

15 April 2025

Tegan Lewis  
Team Leader Development Assessment  
Commission Assessment  
Planning and Land Use Services  
Department for Housing and Urban Development

Dear Tegan,

**RE: DA REF 24040803 – LOT 893 BUXTON STREET & 157 CHILDERS STREET, NORTH ADELAIDE – RETIREMENT FACILITY FOR HELPING HAND AGED CARE**

We write in response to the representations received during the recent public notification of the proposal by Helping Hand Aged Care, to develop retirement accommodation at 157 Childers Street and Lot 893 Buxton Street, North Adelaide.

The responses are provided on behalf of the applicant and are informed by additional investigations and specialist consultant input where required. We have grouped our responses under general headings that reflect the key themes of the matters raised by representors.

Our response is to be read in conjunction with information lodged with the application, including the original Planning Statement and reports by specialist consultants.

This response is supported by the following documentation:

- **Appendix 1:** Tabulated Summary of Representer Concerns prepared by Ekistics;
- **Appendix 2:** Existing Shadow Analysis prepared by Woods Bagot;
- **Appendix 3:** Response to Representations prepared by DASH Architects (response to heritage matters); and
- **Appendix 4:** Response to Representations prepared by CIRQA (response to traffic matters).

An updated architectural plan set is also provided (by Woods Bagot) and Landscape Plans (by Aspect) to reflect adjustments to the proposal described below. A Landscape Character and Visual Effect Assessment by Warwick Keates of WAX Design will be submitted separately.

## 1. REVISED PLANS

As a result of the representations received and further discussions with the planning authority and Adelaide City Council, amendments to the architectural and landscape plans have been undertaken that address some of the matters raised. These are contained within accompanying revised architectural and landscape plans. The changes to the plans are described below:

### Architectural Plans

- Reduction in height of Building 1 (front) by 300mm, achieved by reducing floor to ceiling heights on ground and first floor level, however the finished floor level is increased by 100mm to resolve civil matters, with an overall height reduction of 200mm to Building 1;
- Reduction in height of Building 2 (rear) height by 450mm, achieved by reducing floor to ceiling heights on ground and first floor level by 300mm, and a drop of 150mm in the finished floor level;
- Reduction in the building floor plates resulting in:
  - Eastern boundary setback to Building 2 increased by 375mm (to 6.375m at ground floor level);
  - Separation between the two buildings increased by 938mm (to 7.563m);
- Deletion of a lift in Building 1;
- Slight adjustment to landscaping at the front eastern corner to improve sight lines; and
- Screening to balconies and windows adjusted to resolve overlooking.

### Landscape Plans

- Detail of landscaping to upper level planter boxes added;
- Landscape concept for the communal garden revised in consultation with residents; and
- 2 x 3000L slim line rainwater tanks added to the communal garden to provide irrigation.

## 2. RESPONSE TO REPRESENTATIONS

The public notification period ran between 15 January 2025 and 5 February 2025. A total of 28 representations were received, with 15 representors opposed to the development, and 13 representors in support of the development (albeit some with concerns). The location of representors that reside (or own land) in proximity of the site is illustrated in **Figure 2.1**, and a tabulated summary of the representors' concerns is contained in **Appendix 1**.

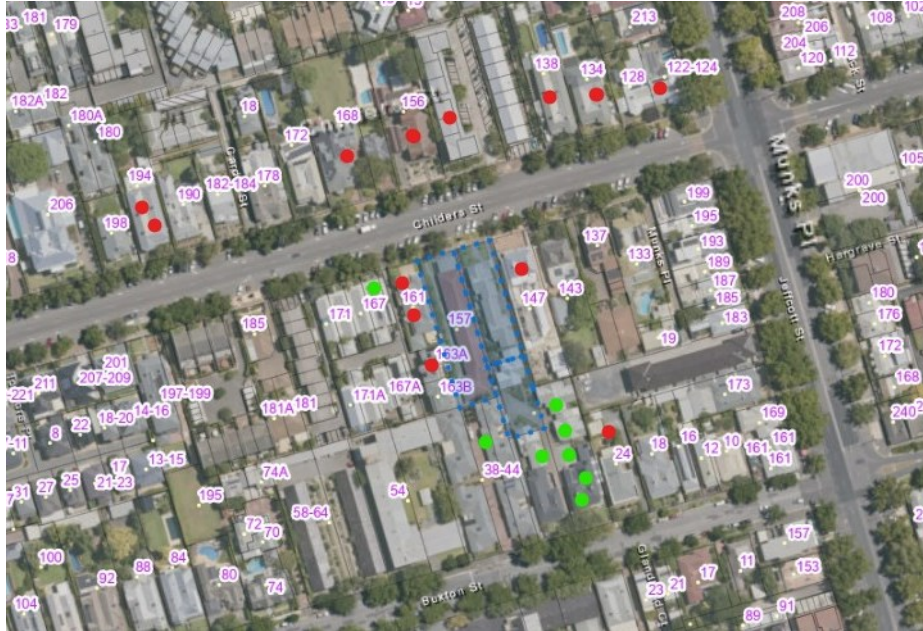


Figure 2-1 Map of representors (objections in red, support in green)

## 2.1. Supportive Comments

Supportive representations highlighted that the proposal will help meet the strong and increasing demand for high quality retirement and aged care facilities both locally and within South Australia, the importance of additional facilities being developed to cater for an increasingly aged population and releasing family homes back to the conventional housing market. The location of the site close to transport, cafes, shops and community activities was seen as ideal for this type of housing, and that there is a shortage of suitable housing options for retirement and aged persons within North Adelaide. Helping Hand was recognised as a responsible, caring and dedicated not-for-profit aged care provider, providing a high standard of retirement and aged care accommodation. The design of the development was seen as appropriate in the context of heritage and modern development within Childers Street, and that the proposal had sought to minimise amenity impacts on neighbours.

Some of the representations in support of the development were submitted by existing residents of Helping Hand's residential community, residing either directly adjoining or within close proximity of the subject site. They expressed their support for the proposal's high quality design, as well as Helping Hand Aged Care's research and resident consultation efforts to design a facility that best meets the needs of the community.

## 2.2. Summary of Objections

The opposing representations commonly raised the following concerns (summarised in more detail in **Appendix 1**):

<ul style="list-style-type: none"> <li>• Development proposes three (3) building levels – contrary to the Code and prevailing character</li> <li>• Development will be higher density than the Code intends for the site</li> <li>• Bulk and scale of the development is disproportionate to the locality</li> <li>• Proposal will result in overlooking into neighbouring properties</li> <li>• Proposal will result in overshadowing of neighbouring properties</li> <li>• Impact on neighbouring solar panels</li> <li>• The design is not complementary to the historic area and adjacent local heritage places</li> <li>• Design is at odds with the context and rhythm of the streetscape</li> <li>• Design of the building lacks setbacks and stepping back of upper levels</li> <li>• Development does not meet landscaping requirements of the Code</li> </ul>	<ul style="list-style-type: none"> <li>• Childers Street, a quiet street with few disturbances, is an inappropriate location for the development</li> <li>• Property values will be negatively impacted</li> <li>• On street parking issues will be exacerbated and insufficient visitor parking is provided</li> <li>• Development will disrupt the free commuter bus route</li> <li>• Aged care facilities will generate too much traffic that will impact on the amenity of the locality</li> <li>• Dirt, dust and traffic impacts during demolition and construction</li> <li>• Noise pollution associated with demolition, construction and operations of the development</li> <li>• No evidence for development costs exceeding \$10 million for SCAP to be the Relevant Authority</li> <li>• Application relies on documentation and previous approvals to justify Code breaches</li> </ul>
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Our response to the objections received has been grouped under general headings below.

