

Buckingham Arms Development PTY LTD

Variation to authorised development no. 24029287 for reconfiguration of residential apartments, removal of serviced apartments and associated internal changes to provide additional residential apartments, external changes to form and materials, addition of privacy screening details and removal of one terrace dwelling

1 Walkerville Terrace, Gilberton

Development Application ID 26010577



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DEVELOPMENT NO.:	26010577
APPLICANT:	Buckingham Arms Development Pty Ltd
NATURE OF DEVELOPMENT:	Variation to authorised development no. 24029287 for reconfiguration of residential apartments, removal of serviced apartments and associated internal changes to provide additional residential apartments, external changes to form and materials, addition of privacy screening details and removal of one terrace dwelling
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none">• Urban Corridor (Living) <p>Overlays:</p> <ul style="list-style-type: none">• Heritage Adjacency• Noise and Air Emissions• Major Urban Transport Routes• Design• Advertising Near Signalised Intersections• Airport Building Heights (Regulated)• Future Road Widening• Regulated and Significant Tree• Hazards (Flooding - Evidence Required)• Affordable Housing• Prescribed Wells Area• Local Heritage Place• Aircraft Noise Exposure• Traffic Generating Development <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none">• Maximum Building Height (Metres) (Maximum building height is 24.5m)• Maximum Building Height (Levels) (Maximum building height is 6 levels)• Minimum Primary Street Setback (Minimum primary street setback is 0m)• Interface Height (Development should be constructed within a building envelope provided by a 45 degree plane, measured 3m above natural ground at the boundary of an allotment)
LODGEMENT DATE:	13 April 2026
RELEVANT AUTHORITY:	State Planning Commission
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2026.6 26/03/2026

EXECUTIVE SUMMARY:

The application seeks to amend the land use mix and built form configuration of a previously authorised redevelopment of the subject land associated with the redevelopment of the historical site of the Buckingham Arms Hotel.

This application is classified as a performance-assessed form of development. Statutory referrals were issued to the Town of Walkerville (Council) pursuant to Regulation 23 of the *Planning, Development and Infrastructure (General) Regulations 2017* (Regulations) and the Commissioner of Highways and the Government Architect in accordance with Regulation 41 of the Regulations.

Public notification was undertaken between 24 April 2026 and 14 May 2026, with concerns registered related to the intended change in land use, increase in demand for on-street car parking, interface impacts, nuisance caused during further construction activity and integrity of the development assessment process for incremental variations to an authorised development.

Referral agencies have offered in-principle support for the proposal with comments and recommendations for review of detailed design, to which the applicant has provided positive responses.

The proposal substantially satisfies Code policy expectations related to land use and character, building height, occupant amenity, design and appearance and traffic arrangements including waste collection. Conditional Planning Consent is recommended.

BACKGROUND:

A development proposal (application ID 23015883) for a 10-level mixed-use building, four-level office building, group dwelling and refurbishment of a Local Heritage Place was refused Planning Consent by the State Commission Assessment Panel (SCAP) on 6 March 2024.

The Town of Walkerville (Council) Council Assessment Panel (CAP) separately granted planning consent for a proposal (application ID 24017574) for 29 three-level townhouses on 9 December 2024.

A third application (ID 24029287) for a 10-level mixed use building (comprising commercial/retail tenancies, serviced apartments and dwellings), basement carparking, installation of rooftop solar panels, refurbishment of a Local Heritage Place and the removal of four Significant trees and four Regulated trees was granted Planning Consent by the SCAP on 22 January 2025, subject to 19 conditions and five matters reserved for further assessment.

Two of the five matters reserved for further assessment in the original application (ID 24029287) have been discharged.

On 11 February 2026, the SCAP granted planning consent to development application ID 25035377 as a variation to 24029287. This decision authorised the removal of a regulated street tree and an amendment to condition four of the Planning Consent relating to tree protection measures during construction.

The Council has granted conditional Development Approval for four of six stages of the authorised development, and construction activity has substantially commenced as shown in a sample of site photography included in **Attachment 2C**.

