Development Plan Amendment

By the Council

City of Chares Sturt

Kilkenny Mixed Use (Residential and Commercial) DPA (Privately Funded)

The Amendment

For Approval

April 2021



Amendment Instructions Table Name of Local Government Area: City of Charles Sturt Name of Development Plan **Charles Sturt Council** Name of DPA: Kilkenny Mixed Use (Residential and Commercial) DPA The following amendment instructions (at the time of drafting) relate to the Council Development Plan consolidated on 14 January 2021. Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment. Method of Detail what in the Development Plan is to be amended, replaced, deleted Subsequent Change or inserted. **Policy** • Amend • Replace • Delete • Insert cross-If applicable, detail what material is to be inserted and where. Use references attachments for large bodies of material. requiring update (Y/N) if yes please COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text) Amendments required (Yes/No): No ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text) Amendments required (Yes/No): Yes **Suburban Activity Node Zone** REPLACE Entire zone with the content of Attachment A Ζ Ν **TABLES** Amendments required (Yes/No): No MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps) Amendments required (Yes/No): Yes Map Reference Table Against Suburban Activity Node listing - Maps ChSt/9 and ChSt/14 Ν Against Affordable Housing listing - Map ChSt/14 **INSERT** Ν Ν 4. INSERT Against Noise and Air Emissions listing - Map ChSt/14 Ν Map(s) REPLACE Council Index Map Ν Ν Overlay Map ChSt/9 Affordable Housing Overlay Map ChSt/9 Development Constraints Overlay Map ChSt/9 Noise and Air Emissions Overlay Map ChSt/9 Zone Map Overlay Map ChSt/14 Development Constraints Overlay Map ChSt/14 Zone Map with the Contents of Attachment B **INSERT** 6. The contents of Attachment C: Ν Ν Overlay Map ChSt/14 Affordable Housing Overlay Map CgSt/14 Noise and Air Emissions 7. INSERT The contents of Attachment D Ν Ν (new Concept Plan Map ChSt/32 - Suburban Activity Node Zone

Kilkenny)

Attachment A

Suburban Activity Node Zone

Black text = Core SA Planning Policy Library – Existing

Green text = Local Addition policy – Existing

Strike through text = Text proposed to be deleted by this DPA

Red text = Local additional policy proposed as part of this DPA – during consultation

Purple text = Local additional policy proposed as part of this DPA – post consultation



Suburban Activity Node Zone

Refer to the *Map Reference Tables* for a list of the maps that relate to this zone.

OBJECTIVES

- 1 A zone that includes a range of medium and high density residential development supported by a mix of compatible land uses.
- Well designed and functional mixed use areas with a walkable urban form, pedestrian and cyclist friendly streetscapes, and active street frontages that facilitate personal interaction and promote public transport use.
- 3 The design and layout of development to encourage walking and cycling and promote public transport use.
- A mixed use area with a variety and concentration of activity close to a key focal point such as a fixed transit stop, activity centre or high quality open space.
- 5 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

This zone will be developed as a medium to high density residential node with integrated mixed use development and quality public open spaces around public transit stops. This node is set within a wider suburban context and offers a focus for community scale activity. It is designed to foster an area with a sense of identity and uniqueness.

Residential development, primarily in the form of row dwellings and residential flat buildings, is appropriate in the zone. Aged and student accommodation, serviced apartments and diverse housing forms that cater for a range of household types, ages and life cycle stages, which are adaptable, are also encouraged in the zone to take advantage of its proximity to nearby transport services and facilities.

To minimise the impacts on development in adjacent zones, the zone at Seaton will consist of a Core Area and Transition Area as identified on *Concept Plan Map ChSt/30 – Suburban Activity Node Zone Seaton*. At Kilkenny, net residential densities of up to 150 dwellings per hectare are appropriate within the area south of Pinda Terrace and east of Wilpena Terrace, with other locations limited to a net residential density of 70 dwellings per hectare, resulting in a net maximum yield of 300 dwellings.

The form, scale and mix of development will be at its greatest intensity in the Core Area at Seaton with building heights of up to 4 storeys (16.5 metres) appropriate where located more centrally around the existing railway station. At Kilkenny, building heights of up to 4 storeys (16 metres) are appropriate south of Pinda Street and east of the extension of Arkaba Road, reducing to 2 – 3 storeys (8.5 metres – 12.5 metres) in other locations, with the exception of the Mundulla Street frontage at a maximum of 2 storeys (8.5 metres) with single storey form within the first 7 metres of the Mundulla Street frontage.

Land uses located at street level will include a mix of residential, shop, office and tourist accommodation. Office uses may be appropriate on upper floors especially where they provide a buffer between more active ground floor and residential activity. The mix of uses will cater for the day to day needs of local residents and workers and will be at its greatest intensity closest to the public transit. Features and activities that attract people and add vitality to the street, such as display windows, retail shopfronts and outdoor dining areas are desirable, particularly at ground level adjacent to Trimmer Parade and Tapleys Hill Road at Seaton and David Terrace and Wilpena Terrace at Kilkenny.

At Seaton, the Transition Area will act as a buffer between the Core Area and nearby lower density residential zones or lower intensity zones. Land uses in the Transition Area will be predominantly residential but may include other low impact uses such as offices and retail which address the frontage along Trimmer Parade. The density and intensity of development will be less than that of the Core Area but will be greater than neighbouring residential zones. Building heights of up to 3 storeys (12.5 metres) maybe appropriate within the Transition Area where located closest to Trimmer Parade to maximise its location to the railway station.

