

TO: **COUNCIL ASSESSMENT PANEL**
 DATE: **27 MAY 2020**
 SUBJECT: **COUNCIL ASSESSMENT REPORT**
 AUTHOR: **DEAN SPASIC**
DEVELOPMENT OFFICER PLANNING

ATTACHMENTS: **1. LOCALITY PLAN**
2. PROPOSED PLANS
3. STATEMENTS OF REPRESENTATIONS
4. APPLICANT'S REPLY TO REPRESENTATIONS

HEARING OF REPRESENTORS: **BRENTON WHITTENBURY OF**
102 JETTY ROAD, GLENELG

HEARING OF APPLICANT: **CAROLINE CHAPMAN, STRATEGIC PLANNER**

DA NO.	:	110/00916/19
APPLICANT	:	CITY OF HOLDFAST BAY
LOCATION	:	CHAPEL STREET GLENELG
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	DISTRICT CENTRE ZONE POLICY AREA 2 GLENELG
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	PERGOLA, SEATING PLATFORM, DIGITAL INTERACTION ADVERTISING DISPLAY, NEW FENCING TO CHURCH CAR PARK AND REFURBISHMENT OF CHURCH FRONT STEPS IN ASSOCIATION WITH THE ROAD CLOSURE OF CHAPEL STREET, GLENELG (BETWEEN JETTY ROAD AND MILTON STREET)
EXISTING USE	:	PUBLIC STREET
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	THREE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

1. Site and Locality

The subject site is located at Chapel Street in between Jetty Road to the north and Milton Street to the south. The portion of Chapel Street between Milton Street and High Street is not included as part of the proposed works.

The land is located within the District Centre Zone, Policy Area 2 Glenelg, which comprises the Jetty Road, Glenelg Centre Precinct.

2. Proposed Development

Council, in a separate consideration (and not subject to a development approval via the Development Act 1993) resolved to approval the closure of this portion of Chapel Street, with the objective being to facilitate a more pedestrian friendly environment. The closure of Chapel Street is therefore considered as separate to the proposed works, which are limited to a pergola, seating platform, advertising display, fencing and refurbishment of the church front steps.

3. Public Consultation

The development is assigned as Category 2 development as per Development Regulations 2008, Schedule 9, Part 2—Category 2 development, Clause 19 (development on a Zone boundary).

A total of three representations were received, summarised as follows:

Irene and Tony Hadgecostas of 3 Esplanade, Somerton Park

- Object to the closure of Chapel Street, which will affect traffic flow, reduction of 3 car parking spaces and traffic safety concerns

Brenton Whittenbury of 102 Jetty Road, Glenelg

- Object to permanent closure of Chapel Street, which will result in traffic congestion and create a loitering space for undesirables

Raylene Carbins of 6/4 Chapel Street, Glenelg

- Object to the proposed closure of Chapel Street, which will compromise pedestrian safety at alternative intersection such as Milton Street, where the visibility is not as clear compared to the Chapel Street intersection, increased traffic along Milton Street, safety concerns for school children; and
- The closure of Chapel Street would also increase of 'rough sleepers' in the vicinity, which has already occurred in the area.

The applicant has provided the following reply:

- Removal of traffic from this section of Chapel Street is part of the endorsed Jetty Road Glenelg Masterplan (January 2018) to create an accessible, people friendly plaza centrally along Jetty Road. Safety has been a key factor addressed in design and will be carefully managed during construction
- The traffic issues, including general traffic, school traffic, pedestrians, commercial vehicles at Moseley Street intersection have been examined and will be addressed more comprehensively in future stages of implementation of the Master Plan
- The removal of 3 parks will enable the creation of a plaza space to be enjoyed by local community and everyday shoppers in the heart of Jetty Road. It will provide a great

space for people to meet, rest, hold markets, have lunch, in a comfortable, safe space, and include improved CCTV and lighting.

HOLDFAST BAY (CITY) DEVELOPMENT - ASSESSMENT - COUNCIL WIDE PRINCIPLES OF DEVELOPMENT CONTROL

General Section, Advertisements	
Objectives	Assessment
1 Urban landscapes that are not disfigured by advertisements and/or advertising hoardings.	Complies
2 Advertisements and/or advertising hoardings that do not create a hazard.	Complies
3 Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.	Complies
4 Outdoor advertising displays that are designed to provide clearly visible property and business identification without dominating the appearance of the site upon which it is located or the streetscape.	Complies
5 Outdoor advertising displays that are specifically designed to have an overall co-ordinated appearance with all other advertisements associated with the building or site.	Complies
Principles of Development Controls	Assessment
1 The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be: (a) consistent with the predominant character of the urban or rural landscape (b) in harmony with any buildings or sites of historic significance or heritage value in the area (c) coordinated with and complement the architectural form and design of the building they are to be located on.	Complies
2 The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid: (a) clutter (b) disorder (c) untidiness of buildings and their surrounds (d) driver distraction.	Complies
4 The content of advertisements should be limited to information relating to the legitimate use of the associated land.	Complies
5 Advertisements and/or advertising hoardings should: (a) be completely contained within the boundaries of the subject allotment (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees (c) not obscure views to vistas or objects of high amenity value.	Complies
6 Advertisements and/or advertising hoardings should not be erected on: (a) a public footpath or veranda post (b) a road, median strip or traffic island (c) a vehicle adapted and exhibited primarily as an advertisement (d) residential land.	Complies
10 Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.	Complies
11 Advertisements which perform a secondary role in identifying the business, goods or services should only be readable in the immediate vicinity of the site.	Complies

