

December 20, 2023

Deryn Atkinson
Adelaide Hills Council
Via: The PlanSA Portal

Dear Deryn,

ALLOTMENT 228, MACINTOSH CRESCENT, WOODFORDE

As you know:

- our client, Woodforde JV Stage 3A Pty Ltd, obtained Development Plan Consent ('DPC') from the Adelaide Hills Council ('AHC') on August 11, 2021 to construct a residential flat building consisting of 57 dwellings across five building levels;
- the DPC, which relates to Allotment 228, Macintosh Crescent, Woodforde ('site'), was recently revived by the AHC and is now set to lapse on August 21, 2025;
- our client now wishes to vary the DPC;
- the proposed variation stems from the unforeseen, rapid and substantial rise in construction-related costs, and the need to ensure that this development remains financially viable;
- the proposed variation, if consented to by the AHC, will see:
 - » the height of the residential flat building lowered by one building level, from five building levels to four; and
 - » the number of dwellings within the residential flat building reduced by four, from 57 dwellings to 53.

The purpose of this letter is to describe the site and the nature and extent of the proposed variation, and to explain why the proposed variation warrants planning consent.

The Site

The site:

- consists of one allotment, namely Allotment 228 on Deposited Plan 126866 (see Certificate of Title Volume 6271 Folio 483);
- is irregular in shape and located on the north-eastern side of Macintosh Crescent;
- has a frontage of 98.89 metres to Macintosh Crescent and an area of 3,111 square metres;
- is subject to 3.0-metre-wide service easements for drainage and sewerage purposes (see the Deposited Plan for the precise location of these easements); and
- is presently vacant and has been benched and retained (levelled-out strategically) noting that the adjoining lands immediately to the north/north-east are typically steeper in nature.

Whilst inspecting the site and its surroundings, we noticed, amongst other things, that:

- the site is directly opposite a large public reserve of some 5.484 hectares and approximately 100 metres to the east of the Rostrevor College Oval;
- there is a recently completed five and, in part, four-storey residential flat building approximately 70 metres to the south-west of the site, on the opposite side of the public reserve;
- the lands further to the south have been developed predominantly for two-storey abutting dwellings; and
- the land to the north features a large water tank that is prominent within the locality.

The Proposed Variation

The nature and extent of the proposed variation is depicted across the amended plans accompanying this statement however it should be noted from the outset and for the purposes of your assessment that:

- the height of the residential flat building has been reduced by one building level, from five building levels to four;
- the number of dwellings within the residential flat building has been reduced by four, from 57 dwellings to 53;
- the external design of residential flat building has been altered but not to a substantial degree;
- the siting of the residential flat building has been adjusted and, as a consequence, the primary façade is now set back 2.96 metres from Macintosh Crescent;
- the internal layout of each dwelling typology has also been altered – so too for that matter has the layout of the ground floor level and at-grade car park;
- the swimming pool has been reconfigured and reduced in size; and
- the ancillary and subservient gym, kiosk and office have all been removed from the residential flat building.

Procedural Matters

The Code

The relevant version of the Planning and Design Code ('Code') for procedural and assessment purposes is Version 2023.18 (see Part 13 of the Code).

According to the South Australian Property and Planning Atlas ('SAPPA'), the site is located in the Housing Diversity Neighbourhood Zone ('HDN Zone') and captured by the following Overlays:

- Airport Building Heights (Regulated) (All structures over 30 metres);
- Affordable Housing;
- Hazards (Bushfire – Urban Interface);
- Hazards (Flooding - Evidence Required);
- Prescribed Wells Area;
- Regulated and Significant Tree;
- Stormwater Management;
- Urban Tree Canopy.

The following Technical and Numeric Variations also apply to the site:

- Maximum Building Height (Metres):
 - » *Maximum building height is 9 metres.*
- Maximum Building Height (Levels):
 - » *Maximum building height is 2 levels.*

The Pathway

Residential flat buildings are not 'accepted', 'deemed-to-satisfy' or 'restricted' in the HDN Zone (see Tables 1, 2 and 4 of the HDN Zone respectively). They must, therefore, be 'performance assessed'.