## 2.3. Building Height, Bulk & Scale

Concerns raised in the representations related primarily to the proposed height of the development exceeding the maximum height provisions of the Code, resulting in excessive bulk and scale, negative visual impact and a development that is inappropriate within the context of Code provisions that seek a low-rise character.

In response to these concerns, the overall height of the development has been lowered by reducing floor to ceiling heights as far as practical, whilst maintaining internal apartment amenity, sufficient space for services and achieving Helping Hand's 'aging in place' objectives.

In further support for the proposal, and in order to provide a thorough and detailed response to the concerns raised, the proposed building height and scale of the development within the context of the locality and Code policy provisions has also been analysed and assessed in detail by Warwick Keates of WAX Design in a Visual Assessment Report, providing further support for the proposal (to be submitted under separate cover).

In relation to Code policy relevant to building height and scale, DO 1 of the City Living Zone seeks:

*Predominantly low-rise, low to medium-density housing, with medium rise in identified areas, that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities that support city living....*

PO 2.2 of the City Living Zone seeks development that “contributes to a predominantly low-rise residential character.....consistent with the form expressed in the...TNV...or any relevant Concept Plan and responds positively to the local context”.

The North Adelaide Low Intensity Subzone also seeks “*Predominantly low rise low density housing on large allotments in an open landscape setting*” (DO1) and “*Buildings sited and designed to complement the low-density or very-low density character of the neighbourhood, in locations where an open landscape setting is the prevailing character*”.

(Our emphasis)

We note that the Code defines ‘low-rise’ as meaning “*up to and including 2 building levels*”.

The TNV applicable to the site sets a maximum building height of two levels and Concept Plan 33 contemplates up to two storey development in this portion of the broader Helping Hand site. We also note there is no policy within the City Living Zone or North Adelaide Low Intensity Subzone that requires a height transition or stepping back of levels to adjoining properties. Nonetheless, side boundary setbacks are generous in order to manage impacts of bulk and scale on adjoining properties and provide separation and landscaping opportunities that will screen and soften the built form.

Building heights within the locality along Childers Street include a mix of one and two storey dwellings, with notable examples of three storey development including the apartment building directly opposite the site to the north, and townhouse development less than 100m to the west. The existing Helping Hand development just south of the subject site also includes buildings of three and four storeys fronting Buxton Street. The objection written by Masterplan notes the three storey building opposite has a building façade width of approximately 13.5m (although it measures closer to 15m on Google Maps), and is therefore much more modest than the proposal. We note the proposed development’s front building façade measures just over 20m, but is split into two modules of just over 9m each, not overly large, and not inconsistent with building frontages in the locality. The three storey townhouse development less than 100m to the west of the site on Childers Street has a building façade of approximately 23m. Proposed floor to ceiling heights have been lowered to further reduce the overall height of the development and are consistent with typical floor to ceiling heights, ie they are not over-sized.

The proposed buildings have been carefully designed to be mindful of the locality’s predominant character, as well as Code policy seeking a predominant two level scale, with the proposal presenting as a two storey development with third level integrated within a mansard roof, echoing the character of other similar roof forms within North Adelaide and a key strategy in minimising the visual and amenity impact of the third level. The building mass is further broken down by incorporating vertical recessed elements within the front and side building façades. Building 1 facing Childers Street incorporates a landscaped recess and glazed facade to effectively divide the façade into two building forms, achieving a streetscape rhythm consistent with neighbouring dwellings.

City Living Zone DPF 2.1 seeks to increase the number of dwellings within the zone, and supports the concept of utilising the building roof space to provide additional dwellings, with other examples of this evident within the locality:

*The number of dwellings in the zone is increased in accordance with one of the following:*

1. *redevelopment of poor quality and underutilised buildings or sites that are in discord with the desired outcomes of the zone and relevant subzone.*
2. *.....*
3. *development in upper levels of existing buildings, or by increasing the height of buildings or roof volumes, or on sites behind existing buildings.*

(our emphasis)

We note that the Office for Design and Architecture referral comments provided in principle support for the proposed scale of the building, contingent on the appropriate and successful management of interface issues to protect the amenity of neighbouring properties. These matters are addressed further in **Sections 2.5** and **2.6** of this response.

The impact of the third level on the locality and streetscape in the context of the heritage overlays (Historic Area and Heritage Adjacency) has also been carefully considered and assessed by DASH in their Heritage Impact Assessment submitted with the application, along with further consideration in their Review of Representations in **Appendix 3**. The DASH review provides further analysis of the design techniques utilised in this high-quality architectural response that mitigates impacts of the proposed third level, and within the context of the relevant heritage provisions of the Code. The DASH review concludes that through careful and considered design, the proposal mitigates any potential impacts and achieves an appropriate visual relationship with surrounding heritage buildings, and in the historical context and streetscape.

Proposed front and side setbacks are generous and consistent with (or greater than) prevailing building siting within the locality. Well-considered landscaping within front private courtyards and along the shared pedestrian spine along the building's western side, as well as within the driveway and culminating at the communal garden, provides a generous landscaped setting for the development, as well as screening and softening of the built form.

PO 2.1 of the North Adelaide Low Intensity Subzone seeks "*Building footprints consistent with the character and pattern of the prevailing open landscaped character of the neighbourhood, in locations where an open landscaped setting is the prevailing character*" with the corresponding DPF 2.1 – "*The development does not result in site coverage exceeding 50%*".

In our view, the proposal achieves this Performance Outcome with buildings sited with setbacks consistent with the existing pattern of development, and with a proposed site coverage of less than 50%. As noted, an open landscaped character is achieved by the development through generous setbacks and well-designed landscaping, in a locality that does not exhibit an open landscaped setting as its prevailing character. This matter and a detailed study of the character of the existing locality is provided in the WAX Design Landscape Character and Visual Effect Assessment to be provided under separate cover.



On balance, we are of the opinion that the proposed building height is appropriate in the context of the locality and manages its visual impact through adequate setbacks and careful, high-quality design of its built form and façades. The proposed building design presents as a two storey development with third level within a mansard roof space, that will achieve the Code policy provisions for this site that seek two storey development.

## 2.4. Density

Concerns were raised by objectors that the proposed development is a ‘medium’ density proposal that does not align with Code provisions that seek low density development in this location, resulting in an oversized building that is at odds with the character of the locality. The proposed land use was also seen as inappropriate in Childers Street, resulting in potential traffic and amenity impacts.

PO 1.1 of the City Living Zone seeks a diversity of housing and accommodation:

*Diverse housing and accommodation complemented by a range of compatible non-residential uses supporting an active and convenient neighbourhood.*

The corresponding DPF 1.1 lists dwellings, residential flat buildings and a retirement facility (among other uses) as an appropriate type of development within the City Living Zone.

The proposed land use, being a retirement facility in the form of two (2) residential flat buildings, aligns with DPF 1.1 of the City Living Zone (which lists both a retirement facility and residential flat building as desirable land uses) and also satisfies the associated PO by contributing to the diversity of housing and accommodation in the area. It is also important to note that the existing land use is a retirement facility owned and managed by Helping Hand, and the proposal is a continuation of the existing land use.

In terms of density, DO 1 of the City Living Zone seeks low to medium-density housing:

*Predominantly low-rise, low to medium-density housing, with medium rise in identified areas, that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities that support city living....*

In addition, PO 2.1 of the Zone encourages “the number of dwellings is increased in the zone while maintaining residential amenity” with the associated DPF further clarifying that the “redevelopment of poor quality or underutilised buildings or sites that are in discord with the desired outcomes of the zone and relevant subzone”.