At Kilkenny, non-residential land uses are expected to be limited to the site fronting David Terrace and Wilpena Terrace and service the purpose of small scale retail and commercial uses that service the day-today needs of the local community and transit passengers.

Trimmer Parade at Seaton and all existing and new streets at Kilkenny will develop as a pedestrian friendly environment achieved by landscaping, surface treatments, street furniture and building design. Building setbacks along Trimmer Parade and the eastern side of Talpeys Hill Road at Seaton and the eastern side of David Terrace at Kilkenny are subject to road widening requirements and will also consider additional setback requirements to encourage street activation (eg outdoor dining) due to the narrow nature of the existing footpath. Building setbacks adjacent to the railway corridor will take into account the potential electrification of the railway line to address safety distance requirements, as well as the establishment of the Outer Harbour Greenway at Kilkenny.

Development is within defined building envelopes that manage the location and scale of buildings to achieve high quality urban design. The building envelopes will contribute to the provision of a coherent public realm by framing the street space and, in particular, the physical and functional character of the road and transit stop. Buildings at the interface of the zone with lower intensity zones will create an appropriate transition of development scale and massing.

The range of setbacks provided in the zone will be critical in providing space between buildings and in front yards for landscaping to soften the hard edge of new built form.

As development intensifies, some overlooking, overshadowing and noise impacts may occur within the zone but this will be moderated through good design and noise attenuation techniques. Solar access may also be reduced. Any adverse impacts for adjoining zones will be minimised through appropriate building envelopes, transition of building heights, design and siting of windows and balconies, and use of landscaping. Buildings will also be designed to maximise solar access.

There are a number of potential sources of air and/or noise emissions within and adjacent to the zone including Tapleys Hill Road, Trimmer Parade, the Grange railway line and a hotel at Seaton, as well as the Outer Harbor railway line, David Terrace, and the Glass plant and warehouse at Kilkenny. Development should be sited, and designed and constructed to mitigate these potential impacts and at Kilkenny, be designed and constructed to the relevant Sound Exposure Category Levels as identified within Concept Plan Map ChSt/32 – Suburban Activity Node Zone Kilkenny.

To promote a compact pedestrian oriented development, building entrances will be oriented to the street, large parking areas will be minimised and on-site parking areas will be located behind buildings.

The function of Tapleys Hill Road, and Trimmer Parade and David Terrace as arterial roads will be protected by minimising access points. Access will be provided from secondary road frontages, rear access ways and serviced by internal roads where possible with provision for on-street car parking, with vehicle access points at Seaton limited to those identified on Concept Plan Maps ChSt/30 - Suburban Activity Node Zone Seaton.

Amalgamation of adjacent allotments or sharing of facilities including communal open space, parking areas and access ways is encouraged. At Kilkenny, coordinated redevelopment will facilitate the expansion of the MJ McInerny Reserve as shown on Concept Plan Map ChSt/32 - Suburban Activity Node Zone Kilkenny

A high amenity public realm, public parks and public plaza (at Kilkenny) and a pleasant pedestrian environment will be achieved by landscaping, surface treatments, street furniture and building design. Footpaths will be wide and street trees will shade the footpath and soften the built form. Colonnades, courtyards, awnings and street furniture will create a pedestrian friendly environment. Side and internal streets will incorporate traffic calming and Water Sensitive Urban Design measures.

The street system will be highly connected to surrounding areas and within the zone to maximise walkability and reduce local travel distances. Cycle paths and routes will be provided which are safe, accessible, well signed and connect and link key local destinations (such as the train stations, shops, schools and local parks).

In Seaton, a local park will be provided for the purposes of community interaction and for local amenity. The location of public open space is desired to the north of Trimmer Parade with connections to the existing street/footpath network and adjacent to the proposed 'Greenway' along the railway corridor to provide surveillance and interaction with the existing suburb. The desired location of public open space is identified on Concept Plan Map ChSt/30 – Suburban Activity Node Zone Seaton.

Front fences will be minimised to ensure visual permeability and avoid large blank walls to encourage passive surveillance, active streetscapes and a visually interesting public realm.

At Kilkenny, a small portion of the zone is within the Historic Conservation Area, as identified within Overlay Maps - Heritage. Development within and directly abutting this part of the zone will have regard to the elements of historic character through the consideration of height, siting, design, use of materials and fencing of new buildings.

There are areas within the zone known to be affected by potentially contaminating activities. Offsite contamination may also exist on adjacent or nearby land, which may impact the use of the land within the zone. The extent of contamination in some areas is unknown. Development of these areas affected will not proceed unless appropriate investigations and remediation (where required) has been undertaken. This may include in some risk situations, either a Preliminary Site Investigation (PSI), detailed Site Investigation (DSI) or a Site Contamination Audit Report (SCAR) being prepared.

