Hi David

I mentioned to you two weeks ago that we were re-addressing the Finishes schedule and refining the Building layout as we have time available.

This has in principal been completed and I have attached a copy for the DPA Report.

We are proceeding with the DA at Council, but following on from the presentation of Mark Kwiatkowski to the review panel the attached plans are closer to the intended outcome.

Further we would request that this land be strongly considered for inclusion in the DPA. An overview summary below will assist.

Certainly the parcel is somewhat of a historical left over and after thought in both the Planning / Zone process and in terms of the development of the site itself – most likely for the reasons given its location (away from Tynte Street) and adjacent the shopping Centre Loading dock.

The site cannot address the Tynte Street Policy requirements to the complete satisfaction of the Development Plan and provide an attractive viable outcome. The physical location of the site is more akin to the Main Street Zone, and appropriately developed, provides a strong buffer outcome between the two Zones.

Whist examination of the Policy Area in which it currently sits can reflect some support for improvement of the site it is very unclear as to what a possible outcome would be. The Policy Area fundamentally addresses the properties fronting Tynte Street, and the subject site seems to have been attached to that Policy Area without examining the relationship between the supermarket, loading dock and a residential development of the site as foreseen in the Policy Area, and the corner frontages negatively impacting a possible satisfactory outcome for a residence on the site.

A proposal as attached provides for a higher level residential use with a lower level office use which is more compatible with the adjoining loading dock function (given the extended hours of operation and nature of vehicles, noise and people at the loading dock).

I believe Robyn, yourself and the Consultants we have used to review the site all agree that the typical type of development that the Policy Area would have constructed on the site is not the most satisfactory outcome for that particular site.

We feel that both a residential building fronting the loading dock area, residential pedestrian movements at the site and POS associated with dwellings on the site would be at conflict on the corner site with the supermarket loading dock environment.

The inclusion of a lower vehicle car park area provides both off street parking and most importantly lifts any human use on the site above the loading dock zone.

 Whilst the current DA is before Council, we believe a possible outcome for the final decision of that DA is open to an outcome that reflects the Policy Area too rigidly and does not
sufficiently consider the intangible characteristics of the site – generally as described above and unable to be included in a Development Plan document. This to me, indicates the Zoning of the site is not appropriately compatible for the site Land Use outcome.

Inclusion of this parcel in the Main Street DPA addresses this incompatibility.

Particular points that would result as a consequence of inclusion in the DPA are:

- The proposed Land Use buffers (both in Land Use terms and physically) the Tynte Street Policy Area from the Shopping Centre, particularly with a sympathetic design proposal as attached.
- The proposal includes a residential component and an office component.
- The over head electrical infrastructure is to be placed under ground along Tower Street South
- The project outcome achieves a sympathetic perspective from Tynte Street.
- Council have concluded a study that indicates there is sufficient office space available along the O'Connell Street area.
- Whilst a portion of the proposal includes Office, it is not of a size that will cause a noticeable impact upon the available supply.
- Perhaps more pertinent the Office is intended to be for the owner of the site. The owner is an accountant and has operated his small business in the City of Adelaide and North Adelaide for over 30 years.
- The development is not speculative in this regard and will provide a occupied and comprehensive development outcome for the site.
- This under developed site will be completed with a high quality and sympathetic proposal that addresses both zones that junction at this intersection.
- Inclusion of the site in the Main Street Zone wraps the Zone Boundary around the area immediately adjacent the loading dock area and removes Land Use conflicts

Thank you for your time David.
I am available to meet with you and clarify these aspects if needed.

Cheers
Greg

Access SDM
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Be green - read on the screen.

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From: Greg Burgess [mailto:greg@accesssdm.com.au]
Sent: Thursday, 16 January 2014 2:47 PM
To: YourSay
Cc: Mark Kwiatkowski
Subject: Main Street Submission DPA Attention David Bailey

David

Please find attached a Report from Mark Kwiatkowski and associated Land Use documentation relevant to the site we are seeking adjustments to as part of the current DPA Consultation.

The attachment “A” file is not the preferred document set we wish to suggest would be proceeded with on the subject site, however it reflects the current Architectural input available.
A refinement of this document set is occurring that adjusts the Built Form and more closely reflects the adjoining Historical Buildings in the area.

However the content of the Report is consistent and forms the basis of the style and type of Development that would contribute to the future and viability of the unique site fronting onto the rear loading dock of the Retail Centre.

In the first instance if you have any queries please contact myself or Mark.