DO 1 of the North Adelaide Low Intensity Subzone clarifies this by seeking “predominantly low-rise low-density housing on large allotments in an open landscaped setting”. DO 2 of the Subzone speaks to North Adelaide containing “large grand dwellings on landscaped grounds”, and in PO 1.1: “Buildings sited and designed to complement the low-density or very-low density character of the neighbourhood, in locations where an open landscape setting is the prevailing character”.

The Code contains clear definitions of net residential density as follows:

- **Low net residential density:** ‘means less than 35 dwelling units per hectare’;

- **Medium net residential density:** ‘means 35 to 70 dwelling units per hectare’; and
- **High net residential density:** ‘means greater than 70 dwelling units per hectare’.

The proposal seeks to establish a total 12 of dwelling units over the site, which equates to approximately 53dw/ha and is classified as ‘medium net residential density’, as per the definitions in Part 8 of the Code.

However, it is important to note that the existing site, comprising two allotments and a portion of a third to the south, has a net residential density of approximately 45dw/ha (10 dwellings over 2,270m<sup>2</sup>) The proposal, therefore, only represents a minor increase in dwelling density compared to existing, and remains ‘medium density’. The Planning Statement submitted with the application provided further estimates of dwelling density on a snapshot of sites within proximity of the subject land, finding multiple examples of high and medium density development on Childers Street, within the locality. Medium density developments can also be found in the surrounding streets, notably on Barton Terrace West, Buxton Street and east of Jeffcott Street. While there are also numerous examples of low-density development within the locality (notably including Local Heritage listed dwellings on large allotments), it could not be reasonably concluded that medium density residential development is not currently a significant feature in the locality.

The Desired Outcome of the City Living Zone contemplates both low and medium density development, while the Subzone seeks predominantly (ie. mainly) low density development, described as large grand dwellings on landscaped grounds, but that buildings should be designed to complement the low density character of the neighbourhood in locations where an open landscape setting is the prevailing character. Given the numerous examples of medium density development and various housing typologies in the locality, including townhouses, apartments, row cottages and larger detached dwellings, it could not be argued that an open landscape setting IS the prevailing character. Nonetheless, the proposal has been designed with generous setbacks and landscaping so that it complements a low density character, even though that is not the prevailing character of the neighbourhood.

The accompanying letter by Botten Levinson provides further clarification of the approach to the assessment of the proposed density against the relevant Code provisions, forming the view that because the prevailing character of the locality is not an open landscaped setting, the Subzone’s Performance Outcomes have no work to do in the assessment of the application. The detailed assessment of the prevailing character of the locality by WAX Design provides further analysis and support for this conclusion.

Further to the reasons outlined above, we are of the opinion that the proposed retirement living land use and proposed density of development is aligned with the desired outcomes for the Zone and Subzone. The proposal replaces an existing outdated medium density retirement facility that will provide much needed, modern retirement accommodation, enhancing the diversity of accommodation in the area and Helping Hand’s facilities to respond to modern needs in a way that complements the character and streetscape of Childers Street. The proposal is not at odds with the existing prevailing character of the locality, that is neither predominantly low density, nor does it have an open landscaped character.



## 2.5. Overlooking & Visual Amenity Impacts

Adjoining residents to the east and west of the subject land raised concern that the proposal will result in direct overlooking into areas of private open space and habitable rooms from upper level windows and balconies, and results in an unacceptable visual impact when viewed from their properties. We note the eastern adjoining neighbour (at 147 Childers Street) is in the process of constructing an addition to the rear of their dwelling, and provided modelling of potential overlooking, undertaken by Masterplan on their behalf.

We note the most relevant provisions of the Code relating to overlooking:

Design in Urban Areas PO 16.1 (applicable to medium-rise development):

*Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:*

- (a) appropriate site layout and building orientation*
- (b) off-setting the location of balconies and windows of habitable rooms or areas with those of other buildings so that views are oblique rather than direct to avoid direct line of sight*
- (c) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms*
- (d) screening devices that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.*

(our emphasis)

**Direct overlooking** is defined in the Code as:

*In relation to direct overlooking from a window, is limited to an area that falls within a horizontal distance of 15 metres measured from the centre line of the overlooking window and not less than 45 degree angle from the plane of that wall containing the overlooking window.*

*In relation to direct overlooking from a deck, balcony or terrace, is limited to an area that falls within a horizontal distance of 15 metres measured from any point of the overlooking deck, balcony or terrace.*

Each window and balcony of the proposed development has been carefully reviewed and design techniques adopted to ensure that 'direct overlooking' of adjoining habitable windows and areas of private open space is mitigated in accordance with the Code policy, including:

- Frosted glazing to windows to 1500mm above floor level to obscure downward sight lines;
- Timber batten screens with 80% obscurity up to 1500mm above floor level, to the outside of side facing balconies; and
- Deep dormer window reveals to push the view line back and obscure downward sight lines.

The various overlooking mitigation techniques are detailed in Architectural Plan SK-00013 and 00013A, with diagrams illustrating each potential overlooking opportunity, and how direct overlooking is proposed to be mitigated to avoid direct lines of sight into neighbouring properties. New 1.8m fencing, an arbour and landscaping along the western boundary and pedestrian link will provide further privacy screening for dwellings to the west.

The modelling and photographs provided in the submission from the adjoining neighbour to the east demonstrates the enclosed nature of the dwelling addition and outdoor living space that is currently under construction, including extensive screening along the eastern boundary of the subject site (**Figure 2.2**). The design of the addition and existing masonry wall along the shared boundary, combined with the overlooking mitigation techniques detailed in the architectural plans, will prevent any 'direct' overlooking of the neighbouring property. The photographs also demonstrate that any potential views of the southern elevation of Building 1 (incorrectly described as bland and featureless) will be at an obscure angle, and largely screened by the structure under construction. The 6.0m to 6.375m+ setback between the proposed buildings and the eastern boundary of the site will also assist in mitigating unreasonable overlooking and visual impact.



Figure 2-2 Adjoining dwelling addition at 147 Childers Street

## 2.6. Overshadowing

Neighbours raised concerns with the extent of overshadowing resulting from the proposed development, both of private open space areas and solar panels.

The relevant Code provisions are PO 3.1, PO 3.2 and PO 3.3 of the General Development Policies – Interface Between Land Uses and corresponding DPFs, which state:

*PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses in:*

- a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight
- b. other zones is managed to enable access to direct winter sunlight.

*DPF 3.1 North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.*

*DPF 3.2 Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:*

- a. for ground level private open space, the smaller of the following:
  - i. half the existing ground level open space
  - or
  - ii. 35m<sup>2</sup> of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)
- b. for ground level communal open space, at least half of the existing ground level open space.

*PO 3.2 Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:*

- a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight
- b. other zones is managed to enable access to direct winter sunlight.

*PO 3.3 Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:*

1. the form of development contemplated in the zone
2. the orientation of the solar energy facilities
3. the extent to which the solar energy facilities are already overshadowed.

The architectural plans and shadow analysis have been updated to reflect the reduced building height now proposed. The existing row of three dwellings adjoining the subject site to the west are the only dwellings not owned and managed by Helping Hand that will be affected by overshadowing as a result of the development and require more detailed examination.

In relation to PO 3.1 that seeks overshadowing of habitable room windows of adjacent dwellings be minimised, we note that DPF 3.1 references only north facing habitable rooms. Any north facing (or other) habitable room windows are not affected by the proposal from 12pm onwards.