The Merits

We have concluded from our assessment of the proposed variation that it warrants planning consent. In support of our conclusion, we wish to highlight the following:

- The essential nature of the development to which the proposed variation relates remains the same. Put simply, the approved land use is not subject to change and remains envisaged within the HDN Zone.
- The density of this development has been reduced.
- All 40 of the one-bedroom dwellings will continue to be set aside as 'affordable housing'.
- Although the adjustments to the siting of the residential flat building will result in the primary façade being located closer than the recommended distance to the south-western (front) boundary of the site (2.96 metres as opposed to 3 metres), we do not consider this numerical discrepancy, which is in the order of 0.04 metres, to be insurmountable on the basis that:
 - » the emerging setback pattern is largely non-existent along this portion of Macintosh Crescent due to the prevalence of vacant allotments earmarked for future residential development. Furthermore, the wider neighbourhood is diverse, with more contemporary dwellings on more recently developed sites typically having reduced setbacks to accommodate low and medium-density housing, as envisaged by POs 1.1 and 2.1 of the Zone;
 - » the primary facade of the residential flat building interfaces with the large public reserve directly opposite the site;
 - » the reduction in height in conjunction with the aforementioned relocation of the residential flat building will result in an immaterial change in the primary road interface to the public realm; and
 - » the residential flat building has been amended to have recessed elements, ample fenestration and varied materials and finishes to mitigate its visual impact on the public realm.
- All of the dwellings either meet, or exceed, the minimum expectation of the Code as far as internal floor area is concerned (see DPF 31.1 of the Design in Urban Areas Section of the Code). All of the dwellings also come equipped with more than the recommended amount of domestic storage.
- Although the residential flat building exceeds the maximum building heights that have been prescribed for this part of the HDN Zone, we do not consider these departures to be insurmountable on the basis that the residential flat building is being reduced in height (from five building levels to four) and remains not more than two building levels 'over-height', noting

that the maximum building height under the now defunct Adelaide Hills Council Development Plan was three storeys;

- Although dwelling typologies 2C and 2D on the amended plans have been provided with a private open space area, in the form of a balcony, that is less than that which is recommended by DPF 27.1 of the Design in Urban Areas Section and the corresponding table, namely Table 1, we do not consider this numerical discrepancy, which is in the order of 2.0 square metres, to be insurmountable on the basis that:
 - » the previous development authorisation had been granted by the AHC with a shortage of private open space;
 - » the proposed alterations to the internal layout will result in increased balcony depths which is more amenable to the prospective occupants; and
 - » these shortfalls will continue to be supplemented by the large public reserve directly opposite the site.
- The proposed external alterations will be largely imperceptible other than to those who have been intimately involved in the development, design and assessment of the overall proposal, and would not conflict with the previous opinion held by the relevant authority.
- With respect to the management of waste, the approved communal waste storage area remains suitable, as the residential flat building will require a lower theoretical storage capacity due to the reduction in the number of dwellings (57 down to 53) and bedrooms (85 down to 66).
- The endorsed waste collection arrangements are not subject to change.
- A Traffic and Parking Review, prepared by Empirical Traffic Advisory, suitably qualified experts in this field, accompanies this statement. With respect to traffic and parking, it is noted that:
 - » the removal of four dwellings will result in a lesser theoretical parking demand as per the rate prescribed under Table 1 – General Off-Street Car Parking Requirements for *residential flat buildings*;
 - » the residential flat building includes 54 car parking spaces which will cater for the residential car parking demands (see DPF 5.1 of the Transport, Access and Parking Section of the Code);
 - » the visitor parking demand has been lessened, theoretically speaking, (from 14.25 spaces to 13.25 spaces) and can continue to be accommodated within the confines of the surrounding road network (according to Empirical Traffic Advisory); and
 - » the proposed development “*will not affect the operation or capacity of the internal and external road network to the Hamilton Hill development.*”

For these reasons, we believe it is also fair and reasonable to conclude that the proposed variation “is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site”.

If you have any queries or concerns in relation to the proposed variation, please do not hesitate to contact my colleague, Fabian Barone.

Yours sincerely,



Nick Giannakodakis
Planning Consultant

CONCEPT FEASIBILITY - HAMILTON HILL APARTMENTS

AREA SCHEDULE

SITE AREA 3109 sq.m

LEVEL	RL	UNITS		TOTAL	CARS	NSA		EFFICIENCY	GFA				
		1 BED	2 BED		Nos.	APART.	BALC.		%	CAR PARK	BUILDING	BALC.	CAR PORT
						m2	m2		m2	m2	m2	m2	m2
GROUND	0.00	4	1	5	54	285	207		1458	560	207	543	337
LEVEL 01	3.30	12	4	16		906	158	85%		1068	158		
LEVEL 02	6.60	12	4	16		906	158	85%		1068	158		
LEVEL 03	9.90	12	4	16		906	158	85%		1068	158		
ROOF	13.50												
TOTALS		40	13	53	54	3003	681		1458	3764	681	543	337

(MIX)

75% 25%

15 December 2023

#eta1000185

Kite Projects
254 Angas Street
Adelaide SA 5000
Attention: Mr. Craig McRostie

HAMILTON HILL CLUB APARTMENTS TRAFFIC AND PARKING REVIEW

Dear Craig,

This letter provides the findings and conclusions from a traffic and parking review of the proposed development located in Woodforde, as part of the Hamilton Hill development site.