Water Sensitive Urban Design systems, including the harvest, treatment, storage and reuse of storm water, will be integrated throughout the area at the neighbourhood, site and building level. Harvested storm water will improve the aesthetic and functional value of open spaces, including public access ways and greenways. Front fences will be designed to ensure visual permeability and avoid large blank walls to encourage passive surveillance, active streetscapes and a visually interesting public realm. (other than a bulky goods outlet)

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- The following types of development, or combination thereof, are envisaged in the zone:
 - affordable housing
 - aged persons accommodation
 - community centre
 - consulting room
 - dwelling
 - educational establishment
 - nursing home
 - office
 - pre-school
 - primary school
 - residential flat building
 - retirement village
 - shop or group of shops, excluding a bulky goods outlet or a retail showroom
 - supported accommodation

- tourist accommodation.
- 2 Non-residential land uses should have a local or neighbourhood focus to their scale of activity and intended market catchment.
- 3 Development listed as non-complying is generally inappropriate.
- 4 At Seaton, Core Areas, Transition Areas and other identified features should be developed in accordance with the relevant Concept Plan Map ChSt/30 Suburban Activity Node Zone Seaton.
- 5 Development within walking distance of public transport stops should comprise land uses that directly promote public transport use and provide opportunities for multi-purpose trips.
- 6 At Seaton, Development should primarily take the form of:
 - (a) in Core Areas residential flat buildings, non-residential buildings and buildings comprising two or more land uses with non-residential land uses on the ground floor
 - (b) in Transition Areas residential flat buildings, row dwellings, detached and semi-detached dwellings with supporting shops and community facilities.
- 7 At Kilkenny, development should primarily take the form of
 - (a) residential development fronting Mundulla Street
 - (b) residential flat buildings, non-residential buildings and buildings comprising two or more land uses with non-residential land uses on the ground floor along David Terrace and Wilpena Terrace
 - (c) residential flat buildings and row dwellings in the remainder of the zone.
- 8 Except in Core Areas where a higher intensity of development is envisaged, non-residential development should:
 - (a) have a local or neighbourhood focus to their scale of activity and intended market catchment
 - (b) encourage walking to local shopping, community services and other activities
 - (c) not detrimentally impact on the amenity of nearby residents.
- Transition Areas should be developed to provide a transition between an intense core of development and neighbouring lower intensity development.
- 10 Shops or groups of shops (other than a bulky goods outlet) and offices should have the following maximum gross leasable areas:

Designated area	Maximum gross leasable areas (square metres)
Seaton	1000
Kilkenny	250 shops 1,000 offices

11 At Seaton, within the Core Area, direct vehicle access from Trimmer Parade, and Tapleys Hill Road should be minimised and provided from secondary road frontages, rear access ways and internal roads,

with vehicle access points limited to those identified on Concept Plan Map ChSt/30 – Suburban Activity Node Zone Seaton.

12 Development incorporating internal roads should be designed to provide on-street car parking.

Form and Character

- 13 Development should be consistent with the desired character for the zone.
- 14 Development should graduate from medium-rise in Core Areas to low-rise in Transition Areas, especially where the development site abuts the zone boundary.
- 15 Garage top apartments that share the allotment and services of the main dwelling should:
 - (a) be no more than 2 storeys in height above the garage (a total of 3 storeys)
 - (b) front a street that provides rear access for vehicles
 - (c) complement the existing dwelling or mixed use building.
- 16 At Seaton, in Core Areas:
 - (a) the ground and first floor of buildings of 4 storeys should be built to dimensions (including a minimum ceiling height of 4.5 metres) to allow for adaptation to a range of land uses, including retail, office and residential, without the need for significant change to the building.
 - (b) a minimum of 50 per cent of the ground floor primary frontage of commercial-buildings-facing Tapleys Hill Road or Trimmer Parade should be visually permeable, transparent or clear glazed.
- 17 At Seaton, residential development (other than residential development in mixed use buildings), should achieve a minimum net residential site density in accordance with the following:

Designated area	Minimum net residential site density	
Core Area	70 dwellings per hectare net	
Transition Area	35 dwellings per hectare net	

18 At Kilkenny, residential development should achieve maximum net residential site density in accordance with the following:

Area of zone	Maximum net residential site density	
South of Pinda Street and east of Wilpena Terrace	150 dwellings per hectare net	
All other parts of the zone	70 dwellings per hectare net	

- 19 Sensitive development, within the evaluation distance of an active *Environment Protection Act 1993* licenced activity should seek to mitigate impacts of noise and air quality, including odour from the licenced activity, through built form, landscaping, design and orientation.
- 20 At Kilkenny, Development should be sited, designed and constructed to address the relevant Sound Exposure Category as identified within *Concept Plan Map ChSt/32 Suburban Activity Node Zone Kilkenny*.

Building Envelopes

Building Height

21 Except where airport building height restrictions prevail, building heights (excluding any rooftop located mechanical plant or equipment) should be consistent with the following parameters:

Designated area	Minimum building height	Maximum building height
Seaton - Core Area	3 storeys (12.5metres)	4 storeys (16.5 metres)
Seaton - Transition Area	2 storeys (8.5 metres)	3 storeys and (12.5 metres)
Kilkenny – south of Pinda Street and east of the Arkaba Road extension	3 storeys (12.5 metres)	4 storeys (16.5 metres)
Kilkenny - within 7 metres of the Mundulla Street frontage		1 storey (4.5m)
Kilkenny – between 7 metres and 30 metres of the Mundulla Street frontage		2 storeys (8.5 metres)
Kilkenny – north of Pinda Street and west of Arkaba Road		2 storeys (8.5 metres)
Kilkenny – frontage to David Terrace		2 storeys (8.5 metres)
Kilkenny – all other locations (aside from Historic Conservation Area)		3 storeys (12.5 metres)
Historic Conservation Area		1 storey within 7 metres of the primary street frontage 2 storeys (8.5 metres) within 9.5 metres of the primary street frontage

Setbacks from the Primary Road Frontage

22 Buildings (excluding verandas, porticos and the like) should be set back from the primary road frontage in accordance with the following parameters:

Designated area	Minimum setback from the primary road frontage (metres)	
Seaton - Core Area and Transition Area Kilkenny – all areas	No minimum along Tapleys Hill Road, Trimmer Parade, David Terrace or Wilpena Terrace No minimum along Trimmer Parade 3 metres elsewhere	

Note: These setbacks are in addition to any setback requirements pursuant to the Metropolitan Adelaide Road Widening Plan.

