

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 19 October 2021 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson
ASSESSMENT MANAGER

Dated 12/10/2021

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yailtya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

*Kurna Translation provided by Kurna Warra Karrpanthi

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

19 October 2021

MEMBERS:

Mr Brenton Burman (Presiding Member)
Mrs Colleen Dunn
Mr Ross Bateup
Mrs Emma Wright
Mr Michael McKeown

APOLOGIES:

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED:

SECONDED:

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Thursday 28 September 2021, as printed and circulated, be taken as read and signed as a correct record.

A G E N D A

Apologies
Conflict of Interest
Confirmation of the minutes

Item No	Development Act Applications	Page
1.	80-94 Goodwood Road Goodwood – 223/2021/C2	4-145
2.	93 Northgate St Unley Park – 181/2021/C2	146-196

Item No	Planning, Development Infrastructure Act Applications	Page
	Nil	

Item No	Appeals Against Decision of Assessment Manager (PDI Act)	Page
	Nil	

Item No	ERD Court Compromise Reports - CONFIDENTIAL	Page
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3.	31A Fisher Street Myrtle Bank – 14/2021/C2	199 - 238
	Motion to move out of confidence	

Item No	Council Reports	Page
	Nil	

Any Other Business
Matters for Council's consideration

ITEM 1

DEVELOPMENT APPLICATION – 090/223/2021/C2 – 80-94 GOODWOOD ROAD, GOODWOOD SA 5034 (GOODWOOD)

DEVELOPMENT APPLICATION NUMBER:	090/223/2021/C2
ADDRESS:	80-94 Goodwood Road, Goodwood SA 5034
DATE OF MEETING:	19 October, 2021
AUTHOR:	Andrew Raeburn
DEVELOPMENT PROPOSAL:	Integrated service station comprising ancillary convenience shop with drive through; 12 fuel dispensers; fencing; and signage.
HERITAGE VALUE:	None
DEVELOPMENT PLAN:	15 October 2020
ZONE:	Mixed Use 2
APPLICANT:	Future Urban Pty Ltd
OWNER:	Goodwood Road Investments Pty Ltd
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – six against (two wish to be heard)
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representations
RECOMMENDATION:	Approval
KEY PLANNING ISSUES:	Land use Interface with residential land Traffic

1. PLANNING BACKGROUND

There is no relevant development application history for the subject site.

2. DESCRIPTION OF PROPOSAL

The applicant is seeking development plan consent to demolish the existing buildings on the land and construct an integrated service station to operate 24 hours a day, seven days a week.

The development comprises the following elements:

- Refuelling forecourt with 12 fuel dispensers and a 6.5 metre-high canopy;

- A 265m² control building containing a retail (convenience) shop, café (with drive-through serving), storage areas, office and toilets;
- Illuminated signage, including on the canopy, control building and a 6.5 metre-high fuel price board; and
- Car parking, landscaping, bin storage, gas bottle refilling/swap and ice storage.

The proposed drive-through facility has been described by the applicant as being for the provision of coffees and light meals from the café within the control building and therefore ancillary to the service station development.

The control building would have an asymmetrical skillion roof with a maximum height of 6.5 metres. The east, west and northern walls of the building would be finished in metal cladding and pre-cast panels, and southern elevation facing the refuelling forecourt, would comprise double height glazing and low face-brick panels.

The control building would be positioned 9.15 metres from the Leader Street frontage, 7.4 metres from the Goodwood Road frontage and 8.5 metres from the western (rear) boundary.

Two vehicle crossovers would be provided to Goodwood Road and one to Leader Street. All crossovers would allow left-in / left-out movements only. The crossovers to Goodwood Road would be the primary ingress and egress for the site, including for refuelling tankers and delivery and waste collection trucks.

3. SITE DESCRIPTION

The subject site comprises six contiguous allotments located on the south-west corner of the Goodwood Road and Leader Street junction. The site has a frontage width of 61.2 metres to Goodwood Road, a frontage width of 34.8 metres to Leader Street and a total area of approximately 2640m².

The subject site has formerly been used for several commercial uses (in separate buildings) including motor repairs, offices, consulting rooms, shop and a restaurant.

The land currently contains two vacant commercial buildings, large areas of hard surfacing and there is no notable landscaping. There are no regulated or significant trees on or nearby the site. The land has a gradual fall of approximately 700mm from south to north.

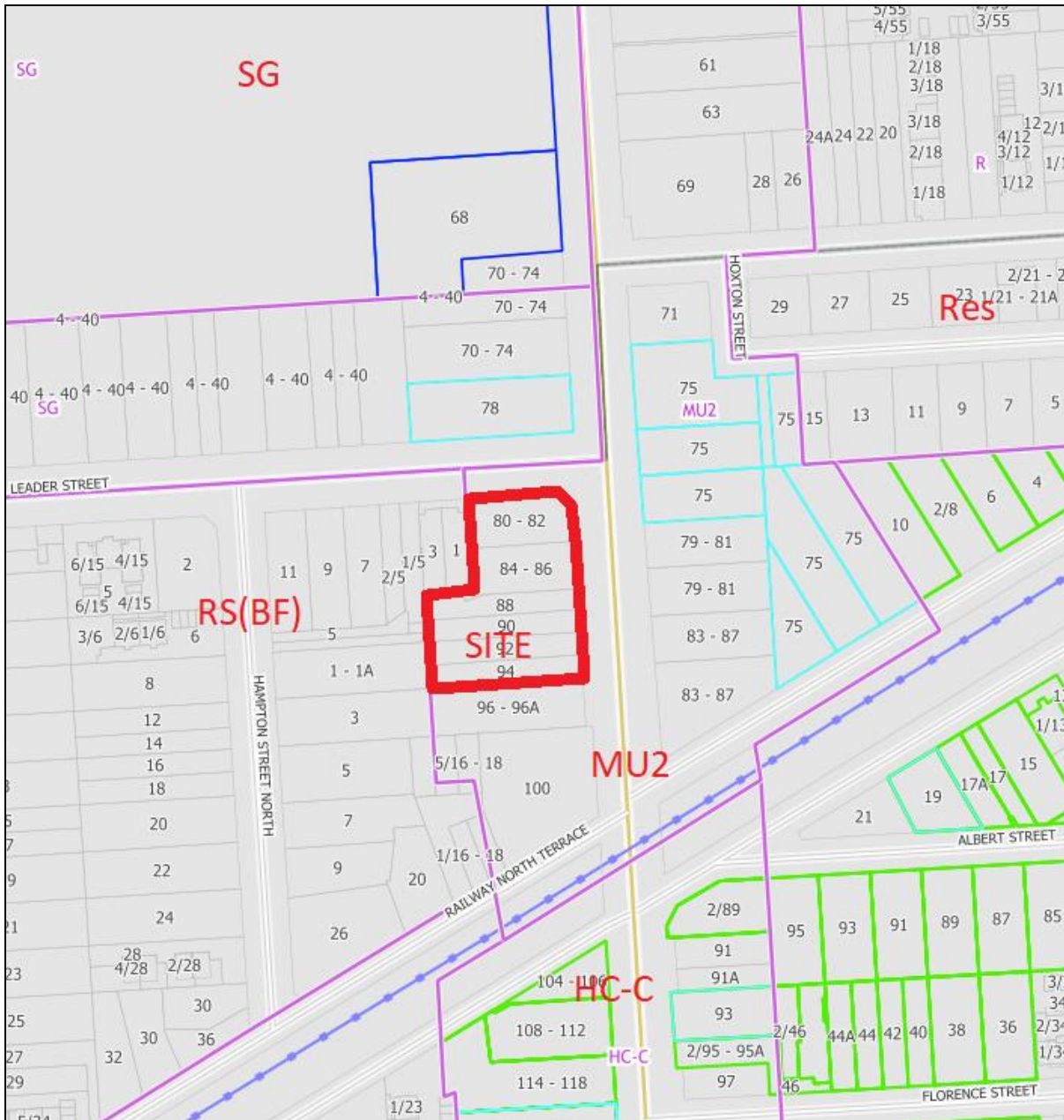
The subject site is located a short distance to the north of the Goodwood Tram Station, south of the Adelaide Showgrounds, approximately one kilometre east of Anzac Highway and 750 metres south from Greenhill Road.

4. LOCALITY PLAN



5. LOCALITY DESCRIPTION

Zone Map



Land Use and Development Pattern

The subject site is located within an area of Goodwood Road where there is significant variety in commercial land uses including, offices, cafe, timber yard, micro-brewery and a hotel.

There is no consistent setback pattern, allotment size or frontage widths within this area of Goodwood Road; and the building styles are relatively disparate and range from the local heritage listed Goodwood Hotel, converted Victorian era dwellings, and flat roofed brick or concrete tilt up warehousing/light industry style buildings. This results in an incoherent streetscape that contrasts with the uniform character of the traditional shop fronts along Goodwood Road to the south of the tram corridor.

The western boundary of the subject site adjoins residential properties that front Hampton Street North and Leader Street. These properties are within the Residential Streetscape (Built Form) zone and comprise predominantly single storey Victorian era cottages and villas located on compact allotments with minimal boundary setbacks.

Two of the allotments that abut the subject site (nos. 1 & 1A Hampton Street North) have been vacant (dwelling demolished) since approximately 1995. It appears that these allotments have been used for commercial purposes in the past, however, there is no development application history to confirm this.

Immediately south of the site is a microbrewery (The Suburban Brew).

6. STATUTORY REFERRALS (refer to attachment D)

Environment Protection Authority (EPA)

Based on the information provided with the application and provided the conditions are implemented below, the EPA is satisfied that the proposed petroleum storage and dispensing activity would not cause unacceptable environmental impacts.

Department of Infrastructure and Transport (for Commissioner of Highways) (DiT)

The application is supported subject to conditions.

7. NON-STATUTORY (INTERNAL) REFERRALS

Assets and Infrastructure

Leader St Crossover seems to utilise the existing crossover invert and should not encroach any closer to the street tree.

Goodwood Rd Northern Crossover, no issues as noted in plans all service pits are to be relocated.

Traffic

Parking provisions have been reviewed and are considered appropriate for the proposed development.

Bicycle parking provisions have been considered in the CIRQA report and it is recommended that these provisions be accommodated on site.

The access arrangements for the proposed accesses onto Goodwood Road need to be signposted with left turn only and no entry signage, Additionally, all accesses need to pavement marked with the appropriate arrow treatments, left turn only should be reflected with a left turn arrow and not a through arrow.

Clear sight lines (in accordance with AS/NZS2890.1:2004) should be provided at the Goodwood Road and Leader Street property boundary to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpaths.

Stormwater

[Make use] of strip stormwater drains at all driveways to avoid surface water from driveways to Council's footpath. It appears they have missed one of the strip drains on the entry point to the Goodwood Rd frontage.

[When kerbs] are upgraded along Goodwood Rd a 150mm high kerb and gutter will be installed, the footpath will then be graded at 2-2.5% from the kerb to the property boundary. Therefore, FL at boundary level should take into account those levels (i.e. ensuring above a new 150mm top of kerb height).

8. PUBLIC NOTIFICATION

Category 2 public notification was undertaken and representations were received. Due to amendments unilaterally undertaken by the applicant post consultation, the application was renotified and again, representations were received.

As a result of the two consultation periods, eight valid representations were received against the application. However, following further design amendments (discussed further in this report), the owner and occupier of the adjacent land to the south withdrew their representations and there are now six valid representations against the application.

Administration also received responses from 20 residents/owners of land outside the public notification area and therefore these comments cannot be treated as valid representations.

The valid representations are summaries below:

5a Leader St, Goodwood- against
ISSUES RAISED
<ul style="list-style-type: none"> • Design and appearance; • Traffic and pedestrian safety; • Air, light and noise pollution; • Location of bin storage; and • Crime
Unit 2, 1 Leader Street, Goodwood- against
ISSUES RAISED
<ul style="list-style-type: none"> • Land use not consistent with zone • Design and appearance; • Traffic generation; • Air, light and noise pollution; and • Overshadowing • Hours or operation

1 & 1A Hampton Street, Goodwood- against and wishes to be heard
ISSUES RAISED
<ul style="list-style-type: none"> • Land use not consistent with the zone • Noise and disturbance; • Traffic generation; • Parking congestion; • Insufficient landscaping; • Bin storage location; and • Light spill;
5 Leader St, Goodwood- against and wishes to be heard
ISSUES RAISED
<ul style="list-style-type: none"> • Land use not consistent with zone; • Design and appearance; • Signage not in keeping; • Air, light and noise pollution; • Bin storage location • Traffic congestion and pedestrian safety;
1 Leader St, Goodwood- against
ISSUES RAISED
<ul style="list-style-type: none"> • Traffic congestion and safety; • Noise and disturbance; • Design and appearance; • Air and light pollution; and • Location of ice box and gas filling area;
3 Leader St, Goodwood- against
ISSUES RAISED
<ul style="list-style-type: none"> • Land use not consistent with zone; • Design and appearance; • Noise and disturbance; and • Traffic generation

Please refer to attachment C of this report for the applicant's response to the above representations.

9. NEGOTIATIONS AND AMENDMENTS

The following design amendments were undertaken during the assessment of the application.

- Size of control building increased by 55m².
- Amended drive-through layout and increased landscaping to Leader Street;
- Two additional car parking spaces within the drive-through area;
- Provision of 4.2m high masonry wall to the southern boundary;
- Bin store relocated further from the western boundary and increased landscaping along the southern half of the western boundary;
- Service bay relocated from the western boundary to the southern;
- Fencing height along the western boundary increased to 3.0m (previously proposed at between 2.1m and 2.7m).

10. DEVELOPMENT DATA

Site Characteristics	Description of Development	Development Plan Provision
Total Site Area	2640m ²	N/A
Frontage	34.8m (Leader Street) 61.2m (Goodwood Road)	N/A
Car parking and Access		
On-site Car Parking	19 spaces	3 spaces per 'service bay' + 7 spaces per 100m ² of total 'shop' floor area.

11. ASSESSMENT

Zone Desired Character and Principles of Development Control

Mixed Use 2 Zone.
<p><i>Objective 1:</i></p> <p><i>Accommodation of a mixture of commercial land uses including medium-scale offices and consulting rooms with a maximum total floor area in the order of 450 square metres per individual building; as well as service industries, warehouses and retail showrooms which result in low traffic generation.</i></p>
Assessment
<p>The proposed land use is not expressly described as an envisaged land use within the Mixed Use 2 zone; however, it is commercial in nature and would not be out of place within the varied commercial character of this area of Goodwood Road.</p>

The applicant's traffic and planning reports identify that the service station would largely rely on existing traffic volume in the area for trade and would generate approximately 43 additional peak hours movements.

This additional volume is relatively low, particularly when contrasted with the potential traffic volume increase if the individual allotments that form the site were developed in accordance with the objectives of the zone.

The Department of Infrastructure and Transport also supports the development and states that the additional volume '*would be easily accommodated within the adjacent road network*'.

For the above reasons it is considered that the development adequately meets Objective 1 of the zone.

It should also be noted that whilst the development application is to be assessed against the provisions of the Unley Development Plan, the subject site is now located within the Employment Zone under the Planning and Design Code, which expressly states that 'retail fuel outlets' and 'shops' are envisaged uses within the zone.

Relevant Zone Principles of Development Control	Assessment
<p>PDC 1</p> <p><i>Development should be, primarily, medium-scale offices and consulting rooms, service industries, warehouses, retail showrooms and development associated with the motor trades, which result in low traffic generation.</i></p>	<p>As discussed above, it is considered that the proposed land use is appropriate and would not compromise the intended commercial character of the zone.</p>
<p>PDC 2</p> <p><i>Shop, office and consulting room development, together or individually, should have a maximum floor area in the order of 450 square metres per individual building.</i></p>	<p>The 'shop' component of the development, including any peripheral facilities, such as gas and ice stores, would be well below the recommended maximum floor area.</p>
<p>PDC 3</p> <p><i>Development should not exceed two storeys in height.</i></p>	<p>The proposed control building and canopy would have a maximum height of 6.5 metres, which is less than typically associated with a two-storey commercial building.</p>
<p>PDC 4</p>	

Relevant Zone Principles of Development Control	Assessment
<p><i>Development should not generate high levels of amplified sound, and should not incorporate large displays of signs, advertisements or bunting.</i></p>	<p>The applicant has provided an environmental noise assessment prepared by Sonus that demonstrates that <i>'the predicted noise levels from the development will achieve the relevant requirements of the Environment Protection (Noise) Policy 2007.'</i></p> <p>The development includes a large illuminated advertising sign used to display fuel prices. Whilst the signage would be contrary to PDC 4, its size, position and overall presence would not be particularly out of place and would not have any significant detrimental impact on the appearance of the area. Because of this, the departure from PDC 4 is considered acceptable.</p>
<p>PDC 5</p> <p><i>Development should provide a visual and acoustic buffer between the development and adjacent residential zones, and should present a substantial landscaped frontage within the building set-back areas to adjacent roads. To this end, a minimum building set-back of three metres to any road, and 1.5 metres to any other boundary, should be provided.</i></p>	<p>The proposed development includes 3.0 metre-high acoustic fencing along the shared boundary with the residential properties to the west of the site, as recommended by the applicant's environmental noise assessment.</p> <p>The proposed front boundary setbacks of the control building and forecourt canopy, along with the proposed landscaped area fronting Goodwood Road and Leader Street, exceed the recommendations of PDC 5.</p>
<p>PDC 6</p> <p><i>Development within the Mixed Use 2 Zone should:</i></p> <ul style="list-style-type: none"> <i>(a) restrict direct vehicular access from the development site to South Road;</i> <i>(b) result in consolidation of allotments fronting South Road; and</i> <i>(c) present a substantial landscaped frontage to adjacent streets and roads.</i> 	<p>Paragraphs (a) and (b) are not relevant to this application.</p> <p>The development is considered to comply with paragraph (c), as discussed above under PDC 5.</p>
<p>PDC 7</p>	

Relevant Zone Principles of Development Control	Assessment
<p><i>Vehicle parking should be provided in accordance with the rates set out in Table Un/5 - Off Street Vehicle Parking Requirements or Table Un/5A - Off Street Vehicle Parking Requirements for Designated Areas (whichever applies).</i></p>	<p>Table Un/5 of the Development Plan recommends that a 'petrol filling station' provide three car parking spaces for each 'vehicle service bay', plus seven car parking spaces for every 100m² of total floor area of the proposed 'shop'.</p> <p>This method of calculating car parking demand for modern integrated services stations is not considered to be particularly effective, as most service stations no longer include 'vehicle service bays'.</p> <p>Because of this, the applicant has determined the theoretical car parking demand by using the shop component only, which equates to 15 car parking spaces.</p> <p>The proposal would provide a total of 19 car parking spaces, noting that this does not include the spaces adjacent the fuel dispensers.</p> <p>Council's Traffic Officer has assessed the development and supports the proposed onsite car parking provision.</p>

Relevant Council Wide Objectives and Principles of Development Control

An assessment has been undertaken against the following Council Wide Provisions:

City-wide Objectives and Principles of Development Control		
Commercial and Industrial Development	<i>Objectives</i>	1, 2, 3, 4
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8
Crime Prevention	<i>Objectives</i>	1
	<i>PDCs</i>	1, 2
Design and Appearance	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
Form of Development	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
Hazards	<i>Objectives</i>	1, 2, 3, 4, 5, 6
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10
Interface Between Land Uses	<i>Objectives</i>	1, 2, 3
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Landscaping	<i>Objectives</i>	1
	<i>PDCs</i>	1, 2
Outdoor Advertisements	<i>Objectives</i>	1, 2, 3

	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
Public Notification	<i>PDCs</i>	1
Transportation (Movement of People and Goods)	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
Waste	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

12. DISCUSSION

Land Use

The proposed land use, whilst not expressly envisaged within the Mixed Use 2 zone, is compatible with existing commercial activities in the locality and would not compromise the intent of the zone. The development is also suitably located on a secondary arterial road that serves metropolitan Adelaide.

Interface between land uses

Council Wide Policy – ‘*Interface Between Land Uses*’ has the following objectives.

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.

Relevant Principles of Development Control include:

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.*

3. *Development adjacent to a **Residential Zone** should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.*

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

The Environment Protection Authority has assessed the application and determines that the development ‘*would not cause any unacceptable environmental impacts.*’

The applicant has provided an environmental noise assessment prepared by Sonus that concludes the proposed development would operate in accordance with the *Environment Protection (Noise) Policy 2007* and therefore any noise emissions from the development would be within acceptable limits and comply with PDC 1 above.

It is noted that the assessment undertaken by Sonus is based on assumptions regarding waste collection, vehicle movements (including refuelling trucks) and the expected type of mechanical plant required for cool room storage, kitchen/café facilities and air conditioning within the control building.

To ensure that any impacts on adjacent residential land is minimised, specific conditions are recommended requiring the development to operate in accordance with the Sonus report dated March 2021. Further, that assessment of the final mechanical plant to be used on site be reserved for further assessment to ensure compliance with the *Environment Protection (Noise) Policy 2007*.

The applicant has not provided any details of proposed lighting within the site and as such, any impacts from light spill into neighbouring residential land has not been assessed. In the absence of this information, a reserved matter is recommended for details to be provided demonstrating compliance with the relevant Australian Standard (AS 4282-1997 *Control of the obtrusive effects of outdoor lighting*).

Given the separation between the proposed control building and canopy to the adjacent residential properties, it is considered that light spill can be adequately minimised, therefore the imposition of a reserved matter is considered appropriate in this instance.

The proposed control building and canopy would be setback approximately 8.5 metres and 22 metres respectively from boundary with the adjacent residential properties. These setbacks would ensure that the development would not result in any unreasonable overshadowing of habitable room windows or private open spaces of adjacent residential properties.

The proposed hours of operation are considered to be acceptable, as it has been demonstrated that the proposed development would operate within the tolerances of the *Environment Protection (Noise) Policy 2007*, which specifically contemplates noise limits during the night time; and because the nature of the development would attract minimal trade during the night time period.

Traffic and parking

The Department of Infrastructure and Transport and Council's Traffic Officer support the proposed development. As such, it has been determined that the development would not result in any detrimental impact on traffic or pedestrian safety, or car parking availability within the locality.

Design and appearance

The proposed control building would have maximum height of 6.5 metres, an asymmetrical skillion roof, be finished in a mixed palette of materials and include large areas of glazing.

It is considered that the control building is appropriately setback and is well designed so that it would not appear incongruous within its commercial setting and would present relatively well to the street, despite the functional requirements of a service station.

The proposed canopy structure would match the height of the control building, have three centrally positioned supporting columns and a narrow fascia. The structure would have simple and unobtrusive appearance within the streetscape.

The proposed fuel price sign would have a height of approximately 6.5 metres, a width of 2.0 metres and be positioned near the Goodwood Road frontage within a landscaped area.

The sign would be larger than other commercial signs within the area, however, would not be so dissimilar to signage directly opposite the site and further north on Goodwood Road, so that it would appear incongruous or harmful to the character or the area.

Landscaping

The development includes ~3.0 metre-wide landscaping strips along the Goodwood Road and Leader Street frontages, and narrower strips along all other boundaries.

The proposed landscaping would help soften the impacts of the development on the streetscape, would be more extensive than most other commercial properties in the locality, and would be exceed the recommendations of the zone.

It is noted that the proposed landscape planting does not include any canopy trees, however, this is not uncommon within service station developments. The landscaping areas, particularly along the western boundary do provide sufficient area for taller planting to be provided in the future.

13. CONCLUSION

In summary, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The proposed land use would be compatible with existing commercial activities within the locality and would not compromise the intent of the Mixed Use 2 Zone;
- Vehicle access arrangements to/from Goodwood Road and Leader Street, and the internal site layout, would allow for the safe movement of vehicles and pedestrians within the area and would not compromise highway safety;
- The proposed development would generate a low number of additional vehicle movements within the locality and would not have a detrimental impact on traffic conditions on Goodwood Road or Leader Street;
- The development has been appropriately designed so that it would not cause any unreasonable impacts on the amenity of adjacent residential properties;
- The design, position and scale of the service station is acceptable and would sit comfortably within the commercial setting of this area of Goodwood Road.

The application is therefore recommended for Development Plan CONSENT.

14. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/223/2021/C2 at 80-94 Goodwood Road, Goodwood SA 5034 for 'Integrated service station comprising ancillary convenience store with drive through; 12 fuel dispensers; fencing; and signage' is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following reserved matters and conditions:

RESERVED MATTERS

The following detailed information shall be submitted for further assessment and approval by Council as reserved matters under Section 33(3) of the Development Act 1993:

- A detailed lighting assessment demonstrating compliance with AS 4282-1997 *Control of the obtrusive effects of outdoor lighting*).
- Details of all mechanical plant to be used on site and an acoustic assessment demonstrating compliance with the *Environment Protection (Noise) Policy 2007*.

DEVELOPMENT PLAN CONSENT CONDITIONS:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.

2. A Construction Environmental Management Plan is required to the satisfaction of Council prior to the issue of Development Approval and shall include details such as:
 - Car parking and access arrangements for tradespersons
 - Siting of materials storage
 - Site offices
 - Work in the Public Realm
 - Hoarding
 - Site amenities
 - Traffic requirements including construction access/egress and heavy vehicle routes
 - Reinstatement of infrastructure
 - Site contamination management (prepared by a suitably qualified and experienced site contamination consultant and in accordance with EPA guideline "*Construction Environmental Management Plans (CEMP)*" updated September 2019 (https://www.epa.sa.gov.au/files/12330_guide_cemp.pdf)).
3. Onsite fuel deliveries shall only occur between 7am and 10pm on any day.
4. Onsite waste collection and deliveries shall only occur between 9am and 7pm on a Sunday or public holiday, and 7am to 7pm on other days.
5. Onsite gas decanting shall only occur between 11am and 4pm on any day.
6. The approved landscaping shall be established prior to the operation of the development and shall be irrigated, maintained and nurtured with any dead, diseased or dying plants being replaced within the next available growing season and to the reasonable satisfaction of the Council.
7. Prior to the issue of development approval, an amended stormwater management plan shall be provided to Council showing a drainage strip provided at the southern vehicle access from Goodwood Road. Once approved, the development must be constructed in accordance with the stormwater management plan.
8. The construction of the crossing place(s)/alteration to existing crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. The applicant must contact the Council's Assets Management team prior to construction.
9. Any redundant crossovers shall be returned to kerb and channel to the satisfaction of Council's Assets Management Team.
10. 'Left turn only' signs and appropriate arrow treatments on the road/pavement surface shall be provided at all vehicle exits from the site to the reasonable satisfaction of Council.

11. The development shall be constructed and operated in accordance with the recommendations contained within the Environmental Noise Assessment prepared by Sonus dated March 2021.

Department of Infrastructure and Transport conditions

12. All vehicular access shall be gained in accordance with the Site Plan produced by Sagero, Project No. SA200097, Issue A, dated March 2021.
13. All vehicles shall enter and exit the site in a forward direction.
14. The driveway crossovers on Goodwood Road shall be located a minimum of 1 metre from any existing light pole located on the adjacent footpath.
15. Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.
16. Signage shall not flash, scroll, move, change or imitate a traffic control device, with the exception of the LED fuel price signs, which may change on an as-needs basis.
17. Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the arterial road network shall be limited to a low level of illumination (i.e. $< 150\text{Cd/m}^2$), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m²) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

18. Signage shall, in the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
19. Stormwater run-off shall be collected on-site and discharged without impacting the integrity and safety of Goodwood Road. Any alterations to the

road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Environment Protection Authority conditions

20. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.
21. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refueling.
22. Prior to operation, all underground fuel storage tanks must be double-walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.
23. Prior to operation, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system, designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.
24. Stormwater runoff from all hardstand areas (including the refuelling and fuel delivery areas) must be managed in accordance with the provided 'Stormwater Plan, Notes, Legend and Schedule, Grading Plan and Details', prepared by Sagero (Drawing number SA200097, C01A, C02A, CO3A) and must be directed via grates and grade changes to a SPEL Purceptor full retention oil/water separator (no bypass function) that:
 - a) has as a minimum spill capture capacity of 10,000 litres
 - b) reduces oil content in the outlet to less than 5 mg/L at all times (as confirmed by independent third party scientific testing)
 - c) operates effectively in the event of a power failure.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain

licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here:

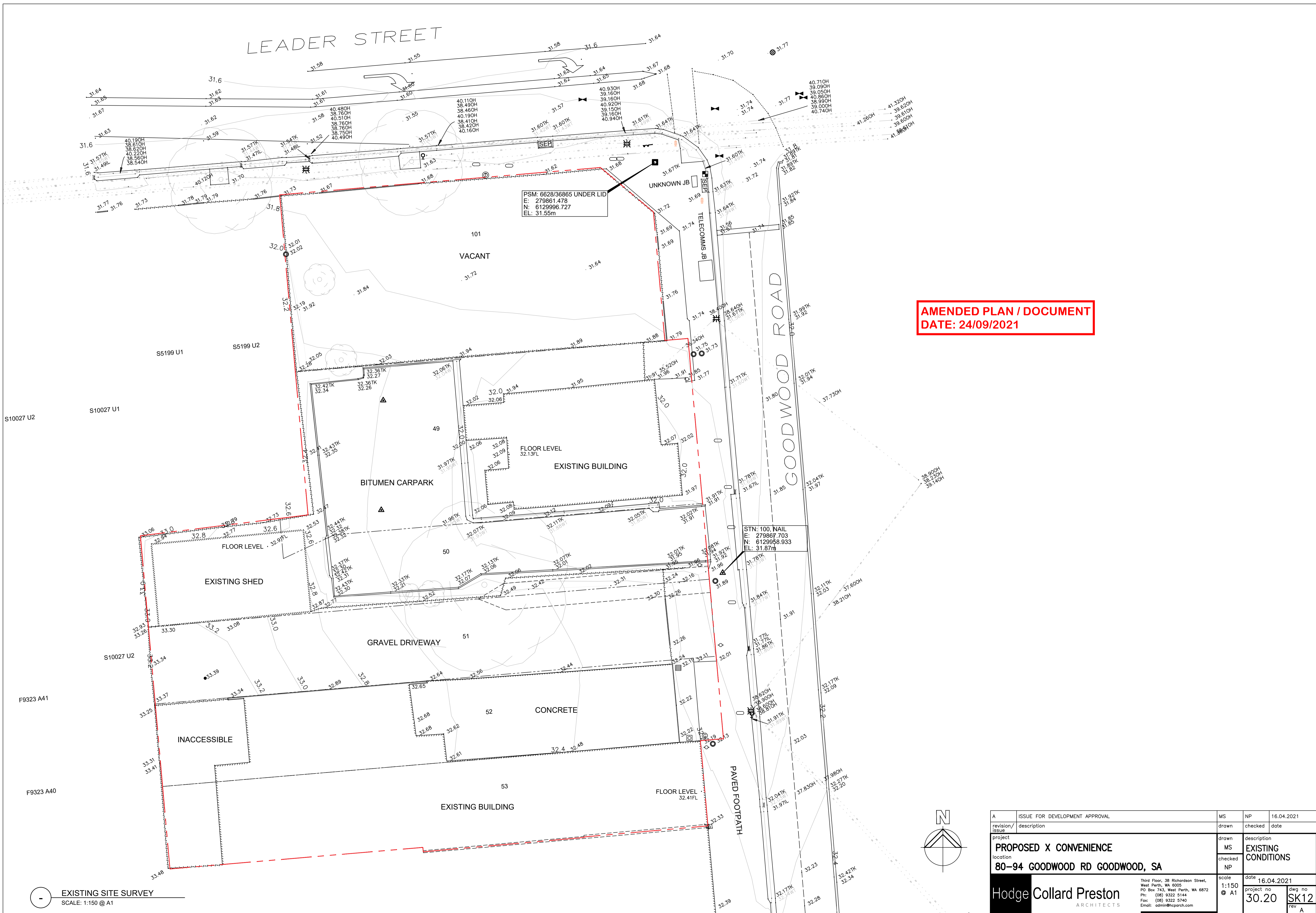
http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence

- A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- If in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, or harm to water that is not trivial, the applicant may need to remediate the contamination in accordance with EPA guidelines.
- If at any stage contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to section 83A of the Environment Protection Act 1993) must be submitted to the EPA.
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site:
<http://www.epa.sa.gov.au>
- The Metropolitan Adelaide Road Widening Plan currently shows a possible requirement for a strip of land up to 2.13 metres in width from the Goodwood Road frontage of this site for the possible future widening of Goodwood Road. The consent of the Commissioner of Highways under *the Metropolitan Adelaide Road Widening Plan Act 1972* is required to all building works on or within 6 metres of the possible requirement.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representations	Administration
C	Response to Representations	Applicant
D	External referral responses.	Administration

ATTACHMENT A

LEADER STREET



**AMENDED PLAN / DOCUMENT
DATE: 24/09/2021**

PSM: 6628/36865 UNDER LID
E: 279861.478
N: 6129996.727
EL: 31.55m

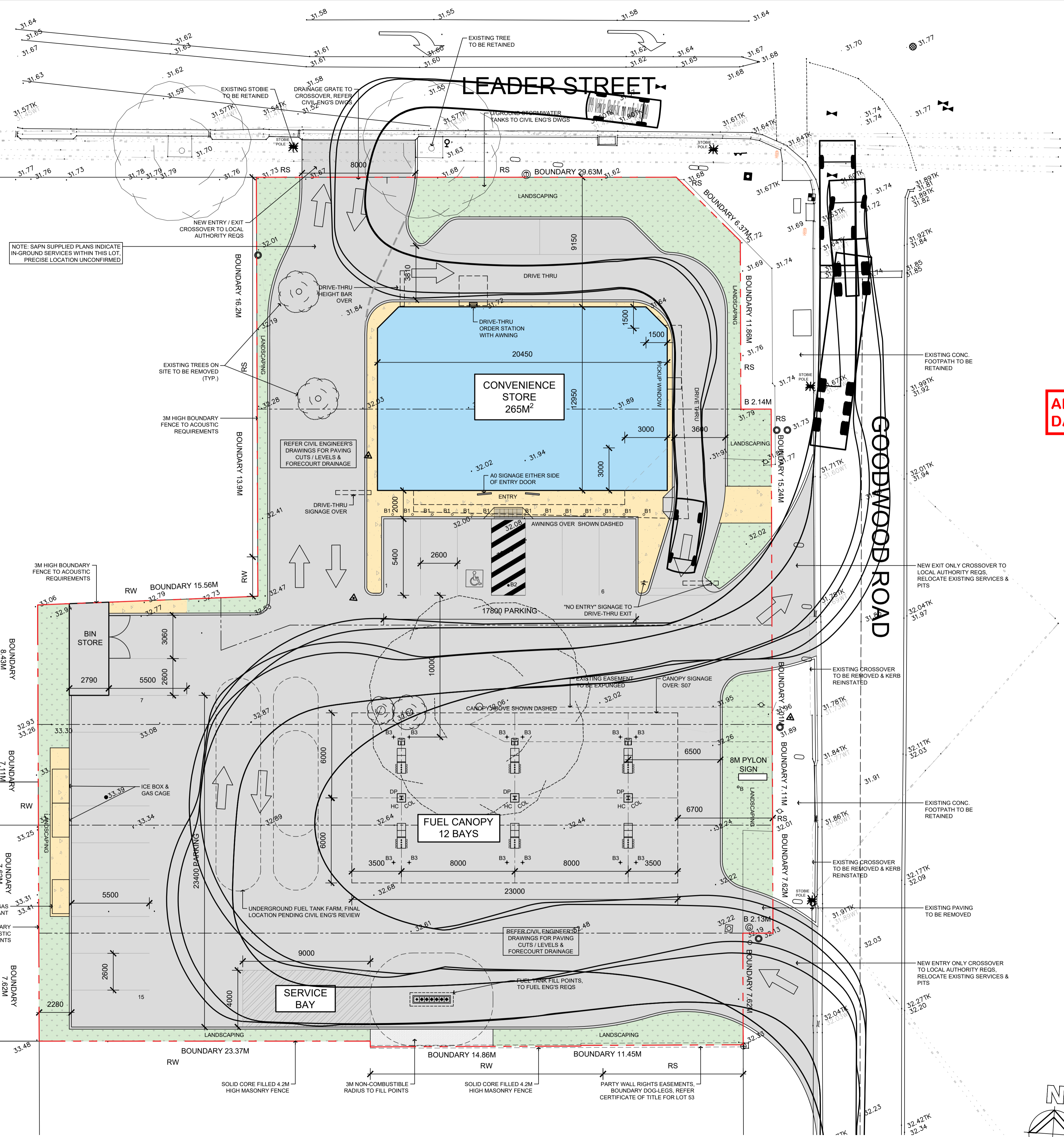
STN: 100, NAIL
E: 279867.703
N: 6129958.933
EL: 31.87m

EXISTING SITE SURVEY
SCALE: 1:150 @ A1

A	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	16.04.2021
revision/ issue	description	drawn	checked	date
project	PROPOSED X CONVENIENCE	drawn	description	
location	80-94 GOODWOOD RD GOODWOOD, SA	MS	EXISTING CONDITIONS	
checked		NP		
scale	1:150	date	16.04.2021	
@ A1		project no	30.20	dwg no
		rev	A	SK12

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**AMENDED PLAN / DOCUMENT
DATE: 24/09/2021**

SITE PLAN LEGEND

- COL COLUMN TO ENG'S REQS
- DP DOWNPIPES TO DISCHARGE FROM ROOF / CANOPY BOX GUTTER INTO IN-GROUND STORMWATER SERVICES
- HC HOSE COCK TO HYDRAULIC ENG'S REQS
- B1 SHOPFRONT POST BOLLARD, 100mm DIA, 900mm H, PAINTED WHITE
- B2 SHARED BAY BOLLARD, TO AS1428.1 & AS2890.6 REQS
- B3 CANOPY BOLLARDS, 100mm DIA, 900mm H, PAINTED WHITE
- EXISTING LEVELS, REFER SURVEY
- RS/RW RETAINING STRIP / RETAINING WALL, REFER CIVIL ENGINEER'S DWGS

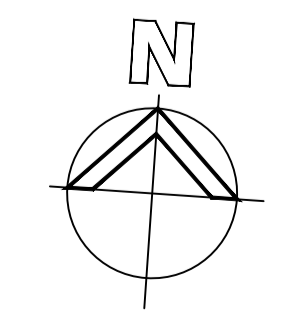
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E	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	18.08.2021
D	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	25.05.2021
C	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	16.04.2021
B	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	15.04.2021
A	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	16.03.2021
revision/ issue	description	drawn	checked	date

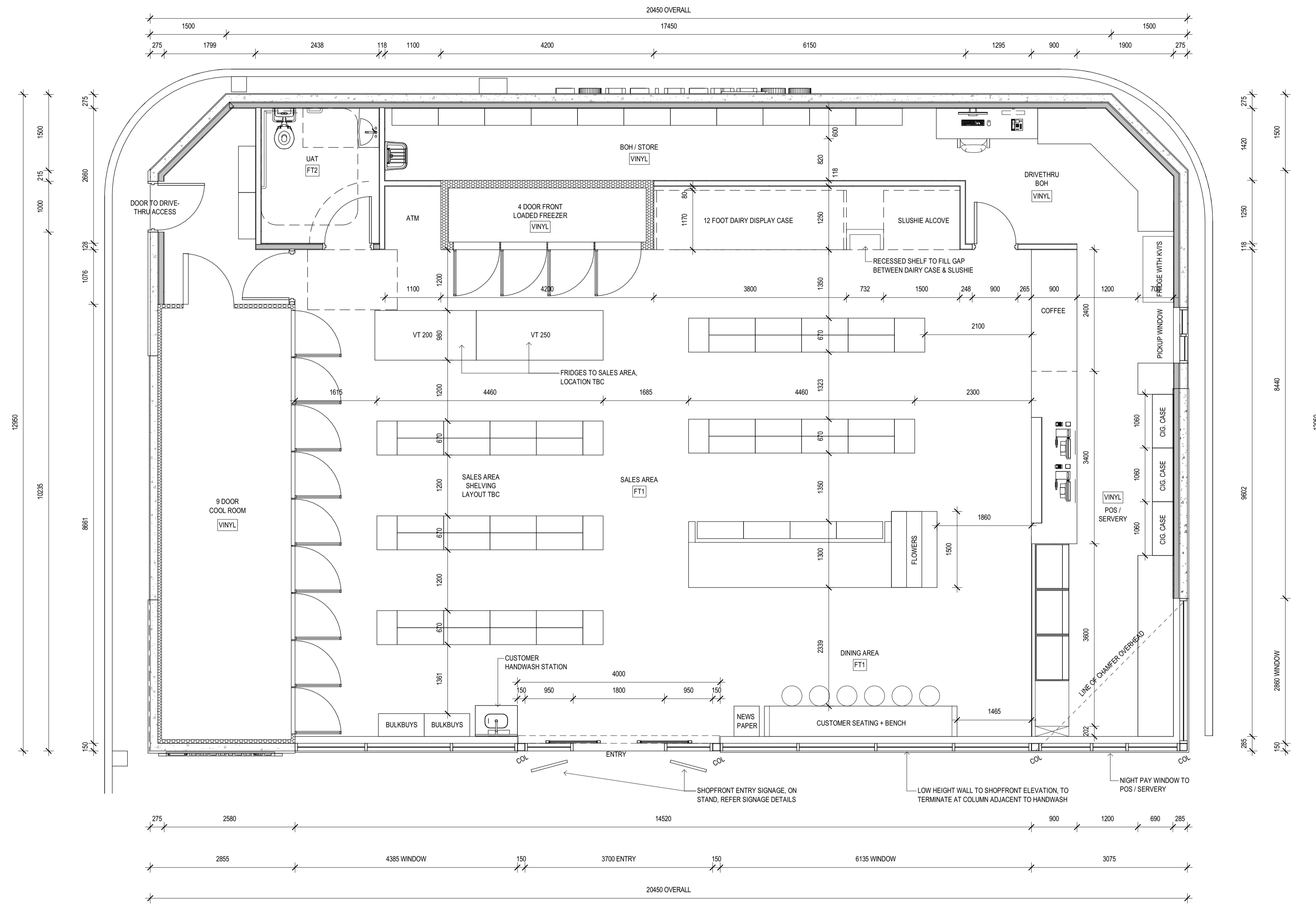
PROPOSED X CONVENIENCE
location
80-94 GOODWOOD RD, GOODWOOD SA

scale 1:150
date 14.01.2021
project no 30.20
dwg no SK06
rev F

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1 SITE PLAN
SCALE: 1:150





AMENDED PLAN / DOCUMENT
DATE: 24/09/2021

FLOOR PLAN LEGEND:

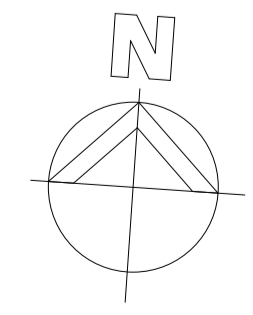
COL:	COLUMN TO ENGINEERS REQUIREMENTS
FT1:	1200X600 LAVA STONE MID GREY LAPPATO, R10 SLIP RATING
FT2:	300 X 600 ANDES CHARCOAL LAPPATO, R10 SLIP RATING
VINYL:	NON-SLIP VINYL FLOORING