DPF 3.2 seeks that at least half the existing ground level open space of adjoining dwellings maintains at least 2 hours of direct sunlight between 9am and 3pm on 21 June. Modelling of existing shadow conditions has been undertaken by Woods Bagot (**Appendix 2**), illustrating the extent to which the existing courtyards in the adjoining properties currently receive direct sunlight. Due to their southern and western orientation, limited size and enclosure by existing buildings and fencing, existing direct sunlight access is limited. Between 9am and 10am, the three courtyards are completely overshadowed by existing buildings, between 11am and 12pm, narrow bands or small sections of direct sunlight reach the courtyards, and by 3pm the courtyards are completely overshadowed by existing buildings.

Shadow diagrams for the proposal illustrate similar conditions between 9am and 11am, where the courtyards receive no directly sunlight, but at 12pm the shadow cast by the proposed buildings moves across and no longer impacts the

courtyards or roofs of the adjoining dwellings. Some direct sunlight access is available within these courtyards in the early afternoon until around 2pm, when the existing dwellings again overshadow the courtyards.

The comparison of the existing shadow vs proposed demonstrates that the existing direct sunlight access is largely maintained to those adjoining courtyards.

The shadow diagrams also demonstrate that the solar panels of the eastern plane of the roofs of the adjoining dwellings to the west will not be impacted by the proposal beyond 12 noon. Some of these panels are currently overshadowed until about 11am, and it is not considered that the proposal unduly reduces the generating capacity of these solar panels.

The shadow analysis illustrates that the development maintains existing direct sunlight access to private open spaces and windows of adjoining properties between 9.00am and 3.00pm on the winter solstice (21 June), in accordance with the Code provisions.

## 2.7. Suitability of Location

Some objections raised concern that the proposed retirement facility is an inappropriate type of development in Childers Street, and that property values may be negatively impacted.

It is important to note that the site is currently owned by Helping Hand, as part of its broader retirement and aged care facility extending from Childers Street to Molesworth Street. The subject land is currently used for retirement living, under the ownership and management of Helping Hand, and the new retirement facility simply continues this lawful existing land use, adding only 2 additional dwellings compared to the 10 currently on the site. The development will remain under the management of Helping Hand, as part of its broader retirement and aged care facility in North Adelaide.

There is no evidence that property values will be negatively impacted by the proposal (in fact it is likely to be the opposite), nor is this a valid planning concern.

The site is a highly suitable location for retirement accommodation, being located within close proximity to existing medical and retail services, and linked to the broader Helping Hand facility that provides significant support and services for residents. The diversity of services and availability of retirement and aged care accommodation will only improve over time with the staged realisation of the broader Helping Hand master plan.

## 2.8. Heritage

Several letters of objection raised heritage related matters, including a submission by the North Adelaide Society. The objections raised primarily relate to the interconnected issues of overall building height, bulk and scale, and the development's design response in the heritage context. A response to these matters has been prepared by DASH Architects (**Appendix 3**). In summary:

- The matters raised in the representations were considered and addressed through collaboration between Woods Bagot and DASH during the design process, and assessed in the Heritage Impact Assessment by DASH;

- The changes to the proposal in response to the representations are considered slightly positive (from a heritage perspective);
- The proposed development has been carefully designed and has considered the heritage provisions in the Code. However, its three-storey height presents a challenge, as both the zoning and Concept Plan for the Helping Hand site anticipate two-storey buildings;
- To mitigate this, the design incorporates horizontal elements, detailed facade features, a well-designed front fence, and a verandah, helping it blend into the streetscape. These refinements ensure the building integrates with the area's heritage character without overpowering it;
- From a heritage perspective, the key issue is how the additional height affects the visual balance between the new development and surrounding heritage buildings. Thoughtful design—focusing on setbacks, shape, and finishes—has helped reduce these concerns. While there are some variations from heritage guidelines, primarily due to the additional height and slight differences in setbacks and scale, their overall impact is minimal when viewed in the broader planning context.

## 2.9. Traffic

Objectors raised concerns that an existing on-street parking shortage within Childers Street would be exacerbated by the proposal as insufficient parking spaces are provided, and that aged care facilities generate a significant volume of traffic that will impact convenience, safety and amenity.

CIRQA traffic engineers have prepared a detailed response to the traffic matters raised (**Appendix 4**).

Of particular note:

- *The proposal returns five (5) on-street parking spaces to Childers Street through the consolidation of driveway crossovers;*
- *A utilisation study of on-street parking on Childers Street between Jeffcott Street and Hill Street found that there was significant parking availability during typical peak periods, which will be improved by the proposal;*
- *The site is part of the broader Helping Hand facility, and as such, visitors such as carers and maintenance contractors are unlikely to require dedicated on-site visitor parking as they form part of the Helping Hand staff, based primarily in Rotary House and administration buildings to the south;*
- *The proposed use is a very low traffic generating land use and there will be negligible increase in traffic movements and impacts associated with the proposal (particularly noting there is only an increase of two independent living units compared to the existing situation);*
- *The proposal includes sufficient on-site (off-street) resident parking; and*

- *While there is a small shortfall in visitor parking provisions against the DTS/DPF rate, the increase compared to the existing situation equates to less than one parking space. The small increase (even if the site's existing shortfall is ignored) will be more than offset by the creation of additional on-street parking spaces on Childers Street. In my view, the proposal sufficiently addresses Performance Outcome 5.1 of General Development Policies - Transport, Access and Parking.*

### 3. CONCLUSION

The collective responses to the representations provided in this letter and by the applicant's expert consultants demonstrate that the proposal is a well thought out, high quality design that is contextually responsive to the prevailing character of the locality, reflects the historic themes of the area's heritage character and value, and respects the amenity of neighbouring properties. The subject land is ideally located to support additional much needed retirement accommodation, replacing an existing outdated retirement facility, and reinforcing Helping Hand's long established contribution to the provision of aged care and retirement accommodation within North Adelaide.

We are confident the above responses will assist in your planning assessment and consideration of the key issues.

We note that 13 representors have expressed a desire to be heard before the State Commission Assessment Panel in support of their submissions. Accordingly, we respectfully request the opportunity to also make a personal deputation to the Panel to address matters raised by representors, as well as answer any questions of panel members.

Please contact me on (08) 7231 0286 should you have any further queries in relation to this development application.