DETAILED DESCRIPTION OF PROPOSAL:

Following detailed structural redesign and further resolution of the intended land use mix, the applicant proposes to vary several elements and characteristics of the authorised development as described below:

- removal of the authorised tourist accommodation land use comprising deletion of 57 serviced apartments, to be replaced with 56 residential apartments and one terrace apartment with the resultant dwelling mix including:
 - increase in provision of affordable housing products from 19 to 32 dwellings (increasing provision of affordable housing from 14.6 percent to 17.3 percent of the total dwelling offering); and
 - increase in provision of housing products funded under the National Disability Insurance Scheme (NDIS) from 13 to 14 dwellings.
- removal of previously endorsed hotel lobby and concierge areas;

- increase in parapet height by approximately 550mm (from approximately 31.9 metres to approximately 32.5 metres above ground) and an increase in lift overrun height by approximately 800mm (from approximately 33.7 metres to approximately 34.5 metres above ground);
- alterations to locations of main lifts and stair core;
- increase in basement car parking by eight spaces (from 246 spaces to 254 spaces);
- increase to the restaurant floor area by 15m² (from 1,460m² to 1,475m²);
- adjustments to built form setbacks from internal roadway between Northcote and Walkerville Terraces (varying from 85mm to 2.325 metres);
- alterations to the extent of building envelope at ground floor and levels 4-6;
- changes to floor-to-floor heights over all levels (comprising increases / decreases in height equating to less than 600mm);
- miscellaneous modifications to design of door and window configuration throughout;
- material substitutions at ground level (replacement of sandstone block columns to brick);
- relocation of end-of-trip facilities from the central portion of the development area to the Northcote Terrace frontage;
- amendment to layout of ground floor waste room facilities;
- removal of authorised occupant amenities from level 2 (cinema, golf simulator, sauna, steam room, private function room and wine room);
- addition of patio structure on level 2 pool deck;
- relocation of gymnasium to area previously nominated as private function room;
- modifications to pool and spa to suit access for persons with disabilities; and
- amendment to apartment layouts over levels 2 and 5-8 to increase apartment yield (by 6 apartments).

The development would continue to provide a 10-level mixed-use building comprised as a residential flat building with ground-level commercial/retail tenancies, in essentially the same configuration authorised previously.

The amended development would comprise 13 terrace apartments and 172 residential apartments (185 dwellings overall) and shop (restaurant) uses at ground floor, with all previously endorsed serviced apartment accommodation (57 suites) being removed, constituting a reduction in two apartments overall. The Buckingham Arms Hotel is expected to continue to serve its historical use as a part of the redevelopment.

The proposed variations are reportedly motivated by the applicant's intent to deliver on the development's commitments to provide Specialist Disability Accommodation and affordable housing, including the need to secure funding via a Housing Australia Future Fund and arrangements for presale to a Community Housing Provider.

Additional on-site vehicle parking comprising eight car parking spaces, 20 motorcycle spaces and two bicycle spaces would be provided in the development's basement and ground levels. The changes to the proposed quantity of residential apartments would result in a recommended provision of an additional 29 vehicle parking spaces compared to those authorised in the operative development.

Electric vehicle charging stations would be provided for at least five percent of the total non-residential carparking spaces in the development, and the necessary infrastructure would be incorporated to enable future installation of additional electric vehicle charging subject to potential demand by future occupants.

Further amendments are foreshadowed (in the Proposed Amendment Register included as **Attachment 1B**) but do not form part of this application or assessment.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT
6290/994

Plan Parcel: F137111
AL60

Council: THE CORPORATION OF THE TOWN OF
WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** D1458 **Council:** THE CORPORATION OF THE TOWN OF
6290/995 AL9 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** **Council:** THE CORPORATION OF THE TOWN OF
5782/735 F137113 AL62 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** D1458 **Council:** THE CORPORATION OF THE TOWN OF
5611/691 AL1 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** D1458 **Council:** THE CORPORATION OF THE TOWN OF
6290/988 AL6 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** D1458 **Council:** THE CORPORATION OF THE TOWN OF
6290/995 AL3 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** D1458 **Council:** THE CORPORATION OF THE TOWN OF
5611/691 AL2 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** F137108 **Council:** THE CORPORATION OF THE TOWN OF
6290/989 AL57 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** F137107 **Council:** THE CORPORATION OF THE TOWN OF
5782/220 AL56 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** D1458 **Council:** THE CORPORATION OF THE TOWN OF
6290/986 AL4 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** D1458 **Council:** THE CORPORATION OF THE TOWN OF
6290/987 AL5 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** F137109 **Council:** THE CORPORATION OF THE TOWN OF
6290/992 QP59 WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** F137109 **Council:** THE CORPORATION OF THE TOWN
6290/992 QP58 OF WALKERVILLE

Location reference: 1 WALKERVILLE TCE GILBERTON SA 5081

Title ref.: CT **Plan Parcel:** F137110 **Council:** THE CORPORATION OF THE TOWN
6290/993 AL59 OF WALKERVILLE

The subject land is a triangular-shaped collection of allotments comprising 14 property parcels encompassing an area of 6,248m². As such, the collective property qualifies as a 'significant development site' (exceeding 2,500m²) and is eligible for additional building height, as authorised in the previous application (ID 24029287).