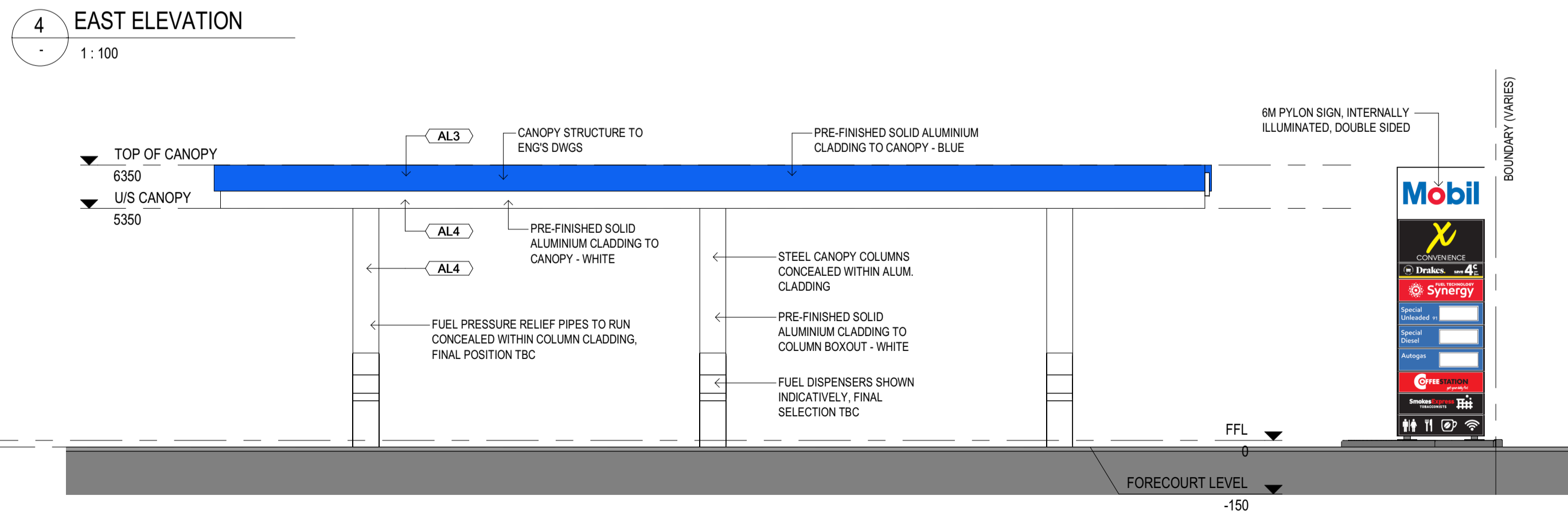
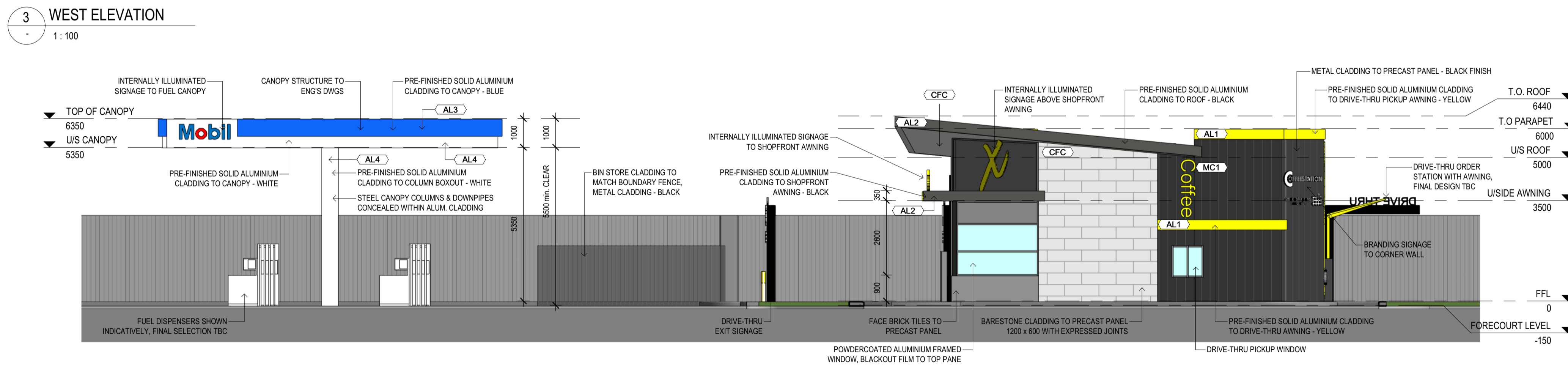
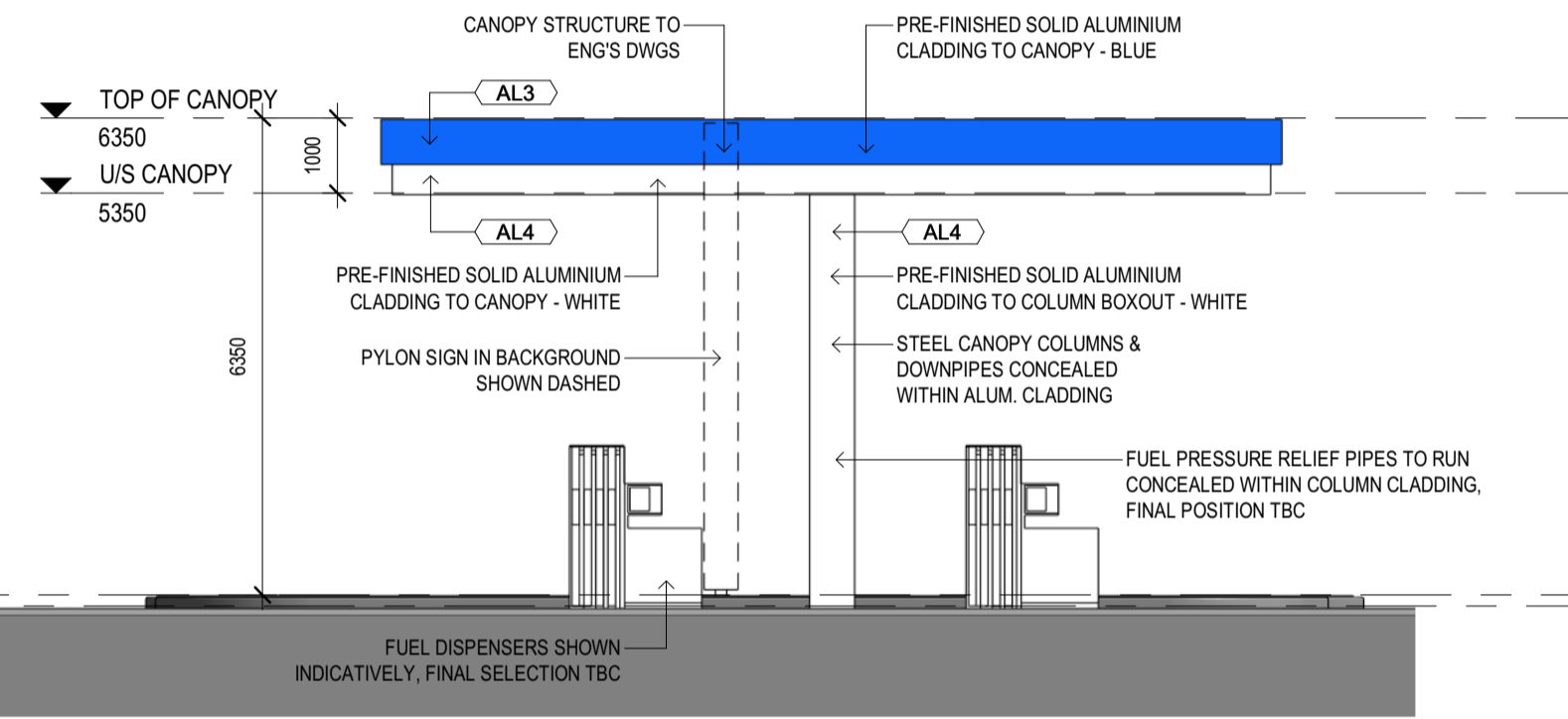
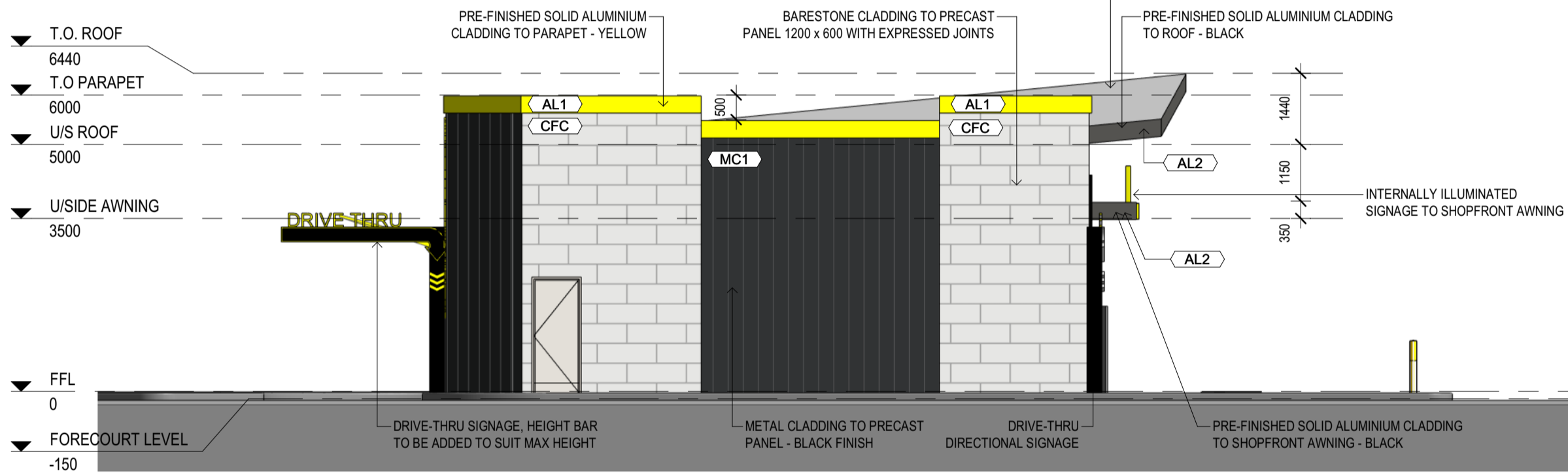
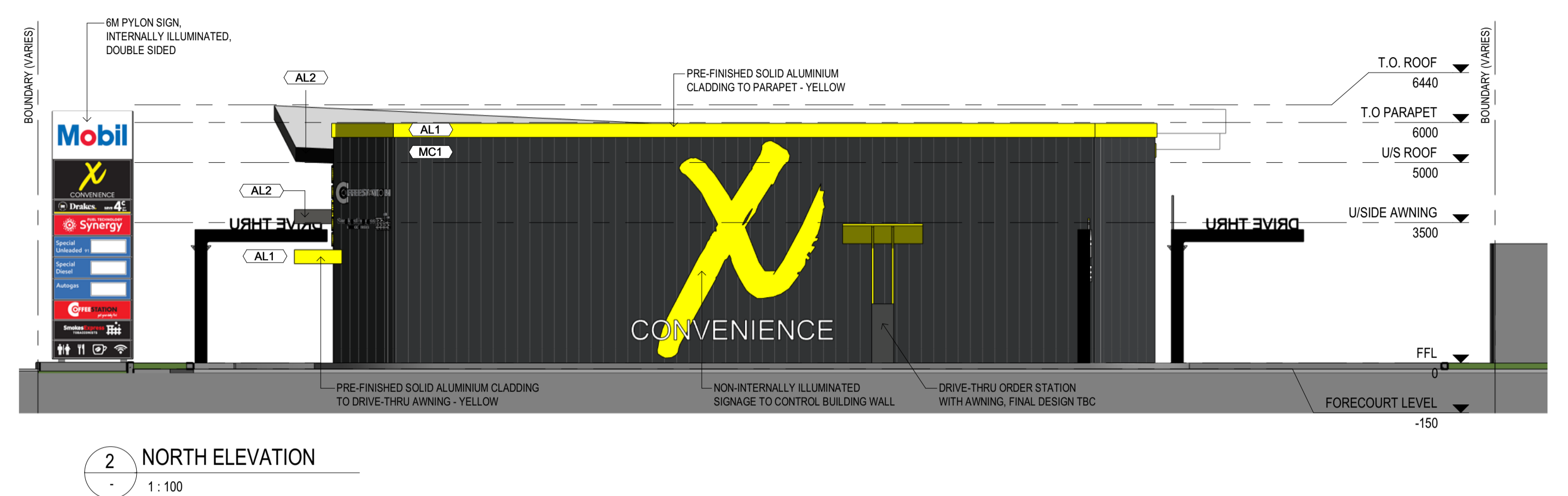
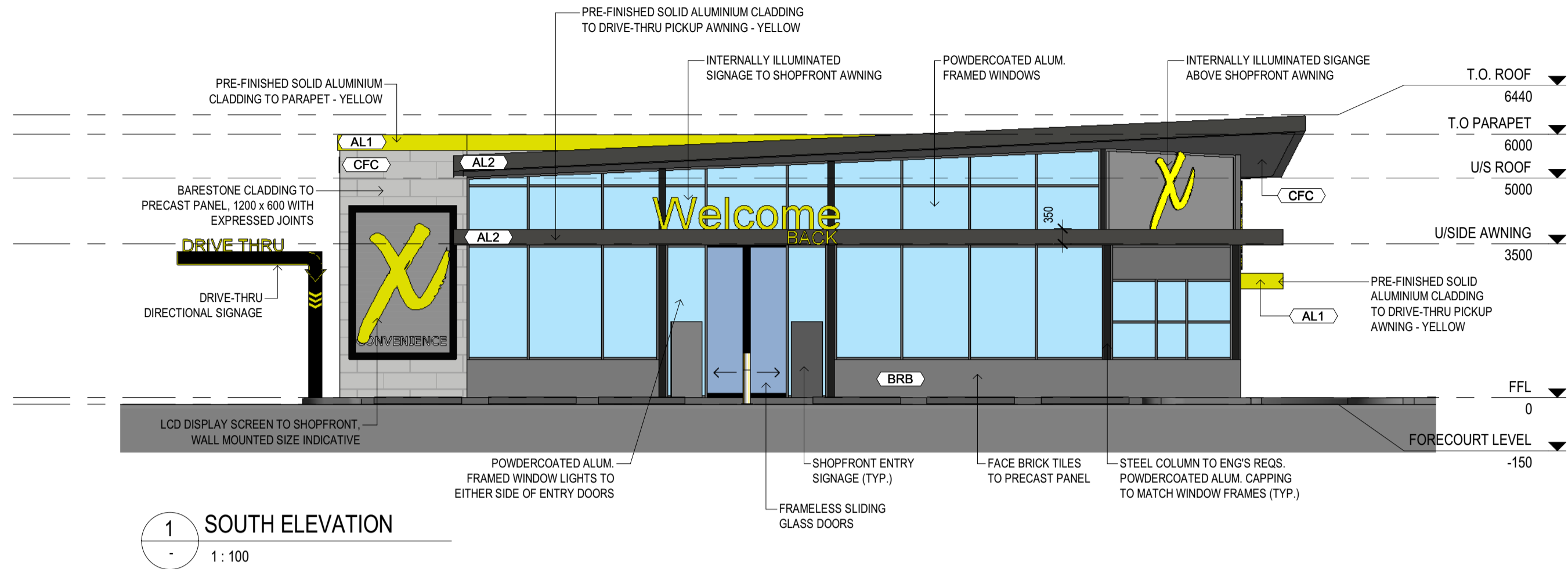
1 CONTROL BUILDING FLOOR PLAN
1:50

D	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	09.08.2021
C	INTERIM ISSUE	MS	NP	12.07.2021
B	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	15.04.2021
A	ISSUED FOR DEVELOPMENT APPROVAL	MS	NP	16.03.2021
revision/ issue	description	drawn by	check by	date
project	PROPOSED X CONVENIENCE	drawn by	description	
location	80-94 GOODWOOD ROAD, GOODWOOD SA	checked	CONTROL BUILDING FLOOR PLAN	
scale	1:50	date	09.08.2021	
		project no	30.20	dwg no SK07
		rev	D	

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EXTERNAL FINISHES LEGEND:

- AL1: 3MM PREFINISHED SOLID ALUMINIUM CLADDING ON PROPRIETARY FRAMING SYSTEM, COLOUR : YELLOW
- AL2: 3MM PREFINISHED SOLID ALUMINIUM CLADDING ON PROPRIETARY FRAMING SYSTEM, COLOUR : BLACK
- AL3: PREFINISHED SOLID ALUMINIUM CLADDING, COLOUR : SYNERGY BLUE
- AL4: PREFINISHED SOLID ALUMINIUM CLADDING, COLOUR : EGGSHELL WHITE
- MC1: METAL CLADDING ON TOP HAT FRAMING TO PRECAST PANEL, TO MATCH CORPORATE COLOUR: BLACK
- CFC: CSR CEMINTEL TERRITORY 'BARESTONE' EXTERNAL CLADDING, 1200 x 600 PANELS WITH 10mm SHADOWLINE
- BRB: FACE BRICK TILE - PGH 'LIQUORICE' WITH 'BRIGHTON LITE' MORTAR

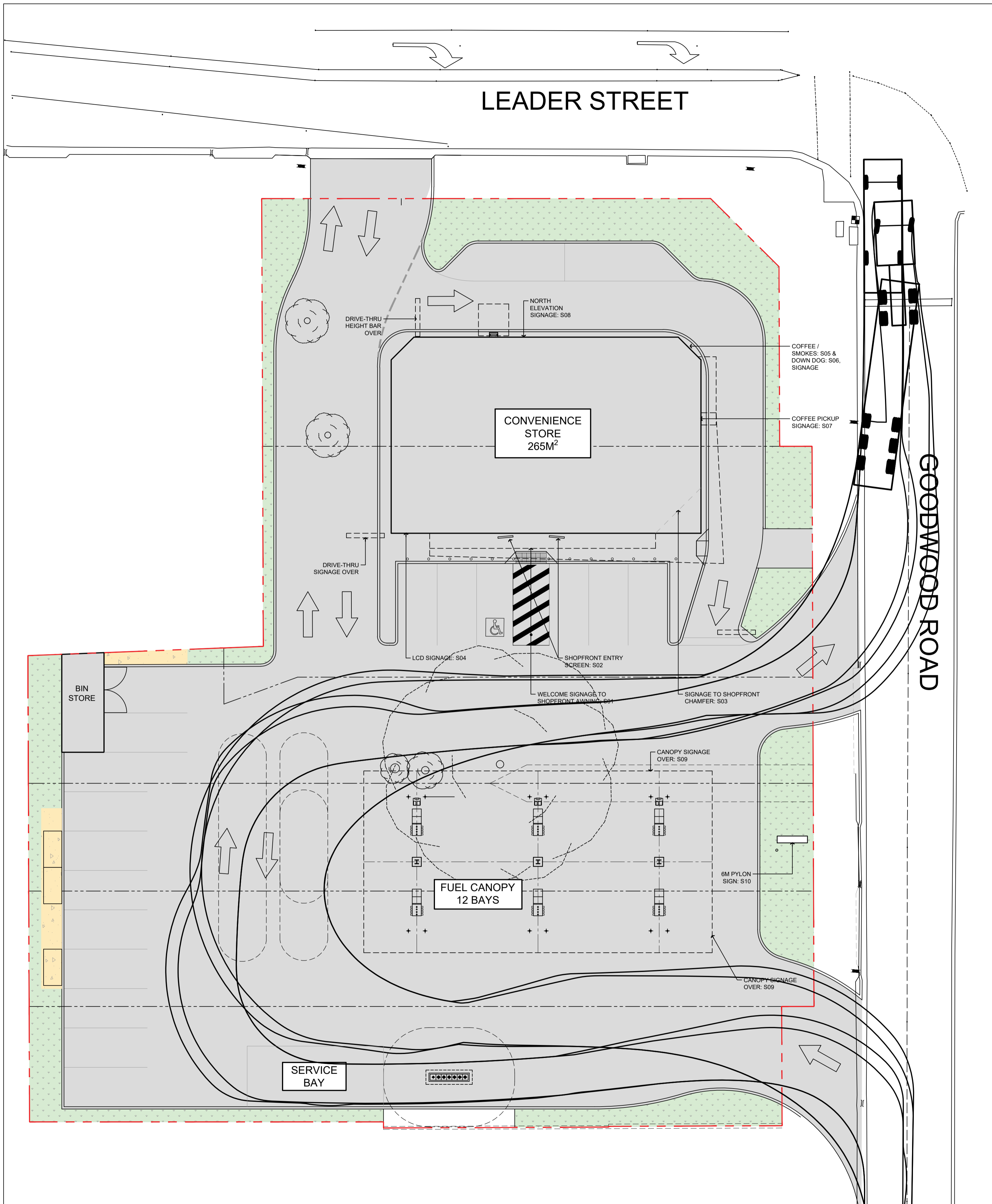
AMENDED PLAN / DOCUMENT DATE: 24/09/2021

revision/ issue	description	drawn by	check by	date
D	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	23.09.2021
C	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	09.08.2021
B	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	15.04.2021
A	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	16.03.2021

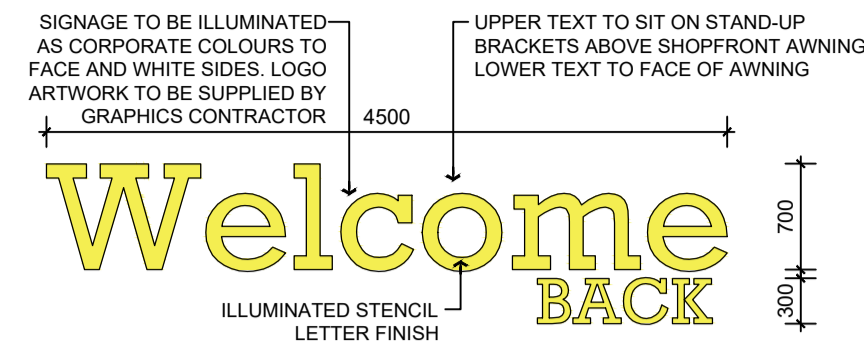
project	PROPOSED X CONVENIENCE	description	ELEVATIONS
location	80-94 GOODWOOD ROAD, GOODWOOD SA	checked	NP
scale	1:100	date	23.09.2021
project no	30.20	dwg no	SK08
rev	D		

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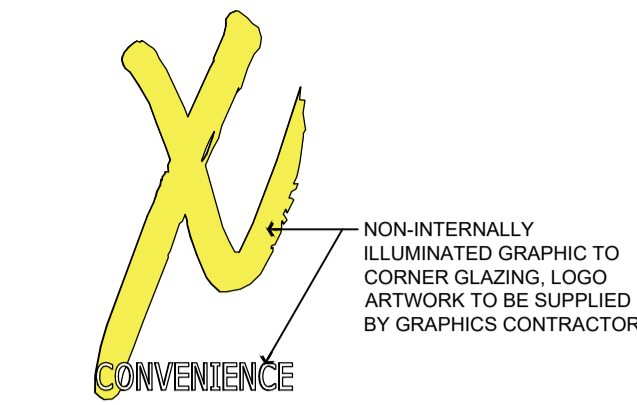
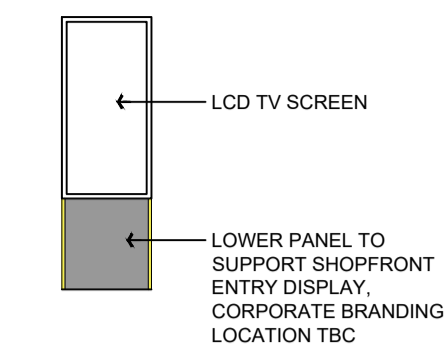
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P1 SIGNAGE PLAN
SCALE: 1:150

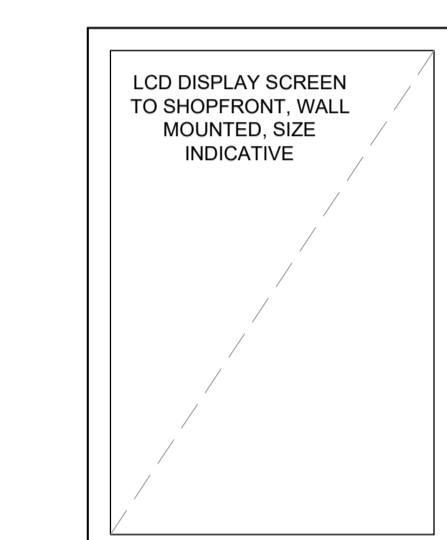


01 SIGNAGE (COFFEE / TOBACCONISTS)
SCALE: 1:50 @ A1

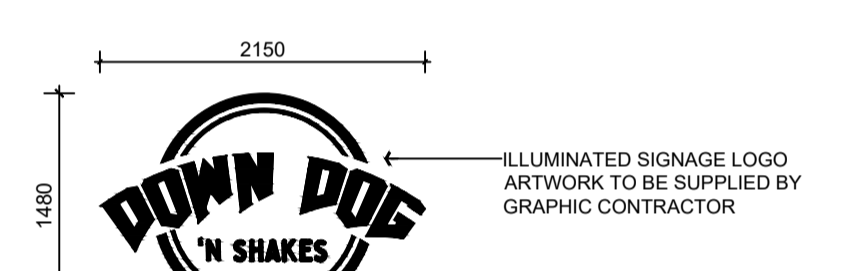


02 ENTRY SCREEN
SCALE: 1:50 @ A1

03 SIGNAGE SHOPFRONT CHAMFER
SCALE: 1:50 @ A1



04 LCD SIGNAGE
SCALE: 1:50 @ A1

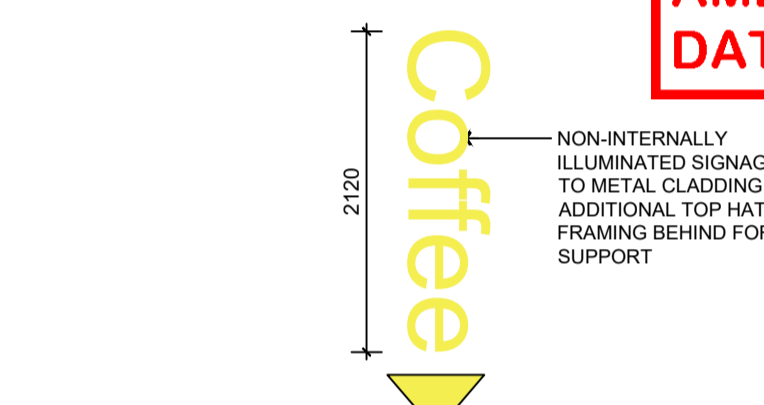


06 SIGNAGE DOWN DOG
SCALE: 1:50 @ A1

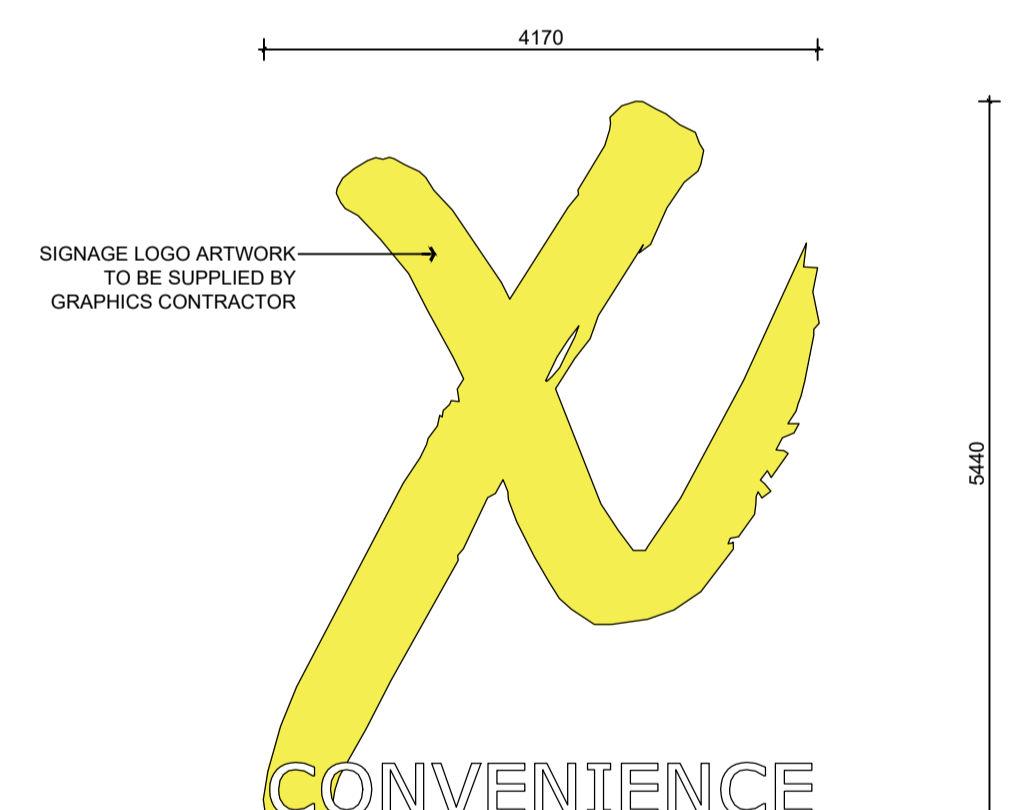


05 SIGNAGE COFFEE & SMOKES
SCALE: 1:50 @ A1

**AMENDED PLAN / DOCUMENT
DATE: 24/09/2021**



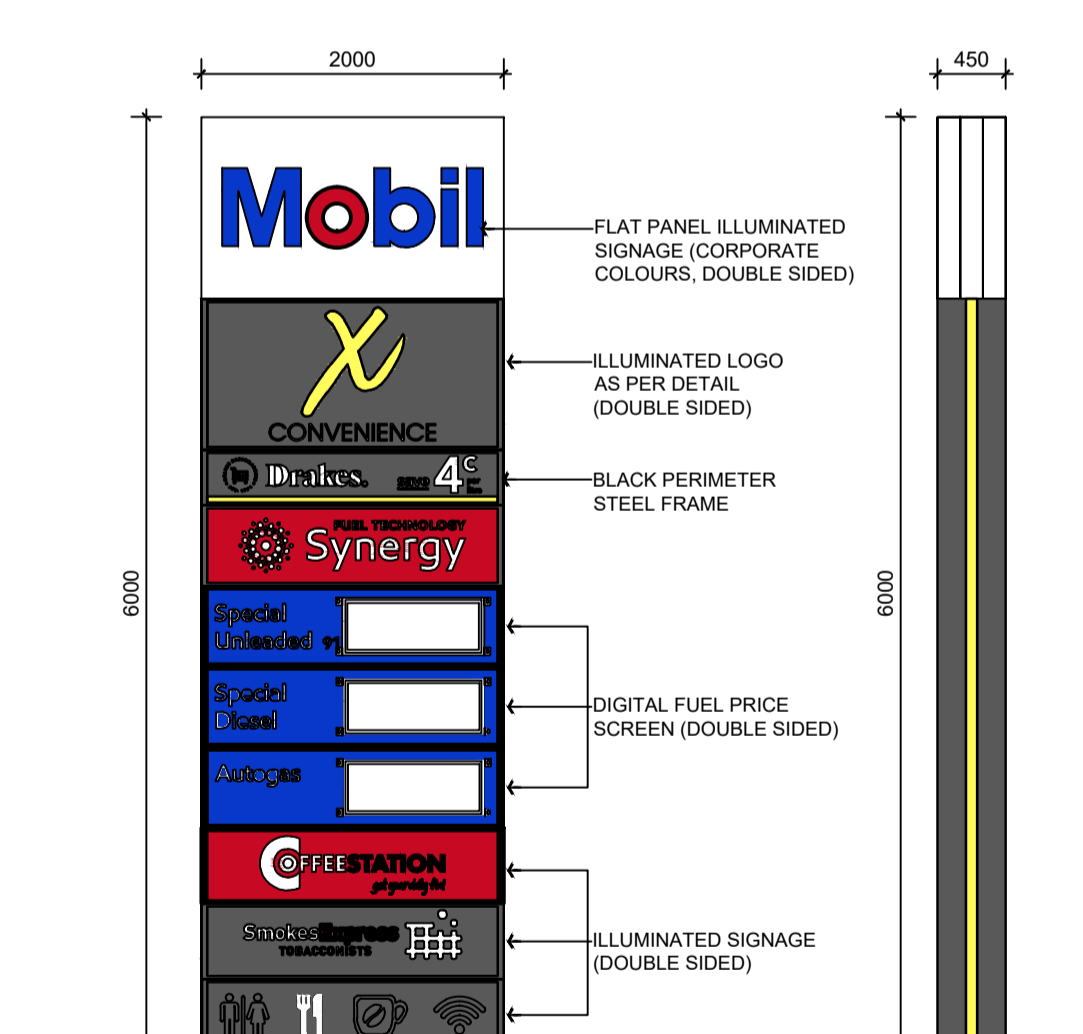
07 SIGNAGE DRIVE THRU PICKUP
SCALE: 1:50 @ A1



08 SIGNAGE NORTH ELEVATION
SCALE: NTS @ A1



09 FUEL STATION SIGNAGE
SCALE: 1:50 @ A1



10 SIGNAGE PYLON
SCALE: 1:50 @ A1

E	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	23.09.2021
D	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	18.08.2021
C	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	10.08.2021
B	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	25.05.2021
A	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	15.04.2021
revision/issue		drawn	checked	date
project		drawn	description	
location		checked	description	
location		NP	SIGNAGE PLAN & SIGNAGE DETAILS	
location		NP	80-94 GOODWOOD ROAD, GOODWOOD SA	
scale		AS SHOWN	date	15.04.2021
scale		AS SHOWN	project no	30.20
scale		AS SHOWN	dwg no	SK09
scale		AS SHOWN	rev	E

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PERSPECTIVE VIEW
SCALE: NTS @ A1

AMENDED PLAN / DOCUMENT
DATE: 24/09/2021

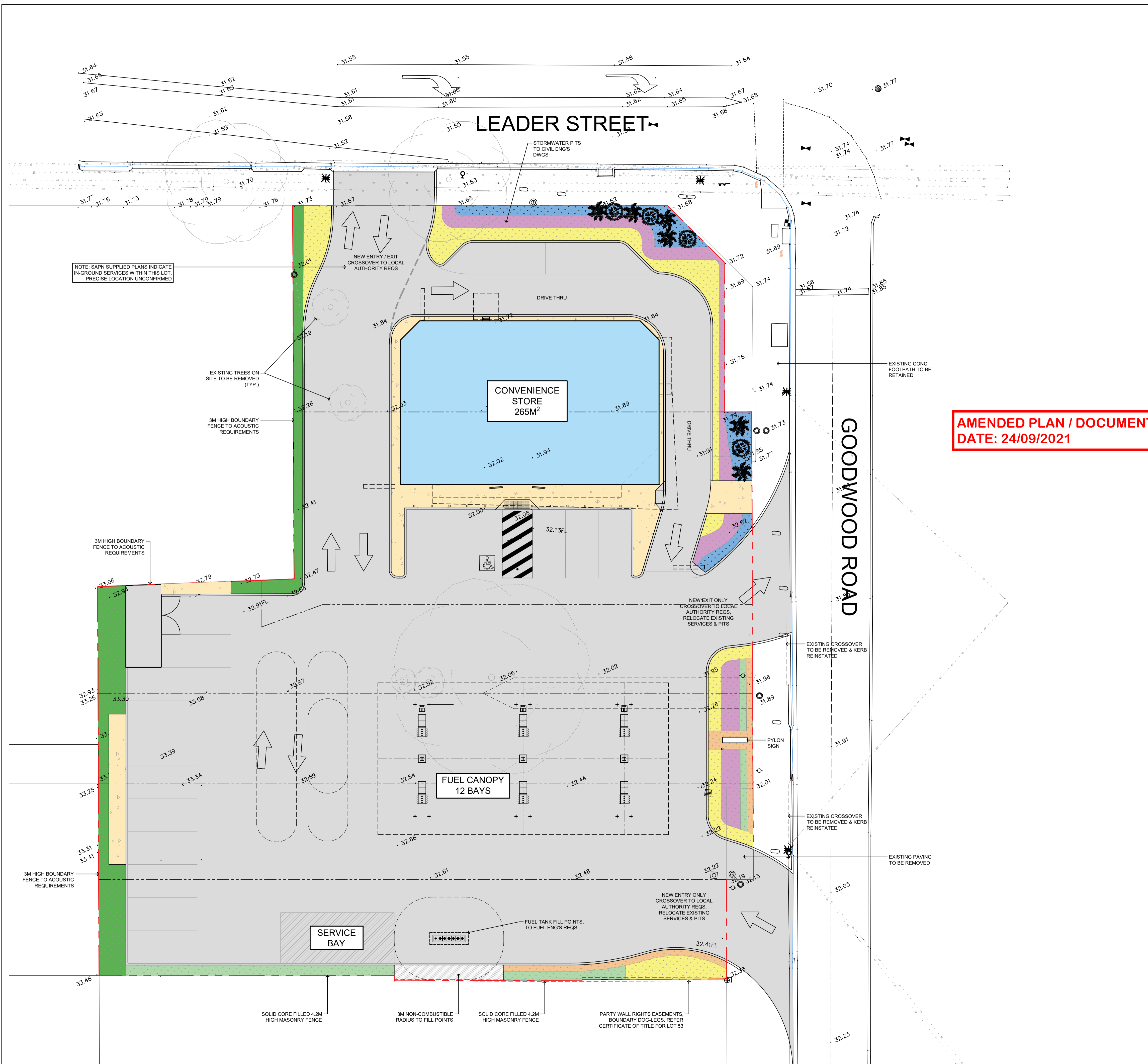


PERSPECTIVE VIEW
SCALE: NTS @ A1

B	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	09.08.2021
A	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	15.04.2021
revision/ issue	description	drawn	checked	date
project	PROPOSED X CONVENIENCE	drawn	description	
location	80-94 GOODWOOD RD, GOODWOOD SA	MS	RENDERS	
		checked	NP	
		scale	date	15.04.2021
		NTS	project no	30.20
			dwg no	SK11
			rev	B

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LANDSCAPE LEGEND

	SHOPFRONT PAVING (CONCRETE)
	FORECOURT PAVING
	ACMENA SMITHII (FIRESCREEN) MIN. POT SIZE: 150mm 75MM MULCH COVER PLANTS TO GROW TO ~4M PLANTS TO SPREAD ~4M
	DIANELLA REVOLUTA (LITTLE REV) MIN. POT SIZE: 150mm 75MM MULCH COVER PLANTS TO GROW TO ~0.5M PLANTS TO SPREAD ~0.4M
	ANIGOZANTHOS HUMILIS X FLAVIDUS (KANGAROO PAW - LANDSCAPE GOLD) MIN. POT SIZE: 150mm 75MM MULCH COVER PLANTS TO GROW TO ~1.6M PLANTS TO SPREAD ~1.5M
	ANIGOZANTHOS HYBRID (KANGAROO PAW - BUSH PEARL) MIN. POT SIZE: 150mm 75MM MULCH COVER PLANTS TO GROW TO ~0.5M PLANTS TO SPREAD ~0.45M
	SENECIO HYBRID TRIDENT BLUE MIN. POT SIZE: 150mm 75MM MULCH COVER PLANTS TO GROW TO 0.3M PLANT SPREAD ~1M
	CHRYSOCEPHALUM APICALATUM (CHRYSOCEPHALUM SILVER & GOLD) MIN. POT SIZE: 150mm 75MM MULCH COVER PLANTS TO GROW TO ~0.2M PLANT SPREAD ~1M
	CALOTHAMNUS SANGUINEUS (BLOOD-RED NET BUSH) MIN. POT SIZE: 150mm PLANTS GROW TO ~2.5M HIGH 75MM MULCH COVER (PLANTS SPREAD TO ~2.5M)
	ADENANTHOS OBOVATUS (JUG FLOWER) MIN. POT SIZE: 150mm PLANTS GROW TO ~2M HIGH 75MM MULCH COVER (PLANTS SPREAD TO ~1.5M)

E	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	23.09.2021
D	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	19.08.2021
C	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	18.08.2021
B	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	10.08.2021
A	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	25.05.2021
revision/issue	description	drawn	checked	date
project		drawn	description	
location		MS	PROPOSED LANDSCAPING PLAN	
80-94 GOODWOOD RD, GOODWOOD SA		checked		
		NP		
		scale	date 25.05.2021	
		1:150		
		@ A1	project no	30.20
			dwg no	SK13
			rev	E

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**PLANNING REPORT
INTEGRATED SERVICE STATION**
80-94 GOODWOOD ROAD, GOODWOOD

Date:
16.04.2021

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Proprietary Information Statement

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Document Control

Revision	Description	Author	Date
V1	Draft	BA	06.04.2020
V2	Review	MD	06.04.2020
V3	Final	MD	09.04.2020

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- APPENDIX 5. ACOUSTIC REPORT

1. INTRODUCTION

This report has been prepared to accompany an application by Future Urban Pty Ltd ('the Proponent') to construct an integrated service station at 80-94 Goodwood Road, Goodwood ('the site').

In preparing this report, I have:

- inspected the site and its immediate surroundings;
- identified and subsequently reviewed what we consider to be the most pertinent provisions of the Unley (City) Development Plan ('the Development Plan');
- had regard to the *Development Act 1993* ('the Act') and to the *Development Regulations 2008* ('the Regulations');
- also has regard to the Certificates of Title at **Appendix 1**;
- examined the compendium of architectural drawings at **Appendix 2**;
- reviewed and summarised the key findings of the;
 - » stormwater and civil plans prepared by Sagero at **Appendix 3**;
 - » traffic and parking assessment prepared by Cirqa at **Appendix 4**; and
 - » acoustic assessment prepared by Sonus at **Appendix 5**.

This report contains my description of the site, its surroundings and the proposal, and my assessment of the proposal against what I consider to be the most relevant provisions of the Development Plan.

2. THE SITE

The site is located along the western side of Goodwood Road and comprises of six allotments. The allotments are formally described as:

- Allotment 49 – Volume 5192 Folio 530;
- Allotment 101 – Volume 5404 Folio 781;
- Allotment 51 – Volume 5512 Folio 524;
- Allotment 50 – Volume 5512 Folio 525;
- Allotment 53 – Volume 6134 Folio 258; and
- Allotment 52 – Volume 6134 Folio 259.

It is otherwise known as 80-94 Goodwood Road, Goodwood.

The allotments together are approximately 4,688 square metres in size, with a 53 metre frontage to Goodwood Road and a 34 metre frontage to Leader Street.

The site currently comprises of four buildings, a bitumen carpark and concreted spaces.

The certificate of title notes an easement on lots 50 and 51, although this easement will not impede or avert the proposal altogether, and there are no regulated or significant trees on or near the subject site.

There are two existing stobie poles fronting Goodwood Road to which will have no impact on the proposal.

3. THE LOCALITY

Upon undertaking an inspection of the subject site and its surroundings, the following was observed:

- the Goodwood Road tram stop is within 65 metres of the site;
- the Residential Streetscape (Built Form) Zone abuts the rear western boundary of the site;
- the Royal Adelaide Showgrounds is adjacent the site, across Leader Street;
- the Goodwood Hotel is directly adjacent the site, across Goodwood Road; and
- there is a bus stop 100 metres south of the site.

The site in relation to its immediate surroundings, is captured in Figure 3.1 below.

Figure 3.1 *Locality plan*



4. THE PROPOSAL

The Proponent seeks Development Plan Consent ('consent') from the Council for the construction of:

- an integrated service station with 12 fuel dispensers;
- ancillary convenience store and drive through (210 square metres);
- acoustic fencing; and
- a free standing six metre high illuminated sign.

The proposal is summarised below and depicted across the compendium of architectural drawings in **Appendix 2**.

4.1 Land Use

The proposed development comprises the following elements:

- fuel bowsers and associated re-fuelling infrastructure;
- a control building with a floor area of approximately 210 square metres together with an associated drive-through serving coffee. The control building accommodates various activities, including a convenience store, a sales counter, ancillary storage area and office and toilets; and
- a free-standing advertising sign.

All components of the proposed development will be operated under a single management, and as one integrated facility at each site. The various elements or components of each proposal will be physically integrated in that the customers can move freely between the elements, and they will also share facilities such as car parking areas, vehicle circulation and toilets.

Customers purchasing goods from the convenience store at each site will also be in a position to purchase fuel as part of the same transaction when paying.

In my view, based on the above and of the extant case law in South Australia (cf: *Skorpos & Anor v DAC* and *Shahin Enterprises v DAC*), concerning the integrated development principle, and on a consideration of the functional and operational integration of the components comprising the proposed development, the proposal is for an undefined, integrated service station complex with associated signage.

4.2 Footprint

4.2.1 Orientation

The building will primarily be orientated towards the centre of the site, fronting Goodwood Road.

4.2.2 Siting

The petrol filling station will be centred on the site, located 10.07 metres from Goodwood Road, 12.21 metres from Leader Street and 11.3 metres from the rear western boundary of the site.

The fuel bowsers and canopy are proposed to be located 6.7 metres from Goodwood Road, 13.89 metres from the southern boundary and 29.49 metres from the rear western boundary.