Regards
Greg Burgess

Access SDM
Surveyors - Civil Designers - Development Managers
15/01/2014

Mr. David Bailey
Adelaide City Council
GPO Box 2252
Adelaide SA 5001

Email: d.bailey@adelaidecitycouncil.com.au

Dear David,

Re: Submission to Residential and Main Street Development Plan Amendment (DPA) for 26-30 Chapel Street and 145 – 147 Tynte Street North Adelaide SA 5006.

1.0 Introduction

Adelaide Planning and Development Solutions (APDS) acts on behalf of the owner of the land c/- Access SDM Pty Ltd of 26-30 Chapel Street and 145 – 147 Tynte street North Adelaide (herein the subject land). APDS has been instructed to review the Residential and Main Street Development Plan Amendment (DPA) in relation to the subject land and to make a submission to the Adelaide City Council in line with the client’s future intentions and best interests for the site.

I have, in arriving at my preliminary views considered the terms of the Adelaide City Council Development Plan Consolidated 17 October 2013 along with the Residential and Main Street Development Plan Amendment (DPA) that is currently under public consultation until the 16th January 2014. I have also inspected the subject land and locality and discussed the DPA with Council Staff.

This submission will aim to highlight the suitability of the site for alternative zoning within the DPA in the context of the proposed future direction of the Main Street component of the Residential and Main Street Development Plan Amendment (DPA). More specifically how the proposal should be included within the Main Street (O’Connell) Zone.

The subject land is currently contained within the North Adelaide Historic (Conservation) Zone. The subject land more specifically is contained within Tynte Policy Area 4.

The land abuts the Main Street (O’Connell) Zone 1 directly to the south of the subject land on the opposite side of Chapel Street and the existing land uses in the locality bounded by Tynte Street, Chapel Street, Tower Street South and O’Connell Street reflect the type of development encouraged by the proposed DPA in the Main Street Zones.
2.0 Subject Land and Locality

The subject land contains three individual parcels of land, Allotment 2 FP 8946 in the Area of North Adelaide (the vacant portion), Allotment 255 FP 183527 in the Area of North Adelaide (which is the allotment with a frontage to tower street south and Tynte Street with a right of way to allow access to the adjoining allotment) and Allotment 262 FP 183534 in the Area of North Adelaide (which contains an easement with a right of way to allow access to Tower Street South.)

The vacant portion of the subject land currently contains a bitumen carpark with a 2m high Colorbond fence surrounding the subject land with an existing vehicular access from Tower Street South. The vacant portion of the subject land has a site area of 328m².

The remainder of the site contains a pair of semi detached dwellings which are on Council’s Local Heritage List described as a pair of Edwardian transitional masonry former residences, heritage listing number 17491.

The subject land as a whole has unique characteristics which encourage a suitable design response to maximise the efficient use of the land given its proximity to Tynte Street and O’Connell Street, the existing Main Street (O’Connell) Zone and the development on the opposite side of the Laneway associated with the existing North Adelaide shopping centre. The land uses along O’Connell Street and the development on the opposite side of the Laneway are currently contained within the Main Street (O’Connell) Zone 1 which is being reviewed by the current the Residential and Main Street Development Plan Amendment (DPA).
The locality consists of a mix of commercial, retail and residential land uses including a number of heritage places on both the State and Local Heritage List as outlined on Map Adel/39 Adelaide (City) Policy Areas of the Adelaide (City) Development Plan.

The buildings to the west of the subject land contain two rows of two storey residential flat buildings with an internal vehicular access from Tynte Court which presents a blank two storey façade of Tower Street South. Other notable buildings of significance to the west are the Daniel O’Connell Hotel and further two storey dwellings.

Buildings to the east of the subject land include the State Heritage listed former ‘Friendly Societies Hall’ which is currently used as a church (141 Tynte Street Heritage Listing 13508) as well as the Local Heritage listed Victorian single fronted residence (listing number 17489) with a frontage to Chapel Street. A number of non residential land uses including shops, restaurants and the Australian School for Meditation as well as further two storey dwellings with an internal driveway access from Chapel Street are located to the east of the subject land.

The allotments to the north on the subject land on the opposite side of Tynte Street include a number of offices, the North Adelaide Baptist Church, a range of shops, a restaurant (Ruby Red), further two storey detached dwellings and the Post Office building.
The North Adelaide Shopping complex is located to the south of the subject land which presents a loading dock area, a two storey car parking area with basement parking and a large brick façade along the majority of the southern side of Chapel Street.

![Figure 3. Locality Plan](image)

This mix of land uses in the immediate locality of the subject land is consistent with the desired intent of the Residential and Main Street Development Plan Amendment (DPA).