General Section, Advertisements (Cont)	
Objectives	Assessment
<p>12 Advertisements and/or advertising hoardings should not create a hazard by:</p> <p>(a) being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road</p> <p>(b) being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals</p> <p>(c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high</p> <p>(d) obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (eg junctions, bends, changes in width, traffic control devices).</p>	Complies
<p>13 Any internally illuminated advertising signs and/or advertising hoardings which utilise LED, LCD or other similar technologies should be located a minimum of 80 metres from traffic signals, level crossings and other important traffic control devices.</p>	Complies
<p>14 Freestanding advertisements and/or advertising hoardings should be:</p> <p>(a) limited to only one primary advertisement per site or complex, except where a site has multiple road frontages, in which case, a maximum of one freestanding advertising hoarding per road frontage</p> <p>(b) of a scale and size in keeping with the desired character of the locality and compatible with the development on the site.</p>	Complies
General Section, Centres and Retail Development	
Objectives	Assessment
<p>2 Centres that ensures rational, economic and convenient provision of goods and services and provide:</p> <p>(a) a focus for community life</p> <p>(b) safe, permeable, pleasant and accessible walking and cycling networks.</p>	Complies
Principles of Development Control	Assessment
<p>3 Development within centres should provide:</p> <p>(a) public spaces such as malls, plazas and courtyards</p> <p>(b) street furniture, including lighting, signs, litter bins, seats and bollards, that is sited and designed to complement the desired character</p> <p>(c) unobtrusive facilities for the storage and removal of waste materials</p> <p>(d) public facilities including toilets, infant changing facilities for parents, seating, litter bins, telephones and community information boards</p> <p>(e) access for public and community transport and sheltered waiting areas for passengers</p> <p>(f) lighting for pedestrian paths, buildings and associated areas</p> <p>(g) a single landscaping theme</p> <p>(h) safe and secure bicycle parking.</p>	Complies

General Section, Crime Prevention (Cont)	
Objectives	Assessment
1 A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance.	Complies
Principles of Development Control	
1 Development should be designed to maximise surveillance of public spaces through the incorporation of clear lines of sight, appropriate lighting and the use of visible permeable barriers wherever practicable.	Complies
4 Development should provide lighting in frequently used public spaces including those: (a) along dedicated cyclist and pedestrian pathways, laneways and access routes (b) around public facilities such as toilets, telephones, bus stops, seating, litter bins, automatic teller machines, taxi ranks and car parks.	Complies
General Section, Heritage Places	
Objectives	Assessment
1 The conservation of State and local heritage places	Complies
3 Conservation of the setting of State and local heritage places.	Complies
Principles of Development Control	
6 Development that materially affects the context within which the heritage place is situated, including development on adjoining properties and on nearby properties where there would be an influence upon the character, integrity and setting, should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to: (a) scale, bulk and form (b) width of frontage (c) boundary setback patterns (d) proportion and composition of design elements such as rooflines, window and door openings, fencing and landscaping (e) colour and texture of external materials.	Complies
10 Development of a State or Local Heritage Place, or development on land adjacent to a State or Local Heritage Place should conserve, maintain, enhance and reinforce the historic character of individual buildings and/or the existing streetscape character by exhibiting architectural and roof-form designs, street frontage widths, front and side boundary set-backs, materials, colours, fences and landscape settings which complement and give prominence to historic buildings or their detailing.	Complies
Zone Section, District Centre Zone	
Objectives	Assessment
1 Centres that accommodate a range of retail facilities, offices, consulting rooms, and cultural, community, public administration, entertainment, educational, religious and residential facilities to serve the community and visitors within the surrounding district.	Complies
7 The provision of facilities to enhance the function and amenity of the zone for pedestrians.	Complies