Yours Sincerely,



**Catherine Orford**

Senior Associate



## APPENDIX 1

### Summary of Represantor Concerns *Ekistics*



No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
1	Guido Porcaro	15/150 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"> <li>Childers Street is quiet and one of the last remaining streets in North Adelaide without hospital, school, nursing home or business that cause disturbances</li> <li>Street is not appropriate for aged care facility and the associated traffic</li> <li>Property values will be affected</li> </ul>	<ul style="list-style-type: none"> <li>Helping Hand is a well established existing aged care and retirement facility</li> <li>Proposal replaces existing retirement units</li> <li>Impact on property values is not a basis for objection to a development proposal</li> </ul>
2	Scott Griffin	161 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"> <li>Frustrated that similar problems are present to the 2020 development</li> <li>Three storey building height is unnecessarily high, exceeds Zone's provisions</li> <li>Side entrances are close to fence line and bedrooms, will cause disturbances</li> <li>Overlooking into front and back yards, into side windows &amp; bedrooms</li> <li>Foyer entrance is directly in-line with bedroom window</li> <li>Requires bollards or alternative to prevent cars accidentally entering property</li> <li>On street parking issues will be exacerbated</li> <li>Overshadowing will cause issues for solar system, garden and natural sunlight amenity</li> <li>Shadowing diagrams Re: PO 3.1 and 3.2 do not seem accurate</li> <li>Concerns over dirt and dust impacts during demolition and construction</li> </ul>	<ul style="list-style-type: none"> <li>2020 proposal is not relevant to this application</li> <li>Side entrances provide pedestrian access only, access is also provided via each individual garage. Side entrances will be mainly used by visitors and residents accessing on foot.</li> <li>Only 12 dwellings are proposed (5 to Building 1, 7 to Building 2) – minimal movement</li> <li>New 1.8m high colorbond fence along western boundary + landscaping</li> <li>Shadow diagram analysis</li> <li>Construction impacts are temporary and not a basis for objection to a development proposal</li> <li>Returning visitor parking to the street</li> <li>Visitor parking survey to demonstrate on street availability, evidence of actual demand</li> </ul>
3	Richard Hayward	PO Box 574 North Adelaide, SA 5006	No	Support	<ul style="list-style-type: none"> <li>Proposed development design is sympathetic to the location, heritage, and environment, with minimal impact to neighbouring properties</li> </ul>	
4	John Burt	3/28 Buxton Street North Adelaide, SA 5006	No	Support with concerns	<ul style="list-style-type: none"> <li>Will enhance North Adelaide but is concerned for the impact on visitor parking</li> </ul>	<ul style="list-style-type: none"> <li>Returning visitor parking to the street</li> <li>Visitor parking survey to demonstrate on street availability, evidence of actual demand</li> </ul>
5	Peter Knight	3/38 Buxton Street North Adelaide, SA 5006	No	Support	<ul style="list-style-type: none"> <li><i>no comments provided</i></li> </ul>	
6	Margaret Stevens	2/38 Buxton Street North Adelaide, SA 5006	Yes	Support	<ul style="list-style-type: none"> <li>Opportunity for accommodation for retirees</li> </ul>	
7	Graham Inns	4/38 Buxton Street North Adelaide, SA 5006	No	Support	<ul style="list-style-type: none"> <li>Existing retirement village resident, feels fully considered during planning period</li> <li>New structure will have minimal impact on existing retirement residents</li> <li>Design is pleasing and the height is not intrusive</li> </ul>	
8	Christine Inns	4/38 Buxton Street North Adelaide, SA 5006	No	Support	<ul style="list-style-type: none"> <li>Proposal is compatible with existing village and supports Helping Hand's commitment.</li> <li>Design is appealing and the plans show it fits the Childers Street streetscape</li> </ul>	
9	Janine Emsley	5/28 Buxton Street North Adelaide, SA 5006	No	Support	<ul style="list-style-type: none"> <li>Development will have a positive impact on fellow retirement community members and feels fully consulted as an existing retirement resident</li> <li>Supports the design</li> </ul>	
10	Helping Hand North Adelaide Residents Committee	4/38 Buxton St North Adelaide, SA 5006	No	Support	<ul style="list-style-type: none"> <li>Land area encompassing the development is already designated for retirement village use and is an extension of the villas adjoining the new facility</li> <li>Proposed development will enhance the retirement community already existing in Buxton Ct and Chiton Ct</li> </ul>	

No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
					<ul style="list-style-type: none"><li>• Structure is compatible in design with buildings in vicinity and will blend with building both older and modern in Childers St, does not breach height levels of buildings already in the vicinity</li><li>• Overlooking of existing properties has been reduced to a minimum</li><li>• Helping Hands Aged Care is caring, responsible and dedicated aged care provider with an unblemished record of a high standard of accommodation.</li><li>• New facility is a much-needed opportunity to meet the Commonwealth and State Governments’ emphasis of additional retirement living development</li><li>• Residents are responsible, community spirited and quiet living citizens, their generally higher net disposable income is beneficial to the local economy</li></ul>	
11	Jodie Prosser	6 Ellis Avenue Victor Harbor, SA 5211	No	Support	<ul style="list-style-type: none"><li>• SA has a huge undersupply of quality retirement living</li><li>• Impressed by level of research and consultation Helping Hand have done to ensure development meets the needs of seniors</li></ul>	
12	Kerry Lehman	PO Box 1785 Burnside, SA 5066	No	Support	<ul style="list-style-type: none"><li>• Previous resident of North Adelaide, notes lack of suitable housing options for retirement/aged community.</li><li>• Helping Hand has history of investing in North Adelaide’s local community</li><li>• Talking with North Adelaide residents has seen strong interest in purpose-built housing for independent living &amp; social/community infrastructure for wellbeing</li><li>• Helping Hand are recognised as a wonderful not-for-profit, not a commercial developer with short term interests</li></ul>	
13	Margaret Loftus	7/38-44 Buxton Street North Adelaide, SA 5006	No	Support	<ul style="list-style-type: none"><li>• There will be need more for well-designed and well-suited retirement villages as the population ages</li><li>• Site is ideal for the proposed development due to central position and transport options, level ground makes for ease of walking</li><li>• Variety of cafes and shops, community activities close-by</li></ul>	
14	Bruce Djite	91 King William Street Adelaide, SA 5000	No	Support	<ul style="list-style-type: none"><li>• Represents an opportunity to develop housing for an ageing demographic &amp; release family homes back into the conventional housing market</li><li>• As aged population is expected to increase by 140% by 2041, demand is rapidly outpacing supply, which the proposal will address</li></ul>	
15	Staroula Daminato	24 Buxton Street North Adelaide, SA 5006	No	Oppose	<ul style="list-style-type: none"><li>• Will cause significant overshadowing of the property, particularly the courtyard</li><li>• Development will overlook into property and cause long term distress, multi-storey building will intrude on inside &amp; outside privacy. Trade workers will be able to see inside property.</li><li>• 3 storey building is over development, will not preserve or contribute to local residential character, sets precedent for more multi-storey developments</li><li>• Development of this scale will lead to poor air quality and ongoing noise pollution. Construction noise will be a long-term disruption, causing distress.</li><li>• Will significantly increase the traffic congestion of area, causing parking issues, disrupt route of free commuter bus</li></ul>	<ul style="list-style-type: none"><li>• Not directly adjoining</li><li>• No overshadowing of 24 Buxton Street until after 4pm in mid-winter</li><li>• Construction impacts are temporary and not a basis for objection to a development proposal</li><li>• No disruption to free commuter bus</li><li>• Impact on property values is not a basis for objection to a development proposal</li><li>• Visitor parking survey to demonstrate on street availability, evidence of actual demand</li></ul>