### 3.0 Current Zoning

The subject site is located within the North Adelaide Historic (Conservation) Zone and Tynte Policy Area 4.

The Desired Character statement for the Policy Area states:

*The Tynte Policy Area should continue as an area for low and medium density residential development characterised by a range of dwelling types as well as providing community facilities for North Adelaide. The formal and dignified historic character of Tynte Street derived from its traditional community uses such as the post office, library, hotel, church and kindergarten, and its wide tree-lined streetscape should be conserved. Quality landscaping, paving and street furniture should complement its historic context, with the wide footpaths used for outdoor dining and cafes where appropriate. *(My emphasis)*
The variety of dwelling types should be retained by the conservation of Heritage Places... An increase in the amount of residential accommodation should be achieved by redevelopment of buildings and sites that are not identified Heritage Places and may also be achieved by converting or redeveloping non-residential premises to either residential or mixed use residential and office uses.’ (My emphasis)

Further the Development Plan indicates ‘Development on Tynte Street should reinforce the dignity and quality of the public buildings in the street... development off Tynte and Archer Streets should reflect the more intimate scale and siting of historic and established built form.’ (My emphasis)

Whilst the Desired Character statement for the Policy Area of the Development Plan encourages ‘an increase in the amount of residential accommodation achieved by redevelopment of sites that are not identified Heritage Places’ and offers development suggestions of ‘converting or redeveloping non-residential premises to either residential or mixed use residential and office uses’ the current Development Plan policies within the North Adelaide Historic (Conservation) Zone and Tynte Policy Area 4 restrict development through the non complying list. (My emphasis)

Principle of Development Control 25 of the Adelaide Historic (Conservation) zone indicates the following kinds of development are non-complying:

- Development which exceeds the maximum plot ratio (as prescribed in each Policy Area) except in Policy Area 10.
- Development which exceeds both two building levels and locates a ceiling more than 6 metres above the median natural or finished ground level at any point or any part of a building, except in Policy Areas 9 and 10.
- Office except:
  (i) from an existing non-residential premises in Policy Area 5
  (ii) on King William Road frontages in Policy Area 8
  (iii) in Policy Area 9
  (iv) on Melbourne Street frontages in Policy Area 11
- Consulting rooms except:
  (i) for development to Calvary Hospital on its existing site in accordance with the Calvary Hospital Principle 9 in Policy Area 1
  (ii) from an existing non-residential premises in Policy Area 5
  (iii) on King William Road frontages in Policy Area 8
  (iv) in Policy Area 9
  (v) on Melbourne Street frontages in Policy Area 11
- **Restaurant** in Policy Area 4 **except on Tynte Street**
- **Shop** except on: (i) **Tynte Street frontages in Policy Area 4**

Whilst the Desired Character Statements of Tynte Policy Area 4 encourage mixed use development with offices and residential development, the non complying table does not reflect the intent of the character statements as shown above. The current zone provisions subsequently limit the opportunity for allotments within the Policy Area to develop to their intended potential.

The inclusion of the subject land within the Residential and Main Street Development Plan Amendment (DPA) presents an opportunity for development on the subject land to achieve its full development potential.

### 4.0 Comments on the Residential and Main Street Development Plan Amendment (DPA)

A review of the Residential and Main Street Development Plan Amendment (DPA) has been undertaken by APDS and Council should be commended on the work done to date.

This submission makes comment on the key points of the submission Residential and Main Street Development Plan Amendment (DPA) that relate to the subject land.

In summary, the Main Streets component of the Residential and Main Street Development Plan Amendment (DPA) aims to:

- **Reinforce O’Connell, Melbourne and Hutt Streets as main streets and with revised policies that will identify opportunities for growth, increased activity, vibrancy (day and evening) and retail mix;**
- **Investigate residential areas taking into account maintaining existing residential amenity, identify where opportunities for growth exist and protecting historic character; and**
- **Review how the current Development Plan quantitative density/floor space/height controls assist with bring above the desired outcomes for the areas affected.**

The proposed policy changes desire to achieve New desired character statements for residential areas with emphasis on:

- **Enhancing residential amenity;**
- **Sensitive infill development that respects historic character, including describing desired built-form outcomes at the interface; and**
Increased residential population with opportunity for some non-residential land uses

This DPA has investigated the growth opportunities for the Main Street Zones. ‘These growth opportunities have been considered in context of a number of outcomes that seek to achieve increased vibrancy, relate to the existing scale and character of each street and consider impacts on surrounding residential areas.’ The DPA also intends to ‘reinforce the existing local services role and character of the Main Streets whilst providing for some growth opportunities and strengthening built form policies in relation to street character and interface with adjoining residential areas.’