Additional carparking, bin storage area and service bay, are located along the western boundary of the site.

4.3 Building Height

The petrol station is proposed to be built to a height of 6.44 metres, with the canopy over the fuel bowsers being 6.35 metres in height.

4.4 External Materials

Yellow cladding to the parapet is proposed to boarder the building, with bluestone cladding to the eastern and western walls. The northern elevation primarily consists of aluminium framed windows and glass doors.

4.5 Hours of Operation

Operating times for the integrated service station will be 24 hours a day at seven days a week.

4.6 Access

The primary access is created off Goodwood Road, involving one-way access across two crossovers. Another access point is located on Leader Street, which involves a double width exit and entry point.

4.7 Parking

15 car parks will be provided on site, including one disabled park; six located in front of the proposed convenience store and nine located to the western side of the fuel bowsers, along the boundary.

4.8 Stormwater

A stormwater and civil plan prepared by Sagero is attached at **Appendix 3**.

The stormwater assessment confirms that:

- this development can and will be designed to ensure that the post-development discharge flows can be accommodated to ensure downstream systems are not overloaded;
- detention of peak stormwater discharge will ensure minimisation of post-development stormwater flows, reducing flooding risks; and
- stormwater will be treated prior to release to the Council's stormwater infrastructure network to remove suspended solids and hydrocarbons from the surface water collected, thereby improving the quality of stormwater and minimising pollutant transfer to receiving waters.

Accordingly, the carrying capacity of the existing stormwater drainage network will not be burdened by the proposed development.

4.9 Signage

The proposed development incorporates the following types of signage across the subject site:

- LCD display screen mounted to the shopfront wall on the northern side;
- internally illuminated 'welcome back' signage to shopfront awning on northern side;
- internally illuminated 'X' signage above shopfront awning on northern and western sides; and
- 'Mobil' internally illuminated signage to west elevation of fuel canopy.

Additionally, a six metre high illuminated sign is also proposed to be situated within the site on the eastern boundary. The sign will incorporate the corporate colours and company logo, in addition to a price board to be internally LED illuminated.

5. PROCEDURAL MATTERS

5.1 Nature of Development

The proposal cannot completely be described as a 'petrol filling station', as the control building will have a gross leasable floor area of more than 50 square metres, and it cannot be described as a 'shop' either, as the fuel bowsers and canopies, and control building will be inextricably linked to, and therefore reliant upon, one another.

To this end, we note that Debelle J states, as part of his judgement in relation to the matter of *Skorpos v Development Assessment Commission* (1995) 64 SASR 51, that:

"It is incorrect to treat the development as a petrol filling station. The proposed complex does not fall within any of the uses of land identified in the Development Plan. It is not a petrol filling station as defined by the Development Control Regulations, if only, because it includes a shop of this size and the service and repair complex. It is not a retail shop because the development includes a petrol filling station, a car service and repair workshop and a car wash. The complex must, therefore, be viewed as one integrated development."

The proposal is therefore best described as an integrated service station.

5.2 The Relevant Authority

The City of Unley is the relevant authority, as the proposed development is not captured by Schedule 10 of the Regulations.

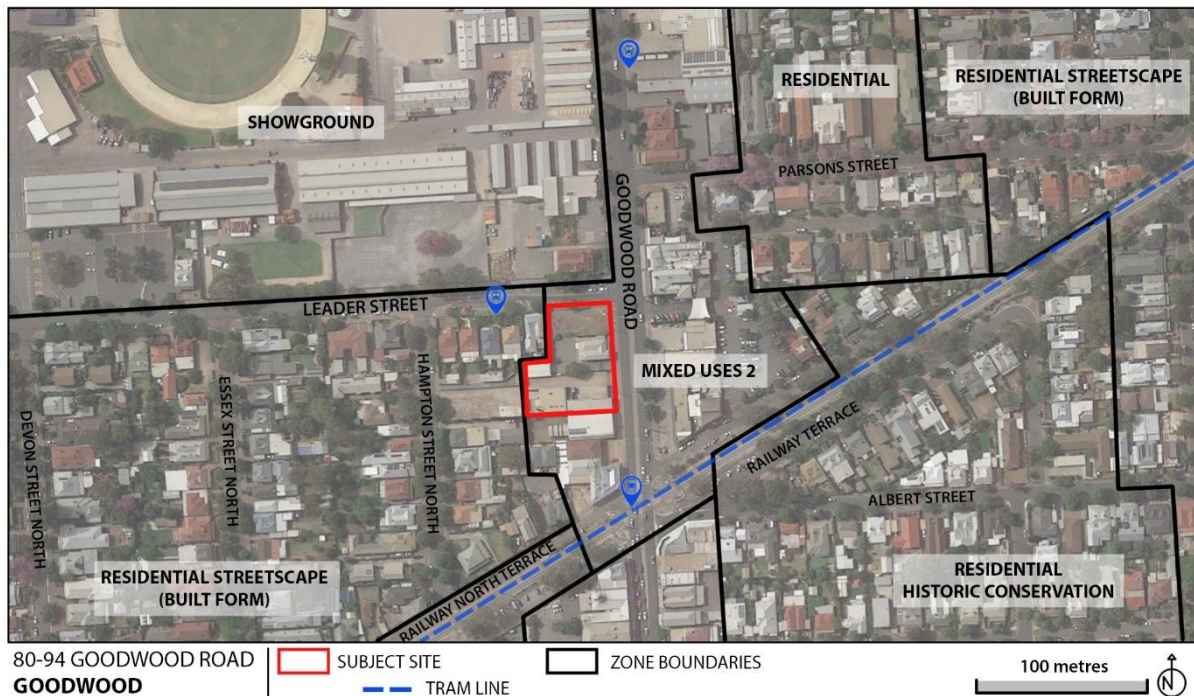
5.3 The Relevant Development Plan

The relevant version of the Development Plan for procedural and assessment purposes was gazetted and subsequently consolidated on 15 October 2020.

The site, under this version of the Development Plan, is located in the Mixed Use 2 Zone ('the Zone') and adjoins the Residential Streetscape (Built Form) Zone, Policy Area 8 – Compact (Built Form) Precinct 8.1 to the west.

Figure 5.1 overleaf attests to this.

Figure 5.1 Zoning



5.4 Assessment Pathway

According to the Zone, an integrated service station is not listed as being a complying or non-complying form of development; the development therefore reverts to a merit form of assessment.

5.5 Category of Development

The Development provides that all forms of development in the Zone are Category 1 for public notification purposes unless the site is adjacent to land in a zone that is different to the zone that applies to the site of the development. In which case, the Development Plan provides that all development that is not Category 1 will default to Category 2. The proposal is therefore Category 2 for public notification purposes.

5.6 Statutory Referrals

Pursuant to Schedule 8 of the Regulations, the proposal must be referred to:

- The Environment Protection Authority as the proposal involves the conduct of a "petrol station" as defined in Schedule 22 of the Regulations and therefore, is an act or activity of major environmental significance requiring referral pursuant to item 11 of Schedule 8; and
- The Commissioner of Highways as it is creating a new access from an arterial road.

6. ASSESSMENT

Our assessment of the proposal is set out below.

6.1 Land Use

Principle 1 for the Zone advises:

- 1** *Development should be, primarily, medium-scale offices and consulting rooms, service industries, warehouses, retail showrooms and development associated with the motor trades, which result in low traffic generation.*

Notwithstanding, the proposed use is not specifically listed as an envisaged use, the integrated service station intends to meet the needs of the uses surrounding the site, such as the offices, consulting rooms, service industries and warehouses that are found within the locality of the site. Additionally, the traffic report prepared by CIRQA identifies the *"forecast number of vehicles anticipated to use the site's access points during the am (and pm) peak hours is low, with such volumes being within respective capacities"*.

In this instance, we consider the proposed integrated service station on the site to be acceptable because:

- the use is clearly commercial in nature, located on a busy arterial road with high exposure to all passing trade;
- the site is ideally located on a secondary arterial road and takes advantage of integrated / amalgamated sites benefitting from shared access and parking arrangements;
- is set back from the primary street frontage to allow landscaping;
- it is sufficiently separated from adjoining residential uses;
- access to and from the site can be safely achieved by all intended vehicles visiting the site as per the sept turn paths provided by CIRQA;
- will not generate excessive amounts of noise upon the adjacent residential land use; and
- sufficient on-site car parking will be provided.

Additionally, it is also worth noting that a petrol filling station, a closely aligned land use, is not specified in the Zone as being a non-complying form of development.

6.2 Siting

Zone Principle 5 advises that proposed developments should include *"...a minimum building setback of three metres to any road, and 1.5 metres to any other boundary"*.

The proposed control building is well within the confines of this, with a 5.2 metre minimum setback to road boundaries and an even greater setback to other allotment boundaries.

6.3 External Appearance

The 'Design and Appearance' Module provides guidance with respect to the external outlook of buildings.

- 3** *The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties, drivers or cyclists.*
- 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.*

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

The external materials are proposed to comply so as to not incorporate highly reflective materials which will result in glare to neighbouring properties, drivers or cyclists.

The proponent has incorporated neutral tones to the building, using mostly light grey and black whilst incorporating the X Convenience signature yellow to the parapets around the building and blue Mobil logo to the fuel bowser canopy.

Overall, the external appearance does not alter the existing streetscape design and will not impact upon neighbouring properties, drivers or cyclists.

6.4 Transportation and Access

A comprehensive analysis of access to the proposed development is found in the Traffic and Parking Report prepared by CIRQA which concludes the access points are safe and meet the standards required by Councils Development Plan.

The report confirms the following:

- the bowzers have been designed to facilitate a queue of two vehicles on-site behind a vehicle being refuelled, without obstructing access to the site or on-site vehicle circulation;
- the proposed drive-through will have capacity for six vehicles to be stored behind a vehicle waiting at the collection window, thereby satisfying the recommendations outlined by the RTA Guide;
- all vehicles will be able to enter and exit the site in a forward direction; and
- the proposed development is forecast to generate 112 am and 143 pm peak hour vehicle movements to/from the subject site (of which 70% will be existing movements on the adjacent road network). Such volumes are considered to be within the capacity of the access points and adjacent road network. The additional movements will be readily accommodated without significant impact on existing traffic conditions.

6.5 Parking

6.5.1 Vehicle Parking

Notwithstanding, the subject site is considered a designated area for the purposes of parking which allows for substantially less vehicle parks, it is noted that the proposed development also complies with the general parking rates, too. The Development Plan identifies the following rates for vehicle parking generally:

- **Petrol filling station:**
 - » 3 spaces per service bay; plus
 - » additional parking at the rate applicable to any ancillary land use (shop); and
- **Shop (convenience store):**
 - » 7 spaces per 100 square metres of gross leasable floor area

The proposed development does not incorporate service bays.

On the basis of the above, it is considered that the provision of 15 spaces is adequate to accommodate the parking demand.

6.5.2 Bicycle Parking

Bicycle parking rates within the Development Plan are:

- **Shop (convenience store):**
 - » Employee – 1 space per 300 square metres of gross leasable floor area; and
 - » Customer – 1 space per 600 square metres of gross leasable floor area.

On the basis of the above rates, the proposed development would have a theoretical requirement for two bicycle parking spaces to be provided. While no bicycle parks are currently shown on the plans, there is considered to be adequate space available to accommodate two bicycle parks. It is also noted that the predominant use of the site is for the petrol filling of vehicles.

6.6 Advertisements

The corporate advertisements:

- will not flash or be animated, so as not to create a hazard to motorists, as sought by Principle 17 and 19 of the 'Outdoor Advertisements' module;
- where affixed to a building, will not project above the parapet or roofline;
- convey the name of the prospective operator of the integrated service station complex and relate, therefore, to the intended use of the site (Principle 1 of the 'Outdoor Advertisements' module);
- the single free-standing sign is associated with the use and is of a scale and size that is commonly associated with such uses to advertise petrol pricing; and
- feature corporate colours that are commonly found throughout Metropolitan Adelaide.

The proposed signage will not disfigure the locality, particularly given the primarily commercial nature of the immediate locality which is dominated by Goodwood Road and the tram line, nor will it create hazards for passing road users. The proposed advertisements are designed in a coordinated manner and complement the architectural form and design of the building they are to be located on.

6.7 Interface between Land Uses

6.7.1 Noise

Principle 5 of the Zone advises that "*development should provide a visual and acoustic buffer between the development and adjacent residential zones...*"

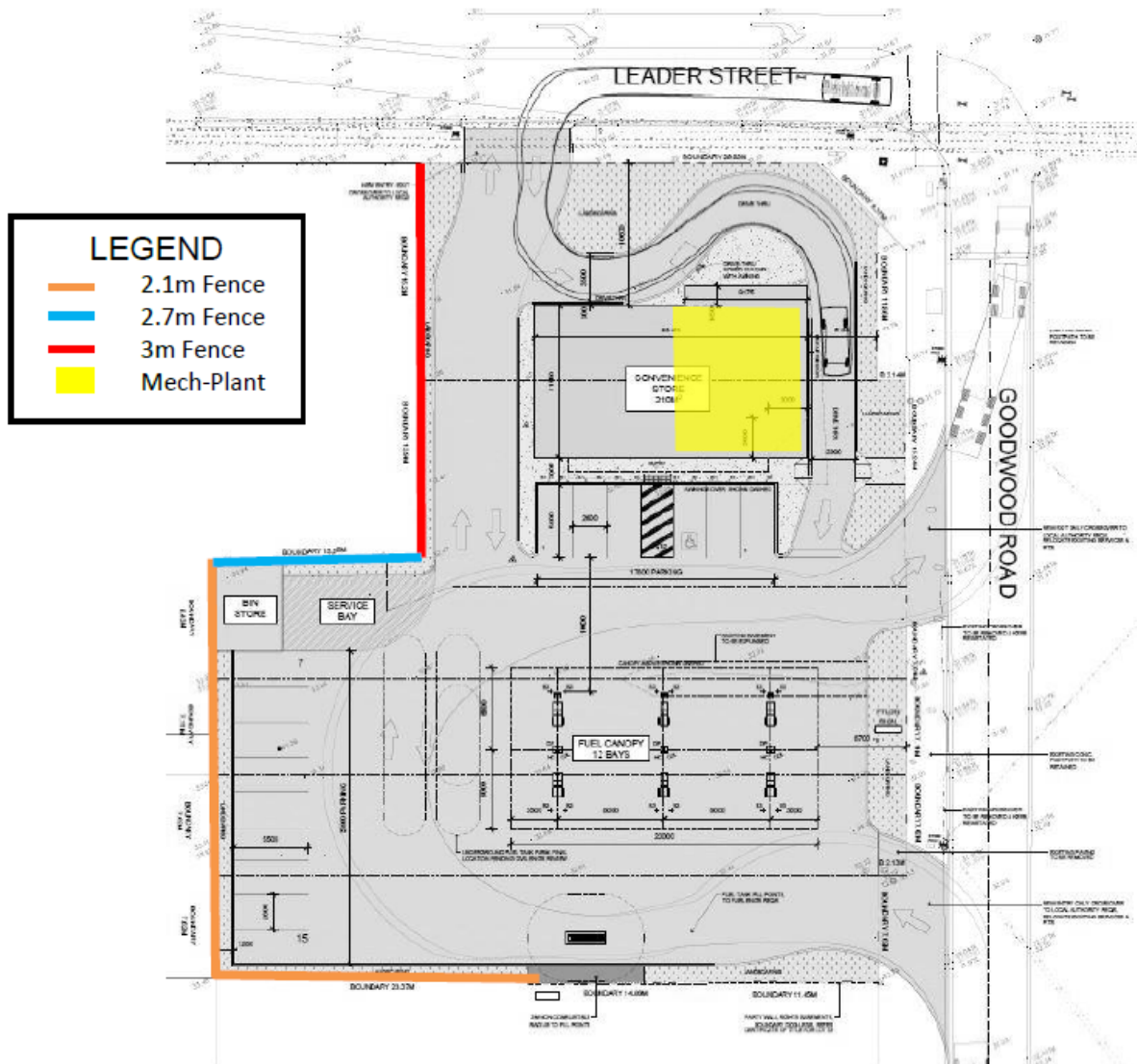
Furthermore, Objective 1 of the 'Interface between land uses' module advises:

- 1 Development located and designed to minimise adverse impact and conflict between land uses**

Sonus was engaged to undertake an extensive analysis of any potential noise impact the proposed development may have on the adjacent land uses and recommended appropriate noise attenuation measures.

More particularly, Sonus recommend the installation of the sound attenuation measures shown overleaf in Figure 6.1:

Figure 6.1 *Sound attenuation measures*



The Proponent is willing to accede to a condition to accord with the noise attenuation measures recommended in the acoustic report.

The acoustic report concludes that *"the facility has been designed to minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise, thereby achieving the relevant provisions of the Development Plan related to environmental noise"*.

6.7.2 Odours

Principle 11 of the 'Interface between land uses' module advises:

- 11 Development with the potential to emit harmful or nuisance-generating air pollution should incorporate air pollution control measures to prevent harm to human health or unreasonable interference with the amenity of sensitive uses within the locality.**

To avoid the impacts of hydrocarbon odour, the Proponent proposes the installation of a Stage 2 Vapor Recovery System which will effectively recover displaced vapour from refuelling vehicles.

Stage 2 Vapour Recovery (VR2) equipment is designed to capture the displaced vapour and return it to the underground fuel tank or other appropriate vessel. The fuel dispenser hose will contain both fuel and vapour return lines. The vapour is drawn through the vapour return line by a vacuum pump.

Similarly, the VR2 equipment will capture and return displaced vapour to the underground tanks during the re-filling process.

6.8 Stormwater

Sagero was instructed to produce stormwater and civil plans that accords with the Development Plan principles.

It is clear from the stormwater and civil plans that:

- this development can and will be designed to ensure that the post-development discharge flows can be accommodated to ensure downstream systems are not overloaded;
- detention of peak stormwater discharge will ensure minimisation of post-development stormwater flows, reducing flooding risks; and
- stormwater will be treated prior to release to the Council's stormwater infrastructure network to remove suspended solids and hydrocarbons from the surface water collected, thereby improving the quality of stormwater and minimising pollutant transfer to receiving waters.

The stormwater and civil plans and associated stormwater calculations clearly demonstrate the capacity of the proposed development to ensure stormwater volumes and quality are in accordance with the requirements of Council's Development Plan.

6.9 Standard EPA Requirements

The application will be referred to the EPA pursuant to Schedule 8 of the Regulations.

In anticipation of this referral, the following measures will be implemented by the applicant to ensure compliance with the EPA's standard requirements for an application of this nature, including:

- all underground fuel storage tanks (apart from diesel and LPG) will be fitted with a Vapor Recovery System (which includes, underground storage tank vent pipes fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling;
- all underground fuel storage tanks and fuel lines between the underground storage tanks and fuel dispensers will be double-walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of the *Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems*;
- all stormwater will be collected and diverted to a Waste Water Filtration System (Purceptor Class 1) prior to discharge to the Council's stormwater infrastructure. The Purceptor Class 1 has the capacity to receive fuel spills as well as stormwater runoff with oil separator and alarm system with remote monitoring in the event of a leak; and
- all sludge within the Purceptor Class 1 retention / oil separator will be removed by a licensed EPA waste transporter to a licensed depot.

6.10 Waste

Objective 1 of the 'Waste' Module give advice on the management of waste.

- 1 Development that, in order of priority, avoids the production of waste, minimises the production of waste, re-uses waste, recycles waste for re-use, treats waste and disposes of waste in an environmentally sound manner.**

The 'Form of Development' Module provides guidance on the storage of waste on the site.

- 13 All non-residential development should be provided with adequate waste receptacles and waste storage areas which should be:**
- (a) conveniently located;**
 - (b) screened from public view;**
 - (c) distanced from any adjacent residential development; and**
 - (d) of a total area in accord with the following ratio:**
 - (i) one square metre for each 30 square metres, or part thereof, of total floor area of the development up to 120 square metres total floor area.**
 - (ii) an additional one square metre for each 50 square metres, or part thereof, of total floor area of the development over 120 square metres total floor area; and**
 - (iii) an additional 1.5 square metres for a premises occupied by a restaurant or takeaway food premises to accommodate additional receptacles for their special needs.**

The bins for waste will be stored within the confines of the waste enclosure on the western corner of the site. The enclosure, although on the boundary of the site, is conveniently located away from public view in an unusable area of the subject site.

7. CONCLUSION

We have concluded from our assessment of the proposal that it is worthy of Development Plan Consent.

In support of our conclusion, we wish to reiterate that:

- the use of the site is appropriate given the surrounding land uses within the locality;
- the height and external appearance of all structures (control building, fuel canopies and pylon sign) is entirely acceptable within the surrounding locality;
- all expected vehicles will be able to enter and exit the site in a forward direction;
- more than the recommended number of on-site car parking spaces will be provided;
- the traffic that is likely to be generated by the integrated service station complex is unlikely to have an adverse impact on the operation of the surrounding road network;
- all environmental requirements of the EPA will be met;
- runoff will be captured and disposed of in an environmentally sound manner;
- waste will be temporarily stored and disposed of in an environmentally sound manner; and
- corporate advertisements erected will convey the name of the prospective operator of the integrated service station complex and relate, therefore, to the intended use of the site.



0	1.02.2021	INITIAL ISSUE	MJB	MJB
REV	DATE	DESCRIPTION	CALC	FIELD
ADDITIONS, AMENDMENTS AND APPROVALS				

LEGEND	
47.5TK TOP KERB	47.5TK TOP KERB
47.36WV WATER TABLE	47.36WV WATER TABLE
45.16FL FLOOR LEVEL	45.16FL FLOOR LEVEL
48.12IL INVERT LEVEL	48.12IL INVERT LEVEL
TEL COMM. PILLAR / PIT	TEL COMM. PILLAR / PIT
TRAFFIC LIGHT	TRAFFIC LIGHT
SIGN / BUS SIGN	SIGN / BUS SIGN
LITTER BIN	LITTER BIN
MAIL BOX / SIGNAL BOX	MAIL BOX / SIGNAL BOX
TICKET MACHINE	TICKET MACHINE
POST / BOLLARD	POST / BOLLARD
WATER SV / FP	WATER SV / FP
STORMWATER WHOLE	STORMWATER WHOLE
SEP / GRATING	SEP / GRATING
TEL COMM. PILLAR / PIT	TEL COMM. PILLAR / PIT
TRAFFIC LIGHT	TRAFFIC LIGHT
SIGN / BUS SIGN	SIGN / BUS SIGN
LITTER BIN	LITTER BIN
MAIL BOX / SIGNAL BOX	MAIL BOX / SIGNAL BOX
TICKET MACHINE	TICKET MACHINE
POST / BOLLARD	POST / BOLLARD
WATER SV / FP	WATER SV / FP
STORMWATER WHOLE	STORMWATER WHOLE
SEP / GRATING	SEP / GRATING
PSM	PSM
PEG / TBM	PEG / TBM
SURVEY MARKS	SURVEY MARKS
BOREHOLE	BOREHOLE
POWER / LIGHT POLE	POWER / LIGHT POLE
CABLE MARKER	CABLE MARKER
STONE / WOODEN POLE	STONE / WOODEN POLE
POST / BOLLARD	POST / BOLLARD
WATER SV / FP	WATER SV / FP
STORMWATER WHOLE	STORMWATER WHOLE
SEP / GRATING	SEP / GRATING
EDGE OF VEGETATION	EDGE OF VEGETATION
ROAD SIGN / HOARD	ROAD SIGN / HOARD
TREE / SHRUB	TREE / SHRUB
PROBABLE REGULATED / SIGNIFICANT TREE by measurement only (trunk greater than 2.0m circumference). Professional advice from council / arborist required.	PROBABLE REGULATED / SIGNIFICANT TREE by measurement only (trunk greater than 2.0m circumference). Professional advice from council / arborist required.
BOUNDARY LINE	BOUNDARY LINE
EASEMENT	EASEMENT
FENCE	FENCE
GATE	GATE
BOTTOM OF BANK	BOTTOM OF BANK
TOP OF BANK	TOP OF BANK
CHANGE OF GRADE	CHANGE OF GRADE
DRAIN	DRAIN
SEWER PIPE UG	SEWER PIPE UG
TEL COMM. UG	TEL COMM. UG
WATER PIPE UG	WATER PIPE UG
BUILDING	BUILDING
WALL	WALL
GI BUILDING	GI BUILDING
CONCRETE	CONCRETE
FENCE	FENCE
GATE	GATE

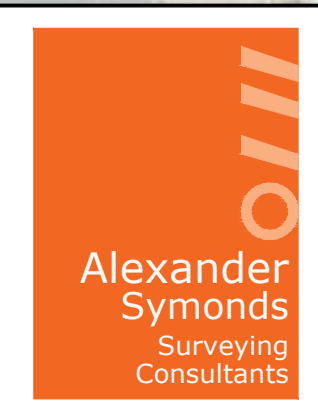
COORDINATE SYSTEM	
VERTICAL:	AHD
HORIZONTAL:	GROUND PLANE ORIENTED TO: MGA 2020 ZONE 54
SCALE: GROUND	(CSF = 1.00019078)
ADOPTED STATION & AUTHORITY	
PSM 6628/11600	RL: 33.138 SDB
PSM 6628/11600	E: 279877.275 SDB
	N: 6129848.857 SDB
SDB denotes SA Government survey data base values	

0 2 4 8 12 16 20 m	
ALEXANDER & SYMONDS PTY. LTD.	
1:200 ORIGINAL SHEET SIZE A1	
CONTOUR INTERVAL: 0.2m	
SURVEY:	MJB JAN 2021
DRAWN:	MRE 1/02/2021
CHECKED:	BAC 02/02/2021

Alexander & Symonds Pty Ltd
 11 King William Street Kent Town,
 South Australia 5067
 PO Box 1000 Kent Town, SA 5071
 ABN 93007 753 988

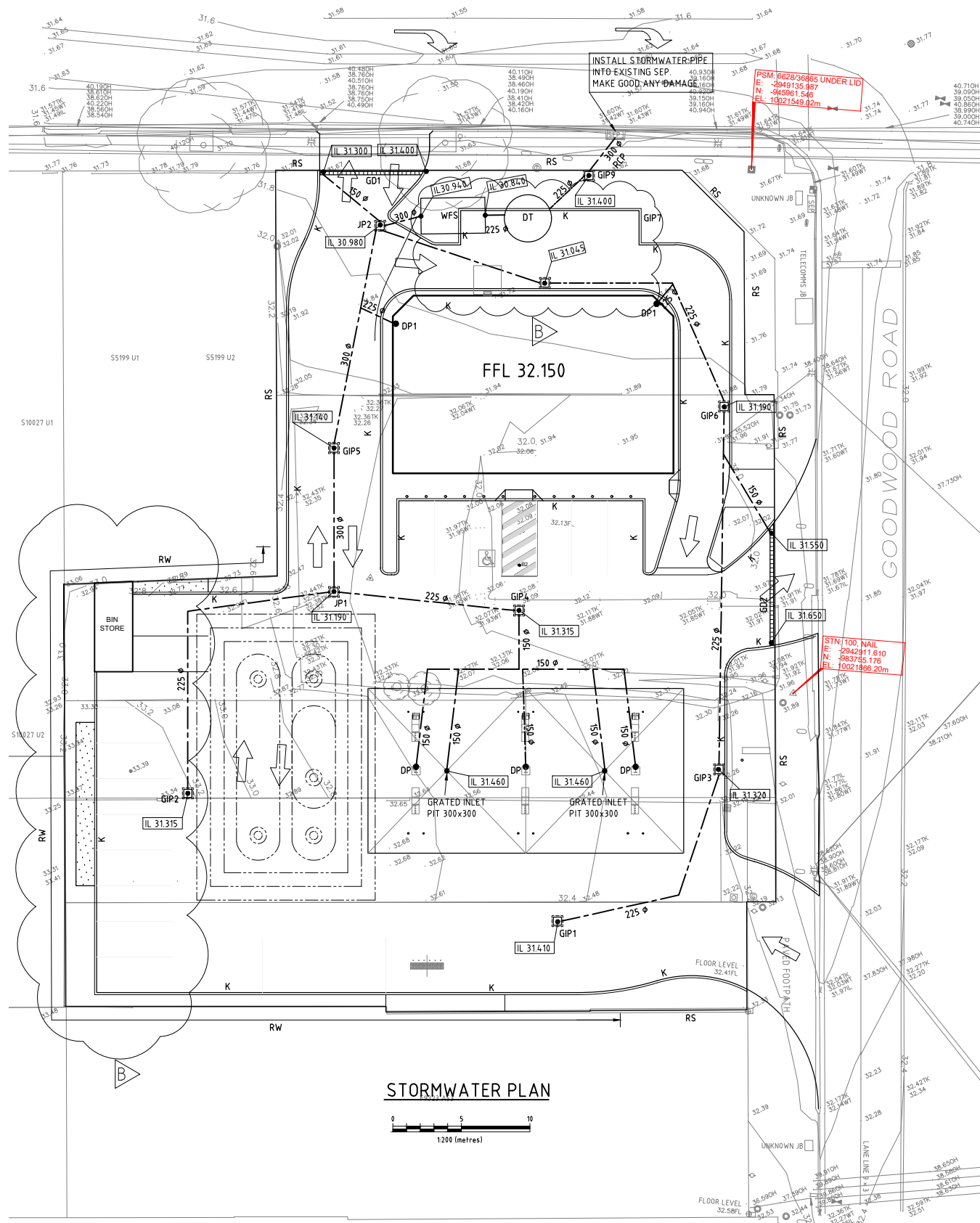
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 E adeelaide@alexander.com.au

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 + Construction + Mining +
 + Spatial Information Management +



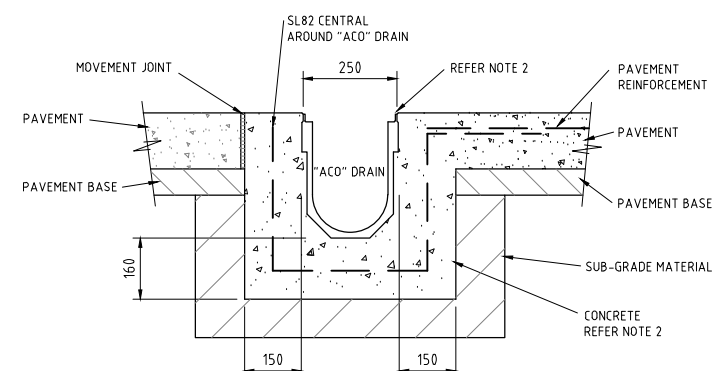
DETAIL AND LEVEL SURVEY	
80-92 GOODWOOD ROAD	
GOODWOOD	
DRAWING No.	21A0200_DET(0)_20P
SHEET 1 OF 1	REVISION 0

APPENDIX 3. STORMWATER AND CIVIL PLANS



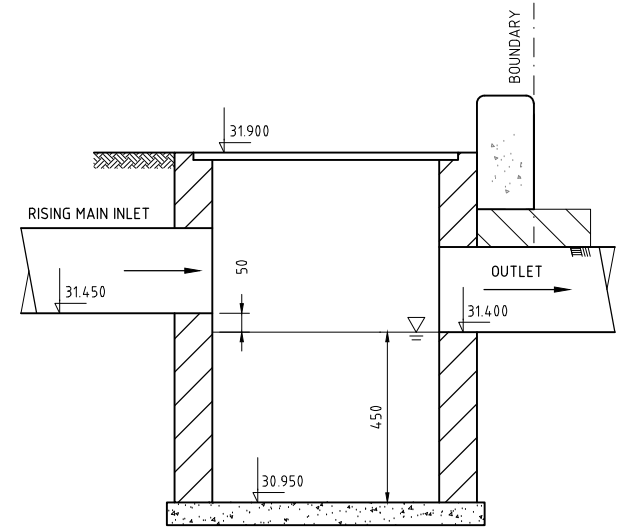
STORMWATER PLAN
 0 5 10
 1200 (metres)

PIT No.	SIZE (INTERNAL)	TOP R.L.	INVERT R.L.	COVER TYPE
GIP1	600 x 600	31.875	IL 31.410	CLASS D CAST IRON FRAME AND GRATE
GIP2	600 x 600	31.800	IL 31.315	CLASS D CAST IRON FRAME AND GRATE
GIP3	600 x 600	31.900	IL 31.320	CLASS D CAST IRON FRAME AND GRATE
GIP4	600 x 600	31.800	IL 31.315	CLASS D CAST IRON FRAME AND GRATE
GIP5	600 x 600	31.875	IL 31.140	CLASS D CAST IRON FRAME AND COVER
GIP6	600 x 600	31.900	IL 31.190	CLASS D CAST IRON FRAME AND COVER
GIP7	600 x 600	31.900	IL 31.045	CLASS D CAST IRON FRAME AND COVER
GIP8	OMITTED			
GIP9	600 x 600	31.900	X IL 31.400	CLASS D CAST IRON FRAME AND COVER
JP1	600 x 600	31.980	X IL 31.190	CLASS D CAST IRON FRAME AND COVER
JP2	900 x 900	31.750	X IL 30.980	CLASS D CAST IRON FRAME AND COVER



"ACO" S200K DRAIN INSTALLATION DETAIL

- NOTES:**
1. CONCRETE STRENGTH N32. VIBRATE CONCRETE TO ELIMINATE AIR POCKETS.
 2. THE FINISHED LEVEL OF THE CONCRETE SURROUND MUST BE APPROXIMATELY 3mm ABOVE THE TOP OF THE CHANNEL EDGE.
 3. ALL MATERIALS AND COMPONENTS WITHIN THE SCOPE OF THIS SYSTEM SHALL BE OBTAINED FROM "ACO" AND THE WORK CARRIED OUT AS DETAILED ON THE DRAWING.
 4. INSTALL DRAIN IN ACCORDANCE WITH THE MANUFACTURER'S PRINTED INSTRUCTIONS.



STORMWATER GRATED INLET PIT - GIP9

BULK EXCAVATION AND PAVEMENT NOTES

1. AFTER BULK EXCAVATION HAS BEEN COMPLETED THE FORMED SURFACE SHALL BE PROOF ROLLED AND TESTED IN ACCORDANCE WITH THE SPECIFICATION. AFTER TOPSOIL STRIP IN FILL ZONES HAS BEEN COMPLETED THE SURFACE SHALL BE PROOF ROLLED AND TESTED IN ACCORDANCE WITH THE SPECIFICATION.
2. ANY SOFT, WET OR UNSUITABLE SUBGRADE MATERIALS, AS DEFINED IN THE SPECIFICATION, SHALL BE REMOVED AND REPLACED WITH AN APPROVED MATERIAL.
3. ALL SURPLUS EXCAVATED MATERIALS (EXCLUDING TOPSOIL) SHALL BE REMOVED FROM THE SITE AT THE BUILDER'S EXPENSE TO A PLACE OF LEGAL DISPOSAL UNLESS DIRECTED OTHERWISE BY THE PROJECT MANAGER.
4. EXCAVATED MATERIAL WHICH CONFORMS WITH THE SPECIFICATION REQUIREMENTS FOR CLAY FILL MAY BE USED AS FILL REFER SPECIFICATION.
5. APPROVED FILL MATERIALS SHALL BE PLACED IN UNIFORM LAYERS, COMPACTED, TESTED AND PROOF ROLLED IN ACCORDANCE WITH THE SPECIFICATION. THE FINISHED EARTHWORKS LEVEL SHALL BE PROOF ROLLED AND TESTED AS SPECIFIED PRIOR TO PAVEMENT CONSTRUCTION.
6. DURING CONSTRUCTION THE BUILDER SHALL BE RESPONSIBLE FOR CONSTRUCTING AND MAINTAINING A TEMPORARY SITE DRAINAGE SYSTEM AND TO MAINTAIN THE SITE IN A DRY AND STABLE CONDITION. DETAILS OF THE DRAINAGE SYSTEM SHALL BE TO THE APPROVAL OF THE PROJECT MANAGER.
7. AT A SLOPE OF 1 IN 4 (CUT AND FILL), TEMPORARY CONSTRUCTION BATTERS SHALL BE LIMITED TO 1 IN 2. STEEPER SLOPES SHALL NOT BE CONSTRUCTED UNLESS APPROVED BY THE PROJECT MANAGER. STABILISATION AND EROSION PROTECTION SHALL BE PROVIDED AS DIRECTED BY THE PROJECT MANAGER, AT THE BUILDER'S EXPENSE. THE BUILDER SHALL BE RESPONSIBLE FOR THE STABILITY OF HIS TEMPORARY WORKS.
8. ALL UNDERGROUND SERVICES SHALL BE LAID PRIOR TO FINAL SEALING OF PAVEMENTS.
9. REFER ARCHITECT'S DRAWING FOR PAVEMENT LINEMARKING AND KERB SETOUT.

NOTE:
 BEFORE STARTING ANY PAVEMENT AND BUILDING WORKS, ENSURE THE SUB-GRADE COMPACTION IS AS REQUIRED IN THE STRUCTURAL AND CIVIL SPECIFICATIONS. PROOF ROLLING AND OR COMPACTION TESTS SHALL BE CARRIED OUT.

LEGEND

- EXISTING SPOT LEVEL
- INVERT LEVEL GD OR STORMWATER PIPE
- CONCRETE KERB 100 HEIGHT
- CONCRETE RETAINING STRIP
- VARIABLE HEIGHT CONCRETE KERB. HEIGHT VARIES 0 TO 100
- CONCRETE KERB 100 HEIGHT ON TOP OF PAVEMENT
- CONCRETE BUND. REFER TYPICAL DETAIL ON C02 DRAWING.
- STORMWATER PIPE
- BOLLARD REFER ARCH. DRAWINGS
- DOWNPIPE - 100 PVC DW/56 MIN. AT 1.0% MIN. OR DP SIZE FOR CONNECTION TO DRAIN U.N.O.
- DOWNPIPE - 150 PVC DW/56 MIN. AT 1.0% MIN. OR DP SIZE FOR CONNECTION TO DRAIN U.N.O.
- SPOON DRAIN
- GRATED INLET PIT
- JUNCTION PIT
- "ACO" S200K POWER DRAIN STEPPED CHANNELS WITH CLASS C DUCTILE IRON INTERCEPT GRATES WITH ANTI-SHUNT LUGS AND POWERLOK BOLTLESS LOCKING SYSTEM, OR APPROVED EQUIVALENT.

NOTES

- STORMWATER DRAINAGE**
1. ALL PIPEWORK TO BE CLASS DWV WITH SOLVENT WELDED JOINTS U.N.O.
 2. GIP = REINFORCED CONCRETE PIT WITH CAST IRON GRATE AND FRAME. REFER TO PIT SCHEDULE.
 - JP = REINFORCED CONCRETE PIT WITH CAST IRON GRATE AND COVER. REFER TO PIT SCHEDULE.

FOR PAVEMENT NOTES REFER DRG. C02

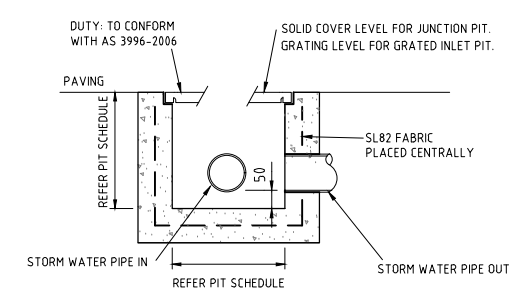
WFS = WASTE WATER FILTRATION SYSTEM

P.050.S.C12C
 SPEL PURACECTOR CLASS ONE FULL RETENTION OIL SEPARATOR WITH ALARM. ADDITIONAL RETENTION 10,000 LITRES.

INLET 30.940
 OUTLET 30.840

DT/PS = STORMWATER DETENTION TANK/PUMPING STATION

23 M² EFFECTIVE DETENTION FROM THE INVERT LEVEL OF THE INLET PIPE.
 PUMPING DESIGN BASED ON 2 No. PUMPS WITH DISCHARGE = 34.00 L/S EACH.
 USE 2 No. PUMPS IN CASE OF A PUMP FAILURE.
 NOTE: DISCHARGE IS A SPLIT SYSTEM.

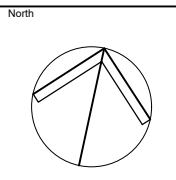


- NOTES (FOR PRECAST UNITS)**
1. PENETRATION FOR PIPES SHALL BE APPROX 50 GREATER THAN THE O/D OF PIPE.
 2. PIPES SHALL BE FINISHED FLUSH WITH THE INTERNAL FACE OF THE SUMP.
 3. A STIFF MORTAR MIX SHALL BE PACKED INTO THE SPACE FROM BOTH SIDES OF STRUCTURE.
 4. THE INTERNAL FACE SHALL BE FINISHED SMOOTH AND A 150 THICK BAND OF CONCRETE SHALL BE POURED OUTSIDE THE SUMP TO SEAL THE PENETRATION.