No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
					<ul style="list-style-type: none"><li>Property value will decrease due to negative visual impact</li></ul>	
16	Anne Mangan	165 Childers Street North Adelaide, SA 5006	No	Support with concerns	<ul style="list-style-type: none"><li>Page 4 of plans falsely states property and neighbours are 2-storey, corrected on Page 9.</li><li>Concerns of overlooking potential</li><li>Concerned that development may shadow the central atrium, particularly in winter, removing the only source of light on the eastern side of residence</li><li>Wants to know how the proposal will impact solar panels</li><li>Concerned that development will exacerbate on-street parking problems</li></ul>	<ul style="list-style-type: none"><li>WB to correct plans</li><li>Overlooking analysis and mitigation strategies</li><li>Overshadowing analysis, additional diagrams, comparison with 2 storey development</li><li>Visitor parking survey to demonstrate on street availability, evidence of actual demand</li></ul>
17	Mal and Andrea Mead	147 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Submission via Masterplan</li></ul> <p><u>Density</u></p> <ul style="list-style-type: none"><li>Development is medium density by the Code’s own definitions and defies the low-density Desired Outcome of North Adelaide Low Intensity subzone</li><li>Proposal does not replicate the floor plan characteristics of the medium level examples referenced</li><li>Significant size of dwelling floor areas results in a disproportionately large building relevant to the density of 12 apartments</li><li>Impacts of high density are exacerbated large dwelling floor areas, resulting in intensification of externalities of height, size, bulk, scale, site coverage, landscaping and character.</li></ul> <p><u>Building Height</u></p> <ul style="list-style-type: none"><li>3 level proposal exceeds the 2 level height provision of the City Living Zone and North Adelaide Low Intensity Subzone</li><li>The built form of Childers St is predominantly single-storey with some two-storey developments</li><li>Three storey building at 150 Childers St, while out of character with streetscape, does not dominate it due to 13.5m frontage and 10.02m height. 3.7m height between each floor level is excessive, resulting in a total building height that is much higher than can be achieved with lower ceiling heights.</li><li>Proposed building disrupts streetscape rhythm due to building height, exacerbated by bulk and scale of the building.</li></ul> <p><u>Bulk and Scale</u></p> <ul style="list-style-type: none"><li>Bulk and scale of development is incongruent with the local character, leads to confronting views for the clients and will result in a sense of enclosure.</li><li>Dwellings to the left, right, and facing the subject site are all single storey. Proposal has twice the typical width of the streetscape and is two storeys above the dwellings to the east and west. Building height of 11.4m is much higher than the single storey dwellings’ of 6.125 to 6.42 metres. Clearly is not of the same character of the surrounding area.</li><li>Proposed building’s bulk, scale and height impacts are most extreme from the client’s property to the east, particularly due to the orientation of living spaces</li></ul>	<ul style="list-style-type: none"><li>Density analysis (Ekistics)</li><li>Streetscape and height analysis (Ekistics)</li><li>Interpretation of Zone policy (EK &amp; Botten Levinson)</li><li>Overlooking analysis</li><li>Overshadowing analysis</li></ul>

No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
					<ul style="list-style-type: none"><li>Proposal will be an overbearing presence on the private open space of property</li><li>Bland and featureless southern elevation will dominate the client's site, impacting views of the sky and the property's sense of space</li><li>Client questions the need for three levels as there is opportunity for basement car parking, the inclusion of width would enable building height, bulk and scale to align with the prevailing character. Client notes that basement carparking is becoming increasing common within North Adelaide.</li></ul> <p><u>Overlooking</u></p> <ul style="list-style-type: none"><li>Direct overlooking into client's residence and private open space</li><li>Dormer windows on second building level are not obscured and still provide direct overlooking despite deeper reveals</li><li>Direct overlooking by Building 2 penthouse hallway windows</li><li>Direct overlooking by Building 1's first floor and penthouse balconies on the eastern elevation, 1-metre-high planter boxes and their plantings will not obscure direct overlooking into client's indoor and outdoor living areas</li><li>Masterplan provides models of the proposed building's overlooking capacity</li></ul> <p><u>Redevelopment of 147 Childers Street</u></p> <ul style="list-style-type: none"><li>Client's dwelling is local heritage listed and is mid-construction of rear addition and a swimming pool, as well as restoration to the original cottage. Client feels the restoration efforts and financial investment into the cottage will be compromised due to proposed development's overwhelming scale, impacting the heritage cottage's place within the streetscape.</li><li>Client will spend a high proportion of their time within the rear living area with it's prominent outlook towards the three-storey proposal. The amenity enjoyed by the clients will be significantly impacted due to these site-specific circumstances</li></ul>	
18	David Crotti	168 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Proposal is excessively tall and dense on the Childers Street site, against the subzone's intent of low density.</li><li>At odds with the prevailing character of the area</li><li>Building height is at odds with Concept Plan 33 - Helping Hand Aged Care</li><li>Proposal lacks: Building massing, side setbacks, open landscaped character.</li><li>Proposal lacks design or architectural detailing that is consistent with the North Adelaide Hill Street Historic Area Statement</li></ul>	<ul style="list-style-type: none"><li>Density and height analysis</li><li>Character analysis</li><li>Design analysis</li><li>Streetscape analysis</li><li>Visual character analysis</li><li>Historic Area Statement character</li></ul>
19	Rose De Palma, James and Georgina Wardlaw Birchall	134 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Submission via Mellor Olsson Lawyers on behalf of multiple parties</li><li>Clients have reviewed representations by Mr and Mrs Griffin (representation No 2) and Mr and Mrs Mead (representation No 17) and agree with the matters raised in those representations, this representation is also lodged on their behalf to supplement the matters they have raised.</li></ul> <p><b>Planning Issues</b></p>	<ul style="list-style-type: none"><li>Interpretation analysis (BL)</li></ul>

No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
					<ul style="list-style-type: none"><li>Courts have made it clear that a planning assessment requires consideration of individual elements as part of an overall planning assessment. Taking this approach, the Proposed Development does not satisfy the relevant provisions of the Code and should be refused.</li><li>Subzones show that the Code distinguishes development in this area from other parts of the City Living Zone. North Adelaide Low Intensity subzone calls for low-density but what has been proposed is a medium density development</li><li>In addition to low-density, subzone calls for low-rise developments, which is defined as ‘up to and including 2 building levels’, proposal is 3 building levels</li><li>Subzone calls for housing development to be in an ‘open landscaped setting’, proposal has minimal landscaping which is not an ‘open landscaped setting’</li><li>Proposal has minimal front setbacks for a building of this size</li><li>Proposal is not consistent with the streetscape and generally single-storey built form characteristics of the locality. It does not complement the residential character and amenity of the neighbourhood due to its bulk, oversize, and little in the way of articulation relative to its bulk, height and scale.</li></ul> <p><u>Adjoining Land Owners</u></p> <ul style="list-style-type: none"><li>Proposed development shows total disregard for adjoining landowners at 147, 161 &amp; 163A Childers Street through:</li><li>Significant bulk and scale on properties to the east and west</li><li>No stepping back of the building as it increases in height and only windows to break up the bulk or scale of the building’s elevation. Outdoors areas will be dominated by the sheer bulk and size of the development</li><li>Despite &gt;6m setback on eastern side, proposed buildings will still result in imposing, dominant and overbearing buildings, having a detrimental impact on the dwelling being constructed at 147 Childers Street</li><li>Overlooking potential of proposed development, particularly into the bedrooms and private open spaces of the adjoining dwellings. Provided sections are unsatisfactory in showing the proposed measures will adequately address the overlooking issue. Solid screening should replace 20% visibility timber batten screening to ensure no visibility into client’s land.</li><li>Overshadowing of 161 and 163A Childers Street on winter solstice having no sunlight to any private open space other than a small period around midday. Prior to midday, the proposed development will overshadow and afterwards shadowed by existing dwellings on the land parcels. Additionally, this will cause issues of the solar panels rendered close to useless due to extensive shading.</li></ul> <p><u>Parking</u></p> <ul style="list-style-type: none"><li>City of Adelaide’s response requires 19 parking spaces for residents and 2 for visitors. There is sufficient parking for residents but no parking provided to</li></ul>	

