fewster's responses at T p 66, ll 16-18; and T p 67, ll 13-15.

³⁵ T, p 55, ll 19-31.

³⁶ Ibid.

³⁷ T, p 103, l 36.

³⁸ T, p 76-77; ll 38 and 1-2 respectively.

³⁹ T, p 76, l 11.

⁴⁰ Exhibit R2, p 12 at [49] and [50] and p 14 at [63] and [64].

⁴¹ Exhibit R2, p 12 at [53].

⁴² *Town of Gawler v Impact Investment Corporation Pty Ltd* [2007] SASC 356.

circumstances in which a directly-applicable Development Plan policy may not be followed.

64 Of the 10 criteria set out in *Impact*, the following appear to be the most relevant:⁴³

7. Whether there is something unusual about the Development or the land on which it is to take place which makes the policy inapplicable or inappropriate;
8. Whether other events have happened since the Development Plan was adopted which make the policy redundant, either generally or in respect of this particular development;
9. The probable effect of non-compliance with the policy on the planning objectives of the Zone; and
10. Whether non-compliance with the policy in this case is likely to encourage other non-complying developments in the Zone.

65 I consider, firstly, criteria 7 and 8, together.

66 The citation noted under criterion 7, which I have removed, was *Paradise Developments Pty Ltd v Nature Conservation Society of South Australian Inc.*,⁴⁴ in which the Supreme Court upheld an appeal against this Court's refusal to a tourist accommodation facility near the western cape of Kangaroo Island ("KI") in the General Farming Zone. Jacobs J agreed with the dissenting reasons given by Commissioner Turner of this Court who observed the land's largely natural and heavily vegetated condition, and hence its essential inappropriateness for farming of the type envisaged and within the general capability of the district. He considered that, in these circumstances, the zone objectives could not practicably be fulfilled given the land's natural values, a matter of some importance under the generally-applicable provisions for KI. Further, the general support under the Development Plan for tourist accommodation and development of the nature proposed, and given the difficulties of establishing such a development elsewhere on KI, also played a part in that decision.

67 In this matter, there is no such contradiction in the underlying features, or capability, of the land, nor the conflicting policies as was present in *Paradise Developments*. There is no suggestion that the land use objectives for the subject land, or the AWH land generally, cannot be met – the AWH land has been, and is capable of being, put to its primarily intended purpose, even if some of the key 'markers' of the envisaged medium density residential development do not align with what has taken place on the land. Further, that the proposal assists in meeting

⁴³ On its face, it was unclear how *Impact* assists in this matter given that it was agreed that a departure from the directly relevant policies was warranted in the circumstances – and that what was principally in dispute was the magnitude of the proposed departure and its consequences.

⁴⁴ (1990) 59 SASR 239.

the social, or affordable, housing goals of the Development Plan does not render the policy area provisions redundant. They continue to apply, albeit as was accepted by the parties, some relaxation of the relevant development ‘standards’ was appropriate to assist in the accommodation being provided affordably.

68 The development goals, and the numeric values put against them, under the Development Plan are not set aside in the subject circumstances where the desired outcomes are not faithfully reproduced on-the-ground. Whilst the practical realities confronting any particular situation need to be recognised, the provisions of the Development Plan continue to serve as a practical guide⁴⁵ to be applied, including in the subject circumstances.

69 As a variation-only proposal it will not be possible to retrieve a built outcome on the AWH land which more faithfully aligns with the policy area provisions. However, what is proposed will not be unnoticeable in the locality, nor will it be a minor or inconsequential matter. It will intrude upon the Davenport Terrace streetscape and be clearly evident variously throughout the wider locality where its discordant built form and height will worsen the discord of the AWH land with its surrounds.

70 With respect to criteria 9 and 10 of *Impact*, counsel for AWH put that given the unique size and built features of the AWH estate, no consequences can be expected to flow from a decision in this matter.

71 Counsel for the Council said that there were no other examples elsewhere in PA 19, as far as the experts could recall, of buildings of the height of proposed Building C. She put that such an unprecedented building height, as per *Hatch*⁴⁶ (and *Nadebaum*⁴⁷), whilst not a legal ‘precedent’ as such, meant that the Court needed to tread warily. She further put that the proposal would materially change the physical context and character of this part of the policy area and had the potential to incrementally reframe the context against which any new housing infill/redevelopment proposal in this locality was assessed – including the further exceedance of the desired, maximum, building height of PA 19.

72 Notwithstanding the general policy support for the social housing product proposed, and the acknowledged need for flexibility in the circumstances, it does not support the introduction of an unprecedented building height in the policy area, particularly as it will have an appreciable presence (for the above reasons) and will further vary the character of the locality and hence have some influence in informing decisions on future building heights in this locality.

⁴⁵ *Hassen v Murray Bridge District Council* (1984) 35 SASR 448; *Alexandrina Council v Strath Hub Pty Ltd* [2003] SASC 382, (2003) 129 LGERA 389 at [27]; *Mar Mina (SA) Pty Ltd v City of Marion & Anor* [2008] SASC 120 at [40].