Setbacks from Side Boundaries

23 Other than where located within, or in a location sharing a common boundary with, the Historic Conservation Area, buildings (excluding verandas, porticos and the like) should be set back from side boundaries in accordance with the following parameters:

Designated area	Minimum setback from side boundaries (where not on a street or different zone boundary)	Minimum setback from side boundaries on a zone boundary
Seaton - Core Area and Transition Area Kilkenny – all areas	Irrespective of height, no minimum on the boundary within 18 metres from the front property boundary.	• • • • • • • • • • • • • • • • • • • •
,	No minimum for the remaining length for the ground level only.	2 metres for two storeys (8.5 metres in height)
	More than 18 metres from the front property	3 metres for greater than two storeys
	boundary, 1 st level and above (i.e. above ground level) should be setback 2 metres.	

- Within, or in a location sharing a common boundary with the Historic Conservation Area, buildings should be set back from side boundaries (other than where in the form of a common wall) in accordance with the following parameters:
 - (a) 1.5 metres from a secondary road frontage
 - (b) 1.5 metres for single storey (3 metres height)
 - (c) 2.5 metres for two storeys (8.5 metres in height)
- Unless abutting an existing building, walls (including attached structures) that have a wall height of greater than 4.5 metres, located on or within 2 metres of side allotment boundaries should provide attractive and interesting facades utilising techniques and combinations such as the following:
 - (a) including recessed sections of wall
 - (b) continuing some façade detailing
 - (c) integrating use of different building materials and finishes
 - (d) including green landscaped walls / gardens
 - (e) including public art, including murals.

Other Setbacks

26 Buildings (excluding verandahs, porticos and the like) should be set back in accordance with the following parameters:

Setback parameter	Value (metres)
Minimum setback from secondary road frontage (other than within the Historic Conservation Area)	0.9
Minimum setback from a rear lane access way	No minimum where the access way is 6.5 metres or more
	OR
	Where the access way is less than 6.5 metres in width, the distance equal to the additional width required to make the access way 6.5 metres or more, to provide adequate maneuverability for vehicles
Minimum setback from the rear allotment boundary	5
Minimum setback from the rear boundary that is common with the boundary of the Historic Conservation Area for buildings in excess of 2 storeys	5 for buildings up to two storeys (6m wall height) 10 metres for buildings over 2 storeys

Design and Appearance

- 27 Buildings should address public open space and defined pedestrian and cycle routes as illustrated in:
 - (a) Concept Plan Map ChSt/30 Suburban Activity Node Zone Seaton; and
 - (b) Concept Plan Map ChSt/32 Suburban Activity Node Zone Kilkenny.
- 28 At Kilkenny, development should facilitate:
 - (a) the expansion of MJ McInerney Reserve as shown within Concept Plan Map ChSt/32 Suburban Activity Node Zone Kilkenny; and
 - (b) the creation of a public plaza within the existing road reserve adjacent to the northern rail station platform, Wilpena Terrace and Wilpena Reserve to integrate with the rail station platform, outer Harbour Greenway and wider pedestrian and cycling networks.
- 29 Development at Kilkenny should be setback from the rail corridor to allow for the creation of the Outer Harbour Greenway.
- 30 Development at Kilkenny should be sited and designed to provide for pedestrian connections to:
 - (a) Arkaba Road from the southern end of the Kilkenny train station platform
 - (b) MJ McInerney Reserve.
- Masonry fences should be no more than 1.2 metres in height to maintain sight lines between buildings and the street, and to improve safety through passive surveillance.

Land Division

32 Land division in the zone is appropriate provided new allotments are of a size and configuration to ensure the objectives of the zone can be achieved.

PROCEDURAL MATTERS

Complying Development

Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

In addition, other than land with frontage to Mundulla Street at Kilkenny, the following forms of development are designated as complying subject to the conditions contained in *Table ChSt/2A – Off-street Vehicle Parking Requirements for Designated Areas:*

- (a) change in the use of land from residential to office on the ground or first floor of a building
- (b) change in the use of land from residential to shop less than 250 square metres on the ground floor of a building.

Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of development	Exceptions
Bulky goods outlet	
Hotel at Seaton	Except for alterations and additions to an existing hotel.
Industry	
Fuel depot	
Public service depot	
Road transport terminal	
Service trade premises	Except for alterations and additions to an existing service trade premises.
Store	
Transport depot	
Warehouse	
Waste reception storage treatment or disposal	