Zone Section, District Centre Zone (Cont)	
Objectives	Assessment
<p>8 Development that contributes to the desired character of the zone.</p> <p>Desired Character Development of the District Centre Zone will achieve lively, vibrant places that provide for a wide range of retail, commercial, administrative, and community uses, services and functions. It will create inviting pedestrian and cycle friendly centres distinguished by historic architecture, high-quality functional spaces and ease of access.</p>	Complies
Principles of Development Control	Assessment
<p>4 Development should not be undertaken unless it is consistent with the desired character for the zone.</p>	Complies
<p>5 Development should be sited and designed to promote linkages between the various developments within the centre and adjoining main roads.</p>	Complies
<p>9 Development should incorporate verandas, parapet wall treatments and traditional window display frontages consistent with a traditional, linear shopping centre, providing public walkways and sheltered public and private spaces.</p>	Complies
<p>10 Outdoor advertisements should be designed and located to be in keeping with the building to which they relate, the character of the area, and the streetscape of a traditional linear shopping centre.</p>	Complies
<p>11 Advertisements should be designed and erected as follows: (a) under canopy signs should comprise the predominant form of signage in the zone and should be rectangular in shape (b) flat wall signs located above canopy level should be of a size and shape relative to the building facade so as not to dominate the facade or appear disproportionate with respect to sign/wall area ratios</p>	Complies
<p>13 Development should, wherever practicable, provide or make adequate provision for all of the following: (a) pedestrian linkages from public to private spaces (b) usable, pleasant and safe, open areas (c) street furniture including seating and rubbish bins (d) appropriate plantings (e) bicycle parking.</p>	Complies

Zone Section, District Centre Zone, Glenelg Policy Area 2	
Objectives	Assessment
3 A high degree of pedestrian activity and a vibrant street-life with well lit and engaging shop fronts and business displays including alfresco seating and dining facilities and licensed areas.	Complies
<p>4 Development that contributes to the desired character of the policy area.</p> <p>DESIRED CHARACTER Development within the Glenelg Policy Area 2 will reinforce and integrate the dining, district shopping and business status of Jetty Road with the seaside recreation, entertainment, dining and leisure function of Moseley Square and the foreshore - maintaining the area as Adelaide's premier seaside tourist destination.</p> <p>Development within the policy area will integrate with the existing wide range of activities within this unique setting, providing for the day-to-day and weekly shopping needs and commercial functions of the surrounding community, to high-end and specialty retail, offices, consulting rooms, restaurants and entertainment establishments servicing the southern and western regions of Greater Metropolitan Adelaide.</p> <p>Development of the policy area will evolve to meet the demand for new attractions, activities and uses that support the district and its role as terminus of the Glenelg tram line and a major tourist destination, while balancing those metropolitan roles with its local function and the amenity of adjacent residential areas.</p> <p>Development will achieve the highest possible standards of urban design. In particular, development will acknowledge the increasing importance of pedestrian movements within the centre and access to the centre by bicycle through the provision of services, facilities and amenities aimed at specifically satisfying these users. Car parking will be enhanced progressively through the development of a number of strategically located sites, in both public and private ownership, to meet the car parking needs of the centre whilst encouraging more sustainable modes of transportation.</p>	Complies
Principles of Development Control	Assessment
2 Development should not be undertaken unless it is consistent with the desired character for the policy area.	Complies
3 The built-form of development should be compatible with and reinforce the traditional shopping strip character of the zone, including where appropriate, features that complement and conserve existing buildings which are of historic or streetscape significance.	Complies

4. Summary of Assessment

Zone and Land use

The proposed development is considered to reinforce the Desired Character of the Zone and Policy Area, which emphasis Jetty Road, Glenelg as the City's premier seaside destination, seeking a lively, vibrant environment that is pedestrian friendly.

The proposed space is considered to achieve a high standard of urban design, acknowledges the increased importance of pedestrian movements and access.

The space will promote pedestrian and public activation, with an emphasis on connectivity through the precinct and user safety.

Heritage

The assessment of the proposal included a referral to the State Government Heritage Branch, due to the proximity and stair works associated with the adjacent State Heritage Place (St Andrew's Uniting (former Congregational) Church) who advised of no objections to the proposal.

Chapel Street Closure

Although this proposal is in association with the closure of a portion of Chapel Street, the closure of the street has been approved separately by Council, outside of the realm of the Development Act 1993, therefore the assessment of this proposal cannot have specific regard to the merits of the road closure.

5. Conclusion

The representations received were weighted on the closure of Chapel Street, which has already been approved by Council. This proposal is strictly limited to the Pergola, seating platform, digital interaction advertising display, new fencing to church car park and refurbishment of church front steps, all of which are envisaged kinds of development within the Zone and Policy Area and do not present any adverse planning impacts.

6. RECOMMENDATION

- 1. The proposed development is NOT seriously at variance with the policies in the Development Plan.**
- 2. Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00916/19 comprising a pergola, seating platform, digital interaction advertising display, new fencing to church car park and refurbishment of church front steps in association with the road closure of Chapel Street, Glenelg (between Jetty Road and Milton Street) at Chapel Street, Glenelg.**

PLANNING CONDITIONS

- 1. The proposal shall be implemented as shown on the plans submitted to Council and stamped 'Development Plan Consent dated 27 May 2020' unless varied by any subsequent conditions imposed herein.**