⁴⁶ *City of Charles Sturt v Hatch* [1999] SASC 824.

⁴⁷ *Nadebaum v City of Mitcham* [1995] EDLR 589.

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73 Nor does the context of the proposal lend support for the magnitude of the variance from the maximum goal values applicable to this policy area – being more⁴⁸ than 9.5m, or 205%, higher than the desired maximum building height, and having a dwelling density more than double that identified in the Development Plan⁴⁹ as appropriate for medium density housing.

74 For the above reasons, I assess that the proposed height (and form) of Building C is excessive and unjustified, and hence does not merit approval.

75 Whilst not seriously pursued, nor considerations which I need to determine given my decision in this matter, I make the following additional observations:

Additional Considerations

- Traffic and Parking

Medium Density Policy Area 19

PRINCIPLES OF DEVELOPMENT CONTROL

...

- 6 When a dwelling constituting affordable housing (as defined by the *South Australian Housing Trust Regulations* as amended) is located within 400 metres of a centre, it should be designed within the following parameters and have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) not less than that shown in the following table:

Parameter	Residential flat building
Site area (square metres)	130 average
Minimum area of private open space for ground level dwellings (square metres)	24 with a minimum dimension of 3 metres
Minimum area of private open space in the form of a balcony for dwellings above ground level (square metres)	8 with a minimum dimension of 2 metres
Minimum number of on site car parking spaces (one of which should be covered)	1

...

⁴⁸ 17.5m *vis-à-vis* 8.5m (per PA 19, PDC 3) – not including the 400mm, or thereabouts, increase in the existing ground level.

⁴⁹ Exhibit R2, p 14 at [63] and [64].

76 The evidence of Mr Weaver, the only expert traffic engineer called in this matter, can be summarised as follows:

- as a charitable, community-based, provider of social housing for low income workers and retired persons, a reduced parking standard, as applies to ‘affordable housing’, is also appropriate here;
- based on the car ownership of residents that have taken-up the first stage of the AWH land, and having regard also to the car ownership generally in AWH housing, a resident demand of 0.82 spaces per dwelling is appropriate in this matter; and
- a rate of one car space per dwelling would also provide for a proportion of the visitor parking demand to be met on-site, particularly given the general accessibility of unassigned parking spaces in common areas.

77 Whilst the total pool of parking may be considered generally acceptable,⁵⁰ there being only a minor shortfall (at 0.94 spaces per dwelling) from the accepted⁵¹ one space per dwelling ‘standard’, I note that a significant number of car spaces – 106⁵² of the 246 spaces to be provided within the estate – are pre-assigned and/or cannot be considered to be readily accessible to all visitors.

78 Further, it was observed⁵³ that access control measures have recently been installed by the AWH in the form of a boom gate at the southern-most Ellen Street entrance. In these circumstances, as acknowledged⁵⁴ by Mr Hooper, visitors wishing to access the estate at this location would be unable to do so without first being provided with the access code.

79 Moreover, as I noted earlier, under the standard tenancy agreement,⁵⁵ residents can expect to be provided with one car space per ‘unit’. The AWH is also expected to preclude visitor parking on-site, a matter that can be enforced by having unauthorised (non-resident) vehicles towed away. I understand⁵⁶ that these terms are contained in the tenancy agreement stage 1 residents have entered into, and also put to persons offered a unit in stage 2.

⁵⁰ Prior to the hearing, the planners reached an agreement, refer Exhibit R3, that “*vehicle movement*”, “*traffic volumes*” and “*car parking approach – based on a rate of one space per dwelling*” were matters that were not in dispute.

⁵¹ Exhibit R3.

⁵² Being the 32 spaces dedicated to the two “townhouse” stages, Buildings F & G, and also the 74 basement car spaces in this matter which are unlikely to be considered generally accessible to visitors of dwellings elsewhere throughout the estate.

⁵³ A matter that Mr Weaver had not been given notice of, per Transcript, p 7, ll 11-12, and which may not have been approved.

⁵⁴ T, p 9, ll 29-37.

⁵⁵ Attached to Exhibit A3, see clause 25.2.

⁵⁶ Based on the responses of Mr Hooper where he said “... *That’s the application form* (inclusive of the tenancy terms) *we use for all of our estates, so not just the subject site ...*” T, p 9 ll 17-21.

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80 Mr Weaver (and presumably also the Council traffic advisor, Mr Siow)⁵⁷ had not been aware of the latter two matters, above, which only came to light in the course of the hearing. This raises some concern with the alignment of the proposal with the car parking principles on which basis this aspect of the proposal had been assessed as satisfactory.⁵⁸

81 Whilst these concerns may be alleviated, somewhat, by changes to the tenancy agreements as Mr Hooper foreshadowed may be taken up, and changes also to the management of access controls installed at the estate to allow for visitor access, nothing was firmly before the Court in these respects.

82 Whilst the adequacy of car parking in the above circumstances remains of concern, it was not a factor which I needed to decide upon given my decision in this matter.