Public Notification

Residential flat building Retirement village

Shop or group of shops Supported accommodation Tourist accommodation

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

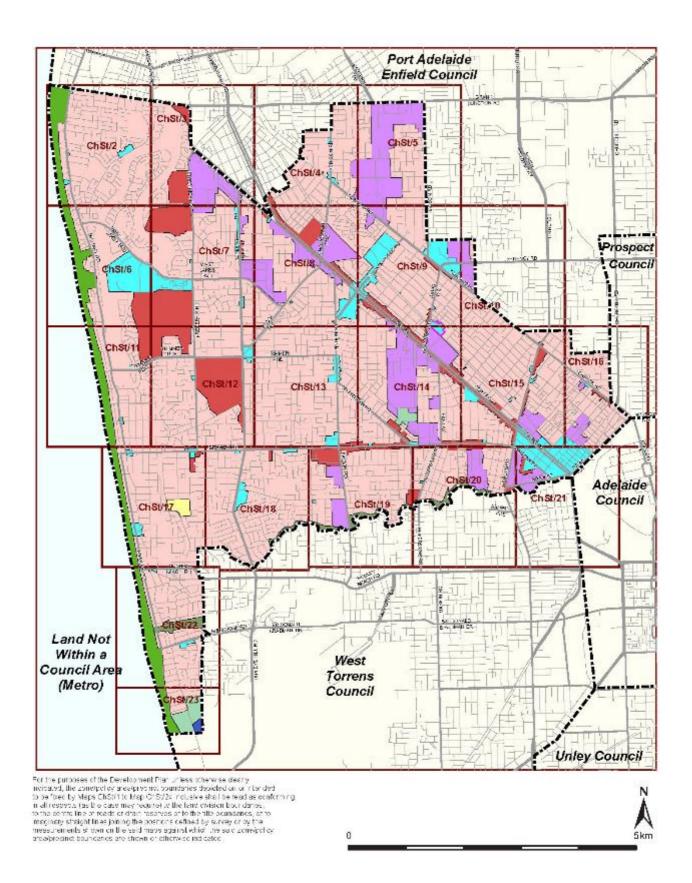
Further, the following forms of development (except where the development is non-complying) are designated:

Category 1	Category 2
Advertisement	All forms of development not listed as Category 1
Aged persons accommodation	
All forms of development that are ancillary and in association with residential development	
Community centre	
Consulting room	
Dwelling	
Dependent accommodation	
Educational establishment	
Hall	
Nursing home	
Office	
Pre-school	
Primary school	

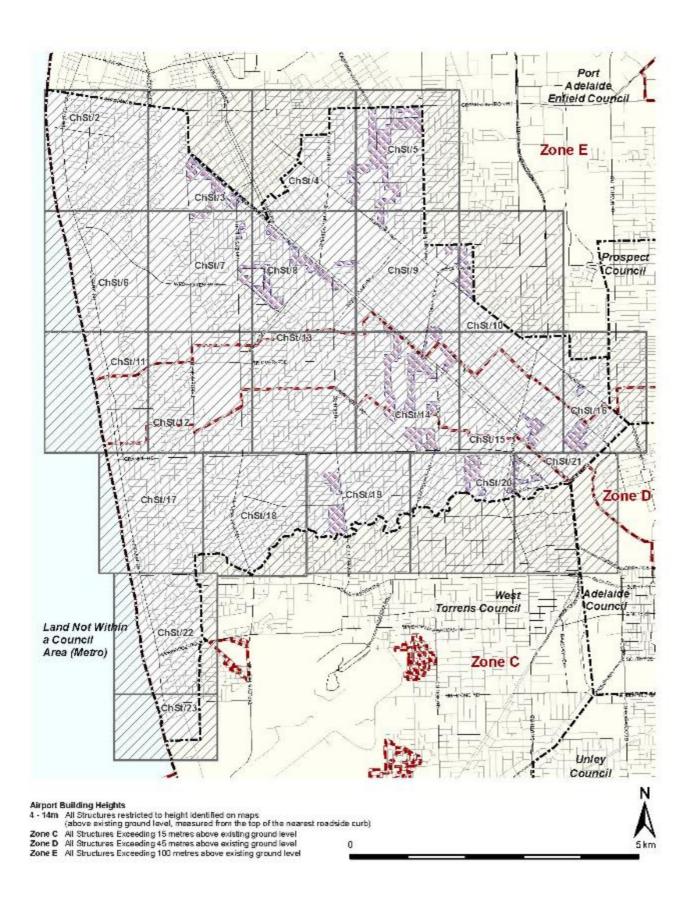
Charles Sturt Council Zone Section Suburban Activity Node Zone