STORMWATER GRATED INLET PIT - GIP
STORMWATER JUNCTION PIT - JP

DO NOT SCALE FOR INFORMATION

Issue	Description	Date	Drawn	Chkd
B	REVISED AS PER THE LATEST ARCH	23.09.21	JK	RGS
A	ISSUED FOR INFORMATION	16.03.21	CPS	RGS



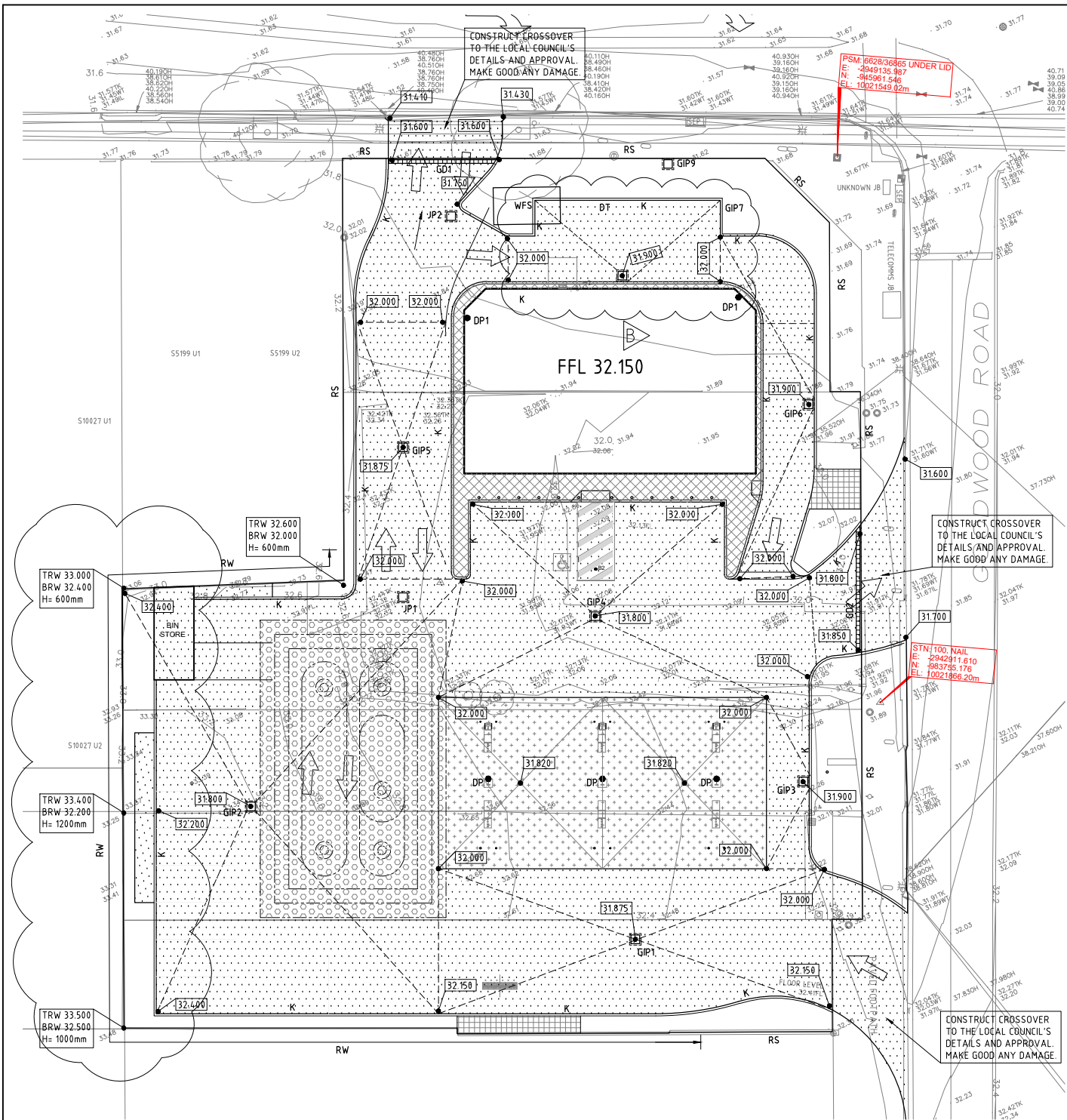
Client: **ANDRASH**

Architect: **HODGE COLLARD PRESTON**

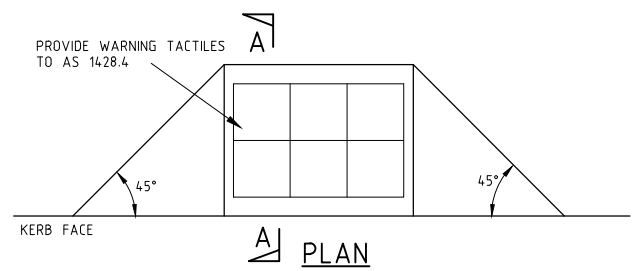
SAGERO
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Project: **X-CONVENIENCE**
80-94 GOODWOOD ROAD
GOODWOOD SA

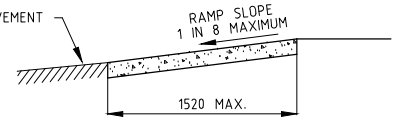
Drawing Title				
STORMWATER PLAN				
NOTES, LEGEND AND SCHEDULE				
Drawn	CPS	Scale	1:200 AND AS NOTED	Date
Designed	RGS	Project No.	SA2000953	Issue
		Dwg. No.	C01	B



GRADING PLAN
1:200 (metres)

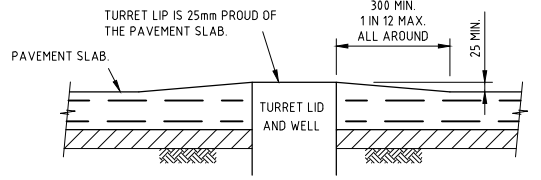
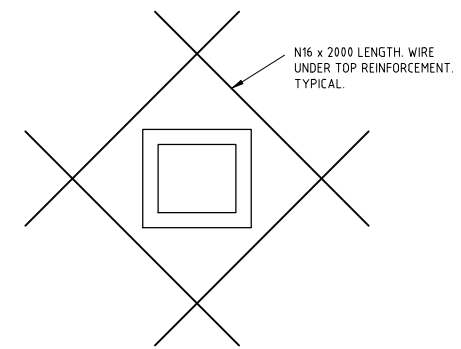


SECTION A-A

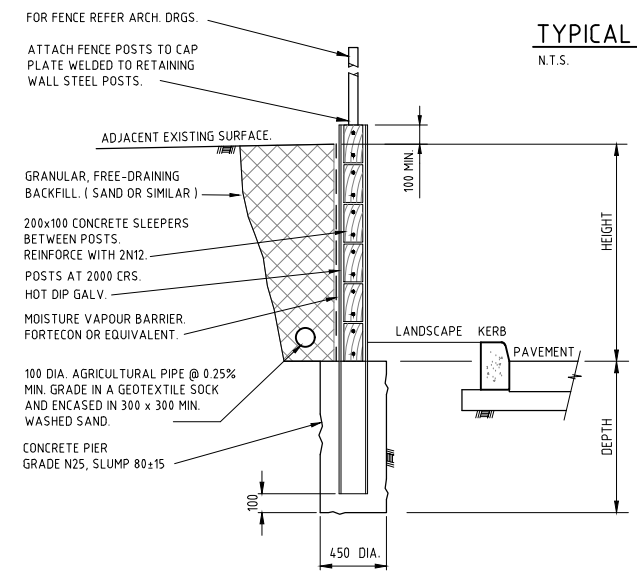


- NOTES**
1. SURFACE TEXTURE OF RAMP TO BE NON-SLIP TYPE.
 2. ORIENTATION OF RAMP IS TO GENERALLY BE PERPENDICULAR TO KERB ALIGNMENT.

RAMP DETAIL



TYPICAL DETAIL AT WELLS, TURRET LIDS AND PITS
N.T.S.



RETAINING WALL DETAIL - RW

RETAINING WALL SCHEDULE			
HEIGHT	DEPTH	POST	PIER DIA.
600	1000	150 UB 18	450
800	1200	150 UB 18	450
1000	1500	150 UB 18	450
1200	1700	150 UB 18	450
1400	2000	150 UB 18	450

CONCRETE PAVEMENT NOTES

1. ALL WORKMANSHIP AND MATERIALS SHALL BE GENERALLY IN ACCORDANCE WITH THE SPECIFICATION.
2. REINFORCEMENT IS REPRESENTED DIAGRAMMATICALLY AND NOT NECESSARILY SHOWN IN TRUE PROJECTION.
3. ALL FABRIC LAPS SHALL BE FULL STRENGTH TO AS3600.
4. WELDING OF REINFORCEMENT IS NOT PERMITTED WITHOUT THE APPROVAL OF THE PROJECT MANAGER.
5. ALL REINFORCEMENT SHALL BE SECURELY SUPPORTED IN ITS CORRECT POSITION DURING CONCRETING BY APPROVED BAR-CHAIR, SPACERS OR SUPPORT BARS.
6. REINFORCEMENT FABRIC SHALL BE IN ACCORDANCE WITH AS1304.
7. CONCRETE STRENGTH SHALL BE AS FOLLOWS UNLESS NOTED OTHERWISE AND SHALL BE SUPPLIED IN ACCORDANCE WITH AS1379 (READY MIXED CONCRETE) - CONCRETE VEHICULAR PAVEMENTS 32 MPa (28 DAY COMPRESSIVE STRENGTH) - ELSEWHERE 25 MPa (28 DAY COMPRESSIVE STRENGTH)
8. DETAILS OF CONCRETE MIX, AGGREGATE SIZE AND COLOUR, METHOD OF CURING AND FINISH ARE TO BE SUBMITTED TO THE PROJECT MANAGER FOR APPROVAL BEFORE
9. PROVIDE ISOLATION JOINTS TO THE PERIMETER OF ALL PIT LIDS AND VALVE COVERS COMMENCING CONCRETE WORKS.

LEGEND

- +3.78 EXISTING SPOT LEVEL
- 6.100 DESIGN LEVEL - FINISHED SURFACE
- TW 6.050 DESIGN LEVEL - TOP OF "RS" OR "RW"
- TL 5.880 DESIGN LEVEL - TOP OF TURRET
- K CONCRETE KERB 100 HEIGHT
- RS CONCRETE RETAINING STRIP
- B BOLLARD REFER ARCH. DRAWINGS
- LM LINE MARKING

NOTES

- SET-OUT AND GRADING**
1. REFER TO ARCHITECTS DRAWINGS FOR SETOUT.
 2. GRADE EVENLY BETWEEN DESIGN SPOT LEVELS.

PAVEMENT LEGEND

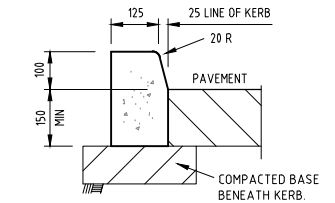
- CONCRETE PAVING AND DRIVEWAYS**
160mm THICK SLAB WITH SL92T (40 TOP COVER) GRADE N32 CONCRETE 100mm PM2/20GG COMPACTED TO 95% MDD COMPACTED SUB-GRADE JOINTS AS SHOWN
- CONCRETE PAVING UNDER COVER**
160mm THICK SLAB WITH SL92T (40 TOP COVER) 100mm PM2/20GG COMPACTED TO 95% MDD COMPACTED SUB-GRADE JOINTS AS SHOWN BLACK OXIDE FINISH - REFER SPECIFICATION
- CONCRETE PAVING ABOVE TANKS**
200mm THICK SLAB WITH SL92T&B (40 TOP COVER) GRADE N32 CONCRETE 100mm PM2/20GG COMPACTED TO 95% MDD COMPACTED SUB-GRADE JOINTS AS SHOWN
- CONCRETE PEDESTRIAN PAVING**
100mm THICK SLAB WITH SL72T (40 TOP COVER) GRADE N20 CONCRETE 50mm THICK SAND BASE COMPACTED SUB-GRADE TOOLED JOINTS AT 1200mm MAX. CENTRES EXPANSION JOINTS AT 4800mm MAX. CENTRES

CONCRETE FINISH NOTES

1. ALL KERBS, RETAINING STRIPS AND RETAINING WALLS TO HAVE BLACK OXIDE FINISH ON EXPOSED SURFACES.

FOR BULK EXCAVATION NOTES REFER DRG. C01

FOR SIGNS REFER OTHER CIVIL DRAWINGS

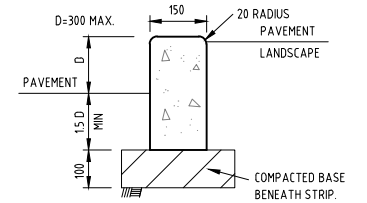


100 mm KERB (K)
SCALE 1:10

FORM JOINTS AT MAX. 2.4m CTS. SEE AS 2876

SHRINKAGE CONTROL JOINTS: (EVERY 2.4M.)
50% OF THE AREA OF THE SECTION SHALL BE CUT. THE RESULTANT SLOT IN THE SECTION SHALL BE TOOLED TO A DEPTH OF NOT LESS THAN 20MM, TO PRODUCE A NEAT GROOVE OF NOT LESS THAN 5MM IN WIDTH.

EXPANSION JOINTS: (EVERY 24.0M.)
SHALL BE 15MM WIDE AND FILLED WITH AN APPROVED PRESHAPED FILLER, WHICH SHALL EXTEND FOR THE FULL WIDTH AND DEPTH OF THE EDGING.



RETAINING STRIP
SCALE 1:10

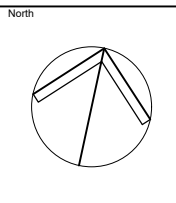
FORM JOINTS AT MAX. 2.4m CTS. SEE AS 2876

SHRINKAGE CONTROL JOINTS: (EVERY 2.4M.)
50% OF THE AREA OF THE SECTION SHALL BE CUT. THE RESULTANT SLOT IN THE SECTION SHALL BE TOOLED TO A DEPTH OF NOT LESS THAN 20MM, TO PRODUCE A NEAT GROOVE OF NOT LESS THAN 5MM IN WIDTH.

EXPANSION JOINTS: (EVERY 24.0M.)
SHALL BE 15MM WIDE AND FILLED WITH AN APPROVED PRESHAPED FILLER, WHICH SHALL EXTEND FOR THE FULL WIDTH AND DEPTH OF THE EDGING.

DO NOT SCALE FOR INFORMATION

Issue	Description	Date	Drawn	Chkd
B	REVISED AS PER THE LATEST ARCH	23.09.21	JK	RGS
A	ISSUED FOR INFORMATION	16.03.21	CPS	RGS



Client: **ANDRASH**

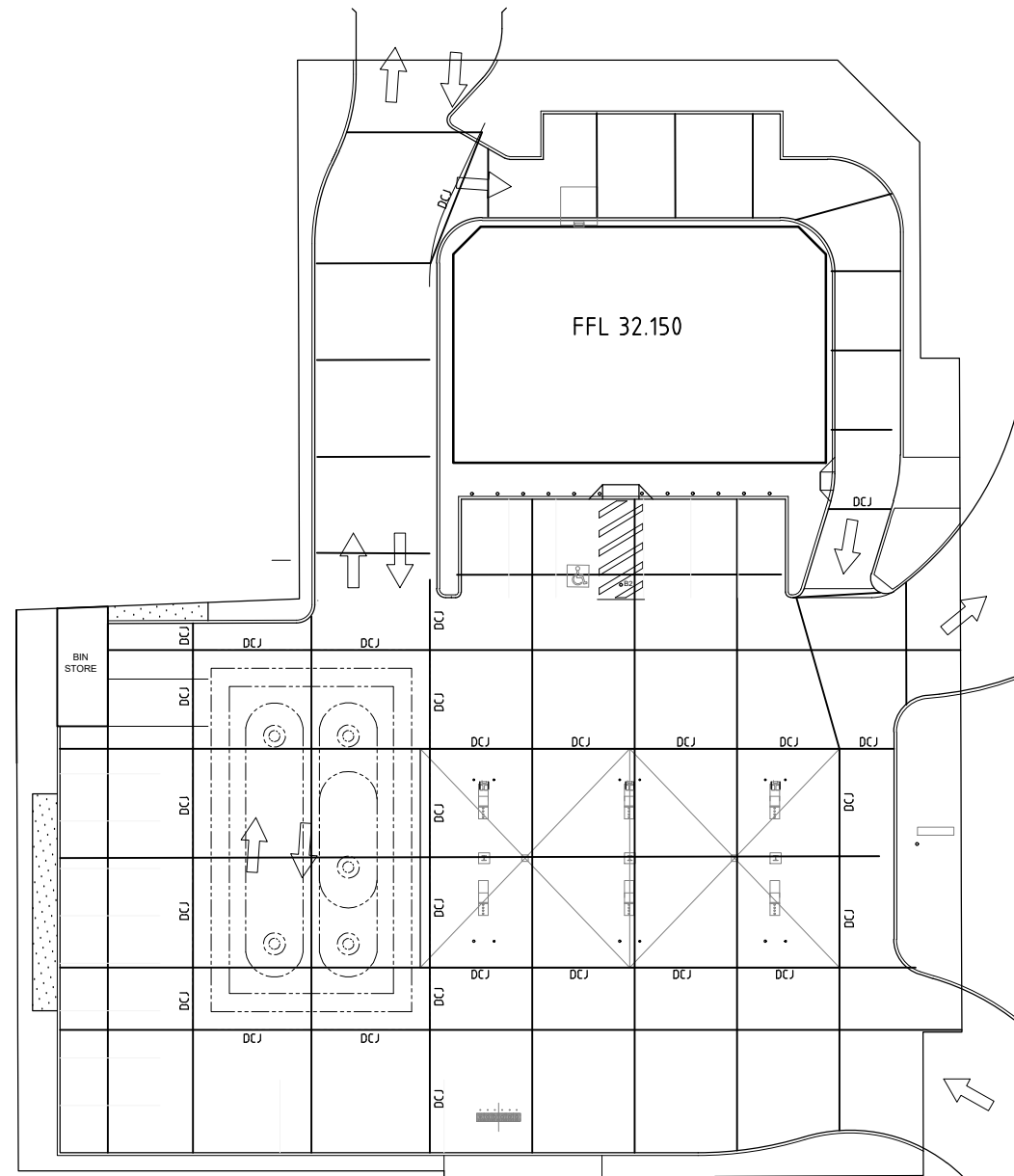
Architect: **HODGE COLLARD PRESTON**

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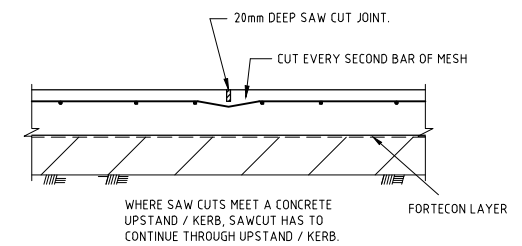
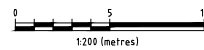
X-CONVENIENCE
80-94 GOODWOOD ROAD
GOODWOOD SA

Drawing Title: GRADING PLAN AND DETAILS				
Drawn	Scale	A1	Q.A. Check	Date
CPS	MARCH 2021	1:200 AND AS NOTED		
Designed	Project No.	Dwg. No.	Issue	
RGS	SA2000954	C02	B	

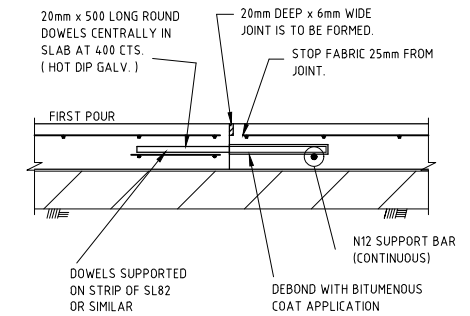
JOINTS NOT NOTED "DCJ" ARE "SCJ"



CONCRETE JOINTS PLAN



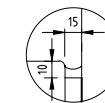
SAW CUT JOINT (SCJ)



DOWELLED CONSTRUCTION JOINT (DCJ)

NOTES

1. THE DOWEL BARS ARE TO BE HELD HORIZONTAL & PERPENDICULAR TO THE JOINT DURING THE CONCRETE POUR.
2. THE JOINTS ARE TO BE "SAW-CUT" WITHIN 45 MINUTES OF FINISHER'S FINAL PASS.
3. ALLOW 48 HOURS BETWEEN ADJACENT SLAB POURS.



ABUTTING STRUCTURE

E.G. BUILDINGS, COLUMNS, STEPS, SUMPS, MANHOLES, PITS, DOWNPIPES, GULLY TRAPS ETC.

TYPICAL MOVEMENT JOINT DETAIL

NOT TO SCALE

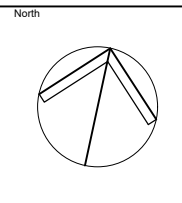
TYPICAL SLAB JOINT DETAILS

1. THE JOINT SHALL BE PROTECTED WITH TAPE UNTIL IT IS SEALED.
2. THE JOINT IS TO BE PREPARED, PRIMED AND SEALED WITH FUEL RESISTANT SEALANT IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, NO EARLIER THAN 30 DAYS AFTER THE CONCRETE IS POURED.

DO NOT SCALE

FOR INFORMATION

Issue	Description	Date	Drawn	Chkd
B	REVISED AS PER THE LATEST ARCH	23.09.21	JK	RGS
A	ISSUED FOR INFORMATION	16.03.21	CPS	RGS



Client
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Architect
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Project
**X-CONVENIENCE
80-94 GOODWOOD ROAD
GOODWOOD SA**

CONCRETE JOINTS PLAN AND DETAILS				
Drawn	Project No.	Scale	A1	Date
CPS	SA20009	1:200 AND AS NOTED		MARCH 2021
Designed	Project No.	Dwg. No.	Issue	
RGS	SA20009	55 C03	B	




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Quality and Safety are SWAP'n'GO Priorities

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- GUARANTEED current test date

Swap Any Brand Bottle

- 1 Take your empty bottle to the cashier for checking
- 2 Once checked simply swap your old empty bottle for a full one
- 3 If you don't have a bottle you can purchase one here
- 4 You can also upgrade your smaller bottle to a larger one

Gas Bottle Suitability
All gas bottles must meet certain safety standards. If yours does not meet these standards, you will be charged the purchase bottle rate.

SWAP'n'GO PRICE LIST	Small 2.1kg	Medium 3.5kg	Large 6.8kg
Large (6.8kg) swap only			\$10.95
Large (6.8kg) purchase (including gas)			\$20.95
Medium (3.5kg) swap only			\$10.95
Medium (3.5kg) purchase (including gas)			\$20.95
Upgrade Medium to Large (including gas)			\$10.95



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PARTY
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APPENDIX 4. TRAFFIC AND PARKING REPORT

**X-CONVENIENCE PETROL STATION
80-94 GOODWOOD ROAD, GOODWOOD**
TRAFFIC AND PARKING REPORT

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DOCUMENT CONTROL

Report title: X-Convenience Petrol Station, 80-94 Goodwood Road, Goodwood
Traffic and Parking report

Project number: 20231

Client: ARCQ

Client contact: Cosimo Dichiera

Version	Date	Details/status	Prepared by	Approved by
V1	16 Mar 21	For submission	TAW	BNW
V1.1	24 Sep 21	Revised site plan	TAW	BNW
V1.2	27 Sep 21	Minor adjustment	TAW	BNW

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1. INTRODUCTION

CIRQA has been engaged to provide design and assessment advice for a proposed petrol filling station at 80-94 Goodwood Road, Goodwood. Specifically, CIRQA has been engaged to provide advice in respect to traffic and parking aspects of the proposal.

This report provides a review of the subject site, the proposed development, its access and parking provisions and the associated traffic impact on the adjacent road network. The traffic and parking assessments have been based upon plans prepared by Hodge Collard Preston Architects (project no. 30.20, drawing no. SK06, dated 23 September 2021, refer Appendix A).

2. BACKGROUND

2.1 SUBJECT SITE

The subject site is located on the south-western corner of the Goodwood Road and Leader Street intersection, Goodwood. The site is bound by Leader Street to the north, Goodwood Road to the east, commercial properties to the south and residential dwellings to the west. The City of Unley's Development Plan identifies that the site is located within a Mixed Use 2 Zone.

The subject site comprises six allotments, namely:

- Allotment 101 (80) Goodwood Road, Goodwood (CT 5404/781)
- Allotment 49 (84-88) Goodwood Road, Goodwood (CT 5192/530);
- Allotment 50 (88) Goodwood Road, Goodwood (CT 5512/525);
- Allotment 51 (90) Goodwood Road, Goodwood (CT 5512/524);
- Allotment 52 (92) Goodwood Road, Goodwood (CT6134/259); and
- Allotment 53 (94) Goodwood Road, Goodwood (CT6134/258).

It should be noted that allotment 101 (located directly on south-western corner of the Goodwood Road and Leader Street intersection) is currently vacant while the remaining allotments are all developed.

Vehicle access allotments 50 to 53 is provided via individual crossovers on Goodwood Road (i.e. four individual crossovers), while vehicle access to allotment 49 is provided via a right-of-way over allotment 50. Vehicle access to allotment 101 is provided via a crossover on Leader Street. All crossovers on Goodwood Road are limited to left-in and left-out movements only (due to a raised concrete

central median on Goodwood Road), while all turning movements are accommodated at the Leader Street crossover.

Pedestrian and cyclist access is provided via the site's frontages to Goodwood Road and Leader Street.

2.2 ADJACENT ROAD NETWORK

Goodwood Road is an arterial road under the care and control of the Department for Infrastructure and Transport (DIT). Adjacent the site, Goodwood Road comprises two traffic lanes in each direction separated by a raised central median. On-street parking is permitted outside of clearway restriction times (7:00 am to 10:00 am, Monday to Friday for northbound traffic, and 3:00 pm to 7:00 pm, Monday to Friday for southbound traffic). Paved footpaths are provided on both sides of Goodwood Road, facilitating both pedestrian and bicycle movements. Bicycle movements are also accommodated on-street under a standard shared arrangement. Traffic data obtained from DIT identifies that Goodwood Road has an Annual Average Daily Traffic (AADT) volume of 26,600 vehicles per day (vpd), of which 3.4% are commercial vehicles. A 60 km/h speed limit applies on Goodwood Road adjacent the site.

Leader Street is a collector road under the care and control of the City of Unley. Adjacent the site, Leader Street comprises a single traffic lane in each direction, widening to accommodate a separate left-turn and right-turn lanes on approach to its signalised intersection with Goodwood Road. On-street parking is not permitted on either side of Leader Street (adjacent the site) due to the proximity to the signalised intersection. Paved footpaths are provided on both sides of Leader Street, facilitating both pedestrian and bicycle movements. Bicycle movements are also accommodated on-street under a standard shared arrangement. Traffic data obtained from DIT indicates Leader Street has an AADT of 6,600 vpd, of which 4.7% are commercial vehicles. A 50 km/h default urban speed limit applies on Leader Street.

Goodwood Road and Leader Street intersect at a signalised T-Intersection, at which all turning movements are accommodated. A separated right turn lane has been provided on Goodwood Road, while separate left and right turn lanes are provided on Leader Street. Pedestrian crossing movements are facilitated across the northern Goodwood Road and Leader Street (western) approaches.

Figure 1 illustrates the location of the subject site with respect to the adjacent road network.



Figure 1 – Location of the subject site with respect to the adjacent road network.

2.3 PUBLIC TRANSPORT

Frequent public transport services operate from 'Go Zone' bus stops on both Goodwood Road and Leader Street (within 200 m walking distance from the subject site). Bus routes servicing these stops include:

- Route AO21, AO22 (special service) – Aberfoyle Hub to Adelaide Oval;
- Route G10 – Marion Centre Interchange to Blair Athol;
- Route G10A – Blair Athol to Colonel Light Gardens;
- Route G10C – Marion Centre Interchange to City;
- Route G20, G20F, G21, G21F – Aberfoyle Hub to City;
- Route G30F – Blackwood Interchange to City;
- Route N21 (after midnight Saturday) – City to Aberfoyle Hub;
- Route N10 (after midnight Saturday) – Marion
- Route W90 – Marion Centre Interchange to Paradise Interchange;

- Route W90M – Marion Centre Interchange to Marden;
- Route W91 – St Marys to Marden; and
- Route W91C – St Marys to City.

In addition to the above, tram services operate from the Goodwood Road stop, located within 150 m walking distance from the subject site. Tram routes operating from this stop include:

- ADLOOP – Adelaide Loop;
- FESTVL – Glenelg to Festival Plaza; and
- GLNELG – Glenelg to Royal Adelaide Hospital.

3. PROPOSED DEVELOPMENT

3.1 LAND USE AND YIELD

The proposal comprises the construction of petrol filling station on the subject site. Specifically, the proposed development will comprise the construction of the following components:

- 265 m² of convenience store floor area (and associated drive-through facility); and
- six double-sided bowsers in a 'domino' configuration (i.e. two rows of three bowsers).

3.2 ACCESS AND PARKING DESIGN

The proposed development will be serviced by a total of 18 parking spaces (inclusive of one space reserved exclusively for use by people with disabilities). The parking spaces will comply with the requirements of the Australian/New Zealand Standard for "*Parking Facilities Part 1: Off-street car parking*" (AS/NZS 2890.1:2004) and "*Parking Facilities Part 6: Off-street parking for people with disabilities*" (AS/NZS 2890.6:2009) in that:

- angled parking spaces will be 2.6 m wide and 5.4 m long;
- parallel parking spaces will be at least 2.3 m wide and 6.6 m long;
- disabled parking spaces will be 2.4 m wide and 5.4 m long (with an adjacent shared space of the same dimension);
- an aisle width in excess of 5.8 m will be provided adjacent all parking spaces;
- one-way circulation aisles (i.e. the drive-through) will be in excess of 3.0 m wide;

- two-way circulation aisles will be in excess of 5.5 m wide;
- a clearance of 0.3 m will be provided to solid objects greater than 0.15 m in height; and
- pedestrian sightlines will be provided where an access driveway intersects with a property boundary (for vehicles leaving the site).

Vehicle access to the proposed development will be provided via a total of three crossovers. Specifically, access to the site will be provided as follows:

- a left-in only crossover on Goodwood Road (in the same location as an existing crossover);
- a left-out only crossover on Goodwood Road (a new crossover); and
- an all-movement crossover on Leader Street (in the same location as the existing crossover).

All access points have been located such that in excess of 6.0 m separation will be provided to the tangent point of the adjacent Goodwood Road/Leader Street intersection (as required by AS/NZS 2890.1:2014).

All redundant crossovers on Goodwood Road will be removed and reinstated as Council-standard upright kerb.

3.3 FUEL BOWSER CONFIGURATION

The proposed petrol filling station will comprise six bowsers in a 'domino configuration'. Adequate queuing area will be provided on-site such that two vehicles will be able to store behind a vehicle refuelling at the bowser nearest to the site's Goodwood Road ingress.

A plan illustrating on-site queuing provisions is attached in Appendix B.

3.4 DRIVE-THROUGH FACILITY

The proposal comprises a drive-through facility in associated with the site's convenience store. Information provided by the Client indicates that the drive-through will primarily be associated with coffee sales, with ancillary sales of goods within the convenience store. Critically, the drive-through will not be associated with fast-food sales.

The drive-through has been designed to accommodate a regular B99 design vehicle and will have capacity for four vehicles to be queued behind a vehicle stopped at the collection window (totalling five vehicles). Information obtained

from the Client indicates that such a storage provision is appropriate noting the drive-through's proposed use (i.e. not associated with a fast-food restaurant).

A plan illustrating the drive-through's storage capacity is attached in Appendix C.

3.5 DELIVERIES AND REFUSE COLLECTION

The site has been designed to accommodate commercial vehicles up to 19.0 m in length (such as a Semi-Trailer fuel tanker). Fuel deliveries unloading will occur outside of peak periods associated with the site's operation. Such vehicles will enter and exit the site via Goodwood Road in a forward direction.

A plan illustrating the turn path of a Semi-trailer accessing the subject site is attached in Appendix D.

Access to the site will also be required with rigid commercial vehicles up to 12.5 m in length (such as a Heavy Rigid Vehicle (HRV)). HRV vehicle movements will be associated with deliveries to the retail store (as well as refuse collection) and will occur outside of peak periods associated with the site's operation. All drivers will be able to manoeuvre their vehicle in order to enter and exit the site in a forward direction.

A plan illustrating the turn path of a 12.5 m HRV accessing and manoeuvring within the subject site is attached in Appendix E.

4. PARKING ASSESSMENT

4.1 VEHICLE PARKING

The City of Unley's Development Plan identifies the following vehicle parking requirements relevant to the proposed development:

- **Petrol filling station**
 - 3 spaces per service bay; plus
 - additional parking at the rate applicable to any ancillary land use (shop); and
- **Shop (convenience store)**
 - 7 spaces per 100 m² of gross leasable floor area.

The proposed development does not incorporate service bays. As such, the proposal's theoretical parking requirement has been determined by the convenience store component.

On the basis of the 'shop' rate identified above, the proposed development would have a theoretical requirement for 18.55 parking spaces to be provided on-site. Given that only 18 spaces are provided, the site will (in theory) have a shortfall in the order of 0.55 parking spaces.

However, while the use of the convenience store may be akin to a 'shop', the parking rates applicable to 'shop' uses do not take into account shared trip bases (i.e. such rates only consider a customer accessing the shop). In reality, the far majority of customers who enter the convenience store will be purchasing fuel (solely) or both fuel and additional convenience items.

Noting that customers associated with fuel purchases park their vehicle adjacent to a fuel bowser whilst refuelling (with the vehicle remaining in position until fuel has been purchased), it is therefore considered appropriate to take into consideration 'potential parking spaces' adjacent fuel bowsers (a potential for a further 12 spaces) within the parking assessment.

Taking this into consideration, the proposed development will provide a total of 30 parking opportunities for all customers associated with the convenience store (an additional 11.45 spaces than that required). Such a provision will satisfy the parking requirements of Council's Development Plan.

It should also be noted that the Development Plan's parking rate applicable to 'shop' uses is much higher than typically observed at petrol filling stations (over twice the demand typically observed). In comparison, the Planning and Design Code identifies a parking rate of three (3) spaces per 100 m² of gross floor area for 'retail fuel outlets'. Such a rate is considered to be a more contemporary rate closer reflecting actual demands at modern petrol filling stations.

Should consideration be given to the contemporary Planning and Design Code parking rate, the proposed development would have a theoretical requirement for 7.95 parking spaces (rounded up to eight (8) spaces). If consideration to 'potential parking spaces' is then ignored, the site would again result in a similar number of additional parking spaces being provided across the site (nine (9) spaces).

Regardless of assessment methodology adopted, the proposed on-site parking provision is considered adequate to accommodate parking demands associated with the proposed petrol filling station.

4.2 BICYCLE PARKING

Council's Development Plan identifies the following bicycle parking rate applicable to the proposed development:

- **Shop** (*convenience store*)

- Employee - 1 space per 300 m² of gross leasable floor area; and
- Customer - 1 space per 600 m² of gross leasable floor area.

On the basis of the above rates, the proposed development would have a theoretical requirement for two bicycle parking spaces to be provided. While no bicycle parking spaces are illustrated on the proposed plans, adequate area is available on-site to accommodate the installation of one bicycle rail (capable of accommodating two bicycles). The location of the bicycle rail can be determined during the project's detailed design stage should it be deemed to be required.

5. TRAFFIC ASSESSMENT

5.1 TRAFFIC GENERATION

An update to the RTA Guide's (now the RMS Guide) petrol filling station traffic generation rates was prepared by TEF Consulting and the RMS in 2013. The updated study identified that the previously recommended rates were based on data from 1979 and that the operation and nature of petrol filling stations has changed significantly since that time. Based on detailed statistical analysis, the update report recommended

The updated report recommended the following rates for assessment of traffic generation at petrol stations during the road network peak hours (where X_1 is the total site area in m² and X_2 is the number of service channels):

- am peak hour trips = $0.2815X_2^2 + 14.047X_2 + 16.715$; and
- pm peak hour trips = $0.0205X_1 + 88.52$.

On the basis of the above equations, it is forecast that the petrol filling station will generate 112 am and 143 pm peak hour trips. It should be noted that the above assessment has included the site area associated with the drive-through facility in order to account for vehicle movements related to this component.

In addition, it is commonly accepted that in the order of 70% of vehicle trips associated with petrol filling stations are related to passing trade (i.e. vehicles already on the road network), with the remaining 30% of vehicle trips considered to be additional (new) trips on the adjacent road network. Taking this into consideration, in the order of 78 am and 100 pm trips will be associated with passing trade while the remaining 34 am and 43 pm trips will be associated with additional (new) vehicle movements.

5.2 TRAFFIC DISTRIBUTION

In order to determine the proposed development's resultant impact on the adjacent road network, a high-level traffic distribution has been undertaken. The distribution has been based upon existing traffic volumes on both Goodwood Road and Leader Street adjacent the site. For the purposes of this assessment, it has been assumed that:

- 80% of the site's total forecast trips will use the proposed Goodwood Road access;
- 20% of the site's total forecast trips will use the proposed Leader Street access; and
- 50% of movements will enter and 50% of movements will exit the site during the am and pm peak hours.

On the basis of the above, peak hour traffic volumes have been distributed to/from the adjacent road network via the site's proposed access points. Total traffic volumes forecast to use each to the site's proposed access points during the am (and pm) peak hours are illustrated in Figure 2.

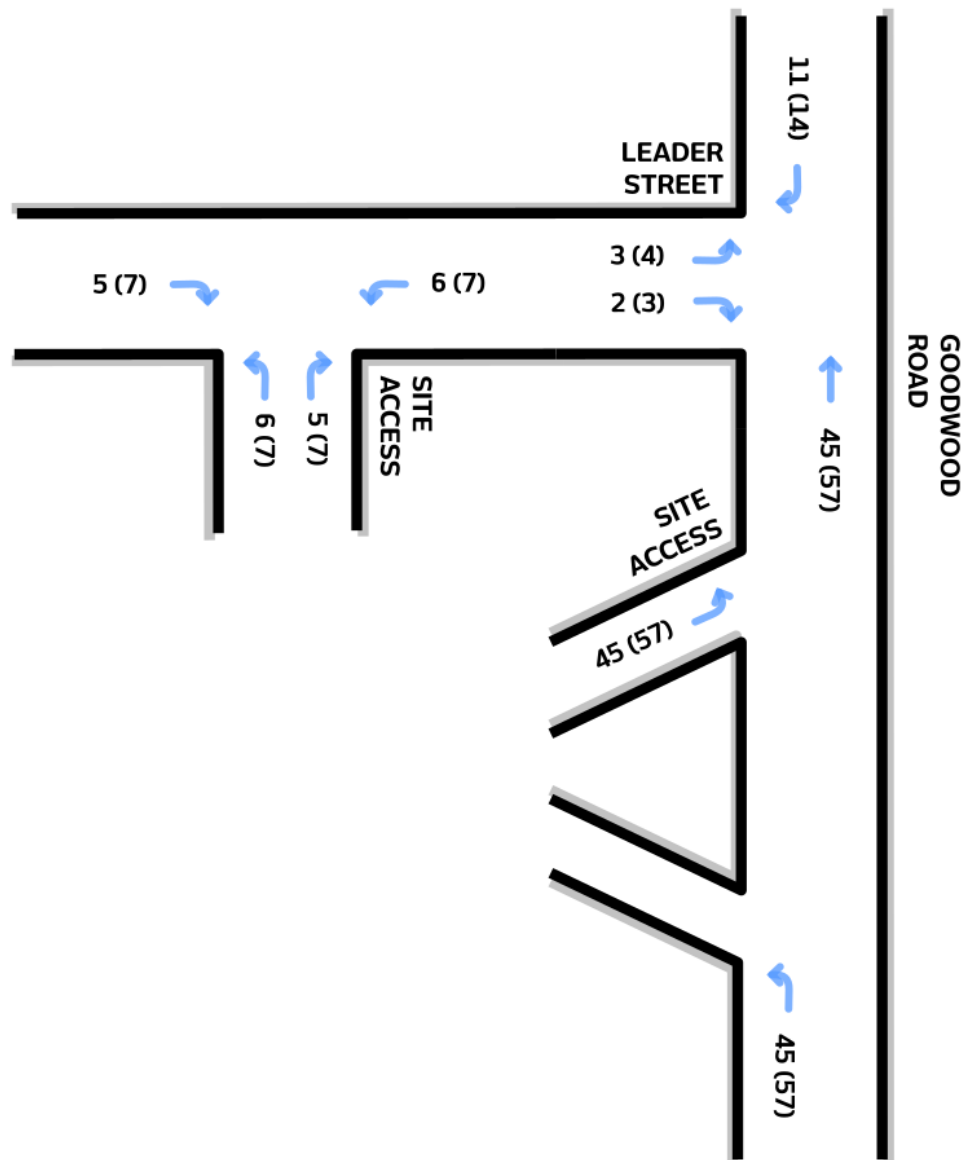


Figure 2 – Total traffic volumes forecast to access the site during the am (and pm) peak hours.

5.3 TRAFFIC IMPACT

As illustrated in Figure 2, the forecast number of vehicles anticipated to use the site’s access points during the am (and pm) peak hours is low, with such volumes being within respective capacities.

Furthermore, noting that in the order of 70% of volumes are expected to be passing trade, the additional number of vehicle movements generated by the proposal (on both Goodwood Road and Leader Street) equates to less than of existing peak hour movements. Accordingly, the additional movements generated by the site will have minimal impact upon the adjoining road network’s operation.

All movements to/from the site via Goodwood Road will be restricted to left-in and left-out movements only (due to the adjacent concrete median). Such movements are associated with relatively low conflict risk. While there will be some slowing of north-bound vehicles travelling behind drivers turning left into the site, drivers will be able to enter the site with relative ease. Accordingly, delays to through-bound drivers would be minimal. Such conditions are typical of petrol filling station access points on arterial roads.

The additional ('new') movements generated by the site will be readily accommodated on the adjacent road network with no change to the nature and function of Goodwood Road or Leader Street.

6. SUMMARY

The proposed development comprises the construction of a petrol filling station at 80-92 Goodwood Road, Goodwood. The site will comprise of a six-bowser petrol filling station and associated convenience store (with ancillary drive-through facility).

Vehicle access will be provided via left-in and left-out crossovers on Goodwood Road and an all-movement crossover Leader Street.

The bowzers have been designed to facilitate a queue of two vehicles on-site behind a vehicle being refuelled, without obstructing access to the site or on-site vehicle circulation. The proposed drive-through will provide adequate storage capacity to accommodate demands envisaged by the Client (based upon data from similar sites).

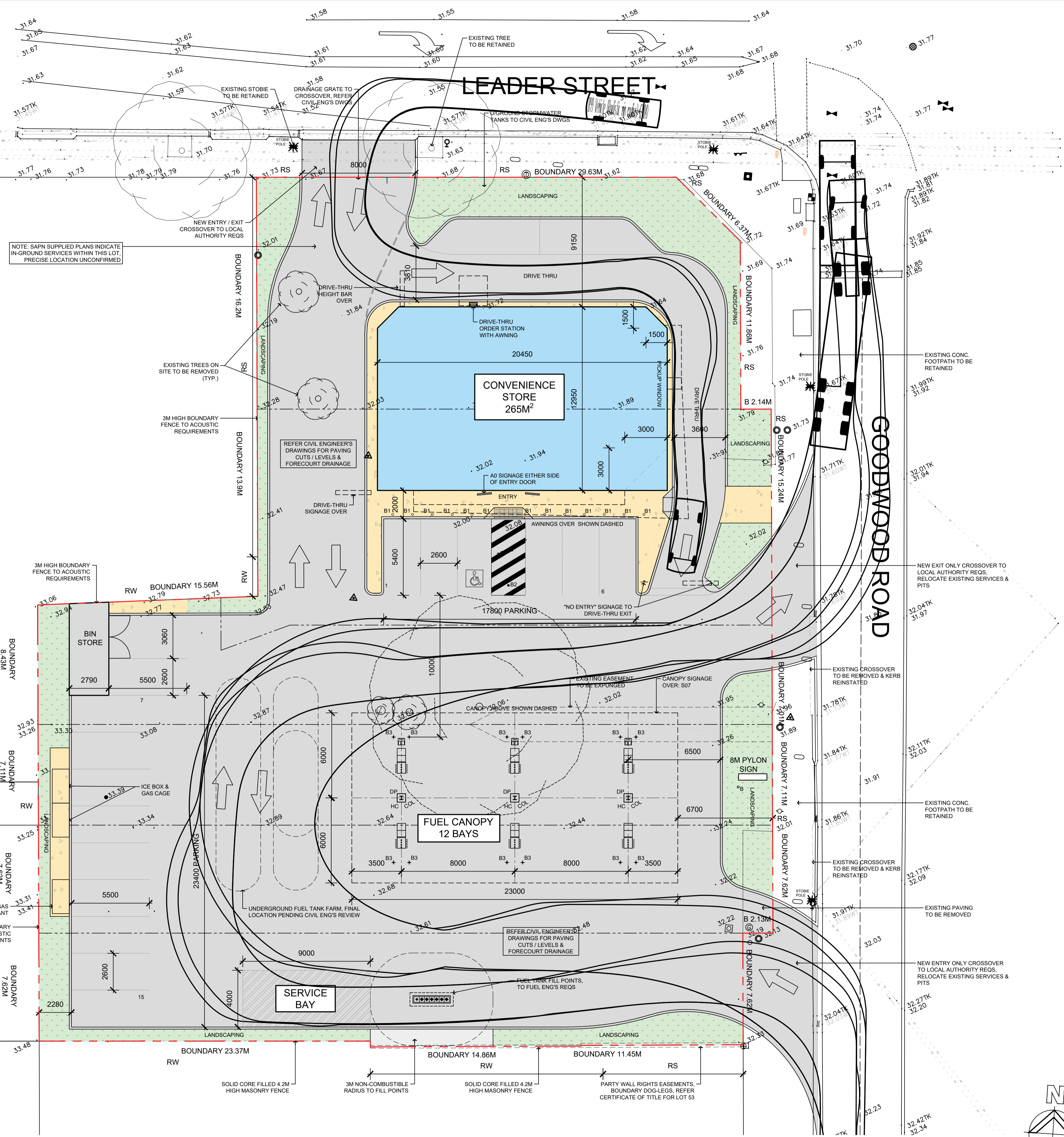
A total of 18 parking spaces will be provided across the site, inclusive of one parking spaces reserved exclusively for use by people with disabilities. Noting that the majority of customers accessing the convenience store will be associated with fuel sales (with their respective vehicles temporarily parked adjacent a fuel bowser), 'potential parking spaces' adjacent fuel bowzers has been considered in this assessment. The total on-site parking provision will therefore satisfy the parking requirements identified by Council's Development Plan.

The proposed development is forecast to generate a 112 am and 143 pm peak hour vehicle movements to/from the subject site (of which 70% will be existing movements on the adjacent road network). Such volumes are considered to be within the capacity of the access points and adjacent road network. The additional movements will be readily accommodated without significant impact on existing traffic conditions.