No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
					<p>visitors, contrary to specific provisions and common sense. This will cause further issues for nearby on-street parking.</p> <p><u>Building Form</u></p> <ul style="list-style-type: none"><li>Residence form has been suggested as appropriate as it is comparable to a large Georgian residence, this form is not prominent in Childers Street, showing a lack of consideration to the actual character of this locality.</li></ul> <p><u>150 Childers Street</u></p> <ul style="list-style-type: none"><li>Residential flat building diagonally opposite the proposed development, much smaller in size &amp; scale with a width of 13.5 metres. While inappropriate for the locality, it does not erode the overall character of the locality to such an extent that the Code’s provisions cannot be achieved.</li><li>Courts have reiterated many times that a previous bad planning decision should not be used as justification or reason to make another one that is inconsistent with the Code.</li></ul> <p><u>Assessment by SCAP</u></p> <ul style="list-style-type: none"><li>Unclear as to why this is assessed by SCAP rather than the City of Adelaide</li><li>Schedule 6 3(1) of Regs stipulates that SCAP is relevant authority when development exceeds \$10 million. There is no support for the assertion that the development costs will exceed \$10 million.</li><li>SCAP should refrain from assessment until this information is provided</li><li>To the extent the estimate is based on a staged masterplan that will in totality exceed \$10 million, the Application is not a ‘staged’ development and does not seek approval for a staged development meaning that any future development is entirely hypothetical and irrelevant when considering development costs.</li><li>Clients reserve the right to challenge the jurisdiction of SCAP in court to hear the matter should it proceed with determining the matter</li></ul>	
20	Carolyn Roesler and Christopher Page	138 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Included in submission via Mellor Olsson Lawyers</li></ul>	<ul style="list-style-type: none"><li></li></ul>
21	Malcolm and Andrea Mead	147 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Included in submission via Mellor Olsson Lawyers</li></ul>	<ul style="list-style-type: none"><li></li></ul>
22	Van Van, Alyshia and Anneliese Vu, Phuong Do	156 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Included in submission via Mellor Olsson Lawyers</li></ul>	<ul style="list-style-type: none"><li></li></ul>
23	Scott and Jacqueline Griffin	161 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Included in submission via Mellor Olsson Lawyers</li></ul>	<ul style="list-style-type: none"><li></li></ul>
24	Glenn Burrett and Loreto Mallari	163A Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"><li>Included in submission via Mellor Olsson Lawyers</li></ul>	<ul style="list-style-type: none"><li></li></ul>
25	Christopher Sumner	194 Childers Street North Adelaide, SA 5006	No	Oppose	<ul style="list-style-type: none"><li>Development is over the Zone’s height provisions</li></ul>	<ul style="list-style-type: none"><li></li></ul>



No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
					<ul style="list-style-type: none"> <li>Does not give enough attention to on-street parking problems</li> <li>Built form does not recognise the special heritage zone it is sited in</li> </ul>	
26	Suzanne Roux	194 Childers Street North Adelaide, SA 5006	No	Oppose	<ul style="list-style-type: none"> <li>Height of the development is not consistent with the Code</li> <li>In a heritage area, does not consider the area's heritage</li> <li>Parking demand on the street will be increased and the development does not provide adequate on-site parking with only 2 visitor parks planned</li> <li>Acknowledges the necessity of Helping Hands operations and hopes Helping Hand can value the heritage zone of which they are a part.</li> </ul>	<ul style="list-style-type: none"> <li>Height analysis</li> <li>Heritage justification</li> <li>Parking survey and analysis</li> </ul>
27	Jeremy Kwan	124 Childers Street North Adelaide, SA 5006	Yes	Oppose	<ul style="list-style-type: none"> <li>Development is opportunistic residential development that should be considered on its own merits, not as a part of an institutional development proposal.</li> <li>Application does not seek approval for an overall development as it is in stages. Therefore, should be considered as a stand-alone development comprising 12 Independent Living Units, any future precinct development is hypothetical and irrelevant when considering future development costs.</li> <li>As a long-term resident of North Adelaide, parking has become an increasingly severe issue. Development has a lack of visitor parking which is doesn't meet the parking requirements for visitors and potentially emergency vehicles</li> <li>Helping Hand is looking to leverage its position as an institutional aged care provider while looking to be a developer of residential accommodation.</li> <li>The Planning Statement should also be clear on ownership and management model proposed, and how it will support those options.</li> </ul>	<ul style="list-style-type: none"> <li>Clarify proposal and management structure (retirement accommodation)</li> <li>On street parking survey and parking provision justification</li> </ul>
28	The North Adelaide Society	PO Box 295 North Adelaide, SA 5006	Yes	Oppose	<p><u>City Living Zone Assessment Provisions</u></p> <ul style="list-style-type: none"> <li>Does not achieve DO 1, not low rise</li> <li>Does not achieve PO 2.2, not low rise, exceeds max building height</li> <li>Does not achieve PO 2.3, new buildings are not consistent with PO 2.3 (a) &amp; (b)</li> <li>PO 3.1-3.5, unclear whether DTS/DPFs have been achieved</li> <li>PO 4.1, Proposed structures are not sufficiently compatible with the housing pattern consistent to the locality</li> <li>PO 5.2, Carparking is not at basement level, acknowledged that proposed car parking is not street facing</li> <li>Does not achieve PO 7.1, application is not in accord or compatible with the outcomes sought in Concept Plan 33 – Helping Hand Aged Care</li> </ul> <p><u>North Adelaide Low Intensity Subzone Assessment Provisions</u></p> <ul style="list-style-type: none"> <li>Does not achieve DO 1, application is not low-rise low-density housing on large allotments in an open landscaped setting, nor consistent with Concept Plan 33</li> <li>Does not achieve DO 2, application not sufficiently consistent with outcomes sought in Concept Plan 33</li> <li>Does not achieve PO 1.1, application is not low density residential, significantly greater density than contemplated in Concept Plan 33</li> </ul>	<ul style="list-style-type: none"> <li>Planning Code analysis (and BL interpretation analysis)</li> <li>Heritage response (DASH)</li> </ul>



No	Representor	Address	Wishes to be heard	Position	Summarised Concerns/Comments	Response
					<ul style="list-style-type: none"><li>Does not achieve PO 2.1, development exceeds 50% site coverage</li></ul> <u>Design Overlay Assessment Provisions</u> <ul style="list-style-type: none"><li>DO 1: Representer respectfully considers that the proposal is not of high-quality design. Wonders if the design is reasonably likely to be capable of being listed as heritage of its time, fitting in with the historic urban area.</li></ul> <u>Heritage Adjacency Overlay Assessment Provisions</u> <ul style="list-style-type: none"><li>Does not achieve DO 1, site is adjacent to heritage places. The proposed designs don't maintain heritage and cultural value nor the Historic Area Statement regarding Childers Street for design, height and material choice.</li><li>Does not achieve PO 1.1 for the same reasons as above</li></ul> <u>Historic Area Overlay Assessment Provisions</u> <ul style="list-style-type: none"><li>Does not achieve DO 1 regarding the location and the Historic Area Statement</li><li>PO 1.1: Does not consider that the Applicant's heritage consideration and proposed development sufficiently achieve the performance outcome.</li><li>Does not achieve PO 2.1-2.5, 6.2, form, scale, building and wall heights, design detailing and materials, landscaping are not consistent with the prevailing characteristics of the historic area. 3-storey "block form" design is not empathetic to local character and heritage places in sight of the proposal.</li><li>Penthouse is viewable from across and along Childers Street</li></ul> <u>Local Heritage Place Overlay Assessment Provisions</u> <ul style="list-style-type: none"><li>Does not achieve DO 1, the respondent considers that the application and its structures do not, maintain the heritage values of nearby heritage places</li></ul> <u>Other Matters</u> <ul style="list-style-type: none"><li>Applicant refers to 3-storey residential flat buildings permitted under previous planning or approval regimes as a basis for its proposal. Those existing flats have not altered the character of the locality as to bring into question the relevance of current planning policies</li><li>Applicant refers to "City Plan – Adelaide 2036" which is not a planning policy document for the purposes of the PDI Act but a framework, and therefore is irrelevant to the consideration for planning approval</li><li>A development proposal for this site that accords with, and contributes to, the DOs and POs of the Code for the site, locality, and zones, would be capable of being supported</li></ul>	

On the left side of the page, there are two large, white, minimalist line-art shapes. The upper shape is a semi-circle with a horizontal base. The lower shape is a stylized, open-bottom 'U' or 'C' shape, also with a horizontal base.