Attachment B



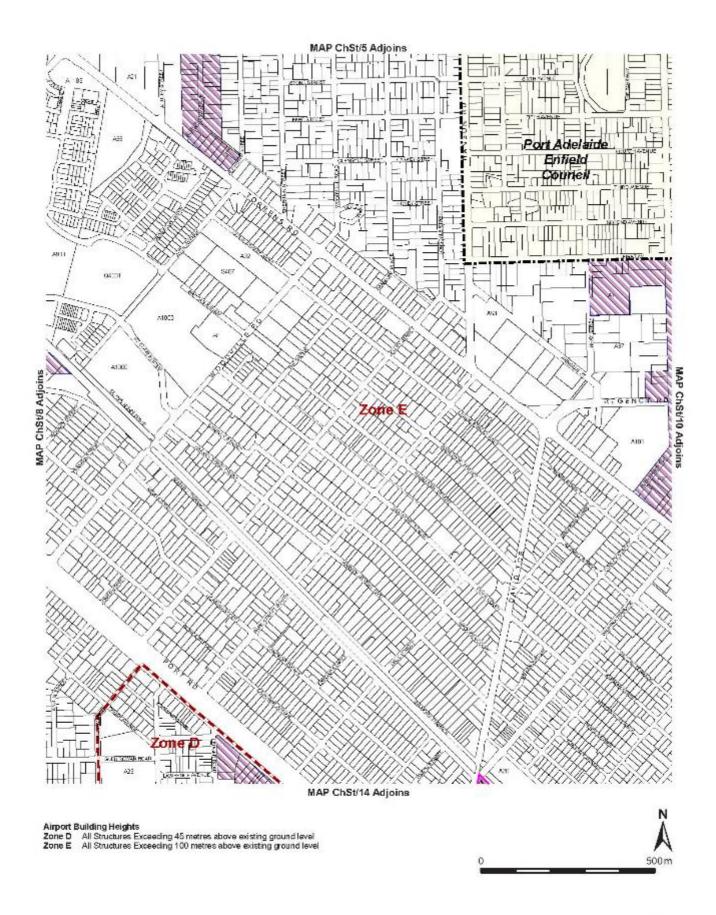


Council Index Map





Overlay Map ChSt/1 DEVELOPMENT CONSTRAINTS





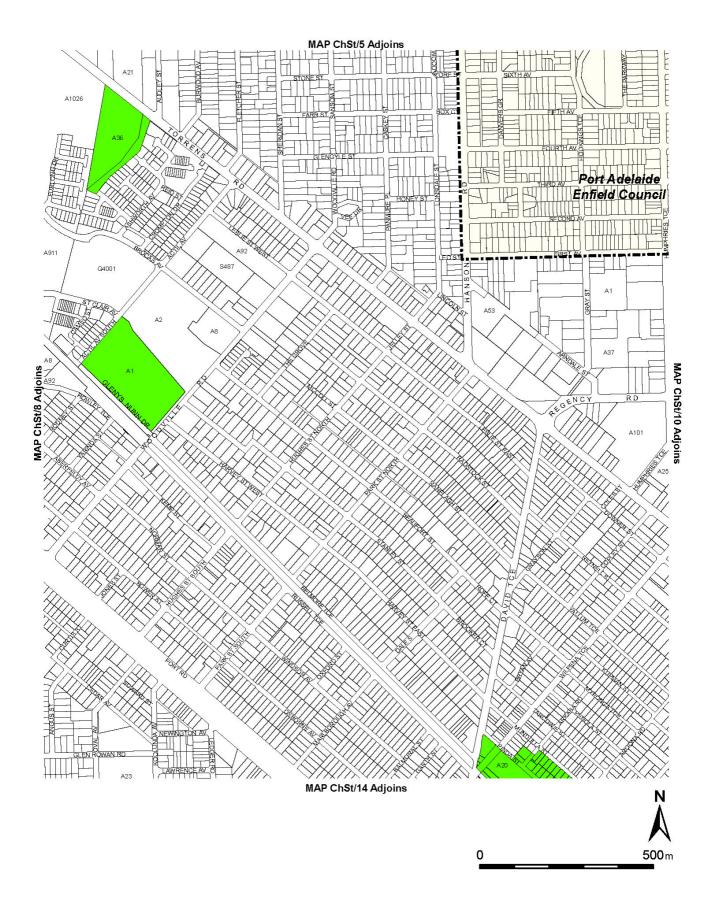
Overlay Map ChSt/9 **DEVELOPMENT CONSTRAINTS**





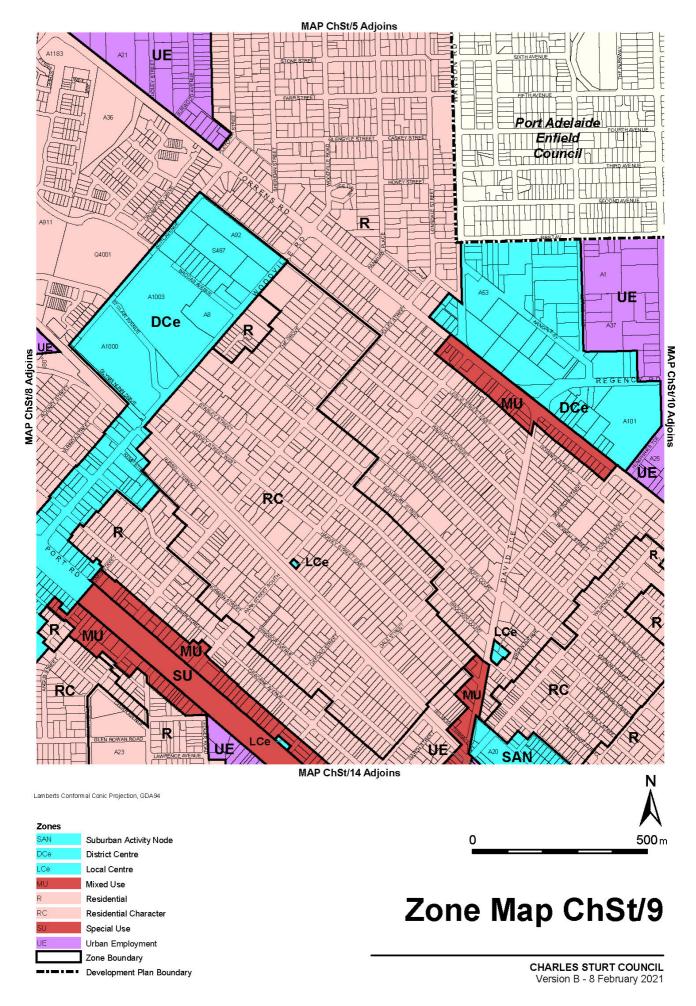
Overlay Map ChSt/9 NOISE AND AIR EMISSIONS