APPENDIX A

**PLANS PREPARED BY HODGE COLLARD
PRESTON ARCHITECTS**

DATED 23 SEPTEMBER 2021



NOTE: SAPN SUPPLIED PLANS INDICATE IN-GROUND SERVICES WITHIN THIS LOT. PRECISE LOCATION UNCONFIRMED

REFER CIVIL ENGINEER'S DRAWINGS FOR PAVING CUTS / LEVELS & FORECOURT DRAINAGE

REFER CIVIL ENGINEER'S DRAWINGS FOR PAVING CUTS / LEVELS & FORECOURT DRAINAGE

SITE PLAN LEGEND

- COL COLUMN TO ENG'S REQS
- DP DOWNPIPES TO DISCHARGE FROM ROOF / CANOPY BOX GUTTER INTO IN-GROUND STORMWATER SERVICES
- HC HOSE COCK TO HYDRAULIC ENG'S REQS
- B1 SHOPFRONT POST BOLLARD, 100mm DIA, 900mm H, PAINTED WHITE
- B2 SHARED BAY BOLLARD, TO AS1428.1 & AS2890.6 REQS
- B3 CANOPY BOLLARDS, 100mm DIA, 900mm H, PAINTED WHITE
- EXISTING LEVELS, REFER SURVEY
- RS/RW RETAINING STRIP / RETAINING WALL, REFER CIVIL ENGINEER'S DWGS

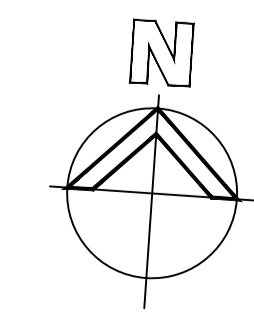
F	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	23.09.2021
E	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	18.08.2021
D	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	25.05.2021
C	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	16.04.2021
B	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	15.04.2021
A	ISSUE FOR DEVELOPMENT APPROVAL	MS	NP	16.03.2021
revision/issue	description	drawn	checked	date

PROPOSED X CONVENIENCE location 80-94 GOODWOOD RD, GOODWOOD SA		drawn MS checked NP	description PROPOSED SITE PLAN
scale 1:150 A1	date 14.01.2021	project no 30.20	dwg no SK06 rev F

Hodge Collard Preston
ARCHITECTS

Third Floor, 38 Richardson Street,
West Perth, WA 6005
PO Box 743, West Perth, WA 6872
Ph: (08) 9322 5144
Fax: (08) 9322 5740
Email: admin@hpcperch.com

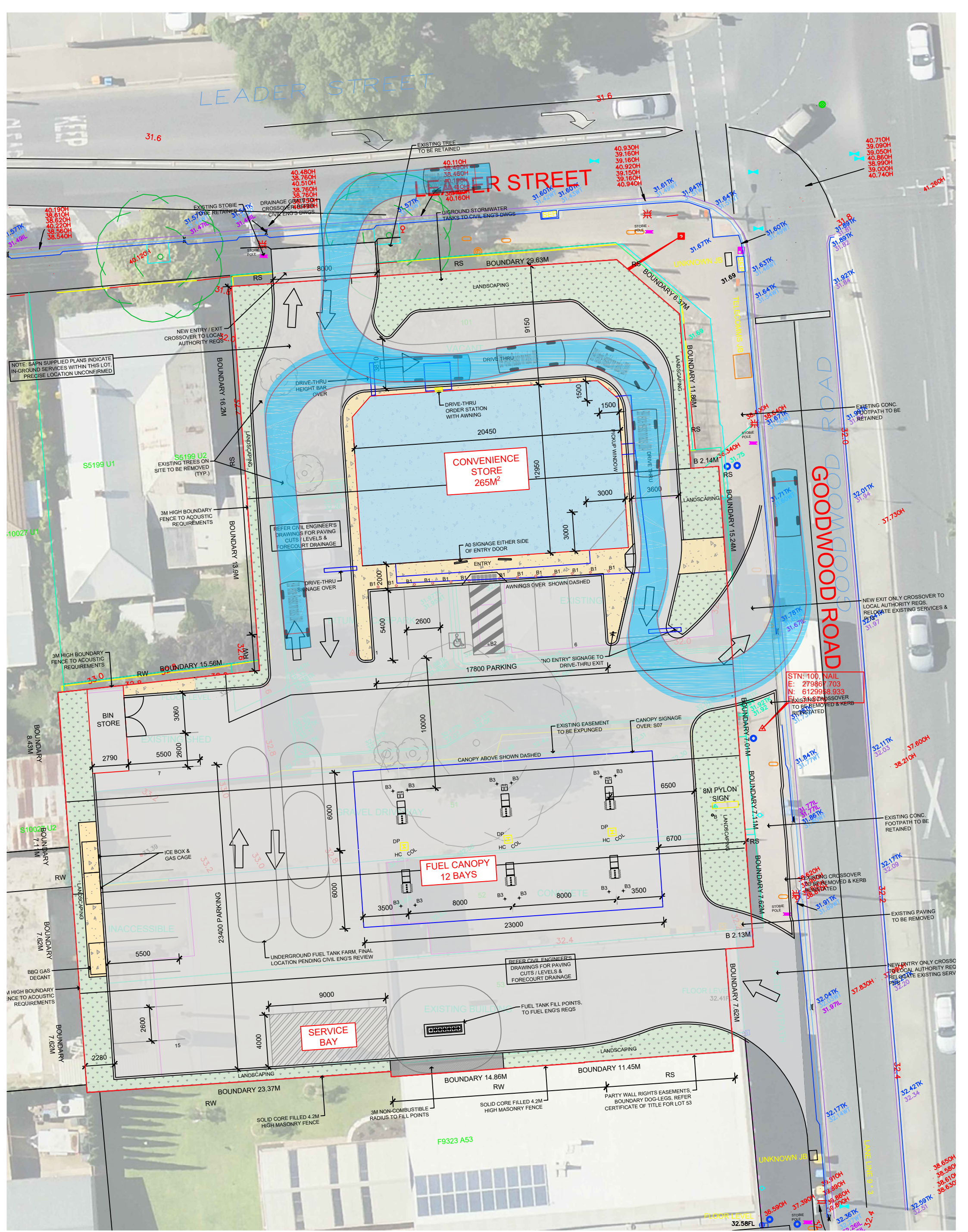
1 SITE PLAN
SCALE: 1:150



APPENDIX B

VEHICLE QUEUING FROM A FUEL BOWSER

APPENDIX C
DRIVE-THROUGH STORAGE CAPACITY



ABN: 12 681 029 983 | PO Box 144, Glenside SA 5065 | E: info@cirqa.com.au

DRAWING AMENDMENTS					
REV	DATE	DESCRIPTION	DWN	CHK	
A	09/02/2021	FOR DISCUSSION	TAW	BNW	

C20231_01C.DWG 24/9/2021 5:28 PM



X-CONVENIENCE GOODWOOD

80-92 GOODWOOD ROAD, GOODWOOD
DRIVE-THROUGH STORAGE (B99)

PROJECT # 20231 SHEET # 01_AppC

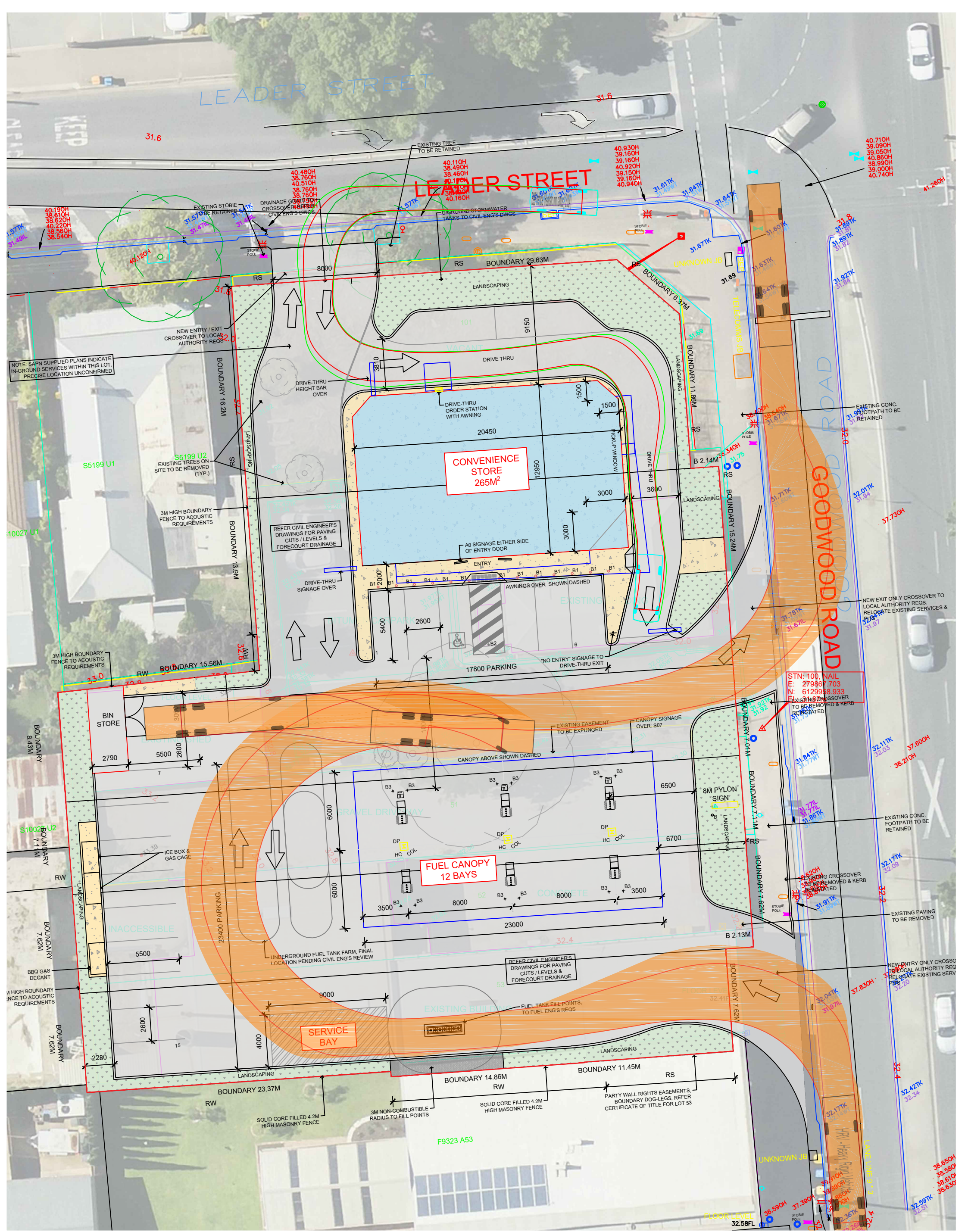
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APPENDIX D

TURN PATH OF A 19.0 M SEMI-TRAILER ACCESSING THE SUBJECT SITE

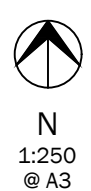
APPENDIX E

TURN PATH OF A 12.5 M HRV ACCESSING THE SUBJECT SITE



ABN: 12 681 029 983 | PO Box 144, Glenside SA 5065 | E: info@cirqa.com.au

DRAWING AMENDMENTS				
REV	DATE	DESCRIPTION	DWN	CHK
A	16/03/2021	FOR SUBMISSION	TAW	BNW
B	24/09/2021	FOR SUBMISSION	TAW	BNW



X-CONVENIENCE GOODWOOD
 80-92 GOODWOOD ROAD, GOODWOOD
 12.5 m HRV ACCESS
 PROJECT # 20231 SHEET # 01_AppE

Document Set ID: 7887177
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APPENDIX 5. ACOUSTIC REPORT

80-92 Goodwood Road X-Convenience

Environmental Noise Assessment

S6822C2

March 2021

sonus.

Jason Turner
Associate
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Sonus Pty Ltd
17 Ruthven Avenue
Adelaide 5000 SA
www.sonus.com.au

Document Title : 80-92 Goodwood Road X-Convenience
Environmental Noise Assessment

Document Reference : S6822C2

Date : March 2021

Prepared By : Stefan John

Reviewed By : Jason Turner, MAAS

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INTRODUCTION

An environmental noise assessment has been made of the proposed service station and drive through facility at 80-92 Goodwood Road, Goodwood, SA, 5034

The development comprises a service station, drive through and associated car parking and service area.

The assessment considers noise levels at the nearest residences from:

- On-site vehicle movements;
- Drive through activity, including the order unit, pickup and idling vehicles;
- General car park activity;
- Fuel deliveries;
- Rubbish collection; and
- Mechanical plant servicing the facility.

The closest residences to the site are located to the immediate west and south of the site. The locations of the residences relative to the site are shown in Appendix A.

The assessment has been based on:

- *Hodge Collard Preston Architects* drawings under the “project no:30.20”, drawing no: _revision: SK06_A dated 14.01.2021, SK07_A and SK08_A dated 16.03.2021.
- The potential for the site to operate at any time of the day or night, 7 days per week;
- The site having no LPG facilities;
- Previous noise measurements and manufacturers noise data for plant and equipment, car parking activity, and fuel delivery related activities at similar sites.

CRITERIA

Development Plan

The subject site is located within the *Mixed Uses 2 Zone* of the *Unley Council Development Plan*¹ (the Development Plan), while all residences in the vicinity of the proposal are within the *Residential Streetscape (Built Form) Zone*. The Development Plan has been reviewed and the following provisions considered relevant to the noise assessment.

General Section– Interface between Land Uses

Objectives

1. *Development located and designed to minimise adverse impact and conflict between land uses.*
2. *Protect community health and amenity from adverse impacts of development.*
3. *Protect desired land uses from the encroachment of incompatible development.*

Principles of Development Control

1. *Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:*
 - (b) *Noise*
2. *Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.*
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.*

Noise Generating Activities

7. *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 noise sensitive premises.*
8. *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 premise*

¹ Consolidated 15 October 2020.

Environment Protection (Noise) Policy 2007

The Development Plan references the *Environment Protection (Noise) Policy 2007*, which provides goal noise levels to be achieved at residences from general activity and specific provisions for other activity such as rubbish collection.

The Policy is based on the World Health Organisation Guidelines to prevent annoyance, sleep disturbance and unreasonable interference on the amenity of an area. Therefore, compliance with the Policy is considered to satisfy all provisions of the Development Plan relating to environmental noise.

Rubbish Collection

The Policy deals with rubbish collection by effectively limiting the hours to the least sensitive period of the day. Division 3 of the Policy requires rubbish collection to only occur between the hours of 9am and 7pm on Sundays or public holidays, and between 7am and 7pm on any other day, except where it can be shown that the maximum (L_{max}) noise level from such activity is less than 60 dB(A).

General activity

The Policy provides goal noise levels to be achieved at noise sensitive locations based on the principally promoted land uses of the Development Plan Zones in which the noise source (the development) and the noise receivers (residences and vacant land in a residential zone) are located. In this instance, the Policy provides the following goal noise levels:

A) Residences:

- An average (L_{eq}) noise level of 52 dB(A) during the day time (7am to 10pm);
- An average (L_{eq}) noise level of 45 dB(A) during the night time (10pm to 7am); and,
- A maximum (L_{max}) noise level of 60 dB(A) during the night time.

B) Vacant Residential Land:

- An average (L_{eq}) noise level of 57 dB(A) during the day time (7am to 10pm);
- An average (L_{eq}) noise level of 50 dB(A) during the night time (10pm to 7am);

When measuring or predicting noise levels for comparison with the Policy, adjustments may be made to the average goal noise levels for each “annoying” characteristic of tone, impulse, low frequency, and modulation of the noise source. The characteristic must be dominant in the existing acoustic environment and therefore the application of a penalty varies depending on the assessment location, time of day, the noise source being considered and the predicted noise level. The application of penalties is discussed further in the Assessment section of this report.

ASSESSMENT

Rubbish Collection

In order for rubbish collection to achieve the requirements of the *Environment Protection (Noise) Policy 2007*, the hours should be restricted to that of Division 3 of the Policy. That is, collection shall only occur between 9am and 7pm on a Sunday or public holiday, and 7am and 7pm on other days. Due to the proximity of the refuse area to the nearest residences, it is recommended that access to the refuse area for dumping also only occur during the above hours.

These hours correspond to the least sensitive period of the day when the background noise level from other activity in the environment will be highest.

Activity Other than Rubbish Collection

The noise levels from activity at the site, other than rubbish collection, have been predicted based on a range of previous measurements and observations at similar facilities. These include:

- car park activity such as people talking as they vacate or approach their vehicles, the opening and closing of vehicle doors, vehicles starting, vehicles idling, and vehicles moving into and accelerating away from their park position;
- Drive through activity such as order units and collection areas;
- general vehicle movements on site;
- fuel delivery trucks; and,
- mechanical plant serving the control building.

At the Development Application stage of a project, it is usual practice that the mechanical plant is not yet designed or selected. Therefore, the assessment has considered typical air conditioning, refrigeration and exhaust fans operating at other similar facilities to provide an indicative assessment.

The predictions have been made based on the following indicative equipment, located on the roof of the control building;

- 1 x Cool room
- 1 x Freezer
- 3 x air conditioning condenser units
- 1 x Evaporative Cooler
- 2 x Kitchen exhaust fans with attenuators
- 1 x Amenity exhaust fan

The noise level and any acoustic treatment associated with the mechanical plant should be reviewed during the detailed design phase, should the final equipment selections have different sound power levels or should a different number of units be proposed to those specified within this report.

Sound power levels for the activities and equipment described above are provided in Appendix B.

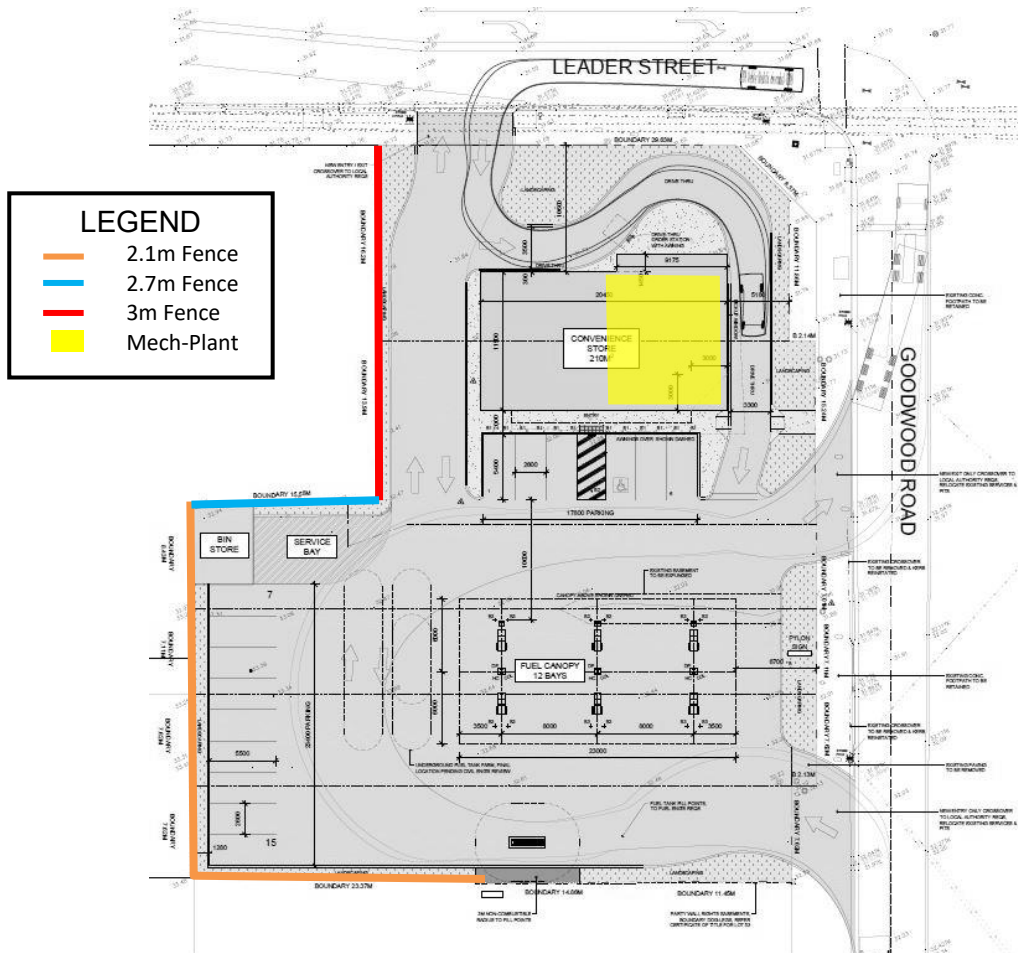
The predictions of noise from use of the facility have also been based on the following operational assumptions for the level of activity in any 15-minute² period:

- Day Time (7am to 10pm)
 - Continuous operation of all mechanical plant on the building roof;
 - 10 vehicle movements through the site using the petrol filling stations or car park bays;
 - 10 vehicle movements through the drive through;
 - A vehicle idling continuously at each of the order unit and pick-up areas;
 - 1 vehicle idling continuously within the waiting bay;
 - A stationary vehicle idling continuously at half of the refuelling bays (while waiting to use the filling station); and
 - A single fuel delivery.
- Night Time (before 7am or after 10pm)
 - Continuous operation of all mechanical plant on the building roof;
 - 5 vehicle movements through the site using the petrol filling stations or car park bays;
 - 5 vehicle movements through the drive through; and,
 - A single vehicle idling for half of the assessment period at the order unit and continuously at the pick-up area.

² Default assessment period of the Policy.

Based on the above, the following acoustic treatments are recommended to achieve the requirements of the Policy:

- Restrict the hours of fuel delivery to between 7:00am to 10:00pm;
- Ensure any amplified music is set at a level which is inaudible at the property boundary;
- Reduce the noise from any site equipment alarms, such as for compressed air, as far as practical and such that they are inaudible at any residence;
- Ensure there are no irregularities on the site and all inspection points, grated trenches, etc. are correctly fixed to remove the potential for impact noise being generated when driven over;
- Construct the site fences in accordance with the following;



- Construct solid fences which are as a minimum 2.1m above the level of the site, for the extent shown in the figure above as **ORANGE**.
- Construct solid fences which are as a minimum 2.7m above the level of the site, for the extent shown in the figure above as **BLUE**.

- Construct solid fences which are as a minimum 3.0m above the level of the site, for the extent shown in the figure above as **RED**. The fence may taper as required at Leader Street;
- Construct the fences from a minimum of 0.42 BMT sheet steel (“Colorbond” or similar) or a material with the same or greater surface density (kg/m^2). An airtight seal should be achieved at all junctions, including at the ground, joins to retaining walls and joins to other fences. Note that the height requirements can be achieved using a cantilevered arrangement in lieu of a fully vertical fence should other requirements dictate this;
- Locate the mechanical plant on the eastern side of the convenience store roof, in the area marked as **YELLOW** as shown in the figure above.
- Construct a solid barrier around the roof mounted mechanical plant, which is no less than 0.5m taller than the unit which it shields. A suitable material is a minimum of 0.42 BMT sheet steel (“Colorbond” or similar) or a material with the same or greater surface density (kg/m^2);
- Incorporate an in-line attenuator to the discharge side of any significant exhaust fan if installed (such as fans serving kitchens).

Although there is significant vehicle activity on the public road network comprising Goodwood Road and Leader Street in the near vicinity, it is not a consistent feature of the environment at all times of the night. In the interests of conservatism, it is assumed that Goodwood Road and Leader Street are not a dominant part of the acoustic environment at some times and so a 5 dB(A) penalty for the character of modulation is applied at all times. Therefore a 5 dB(A) adjustment has been made to the predictions.

With the inclusion of the acoustic treatments described above, and the assumed level of activity at the site, the goal average noise levels of the Policy will be achieved at all nearby residences with the application of the 5 dB(A) penalty. The average (L_{eq}) noise level at the nearby sensitive receivers during the day time period is predicted to be no more than 51 dB(A) and no more than 44 dB(A) during the night time period.

The maximum instantaneous noise level at the nearby residences has also been predicted. Maximum noise levels have been predicted based on measurements at a variety of similar sites and include short term transient events such as car doors slamming and vehicles accelerating.

The maximum noise levels at the residences are predicted to be no more than 60 dB(A), from vehicles accelerating. That is, the Policy criterion of 60 dB(A) is predicted to be achieved at the existing residences with the above fencing treatments implemented at the site.

CONCLUSION

An environmental noise assessment has been made of the proposed service station facility at 80-92 Goodwood Road X-Convenience.

The assessment considers noise levels at the surrounding residences from vehicle movements, drive through and car park activity, fuel deliveries, rubbish collection and mechanical plant servicing the facility.

The predicted noise levels from the development will achieve the relevant requirements of the *Environment Protection (Noise) Policy 2007* subject to the treatments in this report, comprising;

- specific fence heights and constructions;
- reducing the noise from any alarms as far as practical;
- ensuring all inspection points, grated trenches, etc. are correctly fixed;
- restricting the times for rubbish collection, service bay access and fuel deliveries;
- incorporating in-line attenuators to the discharge side of any significant exhaust fan/s; and,
- specific location and screening of the mechanical plant.

It is therefore considered that the facility has been designed to *minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise*, thereby achieving the relevant provisions of the Development Plan related to environmental noise.

APPENDIX A: Site locality and nearby residences.



APPENDIX B: Noise level data.

Equipment/Activity		Noise Level
General activity	General activity	83 dB(A)
	Idling car	75 dB(A)
	Moving car	82 dB(A)
	Moving fuel truck	96 dB(A)
	Car door slam	96 dB(A) (L _{max})
	Vehicle accelerating	100 dB(A) (L _{max})
Drive Through	Order unit	78 dB(A)
	Collection Window	76 dB(A)
Mechanical Plant	AC condenser unit	76 dB(A)
	Freezer	75 dB(A)
	Cool room	81 dB(A)
	Kitchen Exhaust Fan with Attenuator	71 dB(A)
	Amenity exhaust fan	67 dB(A)
	Evaporative Cooler	80 dB(A)

17 September 2021

To: **Andrew Raeburn**, City of Unley Development Section

From: **Susan Skinner**, 5a Leader St, Goodwood 5034

I object to the proposed development 80-94 Goodwood Road, [Proposal 223/2021/C2](#)

My objection is based on the Unley Council Development Plan.

The proposal for an illuminated 24-hour petrol station and drive-through convenience store does not conform to many of the goals and values of the Unley Council Development Plan.

The Unley Development Plan Principles of Development Control states:

Interface between 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.

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

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

¹Reference:

Page 37, Interface between land uses and point 1 Principles of Development Control, Development Plan Unley (city) Government of South Australia

Street Scape, Heritage and Community Values

The scale and architectural design / streetscape of this development are not in keeping with the heritage of other buildings and businesses in the locality, including many 1900's buildings. The development does not complement or contribute to the distinct identity of the "Goodwood Village" nor the community values that Unley Council and Goodwood residents have built and nurtured in the local area for many years. The development is regressive, not progressive, speaking nothing of Unley ideals for sustainability, community engagement and informed futures for our community.

The development will amplify existing traffic congestion, further fragmenting the community and sense of belonging to the Goodwood village.

Traffic Congestion and Pedestrian Safety

The proposed development is aimed at attracting more traffic to the neighbourhood, but traffic congestion is already an issue at this site.

The development will increase traffic flow and traffic hazards on all main and minor roads in the vicinity, affecting residents, commuters, and other businesses negatively. In addition, large re-fuelling trucks, smaller delivery trucks and rubbish removal trucks will be required to service the proposed development and will further add to traffic congestion and hazards at this busy intersection.

Increased traffic and the movement of cars and trucks into and around the site will create new safety hazards for pedestrians and cyclists. The Farmers Market, university exams and special events at the Showgrounds all attract pedestrians who will be at greater risk due to cars entering and exiting the new development, and drivers frustrated due to traffic congestion.

Pedestrians and cyclists will be discouraged from their regular commutes – they may resort to using their cars, further adding to traffic congestion; or they may avoid the area all together, spending their time and money elsewhere. Locals and visitors may be discouraged from using nearby public transport (bus, tram, train) because of the pedestrian hazards.

Air Pollution

More cars and trucks on these roads, and more cars idling to refuel or in the drive-through or waiting in traffic congestion, will all result in increased levels of dangerous fumes and pollutants from vehicle exhaust. The proposed Petrol Vapour Recovery System is not 100% effective and does not stop all the vapours escaping nor eliminate spillage that so often occurs when filling a car with petrol, as discussed in my objection to the original proposal. There are already two petrol refuelling stations within 2.3 km of the site; it is an unnecessary threat to residents and our environment for current and future generations to add another petrol station within such a small zone.

Light & Noise Pollution

The Unley Development Plan states that development should provide a visual and acoustic buffer between the development and the adjacent residential homes. The revised development plans do not address either of these aspects adequately. A wider buffer zone and three- to four-meter-high solid acoustic fences and would be required between the development and our residential properties to provide maximum acoustic buffering. Also, there is no report on light spill to neighbouring homes and gardens from the 6.44-meter

canopy and extensive branded signage in the proposal. I have visited several operating X-Convenience businesses late at night and have observed first-hand the light spillage to neighbouring properties.

The calculations of sound levels in the Sonos acoustic report are based on key operations such as truck refuelling and emptying of bins, etc, occurring within certain times of the day - assuming that these activities will only be performed within those hours. But there can be no guarantee to residents that these times will be adhered to by all operators, sub-contractors, or staff, now or into the future. Clearly if these operations are conducted late at night or early morning, i.e. outside the times considered in the Sonos report, the noises will adversely affect residents.

The Sonos report does not address any late-night noise generated by drivers with unsocial behaviours who are attracted to the business in their cars and can meet and loiter on the site, 24-7. Clearly, these noises will adversely affect residents.

Bin Storage

The proposal indicates refuse bins will be located directly on the boundary with residential properties at 3 and 5 Leader St. The bins will result in new noise, unpleasant odours, pests, and rodents for residents. The Unley Development Plan (Utility Services)² states that areas used for the storage and collection of refuse in non-residential developments must be sited at least 10 meters from any Residential Zone boundary or a dwelling. The bin area therefore contravenes the Plan.

²Reference: Page 229, Complying Development, section(A) (i) Principles of Development Control, Mixed Use Zone 2, Development Plan Unley (city) Government of South Australia.

Loitering and Crime

A business operating 24-hours, 7-days per week provides a meeting place for people any time of the day or night and has the potential to attract loitering and unsocial behaviours. It may also attract crime to the area and may provide opportunities for trespassers to enter neighbouring residential properties.

I cannot see any positive outcomes for our neighbourhood from this style of development.

A large-scale petrol station, convenience store and drive-through will not improve the local environment or community. It is not compatible with Unley Council development objectives. It increases light pollution, traffic congestion, vibration, litter, air pollution and noise emissions, and contamination of soils and waterways for future generations. These issues are not adequately addressed in the proposal and the development should not proceed.

Susan Skinner, 17 September 2021

19/09/2021

Mr Andrew Raeburn

Senior Development Officer, Planning

City of Unley

By email: araeburn@unley.sa.gov.au

Dear Andrew,

My name is Simon Jackson, I am the owner of number 1 leader street Goodwood.

Upon reviewing the amended version of the proposal I would like to formally object to the development as it stands.

Application 94 Goodwood Road Goodwood SA 5034 (223/2021/C2)

This site would benefit the community if it were to be developed as per the expectations of the council plan, I would happily support any such development, however this development harbours many concerns as my property, situated at 1 leader st Goodwood will be directly adversely affected as it sits on the boundary to the western side of the development site.

I have objections for the following reasons.

- The type of land use is not appropriate for a commercial drive through facility
- Appearance or character does not fit with surrounding streetscape
- Overshadowing or overlooking – Large High structure and high fuel canopy
- Traffic generation bottlenecking concerns with right hand turners in and out of leader st exit.
- The proposal is at odds with the last update of the Unley city Development Plan before it was revoked to new plan SA as per 19 march this year.

the variances are as follows.

pretty much all the councils -PRINCIPLES OF DEVELOPMENT CONTROL

The Development should not (but it will) detrimentally affect the amenity of the locality or cause unreasonable interference through the following:

(a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants this is underscored as I carry concerns of the long-term use of the commercial kitchen included in this plan.

(b) noise from ambient speakers and noises affecting back yards (open space) quiet ambiance.

(c) vibration during construction may damage existing fragile 100-year-old original property having no concrete foundations it will be sensitive to movement and cracking.

(d) light spill from commercial lighting including forward and back lights (fig 1) on top of canopy, led downlights with widespread light throw.

(e) hours of operation. Late night loiterers.

(f) traffic impacts. At peak times in particular right hand turners into and out of leader st

Development adjacent to a Residential Zone should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.

This development will heavily have an impact on the private open space both visually and acoustically.

Residential development adjacent to non-residential zones and land uses should be located,

designed and/or sited to protect residents from potential adverse impacts from non-residential activities.

The allocation of fencing is simply inadequate to protect from light spill and noise pollution to private open space.

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.

The allocation of fencing is simply inadequate to protect from light spill and noise pollution to private open space. A three meter fence is recommended by the SONUS report on my properties eastern boundary (I assume to counteract light spill),but this will overshadow two of the three sash windows on the property. The driveway is only approx. 2.4m wide this will create a horrible boxing in affect upon the residence.

To every problem there are always solutions

I would support the development if several factors could be suitably addressed.

Height of build to both petrol station and canopy to be max 4.0m as it is ample space for a semi to get under. As per fig 1,2 & 3.

Position and height of fence in proximity to windows the blocking natural light.

Vegetation grown on inside of fence to be preserved.

New fence to be away from building, noise absorbing and/or deflecting.

No traffic exiting or entering onto leader st

Delete drive thru - Fast food concerns (6 carparks & 2 industrial exhaust fans)

Visually distressing impacting amenity from backyard

Light and sound overflow. as per figure 1 (spotlights shining from top of fuel canopy.)

Ice box and gas bottle refill station.

Pest control around bin aera

I would be grateful for the opportunity to address the Panel in objection to this submission when it considers the matter.

Kind regards

Simon Jackson

Note: semi well underneath and lighting



fig 1

Max height of vehicle 4.4m



Almost 1 meter between top of fuel semi and signage.



Proposed corner site



May need to reword plaque.



ATTACHMENT B

REPRESENTATION Category 2 (Amended Plans) – Page 1

To: Andrew Raeburn, City of Unley Development Section

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Application: 090/223/2021/C2 80-94 Goodwood Road, Goodwood SA 5034

Details of Person(s) making Representation:

Name:

Postal Address:

EMAIL ADDRESS:

Daytime Phone No.

Property affected
by Development

1 & 1A Hampton St North Goodwood

18/9/2021
(Date)

REPRESENTATION Category 2 (Amended Plans) - Page 2

To: Andrew Raeburn, City of Unley Development Section

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Application:	090/223/2021/C2 80-94 Goodwood Road, Goodwood SA 5034
Property affected by Development	1 & 1A Hampton St North Goodwood

I do NOT object to the proposed development.

OR (Tick one only)

I object to the proposed development because:

(Please state your reasons. Attach extra pages if you wish)

Please see attachments

My concerns (if any) could be overcome by:

Please see attachments

WISH TO BE HEARD

DO NOT WISH TO BE HEARD

by the Council Assessment Panel

(Tick one box only. If you do not tick either box it will be assumed that you do not wish to be heard by the Council Assessment Panel.)



Andrew Raeburn
Development Officer
City of Unley Development Section
181 Unley Road
Unley, SA. 5061

18th September 2021

Dear Andrew

We own 1 & 1A Hampton St North Goodwood and our west boundary adjoins the proposed petrol station.

Our issues relate to Noise, Light, Landscaping buffering, Petrol Emissions, Waste storage bins, Parking, Traffic, inappropriate use for Mixed Use 2 Zone

Inappropriate use in Mixed Use 2 Zone, Lack of sensitive incorporation

I believe the integrated petrol station, particularly of this size and activity level, is not the intention of the Mixed Use 2 Zone. The development proposal states: *"Notwithstanding, the proposed use is not specifically listed as an envisaged use, the integrated service station intends to meet the needs of the uses surrounding the site, such as the offices, consulting rooms, service industries and warehouses that are found within the locality of the site."* The proposal notes that a petrol station is not envisaged for the MU2 zone. Mixed Use 2 Zone (Unley Dev Plan) states: *"... primarily, medium-scale offices and consulting rooms, service industries, warehouses, retail showrooms and development associated with the motor trades, which result in low traffic generation."*

This development is not sensitively incorporated in its locality, due its larger scale, "franchise" style commercialisation, frequent and high volume car movement, and the narrow but busy arterial road along which it is built. The local area is mainly historic buildings and small personalised businesses, and the presence of the station will affect our enjoyment of the immediate area. The proposed development will amalgamate several medium sized allotments, making its scale as a single business overbearing in the locality and will adversely affect visual amenity.

It is significant that an architectural picture of the visual impact of the 2 row 12 pump layout from the Goodwood Road frontage was not included in the plan (although pictures of store and coffee drive through were included).

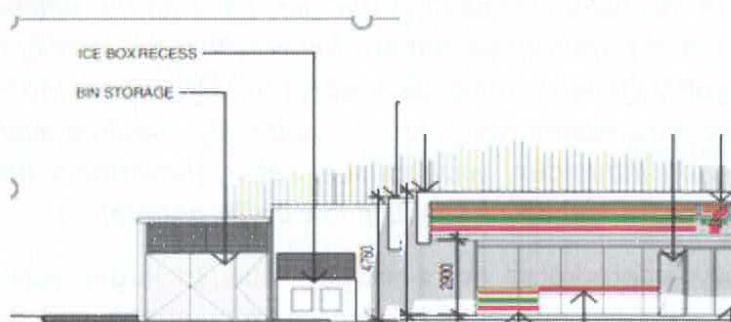
Unacceptable Noise close to neighbours:

On-site Traffic movement along western residential boundary: A petrol station by its nature depends on large numbers of vehicles using their site daily. There will be a large number of on-site vehicles passing daily along the drive area to the rear of my yard, and a car parking area is at my boundary, with cars stopping for ice and gas refills there as well as for the convenience store, and the gas filling service delivery truck stopping there. Along with an inadequate acoustic fence, there is insufficient landscape to buffer noise and fumes along the western boundary and this will adversely impact on amenity for my family. Generally, petrol stations are designed to minimise impact on residences, such as placing their store next to the residential boundary, to act as a noise and light barrier. In this case, the store should be located to the western boundary.

The plan includes a mechanical Ice Box, located very close to my west residential fence (see white section within the western boundary landscaping on plan). The ice box is predicted to be as noisy as the commercial air con condenser (76 dB(A)) according to the noise report, and will operate 24/7, and exceeds the acceptable noise level. This is the sound of a vacuum cleaner. This will negatively impact on the amenity of my property, especially during the night.

The ice box should be located next to the convenience store wall (or in store) and not facing residential neighbours, as is usual with other service stations that I have noticed. The Sonus report does not indicate how noise can be controlled for the ice box. It is extremely insensitive of this proposal, that whilst as a new proposal it increases the landscaping depth at my western boundary, as I requested previously, it has done so but now includes within it a noisy ice machine and gas filling area, that is actually likely to worsen the noise issue there.

Here is an example of a new petrol station development that includes ice box and waste storage next to shop:



The new Sonus noise report seems to have made an omission - there is no mention of activities involving the mechanical ice box or gas filling station next to the boundary, nor of the gas filling truck at the west boundary in its considerations.

Of significant importance is the advice to Petrol Stations on the EPA website that: "*Some sources of noise such as particularly loud vehicles and patron behaviour can be difficult to predict. As these noises may cause sleep disturbance or annoyance, consideration should be given to this when assessing the suitability of a proposed site for a retail petrol station, even if predicted noise levels meet the applicable criteria in the Environment*"

Protection (Noise) Policy 2007" This is particularly relevant here as the proposal intends to operate 24/7, and is directly opposite a large hotel/bar which has late opening hours and whose customers are likely to patronise the service station.

I note that the petrol station proposal intends to provide only the minimum noise protections for the adjoining residential zone residents, in that fencing heights are the minimum recommended in the noise report, and are of colourbond material only. I would like to see much higher, and truly acoustic fencing along my property. I note, in particular, that the business property south of the site (still MU2 Zone) is to be provided with a 4.2m solid masonry fence along the length of the boundary, by the developer, in this new plan. However, despite requests in my response to the original plan, the height of fencing along the western boundary has not been changed, nor I note, the fencing for other residential properties.

Visual Light Impacts

The majority of the 6.54m lit canopy, which is lit 24/7, each day of the week, will be visible from my residential property and will have an adverse impact on our property. We would have to make many adjustments to our property, which is unnecessary if a more sensitive development was put there. The question is, why has this proposal not included more residential neighbour sensitive design features?

Landscaping

There is insufficient buffering landscape along the western boundary fence. Some extra landscaping was provided at one end (my boundary included) – however, much of this space is now occupied with a mechanical ice box, gas filling station and gas storage container! As mentioned, there will now be issues with ice box noise for our property. The type of landscaping in this immediate area is likely to be minimal in height/density as both the ice box machinery and gas in the filling area are likely to be a fire hazard, and legal requirements regarding this have not been noted (eg clearance spaces, landscaping). I am unsure whether the height/size of the ice box/gas area are climbable for potential trespassers to our property.

Petrol Emissions

Whilst vapour recovery controls will be in place, as required by law, with 12 pumps operating during the peak hours and activities of refilling fuel trucks, there will be an unacceptable level of fume emissions, due to the closeness of the pumps to our boundary. With 12 cars filling at the pumps at frequent intervals through the peak times (estimated roughly to 2,000 vehicles/day), there will be potentially a few litres of spilt petrol on the ground each day, and petrol vapour escaping from the time petrol caps are removed, and vapour escaping if the pump is not used correctly, I believe. I note the proposal states the petrol vapour system will "avoid" fumes, however this is not correct, it reduces fumes only. The intensive build nature of the site does not allow for plentiful air circulation to better disperse petrol emissions.

Parking

Off street parking spaces should be provided as “7 per 100m² of store floor space” (Unley Development Plan). The store will have 265m² floor space equating to 17-18 desired off street car park spaces. Only 15 car park spaces have been provided. The immediate area is particularly short on on-street parking, as there are only 1 or 2 on-street car spaces available close by, and cars are likely to park in the next side street, which is my street and my property is close to the corner where cars are likely to park. Hampton Street North, being the first street back from Goodwood Road and close to the tram station and school, tends to receive considerable bursts of traffic driving through and parking.

Waste storage bin

The waste storage bin (to contain foodstuffs) will be sited close to the western residential zone boundary, and in particular, right next to the ‘dog leg’ at the west boundary. However the Development Plan recommends waste storage bins with food waste are sited well away from a residential boundary fence.

The Development Plan - Mixed Use 2 Zone states:

- (iv) if the proposed change of use is for a shop that primarily involves the handling and sale of foodstuffs, it achieves either (A) or (B): (A) all of the following:
 - (i) areas used for the storage and collection of refuse are sited at least 10 metres from any Residential Zone boundary or a dwelling (other than a dwelling directly associated with the proposed shop)**

I note that other service stations tend to not have their waste storage bins close to a residential zone boundary.

The proposal states:

The bins for waste will be stored within the confines of the waste enclosure on the western corner of the site. The enclosure, although on the boundary of the site, is conveniently located away from public view in an unusable area of the subject site.

There is within this statement, a complete disregard for the impact on adjoining residents and the desired application of the Unley Development Plan.

Traffic Issues

There will be 12 pumps and a drive through coffee, as well as a convenience store with sit down dining. This will invite an unacceptable level of traffic for the site and for adjoining properties. The petrol station is opposite the Goodwood Hotel which is well patronised. As the station will be 24/7, there will likely be increased number of vehicles late at night for petrol and snacks, as the hotel is directly opposite the petrol station. The hotel has exits to Parson Street and to Goodwood Road. Potentially, vehicles will be tempted to make illegal right U-turns at the hotel’s Goodwood Rd exit late at night, to enter the petrol station, as there is no turn right at that exit.

The Cirqa traffic report page 9, shows a volume and movement diagram with related text on page 8. No evidence is provided for the basis of the assumptions the report makes about the distribution of vehicle numbers accessing the site during am/pm peaks.

Additionally, the turning distribution theory it uses is doubtful if one considers the closeness of Goodwood to the CBD, ie southbound PM peak traffic volume turning into Leader Street should be higher. The Leader Street traffic intersection lights and site access from Leader Street, will make it more likely traffic for Goodwood Road southbound traffic will enter Leader Street to enter the site.

I note in the Cirqa traffic report there appears to be an arithmetic error in the number of traffic accessing the site from the Goodwood Rd/Leader St turn – it has 11(14) am/pm peak turning into Leader Street for the site, but only 6(7) am/pm peak accessing the site. 6(7) appears it should be 11(14) am/pm peak on their diagram.