The subject land presents an opportunity to be included in the Main Street (O’Connell) Zone as a potential redevelopment site based on:

- Its close proximity to the O’Connell Street Zone;
- The ability to achieve an appropriate built-form interface with adjoining residential properties; and
- Existing streetscape character and land use considerations.

The DPA indicates ‘within the context of a Main Street Zone in the City of Adelaide where it is envisaged for growth and redevelopment opportunities adjacent to residential areas, there is need for policy to achieve appropriate built-form treatment at the boundary. It should be noted that other planning impacts at the interface, such as movement and noise, are covered by other Development Plan provisions that are not proposed to be altered by this DPA.’ – This approach is agreed upon.

4.1 Main Street (O’Connell) Zone

The Capital City DPA contained Council Wide and Zone qualitative policies that relate to suitable interfaces with residential areas.

Within Main Street (O’Connell) Zone, the Desired Character and Principles seek to:

- Manage impacts to achieve quality residential living environments;
- Focus taller elements away from the boundary; and
- Manage interface with the North Adelaide Historic (Conservation) Zone to provide a transition with regard to massing, proportions, overshadowing and other impacts.
The Council Wide principles also seek:

- *Transition between high intensity developments and lower intensity development in adjacent zones by focusing taller elements away from the boundary*;
- *Minimise overshadowing, traffic and noise related impacts*;
- *Landscaping to foster human scale*; and
- *Transport and access designed to minimise impact.*

Council should be commended on the work undertaken to date and we concur with this approach to sensible flexible development plan provisions within the Main Street (O’Connell) Zone and other Main Street Zones.

We agree with the approach of ‘not including the introduction of building envelope policies as they are inconsistent with the policies introduced with the Capital City DPA for O’Connell Street. Building envelopes should be determined on the Zone and Council Wide principles regarding interface matters.

In relation to providing opportunities for growth we concur with the approach of removing the need for limiting floor area via plot ratio in all of the proposed Main Street Zones. Other Council Wide principles along with other standards such as car parking requirements and overshadowing standards will provide adequate policy to consider impacts of development on the locality.

In relation to building heights, the current Development Plan outlines the maximum building heights in each Zone and prescribes development which exceeds this as non-complying development. Consistent with providing a more flexible and performance based Development Plan, we concur with the change to a merit based height provision being proposed based on the Council Wide provisions of the Development Plan.

We concur with the approach to adjust private open space standards with the intent of being both rationalised and similar to the standards that apply in the 2013 Development Plan.

In relation to car parking provision in the City, we also concur with the approach to introduce the use of a car share scheme as a basis for supporting a lower amount of on-site car parking being provided.
5.0 Development Potential of Subject Land for Mixed Use Development

The subject land is a vacant parcel of land and given its location, presents an opportunity to develop the land for mixed use development consisting of offices, residential and ancillary parking and landscaping.

An application for a mixed use development has been submitted to Council which is deemed non-complying as the proposal incorporates an office component within the development, proposes a ceiling height which is positioned more than 6 metres above the median natural or finished ground level at any point, and will have a plot ratio in excess of the maximum Plot Ratio of 1.0.

A copy of the plans is contained within Appendix A.

The current zone provisions do not allow for a more flexible and performance based assessment approach and the change to a merit based approach based on the Council wide provisions of the Development Plan would allow for a better design outcome on the site.

The subject land site presents an opportunity to be included in the Main Street (O’Connell) Zone as a potential redevelopment site based on:

- Its close proximity to the O’Connell Street Zone;
- The ability to achieve an appropriate built-form interface with adjoining residential properties; and
- Existing streetscape character considerations.

The adjoining land uses and unique circumstances of the subject land (facing the shopping centre complex loading dock and corner location) as well as central location to O’Connell Street, the North Adelaide Shopping Centre and Tynte Street precinct open options for the rezoning and redevelopment of the subject land.

The inclusion of the subject land should be considered in the proposed Main Street (O’Connell) Zone as it displays the following planning merits:

- A mixed use development offers a productive use of the site which provides a small office in keeping with other small scale offices and non-residential land uses in the immediate and wider locality.
- The inclusion of a residential apartment/s with adequate provide open space in form of decks will add to the housing choice in the locality replacing an existing non conforming land
use in the locality and the proposed building with contemporary design will enhance the appearance of the locality.

- The subject land provides an opportunity to provide small scale offices or businesses which will provide a local service to residents within the Residential Zones and the North Adelaide Historic (Conservation) Zone.