The land is prominently situated at the junction of Northcote, Walkerville and Robe Terraces and currently features the retained portions of the Buckingham Arms Hotel. The subject land and its approximate locality are highlighted in Figure 1.



Figure 1 – Subject Land

Locality

The locality presents a diverse mix of residential and small-scale commercial uses, including consulting rooms. Residential development predominantly comprises detached dwellings in early housing styles, contemporary homes and apartment buildings, generally ranging from one to two levels in height.

Walkerville, Northcote and Robe Terraces form the main thoroughfares within the locality, with Robe Terrace forming part of the Adelaide Inner Ring Route. Walkerville and Northcote Terraces are distinguished by mature street trees contributing to tree canopy coverage. The southern boundary of the locality adjoins the Adelaide Park Lands, offering expansive green space.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

New housing

Solar panels

Shop: Code Assessed - Performance Assessed

Building Alterations: Code Assessed - Performance Assessed

Swimming pool or spa pool and associated swimming pool safety features: Code Assessed - Performance Assessed

Demolition

Residential flat building: Code Assessed - Performance Assessed

Solar photovoltaic panels (roof mounted): Code Assessed - Performance Assessed

Partial demolition of a building or structure: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

P&D Code; The elements involved in the proposal are not identified as accepted, deemed-to-satisfy or restricted forms of development as set out by Tables 1, 2 and 4 of the Planning and Design Code's Urban Corridor (Living) Zone. Accordingly, the proposal defaults to a Code Assessed – Performance assessed form of development.

PUBLIC NOTIFICATION

Yes

- **REASON**

The proposed development would involve an increase in building height that would exceed the maximum building height (24.5 metres) specified for this location by the Planning and Design Code's Urban Corridor (Living) DTS/DPF 3.1

The proposal was publicly notified between 24 April 2026 and 14 May 2026, with 53 representations submitted, including three duplicates comprising 43 persons who do not support the proposal, six persons who support the proposal with some concerns and one person supporting the proposal. 15 persons have indicated a wish to be heard by the State Commission Assessment Panel.

- **SUMMARY**

Representors have raised various concerns surrounding the proposal focusing on:

- increased building height, scale and density constituting overdevelopment of the subject land (with preference given for medium density development of no more than six levels in this location);
- introduction of additional residential apartments (with preference given for retention of serviced apartment accommodation);
- reaffirmation of original opposition to the authorised proposal, including intent to introduce a significant retail component with potential to diminish the role of the Walkerville Suburban Activity Centre;
- inappropriate increase in built form setbacks from street frontages;
- traffic generation and parking consequences, including inadequate provision of on-site parking areas expected to result in an increase in demand for on-street parking and potential for vehicle conflict;
- inadequate affordable housing provision and oversupply of dwellings proposed to be funded under the NDIS;
- inadequate environmental performance against sustainability objectives;
- inadequate provision of quality internal amenity (including communal and private open space) intended for future occupants;
- proposed substitution of external materials;
- failure to satisfy conditional requirements of the authorised development;
- unreasonable increase in demand on essential infrastructure;
- impacts on existing residential amenity caused by potential overlooking, overshadowing, generation of noise and light spill;
- impacts on the established character of the neighbourhood and broader locality;
- integrity of the development assessment process for incremental variations to authorised development;
- a perceived need to reassess the overall development due to inconsistency with orderly and sustainable planning principles and expectations of diminished community benefit; and
- impacts and local nuisance caused during future construction activity.

Representors have suggested the applicant should prepare a Construction Environment Management Plan and a Parking and Vehicular Management Plan to address concerns raised. A single representor has indicated support for the development based on expected potential for support for small businesses in Walkerville and North Adelaide.