In addition, the report shows 5(7) am/pm peak accessing the site on Leader Street from the west, but has not given any basis whatsoever as to how it arrived at that number.

The site is restricted in that cars cannot turn left onto Goodwood Road, due to a median strip. Cars will need to use the Leader Street exit point to return to Goodwood Road to enter, say the shopping centre at Goodwood. At peak hours the Leader Street exit to Goodwood Road can be congested during PM peak. Cars are therefore likely to turn left from the Leader St exit and re-enter Leader Street from further along using Hampton St North as a turning area.

I note that the Cirqa report does not refer to the DPTI Turning Movement Survey to obtain traffic turning numbers for Leader St on which it can base reasonable assumptions on (as used in traffic reports for other developments).

At this point, we do not know if the turning traffic will result in a significant increase in traffic on Leader Street and to nearby local streets.

I note in the Cirqa traffic report, that the traffic generation formula is based on 2013 traffic formula, which does not include coffee drive throughs. Although the traffic report includes the floor space of the coffee drive through, by nature the coffee drive through would have a higher traffic volume area than convenience stores, so the formula I believe underestimates the traffic volume, as well as traffic generation (new traffic).

Expectations:

What we would have expected of the proposal, with an adjoining residential zone is:

- traffic movement and manoeuvres sited so they were towards the front of the service station and away from residences, particularly as this is a 24/7 service
- because it interfaces a residential zone, fencing should be higher than that proposed, particularly as parking and driveways are located close to the fence boundaries. Fences with acoustic qualities such as masonry or other similar acoustic insulation should be used along residential boundaries to a minimum height of 3 metres, to provide above minimum levels of noise and light protection.
- in preference, locate the driveway entry/exits at Leader Street away or setback from residential properties

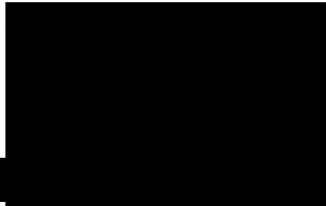
-locate the ice box, gas and waste storage bins well away from residential properties, and provide noise attenuation

-reduce the hours of operation so that it is not 24/7 to minimise the noise and fumes

- with 12 fuel pumps, a car park and drive area, these should be located further away from residential boundaries, or screened by being placed behind a control building. Alternatively, a higher than minimum truly acoustic fence should be installed.

The siting and design of this petrol station has little regard to its interface with residential properties and the value of the locality to its residents.

Kind Regards



REPRESENTATION Category 2 (Amended Plans) – Page 1

To: Andrew Raeburn, City of Unley Development Section

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Application: 090/223/2021/C2 80-94 Goodwood Road, Goodwood SA 5034

Details of Person(s) making Representation:

Name:

Postal Address:

EMAIL ADDRESS:

Daytime Phone No.

Property affected
by Development

5 Leader street Goodwood SA 5034

(Signature)

20 September 2021

(Date)

REPRESENTATION Category 2 (Amended Plans) - Page 2

To: **Andrew Raeburn, City of Unley Development Section**

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Property affected by Development	

I do NOT object to the proposed development.

OR (Tick one only)

I object to the proposed development because:
(Please state your reasons. Attach extra pages if you wish)

see attachments

My concerns (if any) could be overcome by:

see attachments

WISH TO BE HEARD

DO NOT WISH TO BE HEARD

by the Council Assessment Panel

(Tick one box only. If you do not tick either box it will be assumed that you do not wish to be heard by the Council Assessment Panel.)

To: Andrew Raeburn, City of Unley Development Section.

We Object to the proposal.

The development proposal on the sites on 80-94 Goodwood Road for an illuminated 24-hour petrol station and drive-through convenience store does not conform to many of the described ideals of the Unley Council Development Plan. The architecture and scale of this development is not in harmony with the other buildings in the locality. The design is not complementary or respectful to the *desired character*¹ of the existing localities, being the Goodwood Hub and Goodwood Hotel and the C. 1900's Villa neighbourhood homes it shares borders with, and it does not offer the community engagement that is generated by the Suburban Brew and Meta Sol. This convenience store, drive through and petrol station does not have a village aesthetic, does not *invigorate the community*² and does not reinforce the distinct identity of the locality. The development is not conducive to *commuter traffic calming*³, does not *reduce the reliance on cars*⁴ or *implement energy efficient design*⁵. And a petrol filling station is not *sustainable*⁶ in the environmental sense. It is not common to see a petrol station/store of this size bordering so close to residential homes. The proposal lacks any visual documentation that represents the proposed architecture situated within the existing framework of the area.

This highly commercial and branded business development negatively affects the amenity of our neighbourhood, due to the proposal's location, size, design, and the 24-hour operation it is not mindful of The Unley Councils principles stating that: *Mixed Use 2 Zone Development should be, primarily, medium-scale offices and consulting rooms, service industries, warehouses, retail showrooms and development associated with the motor trades, which result in low traffic generation.*

7

Light & Noise Pollution. There is still no satisfactory report that spilled light has been addressed in regards to the neighbouring homes and backyards. The 6.44-meter canopy lighting plan and any further lit drive thru signage needs to be revealed and addressed so no light pollution affects the neighbouring homes. The Unley Principles of Development Control criteria states that *Signs designed in scale with the amenity of the area and carefully located. Illumination from signs or floodlights should not spill over to adjoining areas*⁸. As there is no light spill plan, we are concerned that the signs, especially petrol canopy lights and illuminations will spill light into several adjoining homes. There is currently a large shed on the proposed site that is buffering us from the light and noise of Goodwood Road, once this is removed, the landscape will be significantly changed and light and noise will become an issue. Whilst we can now see there is inclusion of some landscaping, this should be more significant. Evergreen plants that grow to a height of 6 to 8 meters would be more substantial in this environment, for example both the (non-invasive) Tuckeroo *Cupaniopsis anacardioides* and Native Frangipani, *Hymenosporum flavum* (already used in Goodwood streets) which can be planted close together to give a substantial evergreen screen.

¹ Page 12, section (b) Unley Strategic Vision, Development Plan Unley (city) Government of South Australia.

² Page 12, section (d) Unley Strategic Vision, Development Plan Unley (city) Government of South Australia.

³ Page 12, paragraph 3, Unley Strategic Vision, Development Plan Unley (city) Government of South Australia.

⁴ Page 13, section(g) Unley Strategic Vision, Development Plan Unley (city) Government of South Australia.

⁵ Page 13 section (f) Unley Strategic Vision, Development Plan Unley (city) Government of South Australia.

⁶ Page 12 "Unley will be a sustainable city that:" Unley Strategic Vision, Development Plan Unley (city) Government of South Australia.

⁷ Page 228, Mixed Use 2 Zone 1, Principles of Development Control, Unley (city) Government of South Australia.

⁸ Page 18, point 1 section (i) Principles of Development Control, Development Plan Unley (city) Government of South Australia.

The Unley Development Plan says that *Development should provide a visual and acoustic buffer between the development and the adjacent residential homes*⁹ The submitted development plans do not currently illustrate this successfully. Due to the scale of this proposal, it is relevant that the maximum acoustic buffering is implemented, especially after the removal of the larger existing buffer and the close proximity of this development to the neighbouring homes. The plans should include larger plants and consistent 3–4-meter-high solid acoustic fences.

As well as making the store significantly larger, there is now an addition to the plans of an Icebox and Gas decant and cage area along the Western boundary. The new Ice box and Gas additions are located close to residential areas. According to Sonos an Icebox is as noisy as an AC Condenser Unit at (76db) similar to having a car idling (75db) constantly /24hrs (in our backyards) Obviously, the 24hour open times, scale and nature of this business model will create a consistency of vehicle noises, mechanical operation noise, air pollution, odours, loitering, light pollution, traffic congestion, littering and nuisances that were not there before. We are not convinced that the submitted plans have applied adequate ways to remove noise and light pollution from affecting our amenity, and the Icebox has not been sufficiently addressed in the noise report. The noise and light reduction measures should be taken more seriously by this developer, as they did not listen to our request for better acoustic measures or respond to the issues of light spill in our previous submission to council.

Bin Storage. The positioning of the bin storage to our boundary is still an issue, and as previously mentioned the fences are still not adequate. In the Unley Development Plan section of Utility Services, it states that all non-residential development waste storage areas should be *distanced from any adjacent residential development*.¹⁰ And those areas used for the storage and collection of refuse are *sited at least 10 meters from any Residential Zone boundary or a dwelling*¹¹. The bin area is still located on the boundary of 3 Leader Street, and landscaping is not present here. There is also the issue of unpleasant odours coming from this bin area as it will contain foodstuffs.

Traffic Congestion and Pedestrian Safety. The proposed development is clearly designed to attract more vehicle traffic to the neighbourhood, an aspect of this proposal which has been downplayed. We do not think that this traffic report is adequate in assessing the increase of cars, as it uses an old formula for predicting traffic response. We do not agree with the changes to Leader Street as it creates new traffic flow issues onto Hampton St North, Railway Terrace and back onto Goodwood Rd. Additional cars turning from this proposed site via Leader Street creates further safety hazards for pedestrians and cyclists. The numbers of pedestrians on Leader Street walking to and from Goodwood Road increases dramatically when there are events and student exams on at the Wayville Showgrounds, adding more traffic to this mix is potentially hazardous. The proximity to the Goodwood Hotel will also be conducive to night time pedestrians (drunk walkers) as patrons may be enticed to cross the road for late night food. Our experience of living in the area leads us to the conclusion that the new traffic movement proposition on Leader Street will cause increased nuisance, noise, congestion and is unsafe. Also, petrol stations of this size with 12 pumps are usually on larger major roads with multiple lanes, not roads like Leader Street and Goodwood Road which is not very wide where this is proposed.

⁹ Page 228, point 4, Principles of Development Control, Mixed Use Zone 2, Development Plan Unley (city) Government of South Australia.

¹⁰ Page 32, point 13 (c) and (d) Utility Services Development Plan Unley (city) Government of South Australia.

¹¹ Page 229, Complying Development, section(A) (i) Principles of Development Control, Mixed Use Zone 2, Development Plan Unley (city) Government of South Australia.

Air Pollution. More cars on this road means an increase in fumes, CO₂ emissions and pollutants from vehicle exhaust. This will affect those living closest to this site as there will be vehicles idling at this drive through, and giving way across Leader Street. The Petrol Vapour Recovery System does not stop all of the vapours escaping and spillage that can occur when filling a car with petrol. It is not clear in the proposal if mechanical equipment used to run the store will be emitting any pollutants, including odours. For example, food odours from this convenience stores fast food 'Down Dogs' could be unpleasant.

Loitering and Crime. A store with a seated dining area and drive through that is open 24 hours has the potential to attract loitering and can provide a meeting place for people any time of the day or night. As a resident of Leader St and our proximity to Wayville Showgrounds, taking onboard our experiences, we believe this 24hr location would be conducive for increased loitering and noise making especially during Showground events. Structures close to boundaries (bin/icebox/ gas cage/) could be used to climb the fences and trespass into our backyards.

We do not agree that this proposed development has adequately addressed all of our concerns or the Unley Development Plan Principles of Development Control which states:

Interface between 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.

1. Development should not detrimentally affect the amenity of the locality or cause unreasonable interference though 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

2. Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.¹²

¹² Page 37, Interface between land uses and point 1 Principles of Development Control, Development Plan Unley (city) Government of South Australia.

This large-scale petrol station, store and drive through will not make life more pleasant. It is not compatible with Unley Council development objectives. It creates interference by increasing light pollution, traffic congestion, vibration, litter, air pollution and noise emissions, and underground petrol storage tanks and spillages of oil and petrol will contaminate the site for any future use. We do not agree that operating a store 24 hours a day 7 days a week that encourages car use and increases traffic is the right business model for our neighbourhood. This development shares borders with and directly affects many neighbouring houses, changing the landscape significantly, which does not seem like common practice for this type of business model.

This proposed development does not address sustainability and environmental issues relevant to our time. Development on this site has an opportunity to activate the Unley ideals for a sustainable future, embrace progressive technology; solar power, green walls, green spaces, recycling, and using salvaged building materials, promote ride sharing, car sharing, and use of public transport systems. We cannot see any positive outcomes for our neighbourhood from this style of development.



REPRESENTATION Category 2 (Amended Plans) – Page 1

To: Andrew Raeburn, City of Unley Development Section

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Details of Person(s) making Representation:

Name:

Postal Address:

EMAIL ADDRESS:

Daytime Phone No.

Property affected
by Development

1 LEADER STREET, GOODWOOD 5034

(Signature)

(Date)

19/09/21

📎 Attach any extra pages to this form

REPRESENTATION Category 2 (Amended Plans) - Page 2

To: Andrew Raeburn, City of Unley Development Section

1. This page (ie Page 2) and any attachments may be published on the internet and thus be able to be searched via Google and other internet search engines.
2. In accordance with Section 38(8) of the Development Act 1993, a copy of this representation (Pages 1 and 2 and any attachments) will be forwarded to the Applicant for consultation and response.

The closing date for Representations is 5pm on 20 September 2021.

Application:	090/223/2021/C2 80-94 Goodwood Road, Goodwood SA 5034
Property affected by Development	1 LEADER STREET, GOODWOOD 5034 SA

I do NOT object to the proposed development.

OR (Tick one only)

I object to the proposed development because:

(Please state your reasons. Attach extra pages if you wish)

SEE ATTACHED

My concerns (if any) could be overcome by:

SEE ATTACHED

WISH TO BE HEARD

DO NOT WISH TO BE HEARD

by the Council Assessment Panel

(Tick one box only. If you do not tick either box it will be assumed that you do not wish to be heard by the Council Assessment Panel.)

We would like to object as residents of 1 Leader Street, Goodwood, which is a traditional single fronted bluestone villa house and adjoins the proposed service station.

Concern 1 - Leader Street Access Driveway Traffic Congestion/Traffic Conflict, Noise, Petrol Fumes, Litter:

The full length of our driveway and yard of our rental house adjoins the proposed petrol station development. The petrol station intends to have a two-way driveway at Leader Street which is to run the full length of our driveway, with very little landscaping along most of it, and a 3 metre colorbond fence which is likely to taper at the end for traffic safety reasons and landscaping is likely to not be any higher at that point. We don't think a 3 metre colorbond fence along the length of our driveway with little landscaping for most of it is a sufficient for adequate noise and fumes protection for our property, considering there will be traffic regularly coming and going along that driveway, at all hours. Due to the narrowness of our driveway, there is no room for landscaping, so we will be unable to provide a decent noise buffer. Our windows are close to the fence there. There will be cars, vans and trucks regularly idling in this driveway, waiting to exit the station to enter Leader Street. With the number of vehicles predicted, there looks to be up to 2,000 vehicles daily entering the site (and up to 2,000 vehicles leaving), and we believe the Leader Street access will cater for a good number of these. In the afternoon peak time and Saturday nights there is likely to be frequent vehicle movements at the Leader Street drive. We believe the layout of the station is inconsiderate and disrespectful of our residential zone area and will harm enjoyment of our house and the locality.

We believe it is a traffic and noise amenity issue for a busy service station to be located here, because the exit/entry driveway at Leader Street is so close to the intersection at Goodwood Road, which can be very congested intermittently during the day. Leader Street attracts significant traffic as it is a collector road. Leader Street is one lane wide next to the petrol station proposed driveway.

The number of vehicles exiting/entering the Leader Street driveway, with cars idling, and the petrol fumes from the 12 fuel pumps operating intensively during peak hours, petrol spillage on the ground and wrong use/failure of the vapour recovery system, will collectively create significant chemical fumes that will affect our health. Particularly, as this is to be a 24/7 hour operation and is close to our residential property.

I note last month a news article for another country, with forward looking new guidelines for new petrol stations (with vapour recovery systems):

"Retail outlets shall not be located within a radial distance of 50 meters from schools, hospitals (10 beds and above) and residential areas designated as per local laws. In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures..."

I note that in the Light Industry Zone petrol filling stations are non-complying, and where there is public notification Category 1, it seems in the wording that with petrol filling stations applications, they are to be located more than 60 metres from a residential zone.

There is an issue with the Goodwood Hotel opposite the site. There will no doubt be late night patrons visiting the petrol station for fuel and food, and with this there is an expectation that the drinking patrons may engage in anti-social behaviour within and near the site. This will include noise, litter and drinking in front of our house on Leader Street, which already occurs from late night hotel patrons. In addition, the traffic intersection and median strip on Goodwood Road is likely to produce traffic conflict when traffic exiting the hotel at Goodwood Road or Parsons Street attempt to enter Goodwood Road to enter Leader Street.

Concern 2: Lack of sensitivity to the locality

The Mixed Use 2 zone here is for medium sized businesses that don't have significant traffic and don't make a big impact visually. The integrated petrol station does not seem to fit this description, as it intends to amalgamate all six or so lots from 80-92 Goodwood Road, with intensive development and will depend on high volumes of traffic. The 12 fuel pumps facing Goodwood Road does not fit in nor complement the surrounding business environment due to its large scale, over bright visual design (pumps and canopy). The business in this area is mainly people friendly, and a petrol station where trade is quick in and quick out does not seem to fit in with this location.

Concern 3: Light pollution

We will have the wide area of night time lighting from the 6.54 metre canopy for the 12 fuel pumps visible from our yard and windows, each night of the week. Without adequately sized trees between the canopy and our residence, this amount of light will affect enjoyment of our house and yard. The residential zone here is compact housing, so there are no significant backyards in which to plant substantial landscape buffers.

Concern 4: Ice Box, Gas Filling storage tank

I am concerned about the amount of noise that will travel to our property from the ice box machinery during the night. Why place the ice box so close to the residential boundary? Why not put it next to the shop? Why is the gas storage area so close to our fences? What noise will the gas refilling truck make? Why not put it next to the shop?

REPRESENTATION Category 2 (Amended Plans) – Page 1

To: Andrew Raeburn, City of Unley Development Section

Please read these notes carefully:

1. Both pages ***MUST*** be completed in full and returned to the City of Unley by the closing date to be a valid representation.
2. This page (ie Page 1) will ***NOT*** be published on the internet.
3. Pages 1 and 2 (and any attachments) may be included as attachments in the hard copy of the Council Assessment Panel agenda.
4. Please note that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation (Pages 1 and 2 and any attachments) will be forwarded to the Applicant for consultation and response.

The closing date for Representations is **5pm on 20 September 2021.**

Application: 090/223/2021/C2 80-94 Goodwood Road, Goodwood SA 5034

Details of Person(s) making Representation:

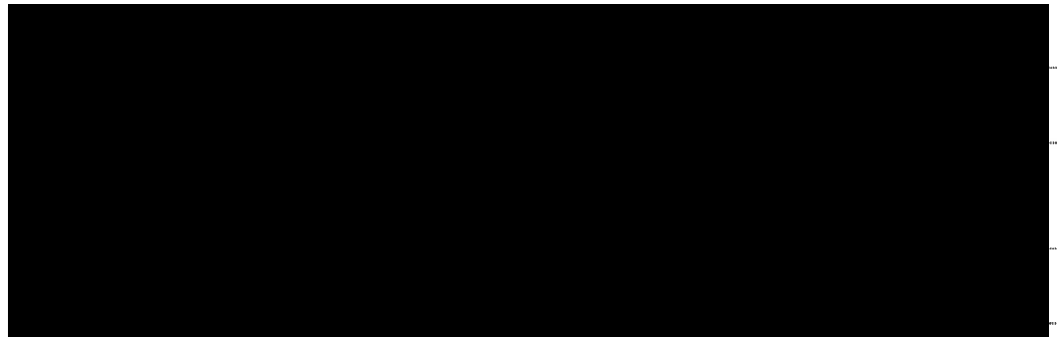
Name:

Postal Address:

EMAIL ADDRESS:

Daytime Phone No.

Property affected
by Development



A black rectangular redaction box covers the signature of the person making the representation.

(Signature)

20/09/2021

(Date)

To: Andrew Raeburn, City of Unley Development Section.

We object to the proposal.

The development proposal on 80-94 Goodwood Road of a petrol station and 24-hour drive-through convenience store does not conform to many of the described ideals of the Unley Council Development Plan. The architecture of this development is not in harmony with the other buildings in the locality. The design is not complementary or respectful to the desired character of the existing localities, being the Goodwood Hub and Goodwood Hotel and the neighbourhood homes it shares borders with, and it does not offer the community engagement that is generated by local business such as the Suburban Brew and Meta Sol. A convenience store and drive through does not have a village aesthetic, does not invigorate the community, does not reinforce the distinct identity of the locality. The development is not conducive to commuter traffic calming, does not reduce the reliance on cars or implement energy efficient design. And a petrol filling station is not sustainable in the environmental sense. This development affects the amenity of our neighbourhood, and directly affects our life at home due to the proposal's location, size and the 24-hour operation.

We have listed our concerns below relating them, to the City of Unley Development plan.

Land use

The development is contrary to Objective 1 of the Mixed Use 2 Zone in that a petrol filling station and convenience shop are not low traffic generation uses. To the contrary, these types of uses rely on high traffic volumes to generate sales and turnover. In this context the development will introduce additional traffic movements adjacent to a residential area, in particular as a result of placing the two-way driveway and drive-through access adjacent to the dwellings.

Interface with residential uses

The development appears contrary to Mixed Use Zone PDC 5 in that the development does not provide an effective visual and acoustic buffer between the development and adjacent residential zones, and contrary to General Section Interface Between Land Uses Objective 1 and PDC 2 in that the development is not designed to minimise adverse impact and conflict between land uses and not minimise negative impacts on existing land uses in the locality.

In this regard it is noted that the Sonus report indicates in Appendix B that a range of 'general' activities such as accelerating vehicles, idling and moving cars and moving fuel trucks all generate the highest noise levels yet the proposed design places these specific activities immediately adjacent the sensitive residential uses, including the drive-through aisle. It is considered a better outcome would result if the control building was placed towards the western boundary with all access and manoeuvring located between the control building and Goodwood Road, away from the dwellings.

While it is noted that the Sonus report recommended a series of noise attenuation measures it is disappointing that the applicant is putting the onus on council to require these measures via condition rather than voluntarily and proactively including the measures in their application. All the recommended measures must be implemented and are considered necessary even if the layout is redesigned as discussed above.

They have included a fence that meets the minimum standard required for the second report competed by Sonus, however with houses adjoining the property and directly behind where the bins are located it would be expected that they would go above the minimum and erect a 3-metre-high masonry fence to reduce noise to the neighbours as well as Improve amenity of the fencing.

Traffic generation

The applicant indicates the drive-through is primarily for coffee and convenience items, and the traffic assessment is based on the premise that it will not be associated with fast-food sales; however it is noted that a "Down Dog" brand will be within the facility and it is also noted the company has its own "X burger" branch. Accordingly in addition to coffee, milk and other convenience items, fast-food in the form of hot dogs, burgers and other take away food, perhaps prepared offsite, will nonetheless be available for purchase via the drive-through. In this context the drive-through will attract a range of consumers and a high level of activity not dissimilar to a typical fast-food restaurant. The accuracy of the traffic assessment needs to be questioned in this regard.

We appreciate your consideration of our concerns and objections.

Kind regards,

[REDACTED]

ATTACHMENT C

September 24, 2021

Andrew Raeburn
Development Officer
City of Unley

Dear Andrew,

RE: DA 223/2021/C2 – RESPONSE TO REPRESENTATIONS

I refer to the proposed development application for an integrated service station at 80-94 Goodwood Road, Goodwood.

Having reviewed all valid representations received during the public notification process, in my opinion, the key issues relate to land use, hours of operation, design, interface and amenity, traffic/carparking and demand.

A detailed response to each issue raised is provided below.

It is worth noting that the subject site is within the Mixed Use 2 Zone ('the Zone') and not located within one of the "Leader Street" policy areas within the Development Plan.

Land Use

A number of representors indicated that the proposal is unsuitable for this site. It is understood that a portion of the site has been vacant for some time and with a carpark and consulting room currently located on the other portion. Adjoining sites fronting Goodwood Road comprise all non-residential land uses. As such, the proposal will not erode the existing character of this site and the frontage to Goodwood Road.

Objective 1 for the Zone advises:

Objective 1 *Accommodation of a mixture of commercial land uses including medium-scale offices and consulting rooms with a maximum total floor area in the order of 450 square metres per individual building; as well as service industries, warehouses and retail showrooms which result in low traffic generation.*

The proposed floor area of the control building at 265 square metres is quite small when compared to what could be developed individually across all allotments that comprise the Subject Site.

The applicant confirms the drive through facility is not to be used for the sale of fast food. That offering will provide coffee.

Finally, whilst not It is also worth noting that a petrol station, a closely aligned land use, is not specified in the Zone as being a non-complying form of development.

Hours of Operation

A general theme throughout the representations is concern about hours of operation. Most of the matters raised by 24 hour operation are dealt with in the item below dealing with interface and amenity impacts however, the applicant wishes to make the following points in relation to the hours of operation.

The hours of operation between 10pm and 5am are generally not economically productive for X-Convenience. However, opening during these hours provides an essential service for customers, mostly people in the local area, who are in need of analgesics, essential foodstuffs or other items that are not readily available during those hours in a proximate location. By providing this service that does not generate significant financial return, X-Convenience build their brand to let customers know they are there for them and available at all times of the day to serve their need.

Retail fuel outlets now provide a service that modern society expects, namely unrestricted access to goods and services at times that meet the needs of a changing population; a population that lives and works beyond the 9-5 paradigm.

The hours of operation will provide passive surveillance to an area that is otherwise deserted and currently a refuge for nefarious activities that can all occur under the cover of darkness.

Interface and Amenity Impacts

A number of representors raise concerns with noise, odour, dust and light spill. All of these matters are dealt with by the South Australia Environmental Protection Authority (EPA) which this application was referred to for direction, i.e. the EPA has the power to direct the refusal of this application.

With respect to environmental concerns, including excessive odour, the Council should note the following:

- All underground fuel storage tanks (apart from diesel and LPG) will be fitted with a Stage 2 Vapor Recovery System (which includes underground storage tank vents pipes fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling;
- All fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 Vapor Recovery System that directs vapours back into the tank during vehicle refuelling;
- All underground fuel storage tanks will be double-walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of the Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.
- All fuel lines between the underground storage tanks and fuel dispensers will be double contained and fitted with a leak detection system which will be designed and installed in accordance with clause 4.5 of the Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems;
- All stormwater will be collected and diverted to a Waste Water Filtration System (Purceptor) Class 1) prior to discharge to the Council's stormwater infrastructure. The Purceptor Class 1 has the capacity to receive fuels spills as well as stormwater runoff with oil separator and alarm system with remote monitoring in the event of leakage.
- All sludge within the Purceptor Class 1 retention / oil separator will be removed by a licensed EPA waste transporter to a licensed depot.
- To avoid the impacts of hydrocarbon odour, the applicant has agreed to install a Stage 2 Vapor Recovery System which will effectively recover displaced vapour from refuelling vehicles. Stage 2 vapour recovery (VR2) equipment is designed to capture the displaced

vapour and return it to the underground fuel storage tank or other appropriate vessel. Usually, the fuel dispenser hose contains both fuel and vapour return lines. The vapour is drawn through the vapour return line by a vacuum pump. Similarly, the VR2 equipment will capture and return displaced vapour to the underground tanks during the re-filling process.

- A condition of consent reinforcing the requirement to install a VR2 system will ensure the minimisation of odour impacts.
- Again, it is noted this application has been referred to the Environment Protection Authority who indicate their support for this application.

In respect to concerns about excessive noise, Sonus, a well-respected and duly qualified firm of acoustic engineers has undertaken a noise an environmental noise assessment for the proposed development at this site. Their expert findings conclude:

The predicted noise levels from the development will achieve the relevant requirements of the *Environment Protection (Noise) Policy 2007* subject to the treatments in this report, comprising;

- specific fence heights and constructions;
- reducing the noise from any alarms as far as practical;
- ensuring all inspection points, grated trenches, etc. are correctly fixed;
- restricting the times for rubbish collection, service bay access and fuel deliveries;
- incorporating in-line attenuators to the discharge side of any significant exhaust fan/s; and,
- specific location and screening of the mechanical plant.

Representations have pointed out the “gas decanting facility” will create adverse noise impacts. The gas decant facility generally is only utilised by customers in the summer / BBQ months and is expected to generate a maximum of 10 customers per day in those months. There is little or no noise created by this facility and my client is willing to accede to a condition of consent that it only be used during the hours of 11am – 4pm on any day. From a management perspective, the gas decant facility is never used outside of those hours even in the absence of any condition of planning consent should it ensue.

It should also be noted that X-Convenience operate a number of similar sites across the State all of which do so within the confines of their approval.

It is therefore considered that the facility has been designed to *minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise*, thereby achieving the relevant provisions of the Development Plan related to environmental noise.

Finally, it is an axiomatic principle of planning that persons who reside at the fringe of residential zones, abutting commercial zones cannot expect the same level of amenity as those who live within the “heart” of a residential zone.

Commissioner Hodgson of the Environment, Resources and Development Court stated, as part of his judgement in relation to the matter of *Bond v City of Norwood, Payneham & St Peters [2007] SAERDC 56*, that:

“Lanzilli Holdings and Papadopoulos are, in my view, authorities for the proposition that the amenity expectations of those who reside in zones within which commercial or residential activities are envisaged, or even on the periphery of a residential zone in close proximity to a commercial or industrial zone, cannot equate with those of residents in the heart of residential zones. Were that not to be the case, commercial

and residential activities located in zones within which such uses were sanctioned could potentially be seriously restricted by the application of residential amenity standards having their origin in zones devoted solely to residential uses.”

Western Fencing

Following receipt of the representations, the proponent will provide 3 metre high fencing to the entire western boundary as sought by various representors. Amended plans have been prepared and provided to the Council reflecting this.

Traffic/Carparking

Issues raised relating to traffic increase, congestion and access arrangements were responded to within the Traffic and Parking Assessment Report prepared by CIRQA. In their report, they outline:

- Goodwood Road has an existing condition of approximately 26,600 vehicle movements per day – it is a very busy arterial road.
- The proposed development is forecast to generate 112 am and 143 pm peak hour vehicle movements to/from the subject site (of which 70% will be existing movements on the adjacent road network). Such volumes are well within the capacity of the access points and adjacent road network. The additional movements will be readily accommodated without significant impact on existing traffic conditions, again, noting that over 26,000 vehicle movement occur on this road on a daily basis.
- All deliveries and refuse collection will be undertaken outside of peak operating hours and access the site via Goodwood Road, avoiding the need for access via Leader Street to minimise impact to adjoining residential properties.
- All access points will be greater than 6 metres from the tangent point of the adjacent Goodwood Road / Leader Street intersection, in accordance with the relevant Australian Standard.

Additionally, given the drive through is not for the sale of fast food, but for coffee and ancillary items, the drive through has ample capacity for the queuing of vehicles. As highlighted by CIRQA, fast food outlets allow for a queuing of six vehicles, which the proposal of smaller capacity also allows for.

Finally, representors have suggested there is insufficient carparking based upon the theoretical demand in the Development Plan of one space per 100 square metres of store floor space. The store floor space is 265 square metres, equating to a theoretical demand of 18.55 spaces. 18 car parks are provided and this is considered sufficient by Cirqa, a firm of well-respected and duly qualified traffic engineers.

It is noted that “retail fuel outlet” applications are required to provide 3 car parks per 100 square metres of gross leasable floor area. If this application were lodged under the Planning and Design Code, the application would require 8 car parking spaces.

Signage

Representations express concern about the illuminated pylon signage expressing a view the height of the sign and that it should be 3.5m in height – to preserve the character and amenity of the locality.

The application has been referred to the Department of Infrastructure and Transport as Goodwood Road is a busy arterial road under the care and control of that Department. Their referral response was that the pylon sign does not create adverse safety impacts for passing motorists.

It is also worth noting, the character and amenity of Goodwood Road is that of a busy arterial road. This is not a bucolic locale. Goodwood Road, is the main artery connecting the suburbs to the south of Adelaide to the Central Business District. The immediate locality is distinctly commercial. The Subject Land is approximately 50 metres from the Tram Line connecting the CBD with Glenelg. The Adelaide Show Grounds are approximately 20 metres to the north, a site that has been sequestered by the State Government to administer the Covid-19 vaccine roll-out. Immediately to the east of the Subject Land is the Goodwood Hotel, a licensed premises that operates until 2am in the morning and a brewery/taproom is immediately adjacent the site to the south.

The signage advertises the price of petrol to passing customers. A 6 metre high pylon sign is not large in the context of other retail fuel outlets across the State. The locality is not one that is diminished by the presence of such a sign.

Landscaping

Concerns are raised about the lack of landscaping in the application documents. Landscaping details have been provided which have satisfied the Unley Council in previous applications for Development Plan Consent, and other Councils including the City of Mitcham. If further landscaping details are required by the Council then the applicant is willing to provide such detail.

Lighting

Representations are critical of the lack of detail about proposed lighting as part of the application documents. X-Convenience (and nearly all other integrated service station providers) do not provide such detail at the planning application stage.

Council can adequately deal with light spill by the imposition of a condition that ensures all external lighting will be designed to ensure there is no nuisance caused by light spill to the Australian Standard 4282 – The Control of the obtrusive effects of outdoor lighting. This standard condition has been accepted across the State for X-Convenience and other integrated service station approvals. The applicant is willing to accede to a condition of consent imposing this requirement.

Demand

A representor highlighted that a number of service stations were in close proximity to the subject site and queried the “need” for the service station.

Firstly, the question of need is an irrelevant planning consideration. The ERD Court decision of *Hanna v Yorke Peninsula District Council & Virgin* [1999] SAERDC 36 is most instructive in this regard where the Court, in that instance, was asked to determine whether the development of a new tavern, in competition with another was a relevant consideration for a planning authority. The Court held that it was not, more particularly at paragraph 28 of that decision the Court held:

“This Court is not required to assess the need for the proposed facility in the same way that the Licensing Court is required to address that issue, in respect of an application for a liquor licence. In this matter, we had to consider whether the proposed development fell within the kinds of development envisaged for the zone. In other words, we were required to address the question as to whether the proposed development was one which would supply basic needs and facilities for holiday-makers and visitors, or in the words of PDC 4, whether it was one supplying essential goods and services to meet the day-to-day needs of the settlement’s residents and visitors. We have been satisfied that it would be such a development. It is not our role to go further. Lane v Duxsel & District Council of Stirling (1988) 143 LSJS 454.”

(my emphasis)

Secondly, the representor has not produced any evidence to support the assertion the local population is overserved by a service station, i.e. there is no “need” for the proposal. The ERD Court has provided guidance on many occasions to third party representors who wish to challenge a decision of local planning authorities to approve a development, with the decision of *Carey and Bourdon v DAC [1994] EDLR 233* being most instructive:

“... an appellant should present a case of substance; ... assertions should be supported by evidence amounting to more than a collection of presumptions by an unqualified observer... Generally, it would not be enough to merely raise an issue without producing supporting evidence, particularly when the issue had been addressed by the developer as part of the development application.”

Based upon the above, the assertions made in respect of need are both irrelevant and based upon presumptions in the complete absence of any supporting evidence.

Other

Construction impacts and perceived diminution in property values are not relevant to the assessment of the application. Construction impacts can be adequately dealt with by the requirement to submit a construction management plan vis an appropriately worded condition of Development Plan Consent.

Concerns about unsavoury behaviour including anti-social behaviour associated with a 24 hour a day operation are unfounded. If anything, the provision of service station uses provides passive surveillance and activity that ensures such behaviour does not occur. It is an axiomatic principle of Crime Prevention Through Environmental Design that active uses dissuade persons from engaging in anti-social behaviour. Allied to this, service station uses utilise significant surveillance of their property through closed circuit television cameras. This only reinforces the view that the proposed use will actually benefit the local area.

Property values are often raised in opposition to development proposals. The submission is (a) not relevant and (b) not supported by any empirical evidence.

I trust this adequately responds to the written representations received by the Council.

I look forward to this matter being presented to the next available Council Assessment Panel meeting.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Duncan', written in a cursive style.

Marc Duncan
Director

ATTACHMENT D



Environment Protection Authority
GPO Box 2607 Adelaide SA 5001
211 Victoria Square Adelaide SA 5000
T (08) 8204 2004
Country areas 1800 623 445

EPA Reference: 35030

4 June 2021

Mr Andrew Raeburn
Senior Planning Officer
City of Unley
PO Box 1
UNLEY SA 5061

Dear Mr Raeburn

DIRECTION - Activities of Major Environmental Significance

Development Application No.	090/223/2021/C2
Applicant	Future Urban Pty Ltd
Location	A49, A50, A51, A52, A53 FP9323, A101 DP44908, HD Adelaide, 80 to 94 Goodwood Road, Goodwood SA 5034
Activity of Environmental Significance	Schedule 8 Item 11; Schedule 22 Part A Activities, Item 22-1(5a)
Proposal	Construction of an Integrated Service Station comprising control building, drive thru, underground fuel storage tanks, 6 fuel bowsers, fuel canopy, signage, fencing and landscaping

Decision Notification	A copy of the decision notification must be forwarded to: Client Services Officer Environment Protection Authority GPO Box 2607 ADELAIDE SA 5001
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I refer to the above development application forwarded to the Environment Protection Authority (EPA) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves an activity of major environmental significance as described above.

The following response is provided in accordance with Section 37(4)(b)(ii) of the *Development Act 1993* and Schedule 8 Item 11 of the *Development Regulations 2008*.

In determining this response the EPA had regard to and sought to further the objects of the *Environment Protection Act 1993*, and also had regard to:

- the General Environmental Duty, as defined in Part 4, Section 25 (1) of the Act; and
- relevant Environment Protection Policies made under Part 5 of the Act.

Please direct all queries relating to the contents of this correspondence to Robert De Zeeuw on telephone (08) 8204 1112 or facsimile (08) 8124 4673 or email Robert.DeZeeuw@sa.gov.au.

THE PROPOSAL

The proposal seeks the construction of an integrated service station comprising control building, drive thru, underground fuel storage tanks, six fuel bowsers, fuel canopy, signage, fencing and landscaping.

The petrol station would operate 24 hours a day, seven days per week.

SITE DESCRIPTION

The proposed development is located at 80-94 Goodwood Road, Goodwood and comprises Certificate of Title Volume 5404 Folio 781, Volume 5192 Folio 530, Volume 5512 Folio 524, Volume 5512 Folio 525, Volume 5512 Folio 524, Volume 6134 Folio 259, Volume 6134 Folio 258

The site is located within the City of Unley Development Plan, Mixed Use 2 Zone (consolidated 15 October 2020).

The site has not been inspected by EPA staff but has been viewed via GIS information systems and aerial photography available to the EPA.

CONSIDERATION

Advice in this letter includes consideration of the location with respect to existing land uses and is aimed at protecting the environment and avoiding potential adverse impacts upon the locality.

The 'Discussion Relating to Direction' is provided in accordance with section 37(4)(b)(ii) of the *Development Act 1993* and Schedule 8 Item 11 of the *Development Regulations 2008*.

It should be noted that the referral trigger to the EPA for assessment was for storage and retail sale of petroleum products only, as per Schedule 22, (5a) of the *Development Regulations*. The EPA has therefore provided an assessment of the potential environmental impacts associated with the proposed 'petroleum storage and dispensing activity only'.

The 'Other Comments' section of this response is to assist the relevant authority to undertake an environmental assessment of those parts of the application outside the scope of the activity of environmental significance that triggered the referral to the EPA.

DISCUSSION RELATING TO DIRECTION

Interface Between Land Uses

The EPA publication *Evaluation distances for effective air quality and noise management* (August 2016) recommends an evaluation distance of 200 metres between a service station/retail outlet operating 24 hours a day not on a highway/freeway and a sensitive receiver (i.e. dwelling, Residential Zone etc.). From an air quality perspective (human health and amenity) the EPA considers the 50

metre evaluation distance to be appropriate.

While the distance from the fuel bowsers to the nearest sensitive receiver boundary was not nominated in the application, it is apparent from GIS imagery and the plans provided that the closest sensitive receiver to the west is located less than 50 metres away (approximately 30 metres) from the nearest fuel bower.

In this regard, air quality impacts are considered below. In relation to noise, as the referral trigger to the EPA only relates to petroleum storage and dispensing, refer to the 'Other Comments' section below.

The *Evaluation distances for effective air quality and noise management* (August 2016) publication is available at: http://www.epa.sa.gov.au/files/12193_eval_distances.pdf

Air Quality

Petrol vapour emissions at retail petrol stations are a significant and growing source of air pollution in South Australia. Emissions of volatile organic compounds contribute to air pollution and are emitted from storage systems holding hydrocarbon (other than diesel and LPG), as well as from fuel bowsers and tanker deliveries.

Vapour recovery systems are designed to reduce petrol emissions into the atmosphere from underground storage systems. The EPA notes the Planning Report by Future Urban has proposed a Stage 1 vapour recovery system be fitted to the underground storage tanks, including that the underground storage tank vent pipes be fitted with a pressure vacuum relief valve to minimise loss during the unloading and storage of fuel.

The EPA notes that the Planning Report by Future Urban has also proposed a Stage 2 vapour recovery system for the fuel bowsers which would direct vapours back into the tank during vehicle refuelling. Given the distance to the nearest sensitive receivers and the proposed installation of both a Stage 1 and Stage 2 vapour recovery system, the EPA considers the petroleum storage would not result in unacceptable air quality impacts. Conditions are directed below in this regard.

Water Quality

Potentially contaminated stormwater runoff can be generated at retail petrol stations from the hard surfaced forecourt areas including re-fuelling areas, parking areas, footpaths, loading areas and other trafficable areas.

The provided Stormwater Plan, Notes, Legend and Schedule, Grading Plan and Details, prepared by Sagero (Drawing number SA200097, C01A, C02A, C03A) identifies that all runoff from hardstand areas would be collected via a series of grated inlet pits and pass to a SPEL Purceptor Class 1 full retention oil/water separator (P.050.S.C1.2C). It is proposed that this has an additional 10,000 litre capacity retention tank to capture a major spill on site from a delivery truck. A series of detention tanks are also proposed for outflow to the street stormwater system. This is satisfactory to the EPA and a condition to this effect is directed below.

The development application Planning Report states that any sludge from the Class 1 full retention oil/water separator (no bypass) would be collected by an EPA licensed contractor. This is satisfactory

to the EPA and a condition is directed below to ensure that the waste is removed as necessary by a waste transporter licensed by the EPA to carry such material to an appropriate waste facility.

Potential Site Contamination

Leak Detection

The EPA recommends that to demonstrate the general environmental duty (as required under section 25 of the Environment Protection Act) has been met, the proposed leak monitoring systems should be designed and installed in accordance with *Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems*.

The development application states that the new underground storage tanks are proposed to be double contained fiberglass with leak detection system. In addition, the delivery pipework (tanks to pumps) would be double contained with a leak detection system. Both are proposed to be designed and installed in accordance with *Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems*.

The proposed fuel storage methods and protection measures for minimisation and/or detection of leakage are considered satisfactory to the EPA. Conditions are directed below in this regard.

Environmental Authorisation

The operation of a petrol station requires an Environmental Authorisation (EPA Licence) pursuant to the Environment Protection Act. A note is included below to remind the applicant of the need to obtain a licence.

OTHER COMMENTS

Noise

Integrated petrol/service station complexes comprise many varied noise sources, including the following:

- cars and trucks entering, operating within and leaving the premises
- closing of vehicle doors, and customer voices
- fuel deliveries and rubbish collection
- operation of fuel pumping equipment
- operation of fixed plant and equipment (including refrigeration and air conditioning plant)
- drive thru facilities.

As the referral to the EPA relates to petroleum storage and dispensing only, the EPA has not undertaken an assessment of any potential noise impacts. As the proposed facility would operate during night time hours, up to seven days a week, and a sensitive receiver is located adjacent the subject site to the west, the relevant authority should be satisfied that the proposed development would comply with the *Environment Protection (Noise) Policy 2007*.

Construction Management

The EPA holds a notification of the commencement of a site contamination audit report, dated 23 July

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2019, for an area of land which includes the site subject to the development application with the exception of CT 5404/781. The audit is still in progress and has not yet been completed. The EPA holds no detailed site contamination information for the site.