- The locality consists of a mix of commercial, retail and residential land uses including a number of heritage places. The adjoining land uses and quite unique circumstances of the subject land (facing the shopping centre complex loading dock and corner location) and central location to O’Connell Street, proximity to the Shopping Centre and Tynte Street precinct, provide development options for the site which would not otherwise be considered in an alternate area.

- The subject land has unique characteristics which encourage a suitable design response to maximise the efficient use of the subject land given its proximity to Tynte Street and O’Connell Street. Any development of the subject land will not be highly visible from Tynte Street or O’Connell Street and as the land currently contains an unattractive bitumen carpark with a 2m high Colorbond fence surrounding the property boundary, any proposal will enhance the appearance of the locality.

- The subject land has frontages to two separate laneways and any proposed development will address both lanes with a well-articulated built form with a proposed access from Tower Street South.

- Given proximity of the loading dock for the shopping centre on the opposite side of the lane way, any normal residential component of the development proposed at ground/low level would create interface issues in terms of noise and movements associated with deliveries to the supermarket.

- Current height and plot ratio requirements of the Development Plan limit the development of the subject land. If the land was included in the Main Street (O’Connell) Zone, the resulting development would result in a contemporary mixed use development which would be compatible with other buildings in the immediate and wider locality. Given location of the subject land, the scale and siting of development will not have an adverse impact on established residential amenity of the locality if assessed as recommended in the DPA.

- Any proposed development would be designed to sit comfortably within the heritage surrounds.
• Any proposed development would provide adequate on site car parking in accordance with the requirements of the Development Plan, and would also provide an adequate waste storage area to accommodate both the proposed office and residential components.

• Inclusion in the Main Street (O’Connell) Zone will maximise the potential of the subject land and which will provide a design outcome that enhances the locality without impacting upon the Tynte Street precinct or adjoining properties. The Proposal in my opinion will offer a suitable mix of land uses in accordance with the desired character of the Main Street (O’Connell) Zone and should be included as part of the land identified in the DPA.

6.0 Conclusion

Council should be commended on the work done to date on the Residential and Main Street Development Plan Amendment (DPA).

The subject land is a vacant parcel of land and given its location, presents an opportunity to develop the land for mixed use development consisting of offices, residential and ancillary parking and landscaping.

The subject land site presents an opportunity to be included in the Main Street (O’Connell) Zone as a potential redevelopment site based on:

• Its close proximity to the O’Connell Street Zone;

• The ability to achieve an appropriate built-form interface with adjoining residential properties; and

• Existing streetscape character considerations.

• The Residential and Main Street Development Plan Amendment (DPA) presents an opportunity for development on the site to achieve its full development potential.

The locality consists of a mix of commercial, retail and residential land uses including a number of heritage places. The adjoining land uses and unique circumstances of the subject land (facing the shopping centre complex loading dock and corner location) as well as proximity to O’Connell Street, the North Adelaide Shopping Centre and Tynte Street precinct open options for the rezoning and redevelopment of the subject land in line with the intent of the Residential and Main Street Development Plan Amendment (DPA) and more specifically the Main Street (O’Connell) Zone.
The current zone provisions do not allow for a more flexible and performance based assessment approach and the change to a merit based approach based on the Council wide provisions of the Development Plan would allow for a better design outcome on the site rather than the current zoning.

The subject land has unique characteristics which encourage a suitable design response to maximise the efficient use of the subject land. The subject land provides an opportunity to provide small scale, small size offices, ancillary businesses and activities which provide a local service to residents within the Residential Zones and the North Adelaide Historic (Conservation) Zone in line with the intent of the Main Street (O’Connell) Zone.

On this basis we are of the opinion that the inclusion of the subject land within the Residential and Main Street Development Plan Amendment (DPA) warrants Councils support and should be added to the Main Street (O’Connell) Zone as part of this Development Plan Amendment process.

Thank you for your consideration of this submission and we confirm that the undersigned (and/or a representative of the land owner) wishes to appear personally before Council to speak on behalf of the submission should the opportunity arise.

Please do not hesitate contacting the undersigned direct on 0499933311 or by email at mkapds@adam.com.au should you wish to discuss any matter in association with this submission or should you require any additional information in support of this submission.

Regards

Mark Kwiatkowski MPIA, CPP
Adelaide Planning and Development Solutions.
APPENDIX A

MIXED USE DEVELOPMENT PLANS FOR 26-30 CHAPEL STREET AND 145 – 147 TYNTE STREET NORTH ADELAIDE SA 5006