- *High Design Standard?*

COUNCIL WIDE

Design and Appearance

Objective 1: Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

Medium and High Rise Development (3 or More storeys)

...

Objective 3: Development that is contextual and responds to its surroundings, having regard to adjacent built form and character of the locality and the Desired Character for the Zone and Policy Area.

...

PRINCIPLES OF DEVELOPMENT CONTROL

...

1 Buildings should be designed to respond to key features of the prevailing local context within the same zone as the development. This may be achieved through design features such as vertical rhythm, proportions, composition, material use, parapet or balcony height, and use of solid and glass.

⁵⁷ T, p 78, l 6.

⁵⁸ Including by Mr Fewster as became evident in his evidence, where he said that the parking provided on-site was at the “*absolute limit*” of acceptability, per T, p 77, l 27.

...

4 Buildings should:

...

(b) be designed to reduce visual mass by breaking up the building façade into distinct elements

Residential Development PRINCIPLES OF DEVELOPMENT CONTROL

...

5 Residential development should avoid undue repetition of style and external appearance.

...

83 Mr Fewster said that the design standard of Building C, and also the buildings on the balance of the AWH land with which it was complementary, was “*disappointing*”⁵⁹ and that an opportunity had been missed to create a more contextual design which better conformed with the characteristics of its surrounds.

84 He considered that the architectural treatment proposed for Building C was repetitive and not “... *of a high standard, in terms of the building form, detailing and appearance.*”⁶⁰ He further opined that the use of contrasting curved parapets, blade walls and bright colours produced an “*uninteresting*”⁶¹ built form that would worsen the apparent building bulk and mass associated with the proposed two additional floors.

85 In response to questions from the Court, Mr Dawson acknowledged⁶² that the ground floor interface; the treatment of pedestrian entries; and the undercroft element of the subject Building C, generally, was “*not great*”.⁶³ He said, however, that he had confined his assessment of the proposal, including its design standards, to the consequences of adding two floors over and above the existing approved three storey residential flat building scheme rather than looking at Building C from first principles.⁶⁴

86 Nonetheless, he said that as well as adding two additional building levels, the proposal also introduced changes to the built form and its composition by creating a “base”, “middle” and “top” element, which conformed with the pertinent design

⁵⁹ T, p 67, l 3. He further said that the design “... *could be a lot better, to better align with other principles in the Plan as well ...*”. T, p 66, ll 22-24.

⁶⁰ Ibid, p 13 at [60].

⁶¹ Ibid.

⁶² T, p 58, ll 10-13 and 18-23.

⁶³ T, p 67, l 3.

⁶⁴ As is required pursuant to s 39(7)(c) of the *Development Act, 1993*.

directions (per Medium and High Rise Development (3 or More Storeys) PDC 4(b)).

87 Whilst the proposed built design provides some articulation with the use of recessed, and expressed, balconies, and also by stepping the building façade, horizontally and vertically, on my assessment, only limited measures have been taken to create distinctive elements to break up the building mass. There is also no use of elements such as horizontal framing at lower levels, nor more lightweight upper building elements, to assist in moderating its apparent height or bulk. Further, the use of a high proportion of solid and repeated facade features and strong masonry elements, together with the strong vertical design features of its building core, does little to moderate its apparent bulk or mass.

88 Whilst the building design idiom adopted for Building C is complementary to the balance of the estate, and hence a reasonable design response to its emerging AWH context, on my assessment the design does little to mitigate its apparent bulk and mass, and is questionably not of the high design standard expected for multi-level buildings.

Conclusion

89 The nub of this appeal is whether the height and form of proposed Building C is appropriate in the context of the established, and discordant form of development on the AWH land – and whether its departure from the policy area maximum building height goals is reasonable in the circumstances.

90 On my planning appraisal, having regard to the circumstances of the land and its surrounds; the relevant Development Plan provisions; the evidence; as well as the features observed at the view, I consider the exceedance of the goal, maximum, building height to be excessive. I acknowledge that the emerging three storey residential flat buildings being developed along much of the land's street frontages, together with the two storey 'townhouses' of Stages F and G on the southern boundary, will have the greatest impact on immediate resident neighbours and the surrounding streetscapes. The proposal, however, is not a minor or inconsequential variation and will materially impact on the land's built character. The proposed five storey, 17.5m high, Building C will be viewed – as Mr Fewster opined – widely throughout the locality and in particular from Davenport Terrace. It will be a "*visual anomaly*"⁶⁵ that will worsen the evident discord of the AWH land with its surrounds and the pertinent policy area provisions. In so doing, it will incrementally move the prevailing character, and further challenge the future application of the PA 19 provisions.

⁶⁵ As coined by Mr Fewster, Exhibit R2, p 13 at [58].

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- 91 For all of the above reasons, the proposal is at such variance from the Development Plan as to not merit a consent. I dismiss the appeal and uphold the Council decision. An order to this effect will be issued.

10 OTHER BUSINESS

11 MEETING CLOSE