SUBJECT SITE

The subject site is located on Lot 228 Macintosh Crescent in Woodforde, with the site located within the Hamilton Hill development which is in progress with other residential construction. The subject site will have access via the Hamilton Hill road network to and from Glen Stuart Road. It is located in the northern portion of the Hamilton Hill development. The site is shown in Figure 1 below.

Figure 1: Subject Site and Environs



(source: SAPPA December 2023)

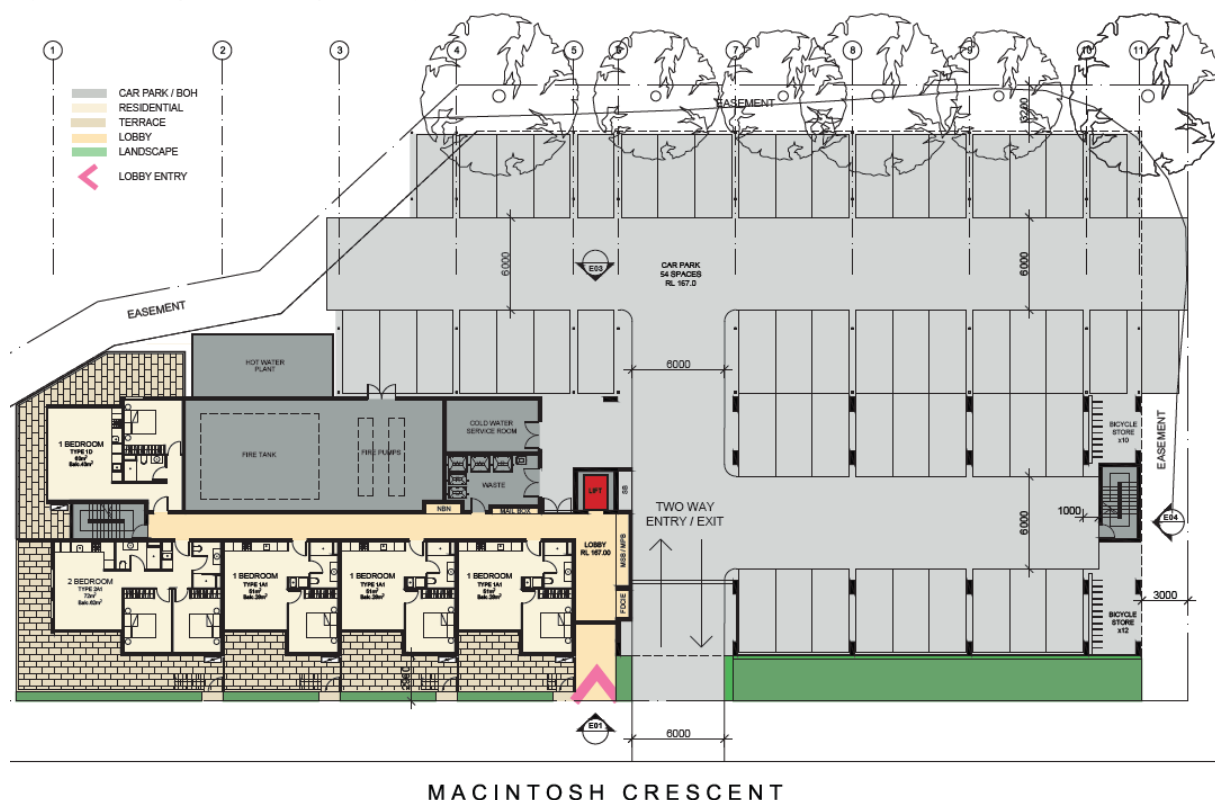
PROPOSED DEVELOPMENT

A residential flat building is proposed including:

- 53 dwellings based on 40 one bedroom and 13 two bedroom apartments;
- 54 off-street car parking spaces and parking for 22 bicycles;
- Access to McIntosh Crescent.

The proposed development ground level layout is shown in Figure 2.

Figure 2: Proposed Development Layout



(source: Enzo Caroscio Architecture)

PARKING

The site is located in a Housing Diversity Neighbourhood Zone. A review of parking for the proposed development against the SA Planning and Design Code as referenced in *Table 1 - General Off-Street Car Parking Requirements in Part 4 - General Development Policies - Transport, Access and Parking* is shown below.

Residential Flat Building

Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.

Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.

0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.

Based on the Code, the proposed development would require 53 parking spaces, plus 18 spaces for visitors. The proposed development will provide 54 parking spaces which will meet the Code requirements for residential parking.