AGENCY REFERRALS

Referral Body	Function	Summary of Response
Commissioner of Highways Regulation 41	Direction	No objections with conditions and notes directed related to: <ul style="list-style-type: none"> • vehicle access arrangements including provision of appropriate signage and streetscape infrastructure; • relocation of the AdelaideMetro bus stop on Walkerville Terrace; • adherence to the relevant Australian Standards; and • stormwater management arrangements
Government Architect Regulation 41	Advice	Generally supportive of most proposed amendments, with some concerns and recommendations for review related to <ul style="list-style-type: none"> • occupant amenity over levels 1-2 including <ul style="list-style-type: none"> – provision of communal and private open space; – access to natural light and ventilation; – reconfiguration of living areas / bedrooms in several apartments; and – reconfiguration of lift lobby and circulation areas • intended substitution of material finishes (applied vs integral finishes) in certain locations; and • potential for interface impacts resulting from overlooking and overshadowing.
The Corporation of the Town of Walkerville Regulation 23(2)(b)	Comment	No objections with comments and suggested conditions related to: <ul style="list-style-type: none"> • potential for increased on-street parking • identification of on-site parking dedicated to shared commercial and residential visitors; • scheduling of waste collection; • limitation of retail operating hours to complement residential visitor peak periods; • protection and management of public infrastructure;

PLANNING ASSESSMENT

Question of Seriously at Variance

Pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016* (the Act), development must not be granted planning consent if it is seriously at variance with the Planning and Design Code (the Code).

The Urban Corridor (Living) Zone (the Zone) typically encourages medium-density, mixed use development in a mid-rise form, with residential uses as the primary focus. Performance Outcome (PO) 3.1 and Designated Performance Feature (DPF) 3.1 provide guidance regarding maximum building height in this location, although PO 5.1 allows for increased development yields on 'significant development sites' of up to 30 percent provided the development manages its impacts and includes broader community benefits.

The amended proposal would constitute a 10-level (34.5 metre) mixed-use building with a predominantly residential offering, continuing to align with the land use objective of the Zone but marginally exceeding the previously authorised maximum height. This is considered acceptable in recognition of the subject land qualifying as a 'significant development site' allowing for increased development yields and would be consistent with the intent of the authorised development.

Other amendments are considered to have resulted from detailed structural design and final resolution of the intended land use mix, which would continue to satisfy the thresholds of applicable Code policy as discussed in the following sections. Overall, the proposal is supportable and is not considered to be seriously at variance with Code policy.

Land Use and Character

The Urban Corridor (Living) Zone encourages medium-density residential development in mid-rise buildings and complementing non-residential uses that serve the day-to-day needs of the community. While the amended proposal would exclude a substantial and previously endorsed serviced apartment / tourist accommodation offering, the proposal would continue to meet the anticipated need for residential dwellings supported by non-residential uses, noting that 32 affordable dwellings and 14 disability-access dwellings would be included in the proposed land use mix, with some dwellings intended to be offered for purchase by a Community Housing Provider known as ‘Just SDA Management’ as described in **Attachment 1F**.

The applicant has confirmed that 19 apartments were previously dedicated as affordable housing in application ID 24027821 constituting 14.6 percent of dwellings overall (16.3 percent of apartments within the central residential flat building). The current proposal would result in an increase in provision of 32 affordable housing products constituting 17.3 percent of dwellings overall (18.6 percent of apartments within the central residential flat building) as summarised in the table below.

Dwelling Type	Current Yield (DA 24027821)	Proposed Yield (DA 26010577)	Difference
Terrace Apartments	14	13	-1
Apartments	116	172	+56
Serviced Apartments	57	0	-57
TOTAL	187	185	-2
Affordable Housing	19 dwellings (14.6% of total dwellings, or 16.3% of dwellings in residential flat building)	32 (17.3% of total dwellings, or 18.6% of dwellings in residential flat building)	
NDIS	13	14	

The Government Architect (GA) has no in-principle objections to the intended change of use to replace tourist accommodation with residential apartments and is supportive of the applicant’s commitment to retain affordable housing and supported accommodation (NDIS) apartments.

In its referral response the Council has not opposed the nature of the land use associated with the proposal, indicating the nature of the large-scale mixed use (primarily residential) development would broadly accord with the with desired outcomes of the Zone.

Representors have objected to the substitution of residential accommodation for previously endorsed serviced apartments, essentially based on the expected nature of visitation for permanent residents compared to that of users of tourist accommodation. Representors also note the proponent appears to have failed to enter into a formal agreement to deliver ‘Affordable Housing’ as a legitimate component of the development, a conditional requirement of the previously authorised development.

The development has substantially commenced, and the applicant has confirmed it is in consultation with the Department for Housing and Urban Development (DHUD)’s Affordable Housing Team, including review of

an Affordable Housing delivery model and draft terms of the conditionally required Land Management Agreement (LMA).