The auditor stated in their commencement notification that the site was currently unused however was recently used by two commercial land uses. The auditor also identified that the following potentially contaminating activities (PCA) had occurred at the site:

- Fill or soil importation.
- Metal coating, finishing or spray painting.
- Motor vehicle repair or maintenance.

Given the identified PCA's above, the planning authority should consider seeking a Construction Environmental Management Plan (CEMP) that is prepared by a suitably qualified and experienced site contamination consultant to the satisfaction of the planning authority. The CEMP should be prepared in accordance with the EPA guideline "*Construction Environmental Management Plans (CEMP)*" updated September 2019 (https://www.epa.sa.gov.au/files/12330_guide_cemp.pdf).

If in carrying out the development, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, or harm to water that is not trivial, the applicant may need to remediate the contamination in accordance with EPA guidelines. A note in this regard is advised below.

In addition, if at any stage contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to section 83A of the *Environment Protection Act 1993*) must be submitted to the EPA. A note in this regard is advised below.

CONCLUSION

Based on the information provided with the application and provided the conditions are implemented below, the EPA is satisfied that the proposed petroleum storage and dispensing activity would not cause unacceptable environmental impacts.

DIRECTION

The planning authority is directed to attach the following conditions to any approval:

1. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.
2. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refueling.
3. Prior to operation, all underground fuel storage tanks must be double-walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of *Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems*.

4. Prior to operation, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system, designed and installed in accordance with clause 4.5 of *Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems*.
5. Stormwater runoff from all hardstand areas (including the refuelling and fuel delivery areas) must be managed in accordance with the provided 'Stormwater Plan, Notes, Legend and Schedule, Grading Plan and Details', prepared by Sagero (Drawing number SA200097, C01A, C02A, C03A) and must be directed via grates and grade changes to a SPEL Purceptor full retention oil/water separator (no bypass function) that:
 - a. has as a minimum spill capture capacity of 10,000 litres
 - b. reduces oil content in the outlet to less than 5 mg/L at all times (as confirmed by independent third party scientific testing)
 - c. operates effectively in the event of a power failure.
6. Any sludge or oily residue collected within the SPEL Purceptor full retention oil/water separator must be removed by an EPA licensed waste transporter to a licensed waste depot.

The following notes provide important information for the benefit of the applicant and are requested to be included in any approval:

- The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence
- A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- If in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, or harm to water that is not trivial, the applicant may need to remediate the contamination in accordance with EPA guidelines.
- If at any stage contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to section 83A of the *Environment Protection Act 1993*) must be submitted to the EPA.
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

Yours faithfully

Courtney Stollznaw

Delegate

ENVIRONMENT PROTECTION AUTHORITY

In reply please quote 2021/00621, Process ID: 670710
Enquiries to Mr Daniel Sladic
Telephone 7109 7872
E-mail dit.landusecoordination@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

9 June 2021

Mr Andrew Raeburn
City of Unley
PO Box 1
UNLEY SA 5061

Dear Mr Raeburn

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	090/223/21
Applicant	Future Urban Pty Ltd
Location	80-92 Goodwood Road, Goodwood
Proposal	Integrated service station and convenience store with associated illuminated signage

I refer to the above development application forwarded to the Commissioner of Highways (CoH) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above. The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

CONSIDERATION

The subject site abuts Goodwood Road, an arterial road under the care, control and management of the CoH and Leader Street, a council road. The adjacent section of Goodwood Road carries approximately 26,000 vehicles per day (3.5% commercial vehicles) and has a posted speed limit of 60km/h.

Access to the site is proposed to be via separate ingress and egress points on Goodwood Road. Additional access will be provided via a two-way crossover on Leader Street.

The Department for Infrastructure and Transport (DIT) supports the proposal. Vehicle movements along Goodwood Road will be limited to left in/left out and that the location of the proposed access on Leader Street will comply with *AS/NZS 2890.1:2004*, Figure 3.1 'Prohibited Locations of Access Driveways'.

The Traffic and Parking Report produced by CIRQA (Project No. 20231, dated 16 March 2021), demonstrates that the proposed development would likely generate approximately 43 additional peak hour movements which would be easily accommodated within the adjacent road network. The CIRQA report demonstrates that the largest vehicle expected to access the site (19.0 metre Semi-Trailer) can enter and exit the site in a forward direction which is supported.

Council should be satisfied that the access and any on-site vehicle manoeuvring areas remain clear of any impediments and that all off-street car parking areas be designed in accordance with *AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2009*.

DIT 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 is unlikely to interfere with the nearby traffic signal lanterns on Goodwood Road or cause undue distraction to motorists at this location.

The Metropolitan Adelaide Road Widening Plan shows a possible requirement from the site and further information is provided as a note.

ADVICE

DIT supports the proposed development. The planning authority is advised to attach the following conditions to any approval:

1. All vehicular access shall be gained in accordance with the Site Plan produced by Sagero, Project No. SA200097, Issue A, dated March 2021.
2. All vehicles shall enter and exit the site in a forward direction.
3. The driveway crossovers on Goodwood Road shall be located a minimum of 1 metre from any existing light pole located on the adjacent footpath.
4. Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.
5. Signage shall not flash, scroll, move, change or imitate a traffic control device, with the exception of the LED fuel price signs, which may change on an as-needs basis.
6. Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the arterial road network shall be limited to a low level of illumination (i.e. $< 150\text{Cd/m}^2$), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m^2) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

7. Signage shall, in the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
8. Stormwater run-off shall be collected on-site and discharged without impacting the integrity and safety of Goodwood Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

The following notes provide important information for the benefit of the applicant and is required to be included in any approval:

- The Metropolitan Adelaide Road Widening Plan currently shows a possible requirement for a strip of land up to 2.13 metres in width from the Goodwood Road frontage of this site for the possible future widening of Goodwood Road. The consent of the Commissioner of

Highways under *the Metropolitan Adelaide Road Widening Plan Act 1972* is required to all building works on or within 6 metres of the possible requirement.

Yours sincerely



MANAGER, TRANSPORT ASSESSMENT
for **COMMISSIONER OF HIGHWAYS**

A copy of the decision notification form should be forwarded to dit.developmentapplications@sa.gov.au

ITEM 2**DEVELOPMENT APPLICATION – 090/181/2021/C2 – 93 NORTHGATE STREET, UNLEY PARK SA 5061 (UNLEY PARK)**

DEVELOPMENT APPLICATION NUMBER:	090/181/2021/C2
ADDRESS:	93 Northgate Street, Unley Park SA 5061
DATE OF MEETING:	19 October 2021
AUTHOR:	Chelsea Spangler
DEVELOPMENT PROPOSAL:	Erect garage on common boundaries (retrospective)
HERITAGE VALUE:	Contributory
DEVELOPMENT PLAN:	15 October 2020
ZONE:	Residential Historic (Conservation) Zone Policy Area 7 – Grand Unley Park Heywood Estate
APPLICANT:	J W P Walker
OWNER:	J W P Walker
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – (1 oppose)
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representations
RECOMMENDATION:	Approval
KEY PLANNING ISSUES:	Building bulk / mass Wall on boundary

NOTE:

This application was due to be considered at the Panel's meeting on 17 August but was withdrawn as both the representor and their planning consultant were in lockdown or interstate and couldn't attend the meeting. There was also the possibility that the applicant and representor may have been able to reach a compromise.

Due to the delay, the representor has taken the opportunity to provide further comment on the applicant's response to the representation. The additional comments are provided in Attachment D.

The recommendation of the report remains unchanged.

1. PLANNING BACKGROUND

The subject application is for retrospective development, namely a garage, that is largely constructed (the garage door has yet to be installed).

During the assessment of the application, staff requested the following further information:

- Confirmation as to height and roof pitch of the garage as the proposal plans were not consistent.
- Confirmation as to the legislative status of nearby trees.

Further, staff also highlighted a Development Plan principle which the proposal did not satisfy, as per the following:

Council Wide Residential Development PDC 30 of the Development Plan states that garages should have a maximum wall height of 3 metres above ground level. The wall of height of the garage exceeds this. It is suggested that the wall height is lowered, however should you wish to proceed with the current proposal, please confirm in writing.

As a result, the applicant provided the following details:

- amended plans that nominated the correct roof pitch and building height.
- An arborist report, prepared by Project Green, confirming the legislative status of the nearby tree.
- Confirmation that the applicant wished to proceed with the proposal in its current form.

2. DESCRIPTION OF PROPOSAL

The application is for garage that has a width of 7.58 metres and a length of 6.25 metres. The garage has a pitched roof with the overall height of the garage ranging from 3.3 metres to 3.84 metres.

The garage is to be located on common boundaries and is to be accessed via Nanthea North Terrace, a secondary street to which the subject site.

3. SITE DESCRIPTION


The subject site is described as Allotment 27 on Filed Plan 11719. The allotment is located on the southern side of Northgate Street and is the second allotment from the end of Northgate Street. The site also has an access handle to a secondary street, namely Nanthea North Terrace. This access handle is also a right of way easement to which 91 Northgate Street has the benefit of utilising.

The site is irregular in shape with a frontage of 16.46m to Northgate Street, and a total site area of 900m². The site contains a detached dwelling with a single width carport, accessible to Northgate Street.

There are no regulated trees on or adjacent to the subject site.

4. LOCALITY PLAN



 Subject Site  Locality  Representations

5. LOCALITY DESCRIPTION

Land Use

The predominant land use within the locality is residential.

Land Division/Settlement Pattern

The land division pattern within the locality is irregular, largely due to the trainline located to the west of the locality. The allotments however are generally quite large with dwellings located to the front of the site and spacious private open space areas to the rear.

Dwelling Type / Style and Number of Storeys

Single storey detached dwellings are the predominant dwelling type. A majority of the dwellings are identified as Contributory Items.

6. STATUTORY REFERRALS

No statutory referrals required.

7. NON-STATUTORY (INTERNAL) REFERRALS

No non-statutory (internal) referrals were undertaken.

8. PUBLIC NOTIFICATION

Category 2 notification was undertaken in accordance with Table Un/8 of the Unley Development Plan. During the ten (10) business day notification period one (1) representation was received as detailed below.

1. 91 Northgate St, Unley Park (oppose – wish to be heard)	
ISSUES RAISED	APPLICANTS RESPONSE
Garage's position in regard to the boundary <ul style="list-style-type: none">- Garage has not been built to the common boundaries- Minimum setback requirements have not been met	The applicant has undertaken a site survey to determine the location of the shed in regard to the common boundaries. It was found that the shed was offset from the boundaries. Advice from a Building Surveyor was obtained, and cladding is now proposed to the garage to ensure the garage can be located to the northern boundary and the existing wall on the eastern boundary.
Height of the structure <ul style="list-style-type: none">- The garage is not domestic scaled and has the potential not to be ancillary to the dwelling- Wall height exceeds 3m	We believe the height and scale of the garage is appropriate as: <ul style="list-style-type: none">• The garage is to be located to the rear of the site which will ensure the presentation and retention of the existing streetscape character.• The garage is a single storey building in the form of a freestanding outbuilding.• Skillion roof profile results in a lower roof profile than a gable roof profile.• The garage abuts a 1.8m high masonry wall along the eastern boundary.• The floor area of the garage is modest in scale compared to

	<p>80sqm contemplated by the Development Plan.</p> <ul style="list-style-type: none"> Provides additional privacy for the adjacent swimming pool and private open space area of 91 Northgate St.
<p>Design & Materials of the structure</p> <ul style="list-style-type: none"> - Not a high design standard - Does not have proper regard to the desired character of the locality; 	<p>Amended details have been provided which include:</p> <ul style="list-style-type: none"> The garage is to be finished in a cream colour render along the western elevation, a 'Windspray' metal cladding to the south and east elevation and a 'Cottage Green' finish to the northern elevation. This is to reflect the finish of the existing fence and other structures in the locality.
<p>*Removal of landscaping & impacts to large Jacaranda tree</p>	<p>Advice has been sought from an Arborist who has confirmed that the Jacaranda tree is not a regulated or significant tree. As such, the design of the garage has not contemplated impacts to the tree.</p>

(* denotes non-valid planning considerations)

A full copy of the representation as well as the applicant's response can be found in Attachment B and C respectively.

9. DEVELOPMENT DATA

Site Characteristics	Garage	Development Plan Provision
Total Site Area	900m ²	As existing
Frontage	16.46m	As existing
Building Characteristics		
Outbuildings		
Wall Height	3.2m – 3.74m	<input type="checkbox"/> 3m
Total Height	3.84m	<input type="checkbox"/> 5m
Total Floor Area	47.38m ² (5.3% of the site)	<input type="checkbox"/> 80m ² or 10% of the site, whichever is the lesser
Site Coverage		
Roofed Buildings	Approx 50%	<input type="checkbox"/> 50% of site area
Setbacks		
Side boundary (north)	0m	At least 600mm off the boundary or on the boundary

Side boundary (east)	0m	At least 600mm off the boundary or on the boundary	
Side boundary (west)	6m (min)	At least 600mm off the boundary or on the boundary	
Rear boundary (south)	12m	At least 600mm off the boundary or on the boundary	
Wall on Boundary			
Location	north	east	
Length	7.58m	6.25m	□9m or □50%□ of the boundary length, whichever is the lesser
Height	3.74m	3.2m – 3.74m	□3m
Private Open Space			
Total Area	Approx 40%	□20%	
Car parking and Access			
On-site Car Parking	Approx 4-5 existing 2 additional proposed	3 per dwelling where 4 bedrooms or more or floor area 250m ² or more	
Covered on-site parking	2 existing 2 additional proposed	□2 car-parking spaces	
Garage/ Carport Internal Dimensions	7.25m x 6m	5.8m x 6m for double	
Colours and Materials			
Walls	East & South Elevations Colorbond metal cladding – ‘Windspray’ West Elevation CFC Cladding – ‘Cream’ North Elevation Colorbond metal cladding - ‘Cottage Green’		

(items in **BOLD** do not satisfy the relevant Principle of Development Control)

10. ASSESSMENT

Zone Desired Character and Principles of Development Control

Residential Historic (Conservation) Zone
<i>Objective 1: Conservation and enhancement of the heritage values and desired character described in the respective policy areas, exhibited in the pattern of settlement and streetscapes of largely intact original built fabric.</i>
<i>Objective 2: A residential zone for dwellings primarily in street-fronting format, together with the use of existing buildings and sites used for non-residential purposes for small-scale local businesses and community facilities supporting an appealing, pleasant and convenient living environment.</i>
<i>Objective 3: Retention, conservation and enhancement of contributory items, and the complementary replacement or redevelopment of non-contributory buildings.</i>

Objective 4: Sensitive adaptation of contributory items for alternate, small household, living where offering tangible benefit in the retention and refurbishment of such items.

Desired Character

Heritage Value

The Residential Historic (Conservation) Zone and its 7 policy areas have particular significance to the history of Unley's settlement. These areas tell a story about life in the late 19th and early 20th Century, and of the features and circumstances of the original European communities in Unley. It is for this reason, as well as the appealing and coherent streetscapes of largely intact original building stock, that these areas merit particular attention and protection.

The important defining heritage values and statements of desired character are expressed for each of the zones seven distinctive policy areas. These values stem from the original road layout and settlement patterns. There is a strong consistency and an identifiable pattern in the way buildings, of varying proportions, are sited and massed relative to the site sizes and widths of street frontages.

There is also an identifiable rhythm of spaces between buildings and their street setbacks. Dwellings are of a traditional street-fronting format and adopt a strong street "address" with open front gardens and fencing, and with outbuildings and garaging being a recessive or minor streetscape element.

There is also a consistency in the built fabric itself with characteristic use of building forms, detailing, materials and colours.

Contributory Items

A building making a positive contribution to the heritage value and desired character of the respective policy areas is termed a "contributory item". All contributory items are highly valued and ought not be demolished as this would significantly erode the integrity of the zone. Sensitively designed alterations and additions to a contributory item are appropriate, as are changes removing or making more positive contribution of discordant building features detracting from its contributory value. The adaptation of a contributory item for alternative residential accommodation where this provides for the retention, and ongoing refurbishment, of such items is also appropriate.

Assessment

The subject application is for an ancillary building which does not include any changes to the existing Contributory Item, or its contribution to the streetscape.

The proposed garage is located to the rear of the allotment and will have no impact on the character or heritage value of the locality.

Relevant Zone Principles of Development Control	Assessment
<p>PDC 2 – General <i>Development should comprise:</i></p> <ul style="list-style-type: none"> a) <i>alterations and/or additions to an existing dwelling; and</i> b) <i>ancillary domestic-scaled structures and outbuildings; and</i> c) <i>the adaptation of, and extension to, a contributory item to accommodate and care for aged and disabled persons, or for a multiple dwelling or residential flat building; and</i> d) <i>selected infill of vacant and/or under-utilised land for street-fronting dwelling type(s) appropriate to the policy area; and</i> e) <i>replacement of a non-contributory building or site detracting from the desired character with respectful and carefully designed building(s).</i> 	<p>The proposed development is for an ancillary domestic-scaled garage as per PDC 2(b). The garage is freestanding and is located to the rear of the subject site with access to be obtained from Nanthea North Terrace.</p>
<p>PDC 12 – Boundary Walls <i>Building walls on side boundaries should be avoided other than:</i></p> <ul style="list-style-type: none"> a) <i>a party wall of semi-detached dwellings or row dwellings; or</i> b) <i>a single storey building, or outbuilding, which is not under the main dwelling roof and is setback from, and designed such that it is a minor, low and subservient element and not part of, the primary street façade, where:</i> <ul style="list-style-type: none"> (i) <i>there is only one side boundary wall; and</i> (ii) <i>the minimum side setback prescribed under the desired character is met on the other side boundary; and</i> (iii) <i>the desired gap between buildings, as set-out in the desired character, is maintained in the streetscape presentation.</i> 	<p>The proposed garage is to be sited along two common boundaries adjacent to 91 Northgate Street. The garage is well setback from the primary street and its siting has no influence on the properties' streetscape presentation.</p> <p>The garage is of a size and scale that is much less than that of the associated dwelling.</p>
<p>PDC 13 – Carports & Garages <i>A carport or garage should form a relatively minor streetscape element and should:</i></p> <ul style="list-style-type: none"> a) <i>be located to the rear of the dwelling as a freestanding outbuilding; or</i> 	<p>The proposed garage will not be visible to the streetscape of Northgate Street or Nanthea Terrace as the freestanding garage is located to the rear of the subject site.</p>

Relevant Zone Principles of Development Control	Assessment
<p>b) where attached to the dwelling be sited alongside the dwelling and behind the primary street façade and adopt a recessive building presence. In this respect, the carport or garage should:</p> <p>(i) incorporate lightweight design and materials, or otherwise use of materials complementing the associated dwelling; and</p> <p>(ii) be in the form of a discrete and articulated building element not integrated under the main roof of the dwelling, nor incorporated as part of the front verandah on any other dwelling form where attached alongside the dwelling; and</p> <p>(iii) have a width which is a proportionally minor element relative to the dwelling façade and its primary street frontage; and</p> <p>(iv) not be sited on a side boundary, except for minor scale carports and only where the desired building setback from the other side boundary is achieved.</p>	

Policy Area Desired Character

Policy Area 6 – Spacious Unley and Malvern Trimmer Estate
Desired Character
<p><u>Heritage Value</u></p> <p>An important appreciation of the heritage value is formed by the generous subdivision of farmland by Whistler around "Heywood Estate" in 1855 (completed c1862), the extension west, along Northgate Street (1880 to 1900) by affluent owners, the Council's purchase of Heywood Park in 1921 and other early 20th Century development. This reflects the social history of Unley in this notable, residential area for wealthy settlers and later residents around the natural remnant landscape of Brown Hill Creek and Heywood Park.</p> <p><u>Desired Character</u></p> <p>The grand streetscape character is founded on wide streets with avenues of substantial trees and expansive allotments, street frontages and gardens. Intrinsic to the area is an extensive collection of contributory items of a grand scale, being unique Victorian and Turn-of-the-Century villas and mansions, 1930's and 1940's International styles, together with Gentleman's Tudors and Bungalows. These contributory items are individualised by original architectural inspirations.</p> <p>Development will:</p> <p>(a) conserve contributory items, in particular villas, mansions, bungalows, tudors and latter complementary international architectural styles; and</p>

- (b) be of a street-fronting dwelling format, primarily detached dwellings; and
(c) maintain or enhance the predominant streetscapes and regular road allotment patterns with:
- (i) dwelling sites typically of no less than 30 metres street frontages and with site areas of 1500 square metres (and as much as 3000 square metres); and
 - (ii) generous front setbacks of some 11 metres; and
 - (iii) side setbacks of between 4 metres and 8 metres so as to maintain a total spacing between neighbouring dwelling walls, of some 12 metres; and
- (d) maintain and respect the grand built scale and form of contributory items and the characteristic substantial, well landscaped gardens, behind complementary, preferably open, fences.

Assessment

The subject site has an area of approximately 900m² which is less than that described for the predominant allotments within Policy Area 7. Despite this, the site has a spacious rear yard as well as a secondary street frontage to Nanthea North Terrace. The proposed garage is to be located within this rear yard and will obtain access from Nanthea North Terrace. The garage will have no impact on the grand historic streetscape nor the associated contributory dwelling.

Relevant Council Wide Objectives and Principles of Development Control

An assessment has been undertaken against the following Council Wide Provisions:

City-wide Objectives and Principles of Development Control		
Design and Appearance	<i>Objectives</i>	1
	<i>PDCs</i>	1, 2, 3, 9, 10, 12, 13, 14, 15, 18
Residential Development	<i>Objectives</i>	1, 2, 5
	<i>PDCs</i>	1, 8, 10, 15, 16, 17, 19, 20, 23, 24, 30, 32, 33, 34, 36, 41, 46, 47, 48, 51

The following table includes the Council-wide provisions that warrant further discussion in regards to the proposed development:

Relevant Council Wide Provisions	Assessment
Residential Development	
PDC 15 – Side and Rear Boundaries – Garages and the like structures	The garage is proposed to be sited on two common boundaries. Given the irregular allotment shape both of these boundaries are shared with 91 Northgate Street. In this context, both of the boundaries are considered to be side boundaries as they are neither front or rear boundaries. It is noted that the garage is already constructed, and an issue has been raised that the garage has not been sited on the boundary or at least 600mm from the boundary. The applicant has proposed to close the gap between the garage and the boundaries through the use of cladding. Given that the proposal plans show that the garage is to be located on the boundaries, it is considered that the garage satisfies this parameter of PDC 15.

Relevant Council Wide Provisions	Assessment
	<p>The garage has not been located adjacent a building located on the neighbouring property however will be adjacent to a 1.8m high masonry wall along the eastern boundary. The masonry wall has a height of a typical boundary fence which delineates between two properties. The garage is set well apart from any nearby dwellings including the associated dwelling on site. Although the garage is sizeable it is of a scale that is much less than that of the dwellings found within the locality. Furthermore, the size of the garage is relative to the size of the property and is a typical size of ancillary buildings within the Grand Unley Park Heywood Estate.</p> <p>The garage is not located on or near an easement nor is adjacent to any regulated or significant trees.</p> <p>Given the above, it is considered that the proposed garage has been sited and designed to not visually dominate the locality.</p>
<p>PDC 30 – Building Form, Scale, Mass and Height – <i>Outbuildings and the like structures</i></p>	<p>PDC 30 recommends that in order for a garage to be ancillary to a dwelling and not visually dominate the locality, that the maximum wall height should be 3 metres and a maximum roof height of 5 metres. The garage has a skillion roof with a 5-degree pitch with the highest point of the garage being along the north facing elevation. The wall height along this elevation is 3.84 metres. Given the roof pitch, the wall height along the side facades of the garage ranges from 3.3 metres to 3.84 metres. Although this exceeds the 3 metres recommended, it needs to be understood whether the wall height of garage allows it to remain as an ancillary building to the dwelling and not visually dominate the locality. In consideration of this, it is noted:</p> <ul style="list-style-type: none"> • the garage is freestanding and set well away from the associated dwelling and other dwellings located on adjacent properties. • the garage will not be visible to the primary streetscape and will have little impact upon the secondary streetscape. • the height and floor area of the garage is less than that of the associated dwelling. • The garage is of a size that is typical for ancillary buildings within the wider area, particular given that the allotments within the area are spacious and therefore site coverage and private open space requirements can easily be abided by. • The garage is to be located adjacent a mature Jacaranda tree and other landscaping which

Relevant Council Wide Provisions	Assessment
	<p>provides some screening and canopy cover over the garage.</p> <ul style="list-style-type: none"> • Being able to view outbuildings and the like from adjacent properties is generally a typical element of properties located in inner metropolitan Adelaide and does not mean that the garage is visually dominant. <p>Given the above, it is considered that despite the wall height, the garage remains as an ancillary building to the associated dwelling and its height also does not lend the garage to be visually dominating within the locality.</p> <p>It is also noted that garage has a wall length less than 8 metres and a total floor area less than 80m², thus meeting the other provisions of PDC 30.</p>

11. CONCLUSION

In summary, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The development comprises of a garage that is considered to be a domestic scaled building that is ancillary to an existing contributory item located on site.
- The garage will have no impact upon the primary streetscape as it is well setback from the street in the form of a freestanding building.
- The garage has been sited and designed so it is relative to the subject land and wider locality and furthermore, will not visually dominate the locality.

The application is therefore recommended for Development Plan CONSENT.

12. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/181/2021/C2 at 93 Northgate Street, Unley Park SA 5061 to 'Erect garage on common boundaries (retrospective)', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.

2. All stormwater from the building and site shall be disposed of so as to not adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the **applicant**.
- The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representations	Administration
C	Response to Representations	Applicant
D	Further Representation from Representor	Administration

ATTACHMENT A

PROPOSED GARAGE



CONTEXT PLAN

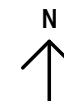
1 : 750

J.P.W. WALKER & D.WHITFORD

93 NORTHGATE STREET, UNLEY PARK

AMENDED PLAN / DOCUMENT
DATE: 23/07/2021

CONTEXT PLAN
23 JULY 2021



2021032

SK01d

BROWN
FALCONER

28 Chesser Street, Adelaide, South Australia 5000
 Telephone : 08 8203 5800 Facsimile : 08 8223 2440
 ABN 65 007 846 586 brownfalconer.com.au

PROPOSED GARAGE



SITE PLAN

1 : 750

OUTDOOR STRUCTURE

NEIGHBOUR'S POOL

NEIGHBOUR'S GARAGE

RIGHT OF WAY

NEIGHBOUR'S POOL

NEIGHBOUR'S GARAGE

ADJACENT TREE SCREENING
PROPOSED GARAGE FROM
NEIGHBOURING PROPERTY

DIRECTION OF ACCESS TO GARAGE
& NEIGHBOURING PROPERTY

SITE PLAN

23 JULY 2021



2021032

SK02d

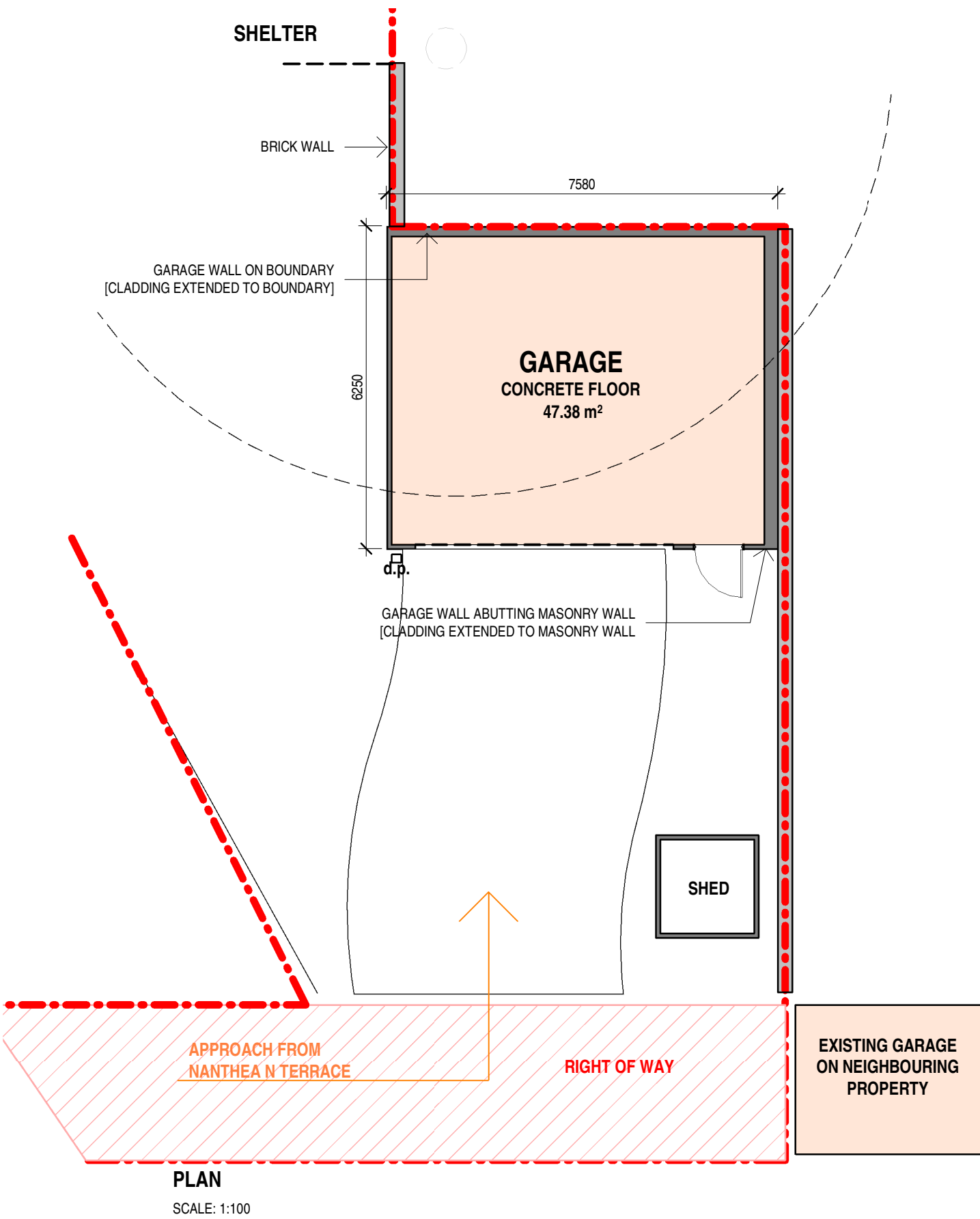
**BROWN
FALCONER**

28 Chesser Street, Adelaide, South Australia 5000
Telephone : 08 8203 5800 Facsimile : 08 8223 2440
ABN 65 007 846 586 brownfalconer.com.au

J.P.W. WALKER & D.WHITFORD

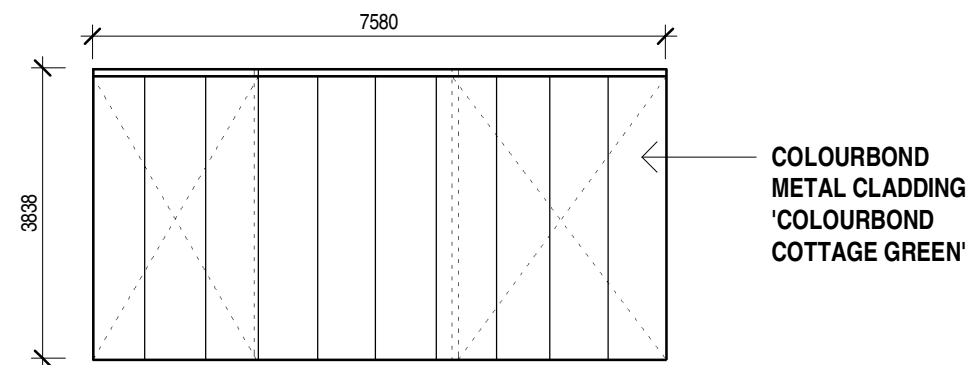
93 NORTHGATE STREET, UNLEY PARK

**AMENDED PLAN / DOCUMENT
DATE: 23/07/2021**

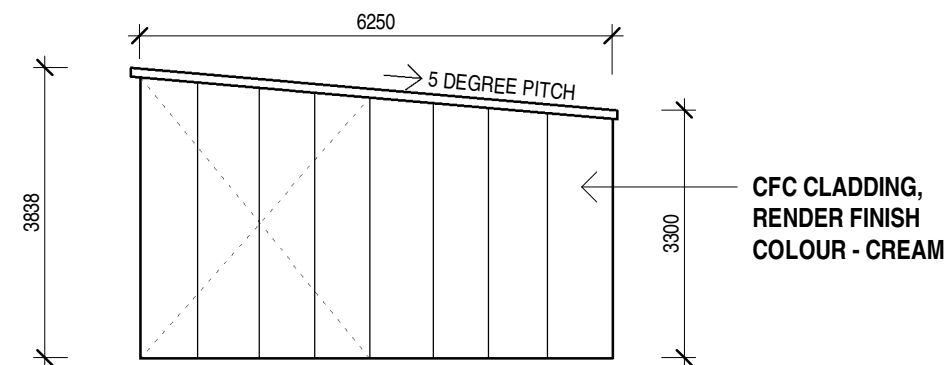


PLAN
SCALE: 1:100

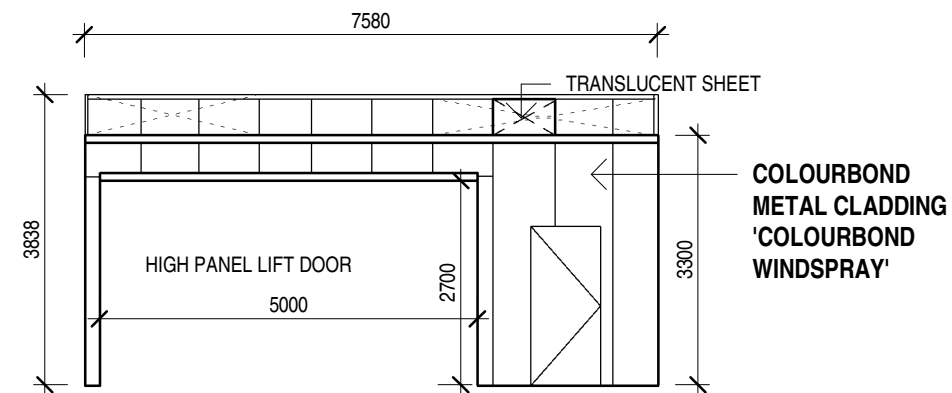
J.P.W. WALKER & D.WHITFORD
93 NORTHGATE STREET, UNLEY PARK



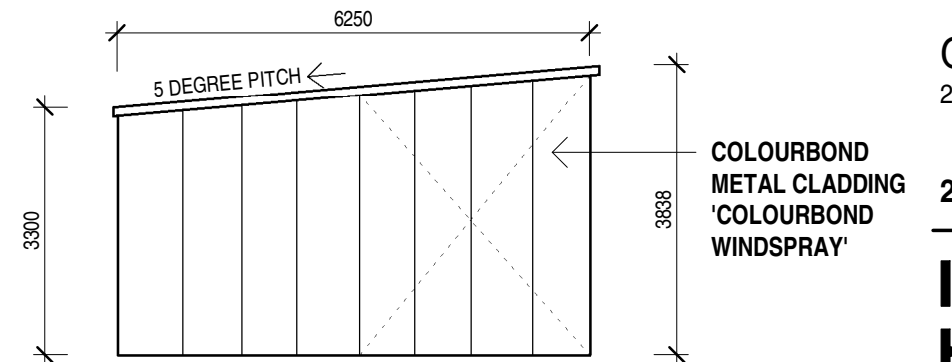
NORTH ELEVATION
SCALE: 1:100



WEST ELEVATION
SCALE: 1:100



SOUTH ELEVATION
SCALE: 1:100



EAST ELEVATION
SCALE: 1:100

GARAGE DRAWINGS N
 23 JULY 2021

2021032

SK03d

BROWN FALCONER

28 Chesser Street, Adelaide, South Australia 5000
 Telephone : 08 8203 5800 Facsimile : 08 8223 2440
 ABN 65 007 846 586 brownfalconer.com.au

AMENDED PLAN / DOCUMENT
DATE: 23/07/2021

project GREEN



Pre-development Arboricultural Data

16 April 2021

S29365

Prepared for:

Joe Walker

Site Details:

Residential Property

93 Northgate Street
Unley Park SA

Prepared by:

Project Green Pty Ltd

25-27 Ceafield Road
Para Hills West SA 5096

ABN: 78 088 402 706

ACN: 088 402 706

Tel: (08) 8283 1300

Fax: (08) 8258 1933

admin@projectgreen.net.au

Contents

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2	BACKGROUND INFORMATION.....	3
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	2.2 Specifications and Plans	3
	2.3 Limitations.....	3
3	SITE VISIT.....	4
4	LEGISLATED STATUS.....	4
5	CONCLUSION	5

Report prepared by:

Dr. Martin Ely PhD

Registered Landscape Architect

Dip.Hort (Arb)



1 INTRODUCTION

Project Green was engaged by Joe Walker to provide arboricultural advice in relation to a new garage located at 93 Northgate Street, Unley Park. A large tree is located on an adjoining allotment at 91 Northgate Street and Council requires an arborist's assessment in relation to the tree. In particular Council has requested the applicant:

Demonstrate the location of Regulated trees on documentation where appropriate, alternatively provide confirmation in writing that the subject site and adjoining properties (in close proximity to the area of the development) do not contain any Regulated trees.

2 BACKGROUND INFORMATION

2.1 Legislation and Standards

Regard was given to the following legislation for the purpose of conducting the assessment and advising on measures to limit developmental impacts.

- South Australian Planning, Development and Infrastructure Act 2016.
- South Australian Planning, Development and Infrastructure (General) Regulations 2017
- South Australian Planning and Design Code

2.2 Specifications and Plans

The following documents and information were referred to in preparation of this report:

- *Engineering specifications* by Stratco dated 18/02/21.
- *Site plan* unreferenced sketch drawing.

2.3 Limitations

- It was not possible to access the property on which the tree is located at the time of the assessment. The tree was therefore inspected from within the subject site boundary only.
- A survey drawing accurately showing the subject tree and site details at 91 and 93 Northgate Street were not available at the time of the assessment. An approximate site sketch was prepared based on observations and measurements made during the site visit and from available aerial imagery.
- The trunk measurements contained in this report are based on the survey data provided by the client.

3 SITE VISIT

A site visit was undertaken on 12 April 2021. It was observed that an approx. 7.7m x 6.1m garage has been erected on the site. The drawings provided indicate a 100mm concrete slab installed on ground with seven columns in 450 diam. pier footings.

The subject tree was estimated to be located approx. 4.7m from the new garage and 2.0m from the common site boundary. An in-ground swimming pool is located at 91 Northgate Street to the east of the new garage. As direct inspection of the pool was not possible its approximate location was plotted on a sketch drawing of the site.



Shows the locality and the tree.



Shows the subject tree in relation to the garage.

Tree Details

The subject tree is a mature specimen of *Jacaranda mimosifolia* or Jacaranda. The tree appears to have good health and structure.

4 LEGISLATED STATUS

The tree is estimated to have a trunk circumference greater than 2m measured at 1.0m above natural ground level. Certain trees are exempt from the regulated tree provisions of the South Australian Planning, Development and Infrastructure (General) Regulations 2017 as follows:

(5) Subregulations (1) and (2) do not apply—

(a) to a tree located within 10 metres of an existing dwelling or an existing in-ground swimming pool, other than a tree within 1 of the following species (or genus) of trees:

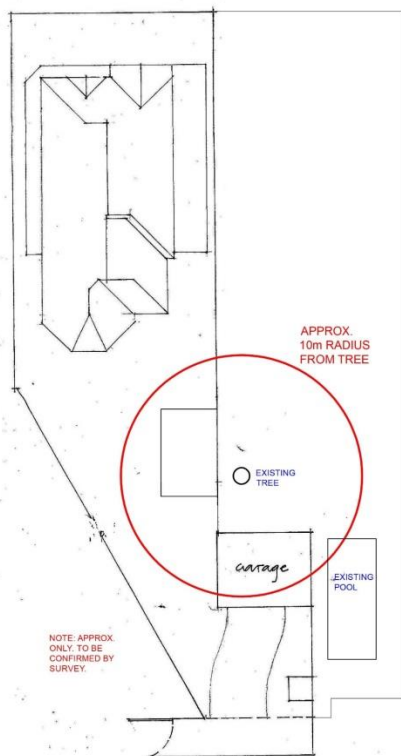
Agonis flexuosa (Willow Myrtle)

Eucalyptus (any tree of the genus)

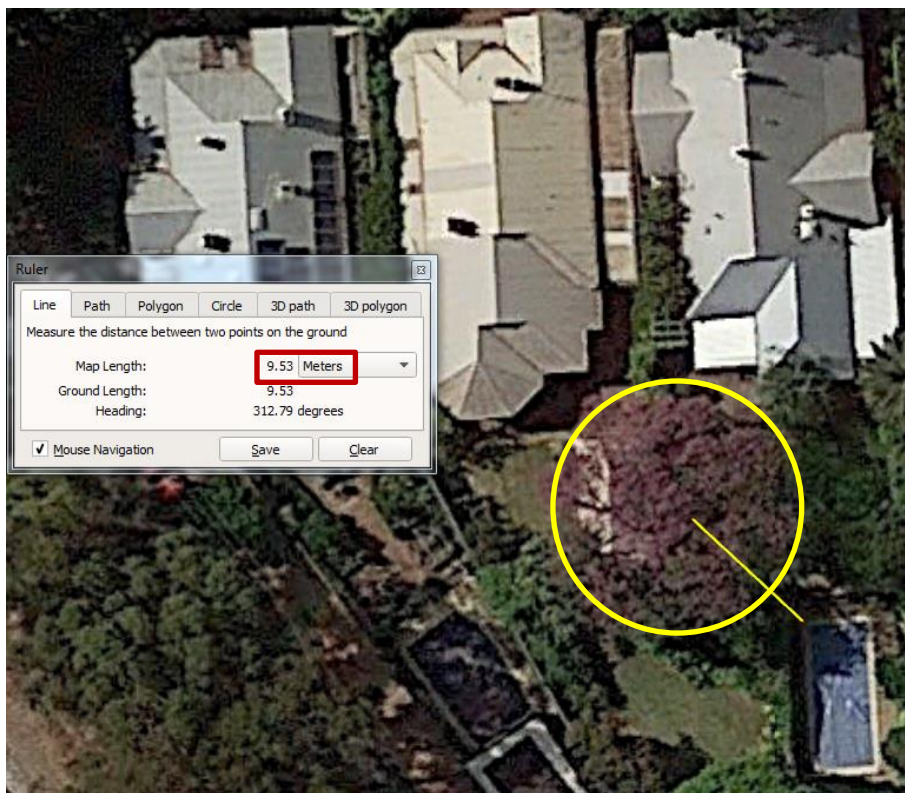
The subject tree *Jacaranda mimosifolia* is not one of these species. The sketch drawing and measurement with Google tools indicates that the tree is likely to be located approximately 9-10m

from the existing in-ground pool. This would render it exempt from regulated status based on trunk circumference.

The tree is not listed as significant within the Planning and Design Code Part 10 (Unley).



Site sketch showing subject tree.



Estimates the distance from the swimming pool to the trunk of the subject tree.

5 CONCLUSION

The subject tree appears to be exempt from regulation due to its trunk being less than 10m from an existing in-ground swimming pool and that it is not listed as significant within the Planning and Design Code. The assessment of distance from the pool is based on observations made from the development site only. It would be necessary to fully access the site where the pool is located to make more direct measurements to confirm that this is the case.

From: mark@saqconsulting.com.au
Sent: Wed, 26 May 2021 13:12:29 +0930
To: PO Box1
Subject: Representation - 181/2021/C2 93 Northgate Street, Unley Park SA 5061 Erect garage on common boundaries (retrospective)
Attachments: Weir_representation_93 Northgate Street_photo attachment.pdf, Weir_representation_93 Northgate Street_26May2021.pdf

Attn: Chelsea Spangler, City of Unley Development Section

Please be advised SAQ Consulting represents Mr and Mrs Weir, who own and reside in the property at 91 Northgate Street, Unley Park.

Please find attached a representation prepared on their behalf.

If there are any questions, please let me know.