Visitor parking will be provided on-street as permitted in the Code as follows:

Part 4 - General Development Policies - Transport, Access and Parking

Performance Outcome 5.1 - Vehicle Parking Rates

Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- a) availability of on-street car parking*
- b) shared use of other parking areas*
- c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared*
- d) the adaptive reuse of a State or Local Heritage Place.*

Based on part (a) above, the proposed development will have up to 30 spaces available on both sides of Macintosh Crescent along the frontage of the site which would comfortably provide for visitor parking to the proposed development.

On-street parking was allowed for in the original development consent for Hamilton Hill with carriageways designed for parking on both sides whilst maintaining a travel lane on the road. This will meet the requirements of the Code.

BICYCLE PARKING

The SA Planning and Design Code doesn't provide parking rates for bicycle at residential flat buildings outside of Designated Areas. As a guide, however, the Designated Area parking has been used, and is as follows:

1 space for every 4 dwellings for residents plus 1 for every 10 dwellings for visitors

Based on the above rates, the proposed development would require 14 spaces for residents, and 5 spaces for visitors, being a total of 19 spaces. The proposed development will provide 22 parking spaces for bicycles.

CAR PARK LAYOUT

The parking layout has been designed in accordance with Australian Standard/New Zealand Standard for Off Street Car parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009). Key features of the car park layout include:

- Undercroft parking and covered parking spaces across the site.
- 90 degree parking spaces have been provided with a width of 2.4m and a length of 5.4m and set within a 6.0m wide aisles.
- A parking space for people with disabilities and associated shared area have been provided in accordance with the AS/NZS2890:6:2009 in the front car park.
- Parking spaces will be allocated to dwellings, hence no turnaround bay is required in the blind aisle of the car park.
- Blind aisle extensions of 1.0 metres provided in accordance with the Standard.
- A single access point to the off-street car park is proposed, with a 6 metres wide driveway suitable for two-way traffic movements.

TRAFFIC ASSESSMENT

Traffic generation estimates for the proposed development have been sourced from the Transport for New South Wales '*Guide to Traffic Generating Developments*' (formerly RTA NSW, 2002). Estimates of peak hour and daily traffic volumes resulting from the proposed dwellings would total approximately 318 vehicles per day and 35 trips per hour during the AM and PM peak periods.

The proposed apartments are part of the larger Hamilton Hill master plan in the original Development Consent. The traffic generation of this allotment was considered as part of the overall master plan Transport Impact Assessment (dated 20 October 2015).

The master plan report applied traffic generation to the subject site based on 100 residential apartments in total (46 previously approved in Kelso Apartments). The proposed development will include 53 apartments to total 99 apartments overall, which will be in accordance with the original traffic generation estimates for Hamilton Hill.

WASTE COLLECTION

It is understood that a private collection service with a rear loading truck suitable for 1,100 litre bins will access the site. The bins will be moved to the truck via the driveway to enable emptying at the truck. The waste bin storage room is located near to the main driveway entrance which will minimise the transport distance of bins to the truck.

Parking controls (i.e. loading zone) could be installed adjacent the proposed driveway to accommodate waste collection vehicles on days of collection (i.e. could be up to 2 times per week). A Loading Zone would also be useful to accommodate deliveries (i.e. food, packages) and collections (rideshare, taxi, etc). This assists to reduce private vehicle usage through convenient alternatives for travel to and from the site.

The waste collection will operate on a similar methodology to the previous Kelso Apartments located in the Hamilton Hill development, which has operated successfully since occupation of the building.

CONCLUSIONS

The traffic and parking assessment has found the following:

1. The proposed development consists of 54 apartments (40 one bedroom and 14 two bedroom) with car parking across ground level.
2. Based on the SA Planning and Design Code, the proposed development would require 53 resident parking spaces and 18 visitor parking spaces which will be accommodated on-street on McIntosh Crescent as permitted by the Code, and has previously been approved in Hamilton Hill for this site.
3. The proposed development includes 54 car parking spaces which will cater for the residential car parking demands.
4. Bicycle parking for 22 bicycles in a secure parking area will be provided on the ground level of the car park.
5. Waste collection is proposed to occur on-street adjacent the site with a private collection arrangement, utilising medium size bins which can be transported to and from the street.
6. The traffic impact of the proposed development will be consistent with the Hamilton Hill masterplan. This will not affect the operation or capacity of the internal and external road network to the Hamilton Hill development.

Should further information be required, please contact the undersigned at your convenience.

Yours sincerely

EMPIRICAL TRAFFIC ADVISORY

A handwritten signature in black ink, appearing to read 'Paul Morris', is written over a light grey rectangular background.

Paul Morris
Director
M.TransTraff, MAITPM