The applicant asserts that on 10 April 2026, Affordable Housing Team administration supported the status and anticipated timeframe for the execution of the Affordable Housing LMA, which the applicant remains committed to formalise on the relevant certificate/s of title. It is important to note that this condition remains valid against the development being undertaken on the land and would be incorporated in any future Planning Consent granted, such that a statutory referral to the South Australian Housing Authority was not necessary.

Overall and in recognition of the designation of the subject land as a significant development site, the amended development would provide appropriate opportunities for community benefit through residential housing options in a desirable location, including affordable accommodation and dwellings intended to accommodate persons with special needs and complex disabilities.

In doing so, the proposal would continue to adequately satisfy the Zone's land use and intensity expectations (PO 1.1 – PO 1.3) and substantiate the endorsed accommodation yield (PO 5.1)

Occupant Amenity

Code policy anticipates development incorporating appropriate occupant amenity in terms of residential outlook, access to natural light and ventilation, sufficient dwelling sizes and functional areas including private open space.

In response to concerns raised regarding potential for diminished occupant amenity, the applicant amended its application to increase floor areas and provide private open spaces (terraces) for level 2 apartments 213-216 to address expectations of the Code's Design in Urban Areas (Private Open Space) PO 27.1 which anticipates that dwellings are provided with suitably sized areas of usable private open space or communal open space to meet the needs of occupants.

The GA acknowledges the proposed reduction in sizes of the gym, sauna and steam room and the intended removal of the private function space, wine room, golf simulator and cinema. The GA does not object to the proposed amendments to communal facilities as the previously authorised elements were proposed to primarily service tourist accommodation patrons.

The proposed private terraces would be directly accessible from corresponding living spaces and although these areas would either meet or exceed the minimum area suggested in Table 1 of DTS / DPF 27.1, each outdoor space would have a minimum depth of 1.5 metres constituting a shortfall (of between 300mm-600mm) compared to the Code's deemed-to-satisfy recommendations.

The GA recognises that undersupply of private open spaces may be compensated somewhat by the provision of communal open space, noting that the extent of communal open space would not be increased to offset the additional proposed residential apartments with undersized (or no) private open spaces.

Despite these deficiencies, the proposed apartments would be functional and offer immediate proximity to substantial communal open space, offsetting the relatively minor shortfall in the depth of POS areas proposed. The dwellings in question would also continue to have a comparable outlook from main living areas to outdoor areas as authorised previously, satisfying the Code's corresponding policy expectations.

Apartments 213-216, to be included in the affordable housing offering of 32 dwellings, would also satisfy minimum room dimensions recommended by the Code's Design in Urban Areas (Co-located Housing, Group Dwellings, Residential Flat Building, Co-living and Battle axe Development – Amenity) PO 31.5. Amendments to other apartments are considered to fall within acceptable limits of Code policy recommendations including POS provisions, external outlook and access to natural light and ventilation to internalised living areas at sections of level 1.

Provisions of the Code's Aircraft Noise Exposure Overlay and Noise and Air Emissions Overlay would continue to be satisfied by the amended development should it proceed to construction, as the requirements of the Minister's Building Standard (MBS 010) establishes specific building design requirements for control of noise from external sources within habitable rooms of residential buildings situated in areas subject to significant noise exposure which must be confirmed during assessment for Building Rules requirements.

The development would continue to incorporate adequate occupant amenity in terms of residential outlook, access to natural light and ventilation, sufficient dwelling sizes and functional areas including adequate storage facilities and private open space.

A summary of the development's performance against relevant Code policy is provided below:

- all dwellings would be capable of providing an acceptable standard of amenity and flexible living areas, satisfying Design in Urban Areas (Amenity) PO 31.1;
- convenient waste transfer to the residential flat building's ground floor loading bay area would be enabled by three waste chutes positioned over upper levels in accordance with the Design in Urban Areas (Site Facilities / Waste Storage (excluding low rise residential development)) PO 11.1 – PO 11.3; and
- all apartments would continue to be provided with adequate residential storage space, meeting the area recommended under Design in Urban Areas (Residential amenity in multi-level buildings) DTS/DPF 28.4, providing sufficient areas to meet future occupants' likely storage needs.

The development would therefore be expected to provide a reasonably high level of occupant amenity, satisfying the Code's policy expectations.