Kind Regards

MARK BAADE

Planning Consultant

M: 0417 088 000



SAQ Consulting Pty Ltd

P O Box 50

CLAYFIELD QLD 4011



Garden view prior to the construction of the garage



Garden view after the construction of the garage



View from the rear of the dwelling



View of the proximity of the garage to the Jacaranda tree,
also demonstrating the significant blocking of streetscape views



View of the garage from the pool area



View of the garage from the pool area



View of existing carport (pitched roof) and new garage



Streetscape (from Nanthea Tce North) showing prominence of Jacaranda tree

ATTACHMENT B



26 May 2021

Chelsea Spangler
Development Officer
City of Unley
P O Box 1
UNLEY SA 5061

SAQ Consulting Pty Ltd

ABN 76 864 757 592
P O Box 50
Clayfield QLD 4011

Dear Chelsea

RE: DA 181/2021/C2
REPRESENTATION PURSUANT TO CATEGORY 2 PUBLIC NOTIFICATION
93 Northgate Street, Unley Park
Erect garage on common boundaries – RETROSPECTIVE APPLICATION

I advise **SAQ Consulting Pty Ltd** acts on behalf of [REDACTED] who have received notice of the above retrospective development at 93 Northgate Street, Unley Park.

[REDACTED] own and reside in the residential property at 91 Northgate Street, Unley Park, directly to the east of the subject site at 93 Northgate Street.

Due to a somewhat unusual historic land division, the Weirs have three separate boundaries with the subject land as shown on the figure below. The location of the proposed garage, which is already substantially complete, is indicated by the yellow 'X' and impacts two of the common boundaries with the [REDACTED] property.



██████████ **object** to the garage in its current position and in its current form.

Background

Given the garage is already substantially complete, ██████████ have been aware of the structure for some time and have had time to fully appreciate its impacts. A number of photographs are attached and annotated to assist Council in properly understanding the impacts of the proposal.

The ██████ have previously raised concerns with the neighbour about the garage's position close to the common boundaries, the height of the structure and the materials of which it is constructed. At the time, ██████████ were not aware the garage had been constructed without consent.

To enable construction of the garage, a substantial amount of existing landscaping on 93 Northgate Street was removed, with the placement of the garage walls on both the boundary facing the dwelling and the boundary adjacent the pool having a significant impact on the amenity and appearance of the ██████ private open space.

██████████ also have fears for the long-term health and viability of a large Jacaranda tree in their backyard, which I am advised is likely more than 100 years old. The tree contributes significantly to the streetscape in the area.

Garage Details

The plans submitted to Council show a garage that has the following characteristics:

- A double garage with additional space and pedestrian door to the east of the high roller door
- Located on the two common boundaries
- Has a floor area of 41 square metres
- Has a side wall height varying from 3.3m to 3.84m, with the highest wall height facing north, directly into the ██████ backyard
- Skillion roof with 5 degree pitch
- Has a dark green Colorbond metal finish to the common boundaries
- Is accessed from the rear of the allotment

However, the base dimensions of the shed are 7.3m x 6.15, which gives a floor area of 44.9 sqm – about 10% larger than stated on the submitted plans.

Further, measurements taken on site at 91 Northgate Street and information contained on an existing boundary survey plan indicate the garage is not located on the common boundary to the east, which is a 240mm deep garden wall, the centre of which is set precisely on the boundary of the properties. The garage is set a further 110mm west from that wall, meaning it is fact 230mm off the boundary, which creates a small and useless space behind the wall where rubbish and debris as well as vermin will undoubtedly gather. This is also creating a potential fire risk.

It is also noted that the 'outdoor structure' noted on the plans is in fact a double carport and the garage indicated on my client's property is in fact only a garden shed which accommodates the pool pump.

In terms of the information provided about the Jacaranda tree, it is noted that report states that the tree could not be inspected but no effort was made to contact the [REDACTED] about gaining access to the tree. As such, dimensions given in part 3 of that report are only rough estimate, are unverified and in particular the boundary offsets measurements are quite different to reality. Accordingly, the report does not meet the requirements of Council's request to the applicant about the tree and this issue remains outstanding.

Summary of Objections

The objection to the garage are as follows:

1. The garage is too tall, particularly on the northern aspect, being close to 4 metres along the entire common northern boundary. This has resulted in the blocking of light, tree and skyline view and, in conjunction with the removal of landscaping to facilitate the garage, has created a sense of enclosure and loss of space.
2. The garage is not constructed of materials appropriate for this location or indeed for a building of this nature in this location. Green and grey Colorbond finishes are not in keeping with any of the surrounding buildings and are unsuitable in this area of Unley Park. The appearance is similar to that of a shipping container or rural shed and presents as stark and imposing to its surrounds.
3. Due to the garage's position on two of the common boundaries, there is no relief from its full impact on 91 Northgate Street and this impact is very difficult to mitigate. Due to the location of the pool there is little space available on the eastern side of the garage and it is not viable to plant substantial screening plants on the northern side due to the Jacaranda tree. Over-shadowing of the pool area will also occur.
4. As noted above, there are also genuine concerns for the health of the Jacaranda tree as the garage has been constructed underneath its dripline, meaning the garage's concrete floor and foundations extend over the root zone. This will impact on water infiltration and the shed's construction combined with the removal of existing vegetation will create a much hotter, less 'green' environment in this area.
5. The need for the garage is questionable, as well as its potential future use given its floor space and height. 93 Northgate Street currently has five car spaces on site – all on the common boundary with 91 Northgate Street – and a need to accommodate seven spaces on a modestly-sized residential allotment in Unley Park is excessive. Further, the dimensions of the garage could also lend itself to being used as a workshop or home business, with the commensurate impacts that could potentially arise.

Relevance to the Development Plan

The Unley Development Plan dated 15 October 2020 is the version applicable to the development.

Both 91 and 93 Northgate Street are located in the *Residential Historic Conservation Zone* and within the Grand Historic Unley Park Heywood Estate policy area.

Zone Principle of Development Control 2 states:

Development should comprise:

- (a) alterations and/or additions to an existing dwelling; and*
- (b) ancillary domestic-scaled structures and outbuildings; and*
- (c) the adaptation of, and extension to, a contributory item to accommodate and care for aged and disabled persons, or for a multiple dwelling or residential flat building; and*
- (d) selected infill of vacant and/or under-utilised land for street-fronting dwelling type(s) appropriate to the policy area; and*
- (e) replacement of a non-contributory building or site detracting from the desired character with respectful and carefully designed building(s).*

The garage is not domestic scaled and carries the potential not to be ancillary to the dwelling.

Zone Principle of Development Control 10 states:

Buildings should be of a high quality contemporary design and not replicate historic styles. Buildings should nonetheless suitably reference the contextual conditions of the locality and contribute positively to the desired character, particularly in terms of:

- (a) scale and form of buildings relative to their setbacks as well as the overall size of the site; and*
- (b) streetscape setting or the characteristic pattern of buildings and spaces (front and side setbacks), and gaps between buildings; and*
- (c) primarily open front fencing and garden character and the strong presence of dwellings fronting the street.*

The garage has had no regard to the scale and form of other buildings, nor has it had regard for the size of the land.

Zone Principle of Development Control 12 states:

Building walls on side boundaries should be avoided other than:

- (a) a party wall of semi-detached dwellings or row dwellings; or*
- (b) a single storey building, or outbuilding, which is not under the main dwelling roof and is setback from, and designed such that it is a minor, low and subservient element and not part of, the primary street façade, where:
 - (i) there is only one side boundary wall; and**

- (ii) the minimum side setback prescribed under the desired character is met on the other side boundary; and*
- (iii) the desired gap between buildings, as set-out in the desired character, is maintained in the streetscape presentation.*

The garage is constructed (as per the submitted plans) on two boundary walls, is not a minor, low or subservient element and the minimum setback requirements have not been met.

As such, the garage as currently proposed (and constructed) is not supported by the *Residential Historic Conservation Zone*.

In terms of Council-wide provisions:

- The garage is not development of high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form (Design and Appearance Objective 1)
- The garage does not appropriately respond to the desired character of the locality or have proper regard for building height, mass, proportion and siting, external materials or roof form and pitch (Design and Appearance PDC 1)
- The garage, which is shown as being sited on two common boundaries does not have regard for and does not otherwise appropriately minimise the visual impact of the building as viewed from adjoining properties (Design and Appearance PDC 2)
- The garage does not have appropriate regard for its surrounds or contextual qualities of the locality, in particular site dimensions and configurations, building form, scale, mass and height, roof form and pitch (Residential Development, PDC 1)
- The garage has not been sited and designed so not to visually dominate the locality and is not sited 600mm off either common boundary (Residential Development PDC 15)
- The building form, scale, mass and height are not compatible with development in the locality (Residential Development PDC 23)
- The garage has a maximum wall height exceeding 3 metres (Residential Development PDC 30)
- The garage has not been carefully sited or designed to be a recessive feature (Residential Development PDC 32)
- The garage does not incorporate a roof form that is reflected in the locality, it blocks reasonable skyline and local views and does not have any roof articulation (Residential Development PDC 33)

In my view, the garage is an obviously incongruous element in this location, with unacceptable impacts on the adjoining property at 91 Northgate Street in particular. Specifically, its wall height, boundary setbacks, roof form and choice of materials are all not in accordance with the desired Development Plan outcomes for this area and have an

unreasonable impact on the amenity and quiet enjoyment of the adjoining property. There are also potential longer-term issues with the future use of the garage space and the health of the Jacaranda tree in particular.

Potential Outcomes

Despite their objections, the [REDACTED] do not wish to unreasonably prevent their neighbour from constructing a new garage on their property but not in the form, position and materials currently proposed.

The [REDACTED] would potentially be satisfied with a garage that:

- Has a smaller footprint
- Has a lower wall height
- Has a low roofline (perhaps gabled)
- Is set back from both common boundaries
- Uses more appropriate materials

Appropriate outcomes in these respects are easily discernible from the Development Plan provisions and having regard for the existing structures in the area.

As stated above, the [REDACTED] object to the existing proposal, but can potentially see a way forward with an alternative proposal that addresses at least their most serious concerns.

As a retrospective planning application, it is a long-held principle that the already constructed garage can be afforded no leeway or flexibility in terms of a proper assessment against the Development Plan provisions.

In my view the application should be refused in its current form as it is not in accordance with the relevant Development Plan provisions and it creates unacceptable and direct impacts on the adjoining property at 91 Northgate Street.

My clients reserve their right to speak at the Council Assessment Panel meeting when the application comes before it for determination.

If there are any questions, please do not hesitate to contact me.

Yours sincerely



MARK BAADE

B. Plan (Hons)

[REDACTED]
[REDACTED]

Attached:

Set of photographs

ATTACHMENT C

23 July 2021

REF No.: 01085-001

The City of Unley
181 Unley Road
SOUTH AUSTRALIA SA 5061

Attention: Chelsea Spangler – Urban Planner

By Email: pobox1@unley.sa.gov.au & cspangler@unley.sa.gov.au

Dear Chelsea,

RE: DA 090/181/2021/C2 – GARAGE

We act for [REDACTED] who is the Applicant for a retrospective Development Application 090/181/2021/C2 lodged with Council for a garage on land located at 93 Northgate Street, Unley Park.

The application was advertised as a Category 2 development and one representation was received. Pursuant to Section 38(8) of the *Development Act 1993*, this letter provides our formal response to the representation received.

Our response has been informed by the following plans and documentation:

- **Appendix 1:** Copy of Representation;
- **Appendix 2:** Amended plans prepared by [REDACTED] (23 July 2021);
- **Appendix 3:** Survey prepared by State Surveys; and
- **Appendix 4:** Arboriculture report in relation to the *Jacaranda mimosifolia* ['Jacaranda'] (16 April 2021).

1. Summary of Representation

A single representation has been provided by SAQ Consulting Pty. Ltd. On behalf of [REDACTED] who own and occupy the adjoining property at 91 Northgate Street, Unley Park.

The subject site directly adjoins the property owned or occupied by the representors. The location of the representor relative to the subject site for the development is identified spatially in **Figure 1.1** below.

An overview of the key concerns and planning considerations raised by the representors is provided on Page 3 within the written representation attached at **Appendix 1**. In summary, these matters relate to the following:

- Accuracy of proposed plans for development;
- Building design, height and scale;
- Need for the proposed garage;
- Building setback from the Common property boundary;

- Overshadowing from the proposed garage; and
- Impacts on the existing Jacaranda Tree.

Figure 1.1 Location of Representer



Subject Site

Representer

The following discussion responds to each of the above-mentioned matters raised by the Representer. Our response is broadly grouped according to the key themes/issues raised by the representer.

2. Response to Representation

2.1 Building Setback from Common Property Boundary

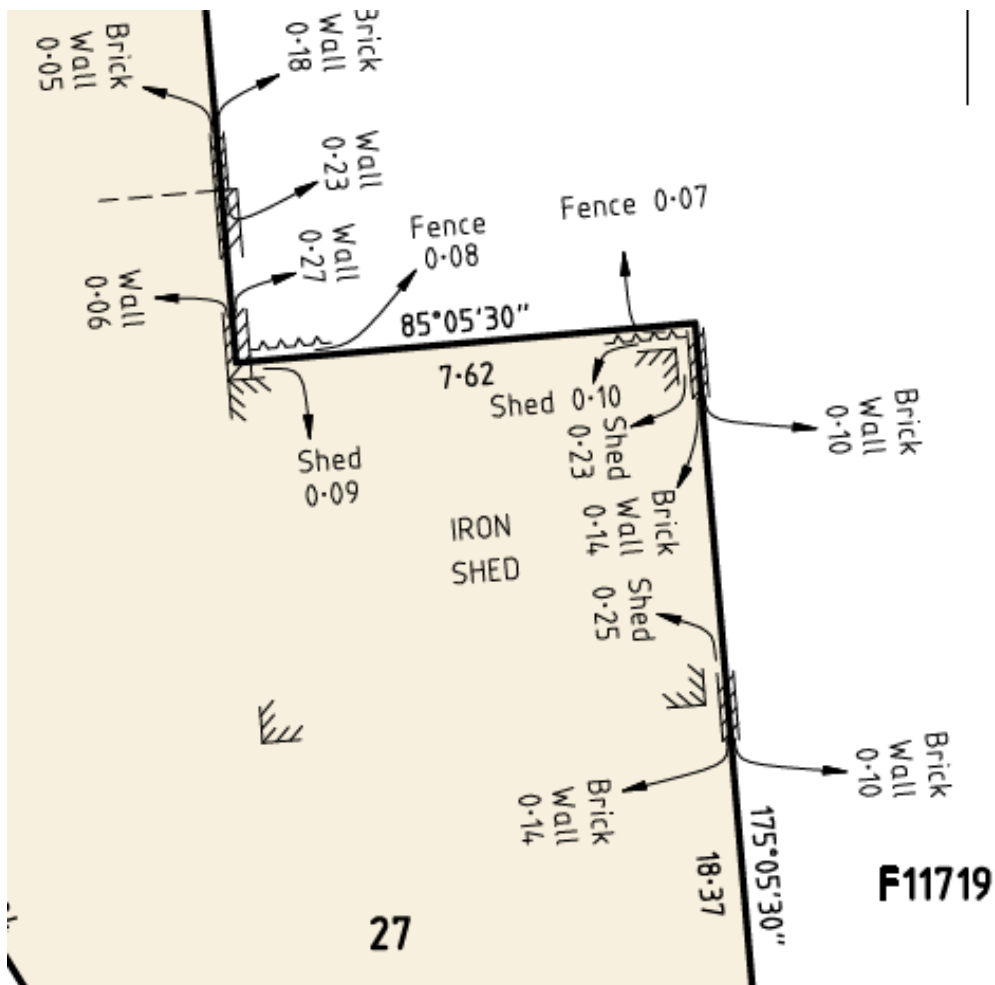
The representer has raised a concern with the setback of the garage to the two common boundaries (due to the irregular shaped allotments) and has asserted that an existing boundary survey plan has been prepared that

demonstrates that the garage is not located on the common property boundary as proposed. A copy of this survey plan was not attached or provided in association with the representation.

In response to the representation, the Applicant has obtained an independent site survey from 'State Surveys' which has confirmed that the garage is inset from the current northern and eastern common property boundary. The Survey is attached in **Appendix 3** and as identified in **Figure 2.1** below, it confirms that:

- The proposed garage is offset:
 - » 90mm to 100mm from the northern boundary; and
 - » 230mm to 250mm from the eastern boundary;
- The existing sheet metal fence defining the northern boundary is offset 80mm to the north of the boundary and 70mm to the south of the boundary; and
- The existing masonry fence defining the eastern boundary is generally located on the boundary.

Figure 2.1 Site Survey (Source: State Surveys)



Following receipt of the site survey, the applicant has sought independent Building Surveying Advice from Ben Bloomfield at Tecon Australia to determine an appropriate design solution that will be acceptable to ultimately obtain Building Rules Consent. The applicant has been informed that the northern wall of the garage should be amended and located on the northern common boundary and the eastern wall of the garage should be located to immediately abut the existing masonry boundary wall. Ordinarily, pursuant to South Australian provisions the Building Code a wall should be either located on the property boundary or setback 600mm from the property boundary to enable access to clean the space between the building and property boundary and avoid a build-up of clutter or refuse in the area (resulting in the attraction of vermin or a possible fire risk etc). In this case, an 'alternative solution' would be adopted that would allow the retention of the existing masonry wall on the boundary with the structure directly abutting the wall to prevent any opportunity for refuse building up between the structure and existing wall.

Accordingly, the plans have now been amended to reflect the above recommendation from Tecon Australia resulting in the northern and eastern external walls having additional cladding. On this basis, the northern elevation of the outbuilding is proposed to be located on the common boundary and the eastern elevation is now proposed to be flush with the existing masonry wall along the eastern common boundary.

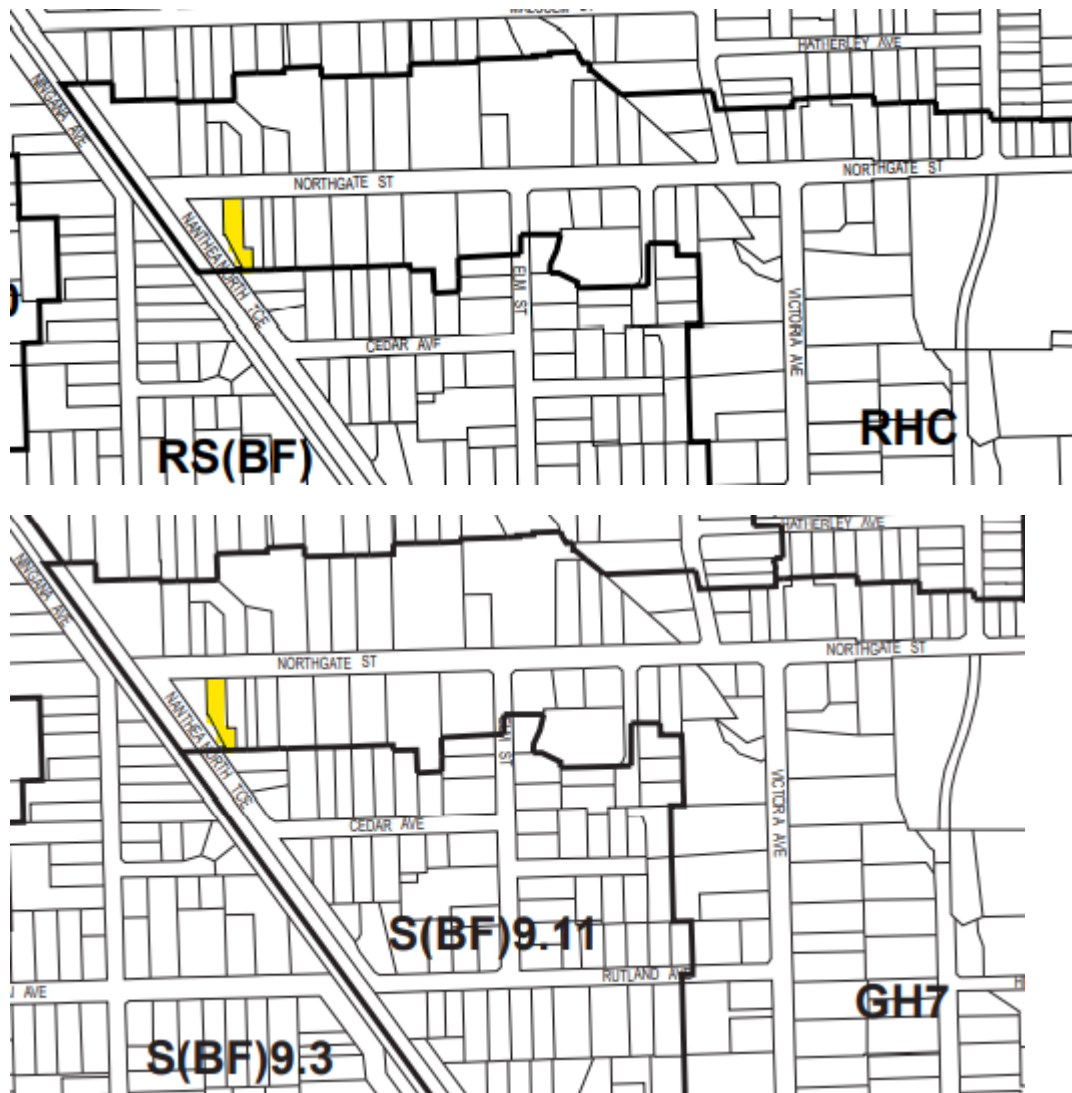
It is noted that Council Wide Residential Development PDC 15(a) identifies that any solid wall should be located at least 600mm off the boundary or on the boundary. The proposed 'alternative solution' will result in construction of the garage on the northern boundary (in accordance with PDC 15(a)) but will allow for the retention of the existing masonry wall on the eastern boundary which will assist to provide some depth and visual relief of the garage as viewed from the rear private open space of the adjoining property.

The representation also suggests that the building size, height and scale is contrary to the prescribed provisions of the Development Plan (consolidated 15 October 2020).

As illustrated in **Figure 2.2** below, the subject site is located within the '*Grand Historic Unley Park Heywood Estate Policy Area 7*' of the '*Residential Historic (Conservation) Zone*'.

It is also noted that the existing dwelling is a 'Contributory Item' that makes a positive contribution to the heritage value and desired character of the policy area.

Figure 2.2 Zone and Policy Area Maps (Source: Map Un/8 and Map Un/17 of the Unley Development Plan)



The narrative from the Desired Character Statement (DCS) of the Policy Area focusses on heritage value for local heritage places, contributory items and non-contributory buildings identified by the Development Plan. The existing dwelling at 93 Northgate Street, Unley Park is a recognised ‘Contributory Item’ and in accordance with the Desired Character Statement of the Policy Area, the proposed garage is located to the rear of the site (and accessed via a rear laneway) which will ensure the preservation and retention of the existing streetscape appearance of the existing dwelling and single width open carport fronting Northgate Street.

It is noted that Zone PDC (2)(b) seeks ‘*ancillary domestic-scaled structures and outbuildings*’, which is directly relevant to the garage. The representation suggests that the height and length of the garage ‘*is not domestic scaled and carries the potential not to be ancillary to a dwelling.*’ Rather, we consider that a two-car garage approximately 3.8m at its highest point and 47.38m² in area is entirely compliant with PDC (2)(b). In support of our interpretation of the planning provisions relating to building height, the Courts have on numerous occasions

made note that the word 'should' is not to be construed as mandatory¹, and that more generally, the Development Plan should not read as a statute, but rather as a practical guide for practical application.²

Having regard to both the quantitative and qualitative provisions of the Development Plan, together the location and characteristics of the site and the immediate locality, we are of the opinion that the proposed height and scale of the development is entirely appropriate for the following reasons:

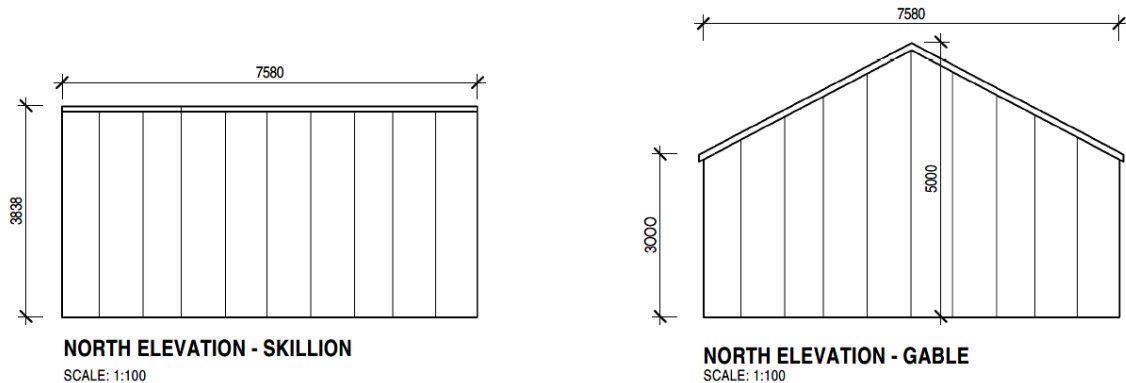
- The garage is a single storey building that is located to the rear of the dwelling (site) in the form of a freestanding outbuilding that is in direct alignment with Zone PDC 13(a);
- The garage has a skillion roof with a five (5) degree pitch to minimise the height and scale of the building and to assist to minimise the visual impact of the garage from:
 - » The public realm (i.e. Nanthea Terrace North which is located to the west of the site and separated by the property at 95 Northgate Street, Unley Park); and
 - » The private open space for the adjoining dwelling located at 91 Northgate Street, Unley Park;
- The proposed skillion roof profile of the garage results in a lower building profile and reduced visual impact that would arise from a garage adopting an alternative gabled roof form to a maximum height of 5.0 metres as contemplated by Council Wide Residential Development PDC 30 (refer to **Figure 2.2** below providing a comparison of the visual impact of the proposed low skillion roof structure relative to an alternative gabled (pitched roof) structure);
- The size of the proposed garage measuring 47.38m² in area is modest in scale relative to an 80sqm garage contemplated by Council Wide Residential Development PDC 30;
- The garage is accessed via a secondary street frontage and rear laneway (which is shared between dwellings) in direct alignment with Zone PDC 14;
- The proposed garage is sited immediately abutting an existing 1.8m metre (approximately) high masonry wall on the eastern common property boundary which will assist to minimise the visual impact and bulk of the garage on the boundary consistent with Council Wide Residential Development PDC 15(b) of the Unley Development Plan;
- The siting and location of the garage on the eastern common property boundary provides additional protection from overlooking over the swimming pool area and rear private open space of the adjoining property at 91 Northgate Street, Unley Park;
- The garage is of a high quality design with suitable materials of construction that is proposed to be finished in a cream colour render along the western elevation, metal cladding in Colourbond 'Windspray' (south and east elevation) and Colourbond 'Cottage Green' (north elevation) to reflect the finish of existing fencing and other outbuildings in the locality; and

¹ Town of Gawler v Impact Investment Corporation [2007] SASC 356 at para. 38 & Barrio Developments Pty Ltd v State Planning Commission [2020] SAERDC 32 at para. 64

² City of Mitcham v Freckman [1999] SASR 234 at para. 19 & Barrio Developments Pty Ltd v State Planning Commission [2020] SAERDC 32 at para. 106

- The Development Plan has no restriction to the number or area of carports, garages or outbuildings permitted on the land and in accordance with Council Wide Residential Development PDC 17 the proposed development will not result in a site coverage exceeding 50% of the area of the site (excluding the shared driveway access).

Figure 2.3 Comparison of Gable Roof Vs Skillion Roof Garage (c/- Brown Falconer)



For the reasons outlined above, we maintain the view that the proposed building siting, design, height and scale is appropriate for the locality.

In addition, we understand that the applicant sought to obtain agreement from the representor prior to construction of the garage, and obtained it, on the basis that the roof height would be kept as low as possible (i.e. un-hipped/un-gabled).

2.2 Accuracy of Proposed Plans

The representor has noted that the base dimensions of the garage were larger than that stated on the proposed plans.

As discussed above, the proposed plans for development have been amended and now more accurately represent the size of the proposed garage with a width of 7.58 metres a depth of 6.25 metres and a total floor area of 47.38m² (refer to **Appendix 2**). As a retrospective application, the proposed amendments to the garage (as currently built) will be undertaken should Development Approval be obtained.

2.3 Need for the Proposed Garage

The representor has questioned the need for the proposed garage as well as its potential future use given its proposed size (47.38m²) and height (3.838m) and the existence of existing covered car parking on site.

We confirm that the outbuilding is proposed to be used as a garage to accommodate one large domestic four wheel drive vehicle and associated domestic storage. The garage is not proposed to be utilised for commercial purposes (and the applicant would accept a suitable condition of approval to this effect).

The applicant has a large and tall four-wheel drive vehicle that has been adapted for use in association with the 'Variety Club Challenge'. The Variety Club Challenge is a charity event that the applicant participates in on a regular basis including sponsorship and administration. Whilst it is not required to demonstrate the 'need' for a domestic outbuilding (noting that this is not a valid planning consideration), it is confirmed that the applicant needs a garage to accommodate this large domestic vehicle which cannot be accommodated in alternative car parking on site (given required vertical and horizontal clearances for this large domestic vehicle).

In particular, the existing narrow carport fronting Northgate Street is too narrow to allow the applicant to safely exit and enter the four wheel drive vehicle (noting that the applicant is in his mid-70s and cannot physically open the door wide enough to allow easy access).

Irrespective, the proposed outbuilding is directly aligned with Zone PDC 1 of the Development Plan which states that:

'Development should comprise

(b) ancillary domestic structures and outbuildings'.

By locating the outbuilding to the rear of the site, the proposed development will also ensure the preservation and retention of the existing streetscape appearance of the existing dwelling and single width open carport fronting Northgate Street. The applicant resolved not to seek to increase the height or scale of the existing single width carport fronting Northgate Street or to seek development approval for a structure protruding forward of this carport – which would be required to achieve the necessary vertical and horizontal clearances for this wide and tall four-wheel drive vehicle.

On this basis, the proposed development will provide a suitable domestic garage to meet the needs of the applicant (to the rear of the site and accessed via a rear laneway), whilst maintaining the existing streetscape setting and characteristic patterns of buildings and spaces of the existing 'Contributory Item' fronting Northgate Street.

2.4 Overshadowing from the Proposed Garage

The representation has raised concerns with the potential 'overshadowing' of the adjacent swimming pool located at 91 Northgate Street, Unley Park.

Council Wide Residential Development PDC 41 identifies that development should allow direct winter sunlight to access residential properties and minimise overshadowing of the majority of private open space areas.

The proposed development of a modest single storey outbuilding to a maximum height of 3.838m located on the northern common boundary and abutting the eastern masonry wall will not result in overshadowing of significant areas of private open space including the adjoining swimming pool on the adjoining property at 91 Northgate Street, Unley Park.

Whilst some limited afternoon shadowing will occur to the swimming pool, this is likely to be the late afternoon western sun which is often considered positive in the context of the use and enjoyment of a swimming pool, particularly in the South Australian summer.

The extent of resultant overshadowing is also not unreasonable in the context of the existing shadow cast over the pool by the large existing Jacaranda tree to the north-west of the swimming pool (whilst noting that that Jacaranda tree is deciduous) and in the context that a 2.1m high fence could be constructed by the applicant on the common property boundary (with associated shadow impacts), without the need for any development authorisation.

Finally, it is evident that an increase in the setback of the garage by 600mm from boundaries would not make any material difference to the overshadowing suggested by the representors.

Accordingly, we maintain the view the proposed development has been appropriately designed and sited to manage the impacts of overshadowing in accordance with the relevant provisions of the Development Plan.

2.5 Impacts on existing Jacaranda Tree

The representor has expressed concern about the impacts of the garage on the health of the Jacaranda tree located at 91 Northgate Street, Unley Park noting that the proposed garage is within the 'dripline' of the tree.

The representor has also challenged the assertion by Arborists Project Green that the tree is located within 10m of the existing inground pool (based on the estimate provided by Project Green) and is therefore not a Regulated or Significant Tree (Refer to **Appendix 3**). Whilst the representor asserts that the estimated separation of the tree from the pool is unverified, no contrary measurements were provided by the representor - despite the fact that they own the property and could undertake the required measurement. On this basis, we assume that the advice provided by Project Green remains accurate and that the Jacaranda Tree does not fall within the definition of a Regulated or Significant tree pursuant to Regulation 6A of the *Development Regulations 2008*. Accordingly, impacts on this tree have not been contemplated as part of the design of the garage.

Nonetheless, we consider that a garage with a 100mm concrete foundation would not have any substantive impact on the tree's water filtration or root system. The tree has not been reported to show signs of stress or dehydration since the garage was constructed. Further, no arboricultural evidence has been submitted by the representor to support their contentions.

By contrast, we have submitted an arboricultural report of Project Green prepared by Dr Martin Ely PhD. In that report, Dr Ely forms the opinion that the Jacaranda is not a Regulated or Significant tree.

3. Conclusion

We trust that Council now has sufficient information to finalise an assessment of the proposed development application, as amended.

We note that the representors have requested the opportunity to address the Council Assessment Panel (CAP) in support of their submissions. Accordingly, we welcome the opportunity to also address the CAP in response to the matters raised by the representors and to respond to any questions which may be raised by the Panel.

Should you require further clarification, please do not hesitate to contact the undersigned on [REDACTED]

Yours Sincerely



Richard Dwyer
Managing Director

BOUNDARY IDENTIFICATION PLAN

PT ALLOTMENT 27 IN F11719

VERSION: 14/07/2021

SHEET 1 OF 1 SHEETS

TITLE REFERENCE(S):

CT 5481/892

HUNDRED: ADELAIDE

AREA: UNLEY PARK

COUNCIL: UNLEY

LEGEND:

- Fence -/-/-/
- Fence on boundary +/+/+
- Galv. Iron Fence ~~~~~
- Galv. Iron Fence on boundary ~~~~~
- Colourbond Fence ~~~~~
- Colourbond Fence on boundary ~~~~~
- Subject Land Boundary ———
- Other Boundary ———

NOTATIONS:

PORTION OF ALLOTMENT 27 MARKED A IS SUBJECT TO FREE & UNRESTRICTED RIGHT(S) OF WAY

WARNING:
Fences and other structures must be setout from the survey marks and not the wooden stakes nearby

CHECKED BY: TK DATE: 15/07/2021

CERTIFIED CORRECT

Tim Klean
.....
LICENSED SURVEYOR

STATE SURVEYS

465B SOUTH ROAD, KESWICK SA 5035

TELEPHONE: 8293 2939

FACSIMILE: 8293 2949

EMAIL: planning@statesurveys.com.au

REFERENCE: 21468

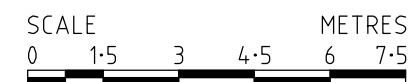
DRAWN BY: ADL



SITE PLAN



ENLARGEMENT E1



This is not a certified survey for the purposes of the regulations under the Survey Act 1992. This plan will not be examined for boundary definition or otherwise by the Registrar Generals Office. Future re-survey of adjoining lands or subsequent registration of certified survey plans may alter the boundary definition or information hereon. All data is subject to a certified survey plan being accepted and deposited in the Lands Titles Office.

ATTACHMENT D

9 September 2021

Don Donaldson
Team Leader Planning
City of Unley
P O Box 1
UNLEY SA 5061



SAQ Consulting Pty Ltd

ABN 76 864 757 592

P O Box 50

Clayfield QLD 4011

Dear Don

**RE: DA 181/2021/C2 - 93 Northgate Street, Unley Park
Erect garage on common boundaries – *RETROSPECTIVE APPLICATION*
ADDITIONAL INFORMATION FOLLOWING RESPONSE BY APPLICANT**

Further to our recent email correspondence, I can confirm my clients [REDACTED] who reside at 91 Northgate Street, have reviewed the response to their representation as provided by Ekistics on behalf of the applicant.

I am also aware from our recent correspondence that the officer's report recommends approval of the retrospective application to the Council Assessment Panel (CAP), presumably on the basis of the amendments put forward by Ekistics. It is noted that the CAP will not or is unlikely to visit the subject land or my client's property.

In short, my clients remain very concerned over the impacts of the shed, which as Council is aware is already in place. Further, the amendments put forward by Ekistics will not sufficiently mitigate the issues raised by the [REDACTED] in their representation and in some respects make them worse.

Accordingly, I remain of the view further changes are needed to adequately reduce the impacts on the [REDACTED] backyard, as they bear all the off-site impacts of the building. The changes are discussed and then summarised below for Council's benefit.

Amended Plans

The amended plans now show the size of the garage to be 47.38sqm, compared with the original plans denoting it as 41sqm – a difference of about 15%. This confirms a significantly larger footprint than could be expected for a domestic garage/outbuilding in this location and is a key contributor to the overall impact of the building given its close proximity to two common boundaries and the excessive height of the northern wall.

In particular, it is clear the eastern side of the shed does not form part of the garage proper and contains a pedestrian door. This section could be easily modified, without impacting the position of the pedestrian door, to achieve a 600mm offset from the back of the existing masonry wall. This would greatly reduce the bulk and visual impact on the [REDACTED] pool area, which is immediately adjacent, but have little if any impact on the function of the shed.

The additional information from the applicant now proposes cladding to the shed to overcome the small gap between it and the northern and eastern walls but it is not clear from the explanation nor the amended plans what this cladding looks like or is made of, nor the extent of it. This makes it impossible to know whether this additional cladding creates further impact as it will potentially bring the finished surface closer to the pool area and further increase its already unacceptable impacts in this area.

It is noted this additional cladding is only required because the applicant did not consider the exact location of the boundary nor seek approval for the building, which would have identified and avoided this problem, but the [REDACTED] will bear the result of this error if the proposal is allowed.

The proximity of the shed to the eastern boundary is already causing practical issues, with leaf litter collecting on the roof of the shed and ending up in the [REDACTED] pool. This impact, along with the visual intrusion and radiant heat from the material selected, would be dramatically reduced if the shed was 600mm off the existing masonry wall (as contemplated by the Development Plan) and had wall heights and roof of lower pitch (discussed in detail below).

Height of Shed

The highest part of the shed, at 3.838 metres, is located along the northern boundary of the subject land and for the full width of the building. This interfaces directly with the [REDACTED] backyard and dwelling and remains a key concern of theirs.

There seems to be no argument that this is an unusually large dimension for a domestic shed, as the applicant reasons that the height is necessary to accommodate a large 4WD. However, the garage door opening is only 2700mm in height, which this large 4WD must be able to fit under. Based on this reasoning from the applicant, there is simply no justification for the northern wall to be more than 1 metre greater in height than the door entrance, particularly when that height causes significant amenity impacts.

Further, the suggestion by Ekistics that the skillion roof has been used *“to minimise the height and scale of the building and to assist to minimise the visual impact of the garage from....the private open space for the adjoining dwelling”* is completely without basis.

Accordingly, the height of the northern wall should be reduced to a more appropriate height, including lowering the pitch to further minimise the wall height. I am advised that with appropriate materials the pitch could be reduced to as low as 1-2%.

This is a key issue for the [REDACTED] which the applicant seems to consider an appropriate outcome in this location. I respectfully disagree and more effort needs to be made to reduce this impact, especially when the height of the shed cannot be justified, despite the applicant having the opportunity to explain this requirement.

General Comments

The use of Colorbond, particularly on two large, tall and unrelieved boundary walls such as is the case here, is not appropriate in this location. However, the cladding now proposed – which seems to only now be included because of a property boundary/fire safety issue potentially rendering the building non-compliant, but with no detail given – will do nothing to reduce the impacts on the [REDACTED] backyard. The suggestion by Ekistics that the cladding on the eastern boundary will assist in providing *“some depth and visual relief of the garage as viewed from the rear private open space of the adjoining property”* is nonsensical.

However, setting the building back 600mm from the existing masonry wall along the eastern boundary as described above would provide adequate visual relief and could be easily achieved with no impact on the ability of the shed to accommodate the 4WD's requirements.

Further, the suggestion in the response that placing the garage at the rear of the property has merit because it ensures "*the preservation and retention of the existing streetscape appearance of the existing dwelling*" attempts to divert attention from the issues that the [REDACTED] have raised. There is no argument about whether the garage should be at the front or the back of the subject land but is only about the extent to which the shed is appropriately designed and sited and whether its impacts are reasonable.

Finally, the suggestion that the applicant advises he sought to obtain agreement from the [REDACTED] on the construction of the garage – which they reasonably believed he would have obtained the necessary approvals for – seems to me to be an attempt to characterise the outstanding issues as little more than a neighbourly dispute. Regardless of what was discussed, the [REDACTED] were denied their opportunity and right to put their views forward prior to the construction of the shed only because the applicant failed to seek the proper approvals. If the correct process was followed this would have afforded the [REDACTED] formal notification of the proposal and all of the issues now before Council could have been avoided.

Conclusion

It is not considered the shed as currently constructed nor the 'tinkering' now proposed is a reasonable outcome when it so obviously affects two common boundaries and greatly impacts on the residential amenity of the [REDACTED] property. It appears that the changes now proposed are an effort to do as little as possible to the existing structure and simply allow it to comply with building codes. However, the changes do not do anything material to address the issues my clients complain about.

The [REDACTED] have always acknowledged that the owner of the subject land is entitled to have a garage in this area but its size, bulk, appearance and impacts need to be balanced with their reasonable expectations for the on-going amenity of their backyard and pool area, just as could be expected if the situation was reversed.

Had the structure not been built without approval these issues could have been brought to the attention of both applicant and the [REDACTED] and worked through absent the pressure to keep the building as is. However, the fact the building already exists is a problem of the applicant's own making and should afford him no benefit whatsoever.

In summary, the [REDACTED] request that the application be deferred to allow for the following amendments to be made:

- Reduction in the height of the northern wall of the shed to 3 metres and reversing the direction of the skillion roof such that it falls from south to north. By reducing the pitch of the skillion to 2 degrees this would reduce the height of the southern wall to approximately 3.25 metres; and
- Shifting the eastern wall of the shed off the existing masonry wall by 600mm, which could easily be achieved by removing part of the 'non-garage' part of the shed, but with no impact on the existing pedestrian door.

By making these changes, which would appear to have no impact on the functionality of the shed for the purposes stated by applicant, the impacts on the [REDACTED] backyard and pool area will be greatly reduced and be of an acceptable level. This would give both the applicant and the [REDACTED] suitable outcomes in this instance, noting the applicant derives no benefit from the fact the shed is already in place and the application must be determined as the shed did not exist.

If the applicant does not wish to make any such changes, then the [REDACTED] have no alternative but to ask the CAP to refuse the application.

The [REDACTED] and I will be in attendance at the upcoming CAP meeting, only a few days before which we will have access to the officer's report and as such may have more to say at that time.

Should there be any questions in the meantime, please do not hesitate to contact me.

Yours sincerely



MARK BAADE

B. Plan (Hons)

[REDACTED]
[REDACTED]

DECISION REPORT

REPORT TITLE: CONFIDENTIAL MOTION FOR ITEM 3 -
PLANNING APPEAL – ERD COURT ACTION NO
ERD-21-80 – 31a Fisher Street – 14/2021/C2

DATE OF MEETING: 19 October 2021

AUTHOR: Don Donaldson
Team Leader Planning

RESPONSIBLE OFFICER: Megan Berghuis
General Manager Community

COMMUNITY GOAL: GOE/2 Generate an approach to all Council operations which maintains the principles of good governance such as public accountability, transparency, integrity, leadership, co-operation with other levels of Government and social equity.

PURPOSE

To recommend that Item 3 be considered in confidence at 19 October 2021 Council Assessment Panel Meeting

RECOMMENDATION

MOVED: **SECONDED:**

That:

1. The report be received.

2. Pursuant to Regulation 13(2) (a) (ix) of the Planning, Development and Infrastructure (General) Regulations 2017, as amended, the Council Assessment Panel orders the public be excluded with the exception of the following:
 - Gary Brinkworth, Manager Development and Regulatory
 - Don Donaldson, Team Leader Planning
 - Andrew Raeburn, Senior Planning Officer
 - Lily Francis, Development Administration Officer

on the basis that considerations at the meeting should be conducted in a place open to the public has been outweighed on the basis that the

information relating to actual litigation or litigation that the Panel believes on reasonable grounds will take place.