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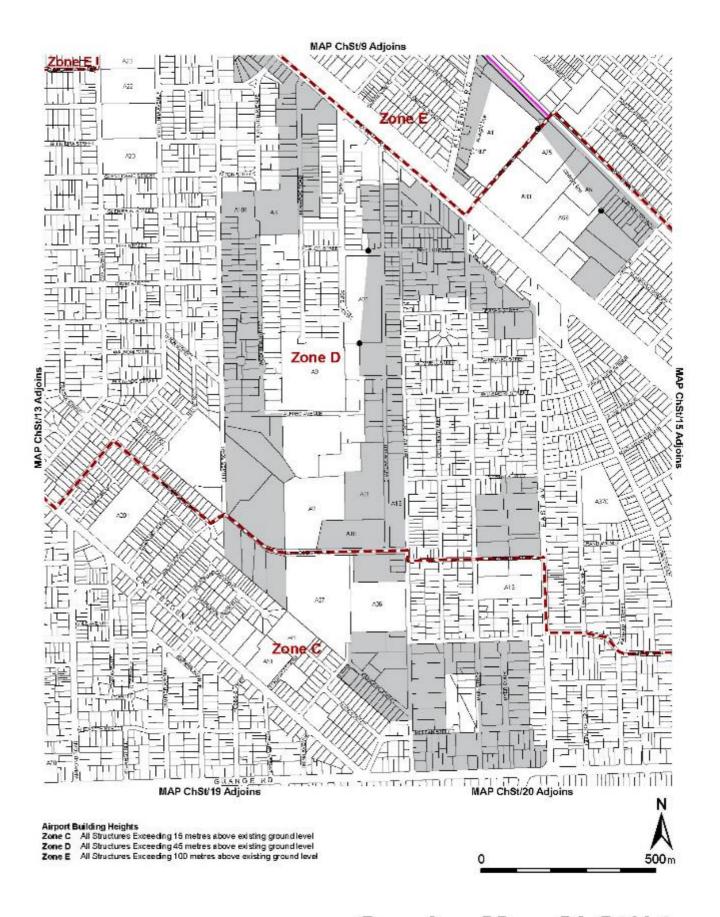


Overlay Map ChSt/9 AFFORDABLE HOUSING

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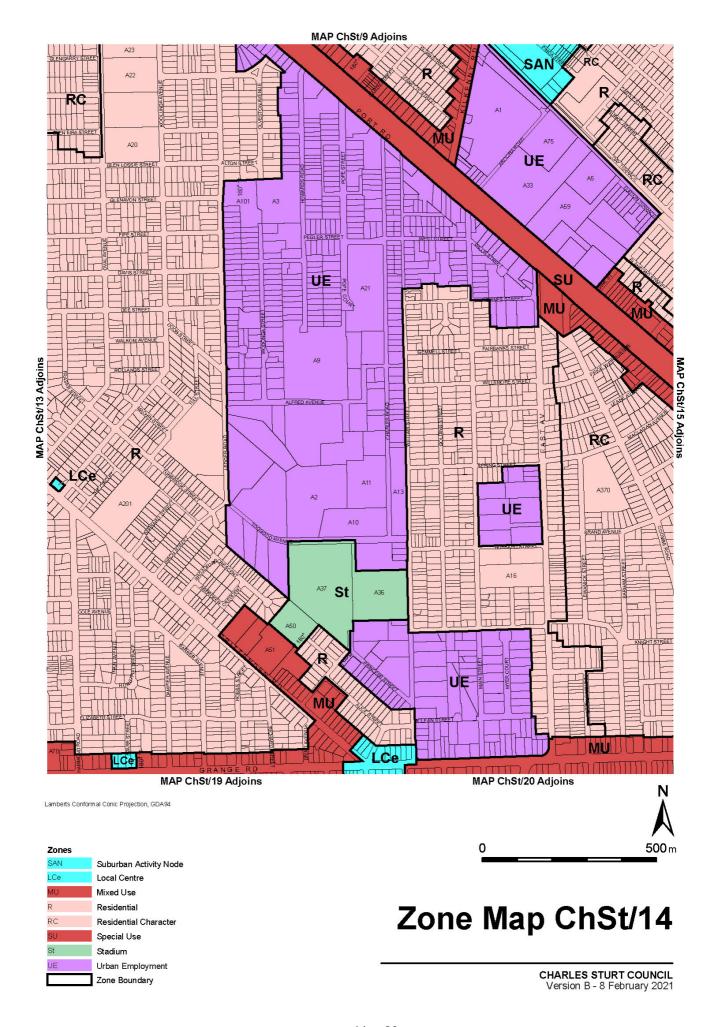