Building Height

Buildings in the Zone should be designed to contribute to a continuous framing of the primary road corridor and public realm, and provide visual relief from building scale and massing from ground level. Development should also be of a height that is consistent with the form expressed in the Airport Building Heights (Regulated) Overlay which seeks to ensure building height exceeding 110 metres above ground do not pose a hazard to aircraft and/or airfield operations.

The proposed development, with a maximum height of approximately 34.4 metres (measured from finished ground level to the top of the roof plant enclosure) constitutes an insignificant departure from the 33.7 height of the authorised development such that the development would continue to satisfy requirements of the Airport Building Heights (Regulated) Overlay.

Design & Appearance

The Design Overlay expects that medium to high-rise buildings demonstrate high-quality design which positively contributes to the liveability, durability and sustainability of the built environment. The Zone (Built Form and Character) policy anticipates buildings that contribute to consistent framing of the primary road corridor, ensure an active interface with the primary street frontage and provide a human scale.

The proposed variations would not substantially alter the development's design and appearance and the GA has indicated the amendments do not raise concerns as the expected visual impacts are limited being mostly confined to glazed sections and that the reduction in built form separation between the main building and townhouses along the northwest portion of the subject land would be limited to an undercroft section only.

The GA has also advised the following:

- no objection to the amendments to the glazing panel arrangement within the vertical recesses of the main building as these amendments would have limited impact on overall architectural expression;
- no objection to the use of bricks replacing the sandstone finish authorised for columns; and
- no objection to the amendments to the townhouse expression as they are consistent with the original design intent for a residential expression.

The GA does not support the amendment to the 'Maroon' coloured concrete authorised for the mid-section columns, slab edges and soffits over levels 2-6, as she considers applied finishes would be inappropriate for developments of the proposed scale and prominence due to future maintenance requirements.

In response, the applicant has indicated the change from integrally coloured concrete to an applied finish has been driven by the applicant's inability to control the consistency of colour over various concrete pours. The applicant asserts that the proposed render finish would allow a much more consistent colour and texture over the relevant portions of the development.

While the GA recommends the use of a high-quality material with an integrated finish as originally envisaged and approved, the design and appearance of the proposal would continue to exhibit a suitably high level of design quality commensurate with a substantial development in this location, satisfying the expectations of the Code's Design overlay and the Design in Urban Areas.

Interface Impacts

The Code's General Development (Interface between land uses) policy advocates for development located and designed to mitigate adverse impacts on or from neighbouring and proximate land uses caused by overshadowing and generation of noise and/or vibration. The Code's Design in Urban Areas (Overlooking/Visual Privacy) policy promotes mitigation of direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones.

The Planning Consent granted for the authorised development reserved assessment of further details nominating privacy screening treatments between certain opposing apartments to restrict views between their habitable rooms and terraces. Representors have maintained original objections to the potential for privacy loss for the proposal presents due to overlooking of established residences in the locality.

In **Attachment 4B** the applicant identifies that by definition, direct overlooking occurs within 15 metres of a window or balcony. Details prepared by SMFA demonstrate the expected extent of direct overlooking from apartments over levels 3-4 including sectional diagrams and perspective imagery depicting the performance of the proposed frosted glass balustrade reaching 1.1 metres in height intended to obstruct views to the neighbouring backyard.

These details demonstrate the proposal would adequately mitigate potential for direct overlooking by obscuring sightlines to adjoining land and proposed apartments. The GA has considered these details and confirmed the supplementary information demonstrate the development would provide effective mitigation of downward overlooking of the adjacent residential properties, including Unit 7/17 Walkerville Terrace and 16 Northcote Terrace.

On this basis the amended proposal would substantially satisfy the Code's policy expectations concerning interface impacts, and the previously assigned matter reserved for further assessment is considered to have been satisfied.

Traffic Impacts

The Code's General (Transport, Access and Parking) policy advocates for efficient operation of the transport system including safe and convenient access to and from the road network for all road users and adequate provision of on-site vehicle parking. Several representors have raised concerns related to anticipated potential for increased traffic generation and demand for on-street parking, with consequential impacts on residential amenity in the broader locality.

The applicant engaged CIRQA to update its earlier advice regarding vehicle access, on-site parking and potential traffic impacts (included as **Attachment 1D**).

Vehicle access arrangements intended for the development would be consistent with the authorised development, including retention of a central roadway providing vehicle and pedestrian access from Walkerville and Northcote Terraces, with a central ramp to the dual-level basement car park and ground-level access to the loading bay.

Based on the revised land use mix and expectations of the Code's General Development (Transport Access and Parking) Table 2 - Off-Street Car Parking Requirements in Designated Areas, CIRQA estimates the amended development would generate a total demand for 245 on-site parking spaces to meet the needs of the amended proposal. This would include approximately 43 on-site parking spaces for visitors to residential occupants of the development.

The applicant intends to provide 254 parking spaces exceeding on-site parking demand by nine spaces as predicted by the Code's Table 2. Representor's concerns regarding potential increase in on-street vehicle parking are proposed to be addressed by provision of a final plan indicating on-site parking areas intended to be made available for resident visitor parking would be reserved for further assessment.

Based on the Code’s Table 3 – Off-Street Bicycle Parking Requirements, CIRQA estimates the proposal would generate user demand for 73 bicycle parking spaces to service the intended uses. The amended proposal would include 192 on-site bicycle parking spaces, far exceeding Code policy expectations in this regard.

CIRQA concludes that the expected additional peak hour vehicle movements would be approximately 165 trips and 192 trips in the respective morning and evening peak periods, constituting an increase of seven morning period trips and a decrease of four evening peak hour trips.

While acknowledging the amended proposal would be expected to marginally increase trip vehicle movements during the morning peak period, CIRQA believes the estimated difference in traffic generation would be negligible and would not notably impact upon the function of the site’s access points or the surrounding road network. This increase in traffic generation would also be adequately balanced against the reduction in vehicle movements anticipated in the evening peak period.

Neither the Council nor the Commissioner of Highways (CoH) have objected to the proposal based on vehicle access, on-site parking or traffic impact implications, and therefore the amended proposal is considered acceptable relative to the applicable Code overlays and the Code’s Transport, Access and Parking policy module.

Waste Management

The Code’s General Development (Design in Urban Areas) policy recommends that development addresses any negative visual impact of outdoor storage, waste management, loading and service areas through screening from public view considering the form of development contemplated in the relevant zone.

The applicant commissioned Colby Phillips Advisory (CPA) to prepare a Waste Management Plan (**Attachment 1E**) explaining how the Development would be capable of managing waste effectively in accordance with the South Australian Better Practice Guide, Code policy and Council expectations for waste management.

All commercial waste generated by the apartments, restaurants / shops and expected future operation of the Buckingham Arms Hotel would be transferred to a ground floor waste storage and collection area either by waste chute or manually by tenants or commercial cleaners.

The townhouses would include a ground level storage space accommodating skip bins in a designated waste room, with townhouse residents being responsible for disposing of their waste into those skip bins.

CPA estimates the collective development would generate a need for waste collection comprising general waste, recyclable material, cardboard, organic waste and ‘other’ waste via private waste collection contractor via ground level waste storage facilities (in both the townhouse and apartment building portions of the development) per week as detailed below:

Development element	General Waste Collection	Recycling Collection	Cardboard Collection	Organic Waste Collection	‘Other’ waste Collection	Total Collection task
Townhouses	2	1	-	1	-	4
Apartments	2	2	-	2	-	6
Shops / Restaurants	3	2	3	3	2	13

The development would continue to enable service vehicles (up to 24-tonne trucks) access to proposed waste storage areas for proposed land uses via the internal road connection between Northcote and Walkerville Terraces. Rear-lift vehicles are anticipated to undertake collection activities.

Waste collection trucks would access the site in a forward direction from either Northcote Terrace or Walkerville Terrace and reverse into the central (apartment) loading bay from the internal road. The private

contractor would collect the bins from the townhouse waste room for emptying and return them once collection is completed.

After collection, the truck would then exit the loading bay in a forward direction to the internal road and exit in a forward direction to Northcote Terrace or Walkerville Terrace. Amendments to the proposed waste storage area are not expected to influence the performance of previously endorsed waste management arrangements, such the proposal would continue to satisfy Code policy expectations related to waste storage, transfer and collection.

CONCLUSION

The amendments proposed to the authorised development are acceptable and would be in accordance with established Code policy, such that the proposal is not one that could be considered to be substantially at variance with Code policy recommendations.

Views presented by representors in opposition to the proposal have been adequately addressed by the applicant and its representatives, and the amended proposal is considered to meet the expectations of Code policy with respect to land use, design and appearance, occupant amenity, interface impacts and transport matters.

The GA is generally supportive of the proposal and the applicant has provided amendments to elements recommended for review by the GA. The CoH has also offered conditional support for the proposal, and the Council has not objected to the application in its referral response.