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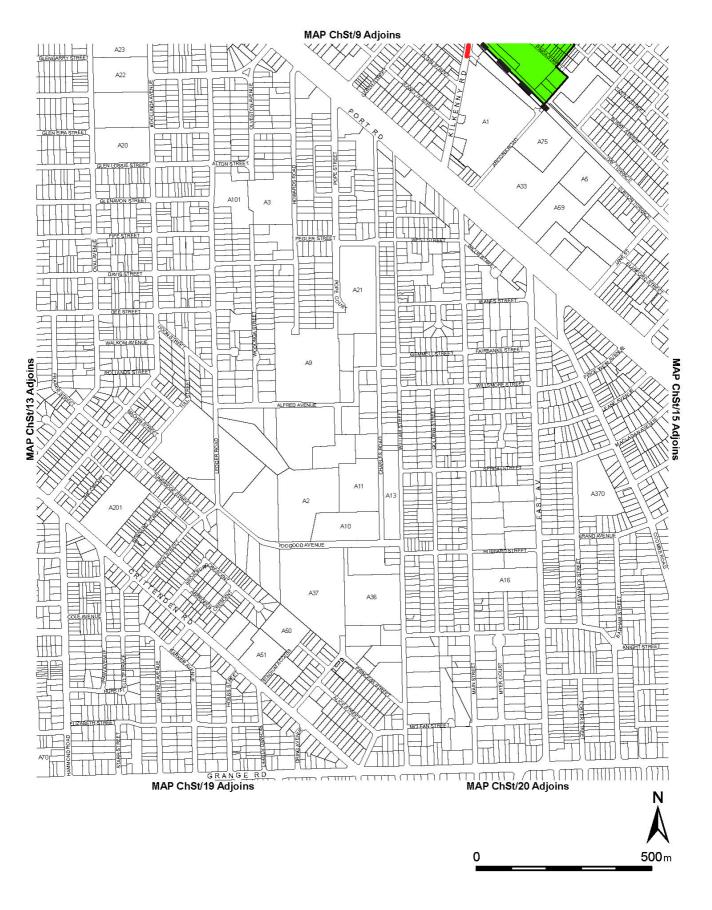
Overlay Map ChSt/14 **DEVELOPMENT CONSTRAINTS**

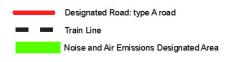




Attachment C

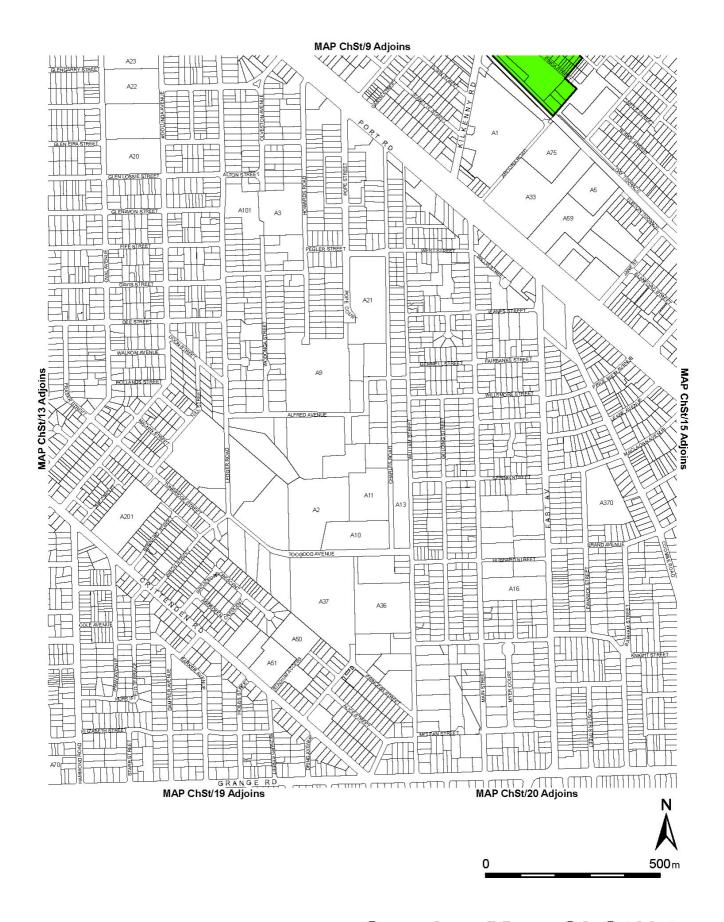






Overlay Map ChSt/14 NOISE AND AIR EMISSIONS

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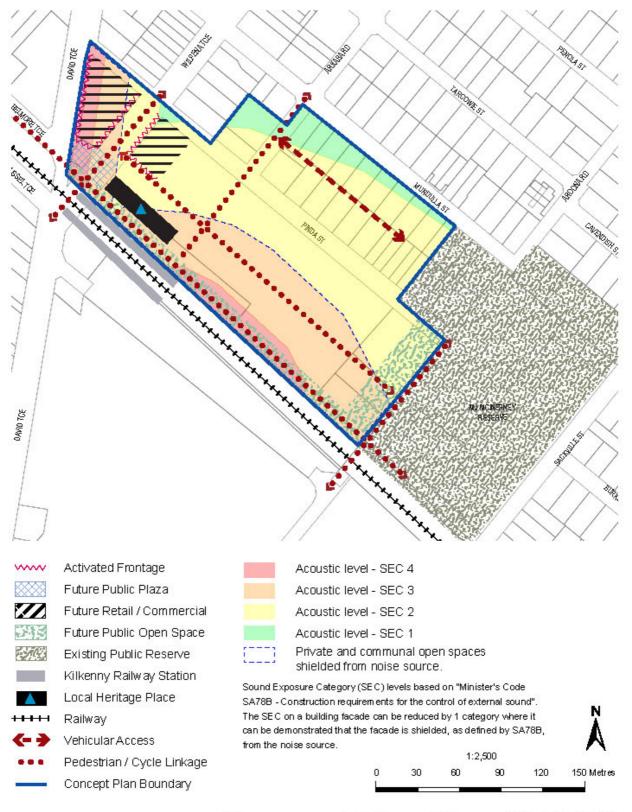


Overlay Map ChSt/14 AFFORDABLE HOUSING

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Attachment D





Concept Plan Map ChSt/32

SUBURBAN ACTIVITY NODE ZONE KILKENNY

CITY OF CHARLES STURT COUNCIL

Version C - D5 February 2021