Overall, the proposal substantially satisfies Code policy expectations. Conditional Planning Consent is recommended.

RECOMMENDATION

It is recommended that the State Commission Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 26010577 by Buckingham Arms Development Pty Ltd is granted Planning Consent subject to the following conditions and reserved matter.

RESERVE MATTER

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval:

- A final plan confirming on-site parking spaces to be made available for resident's visitor parking purposes.

CONDITIONS

Planning Consent

Condition 1

The development authorisation granted herein shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below (if any).

Condition 2

The plans and conditions with respect to Development Application IDs 24029287 and 25035311 must be fully complied with except where varied by this variation application and conditions.

Condition 3

All waste collection activities shall be scheduled to occur between 10:00am to 3:00pm Monday to Saturday.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

Condition 4

The Northcote Terrace access and the Walkerville Terrace access points shall be located in accordance with the SMFA, Job No. 24045, Ground Floor Plan, Drawing No. B2.22, Drawing Issue: Planning Amendment, Revision 09 dated 3 February 2026 with traffic movements undertaken as shown in CIRQA, Traffic and Parking Report, Project #22486/TAW, dated 11 December 2025. The Northcote Terrace access point shall operate on a left turn in and left turn out basis only and the Walkerville Terrace access shall cater for left turn in, left turn out and right turn in movements only. The access points shall be suitably signed (externally and internally), and be line marked to reinforce the desired traffic flow to/from the abutting roads.

Condition 5

The Walkerville Terrace bus stop shall be relocated (including bus pad, shelter, tactiles and stop, etc) to the satisfaction of Department for Infrastructure and Transport and Council with all costs being borne by the applicant.

Condition 6

All road works deemed required to facilitate safe access to the development (including relocation of road signs, bus stops, side entry pits and other road infrastructure, etc) shall be designed and constructed to the satisfaction of the Department for Infrastructure and Transport, with all costs (including design, construction, project management and any changes to road drainage, lighting, vegetation removal, etc. required) being borne by the applicant. All works shall be completed prior to operation of the development.

Note: Prior to undertaking any construction works, the applicant shall contact Mr Narendra Patel, Senior Network Integrity Engineer, Network Management Services on telephone (08) 7133 3208, mobile 0400 436 745 or via email: narendra.patel@sa.gov.au to obtain approval and discuss any technical issues regarding the required road works. The applicant may be required to enter into a Developer Agreement with DIT to undertake and complete this work.

Condition 7

The largest vehicles permitted on-site shall be restricted to a 10-metre service vehicle.

Condition 8

All off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009 and all commercial vehicle facilities shall be designed in accordance with AS 2890.2:2018.

Condition 9

Any infrastructure within the road reserve (e.g. road signs, side entry pits, etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 10

All redundant crossovers to Northcote Terrace and Walkerville Terrace shall be reinstated with council standard kerb and gutter prior to the development becoming operational. All costs shall be borne by the applicant.

Condition 11

A final stormwater management plan shall be developed in conjunction with DIT (and Council) and be in accordance with DIT Master Specification RD-DK-D1 Road Drainage Design and other relevant guidelines. All drainage infrastructure is to be to the satisfaction of Council and DIT.

Condition 12

All stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of Northcote Terrace and Walkerville Terrace. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The approved development must be substantially commenced within 24 months of the date of Development Approval, and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Advisory Note 2

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the Relevant Authority).

Advisory Note 3

No works, including site works can commence until a Development Approval has been granted.

Advisory Note 4

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 practical 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.

Advisory Note 5

All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

Advisory Note 6

The applicant is reminded of their obligations under the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993*, in regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction site, please contact the relevant Local Government Authority.

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act

Advisory Note 7

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a 4.5m strip of land from the Northcote Terrace frontage for future upgrading of the Northcote Terrace / Robe Terrace / Park Road / Walkerville Terrace intersection. 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 6.0m of the possible requirement.

As the proposed development is located within the above areas, the attached consent form should be completed by the applicant and returned to DIT (via email dit.landusecoordination@sa.gov.au), together with a copy of the Decision Notification Form and the approved site plan/s.

Advisory Note 8

Should traffic flows on Northcote Terrace and Walkerville Terrace be impacted during the construction/demolition works, the applicant shall notify DIT's Traffic Management Centre (TMC) – Roadworks on 1800 434 058 or email dit.roadworks@sa.gov.au to gain approval for any road works, or the implementation of a traffic management plan during the construction phase.