## APPENDIX 2

### **Existing Shadow Analysis** ***Woods Bagot***





1 Winter Solstice\_June 21\_9 00am Existing



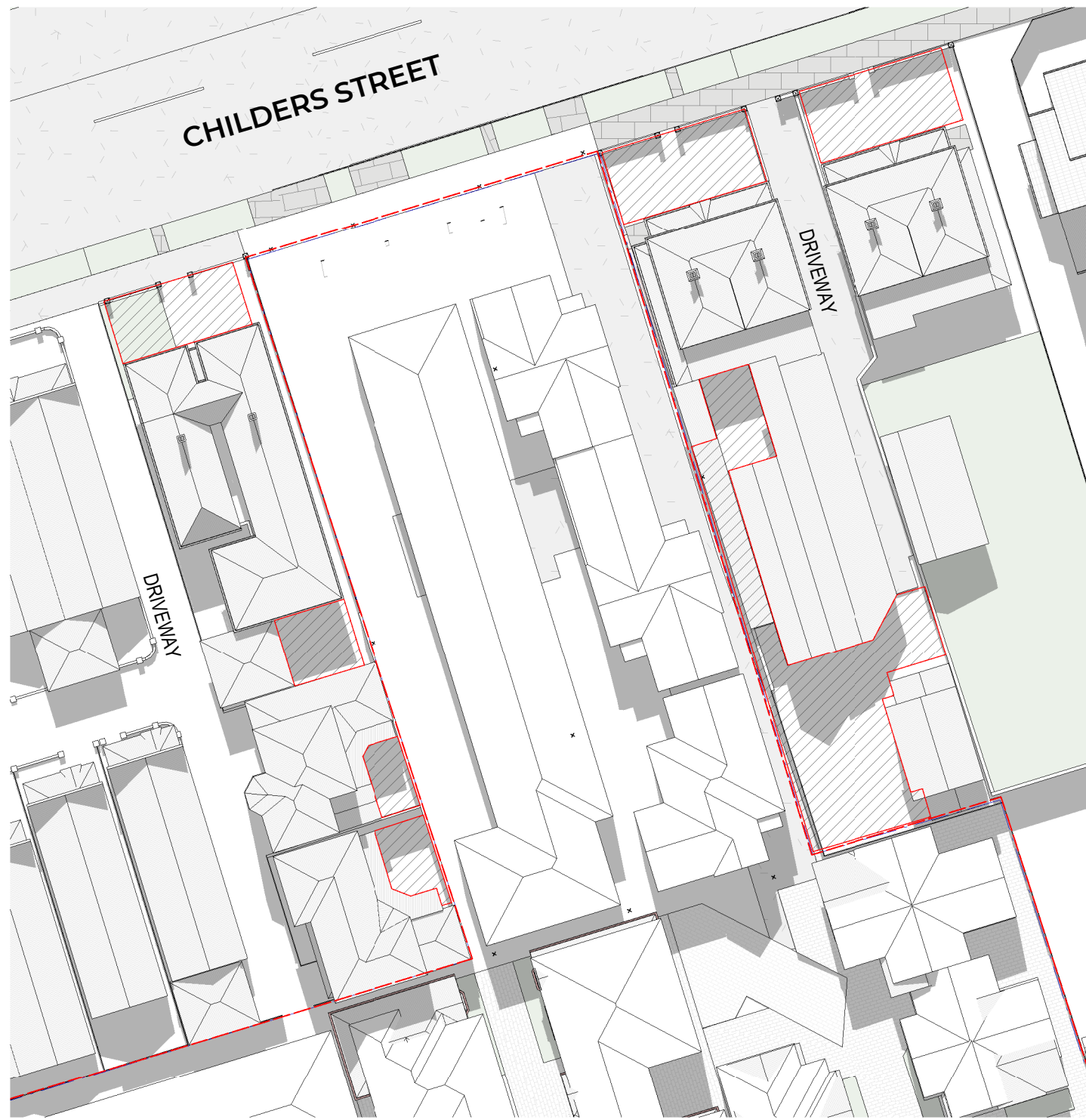
2 Winter Solstice\_June 21\_10 00am Existing



3 Winter Solstice\_June 21\_11 00am Existing



4 Winter Solstice\_June 21\_12 00pm Existing



5 Winter Solstice\_June 21\_13 00pm Existing  
SCALE 1:500



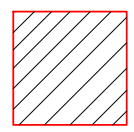
6 Winter Solstice\_June 21\_14 00pm Existing  
SCALE 1:500



7 Winter Solstice\_June 21\_15 00pm Existing



8 Winter Solstice\_June 21\_16 00pm Existing



Neighbouring Courtyard



HH\_Site Shadow on Neighbouring Context





## APPENDIX 3

### **Response to Heritage Matters** ***DASH Architects***



DASH Architects is one of Australia's leading practices in the provision of specialist heritage services and has been at the forefront of the development of a sustainable paradigm for the conservation of cultural heritage.

Operating across the full range of architectural disciplines enables DASH Architects an appreciation of the role of cultural heritage within the broader design process, as one of many factors that influence project outcomes.

This flexible and integrated approach is based primarily on contemporary community values and traditions. Within this framework, there is an acknowledgement that while the preservation of heritage fabric is important, it is only one of many considerations when assessing the cultural significance of a place.

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# Stage 1A Development (Childers Street) of Helping Hand's North Adelaide Site

## Review of Representations

DA244746 Issue B 15.04.25

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## Introduction

DASH Architects has been engaged by Helping Hand to provide professional heritage advice to it and its Design Architect, Woods Bagot, in relation to the proposed master plan of the Helping Hand site in North Adelaide generally, and specifically in relation to Stage 1A of that master plan. Stage 1A involves the redevelopment of three sites, two facing Childers Street, and the other set behind one of them (the Development).

An Application for Planning Consent (the Application) for this Development was lodged in Late 2024. DASH Architects prepared a Heritage Impact Statement (HIS), (Issue A – 25.11.24) that accompanied the Application. The HIS assessed how the Development addresses the relevant heritage provisions within the Planning and Design Code (the Code).

## Public Notification

Through the public notification process for the Application several representations were received. Given the number and nature of the representations, we have not attempted to undertake a comment-by-comment analysis but rather we have identified the general heritage related issues raised within them. These are:

- Overall Building Height
- Bulk and Scale
- Design Response to the Heritage Context

Although we have outlined the issues as three distinct points, they are interconnected and typically considered collectively under various provisions within the context of the Code.

## Changes to the Design

The Design Architects and other consultant have reviewed the feedback received through the assessment process generally, and from the representations received specifically. This has resulted in some minor changes to the Development. These are described in Woods Bagot Architectural Planning Drawings, Project Number 1400700, Revision B. The changes can be summarised as follows:

- Reduction in height of Building 1 by 200mm - the building height is reduced by 300mm by reducing floor to ceilings on ground and first floor, but the floor level is lifted by 100mm to resolve a civil/stormwater issue, so the effective height reduction is 200mm.

- Building 2 height reduced by 450mm (300mm in reduced floor to ceilings and an additional 150mm drop in the FFL).
- Reduction in the building floor plates resulting in:
  - Eastern boundary setback to Building 2 (rear) increased by 275mm
  - Separation between the two buildings increased by 938mm
- Deletion of a lift in Building 1
- Slight adjustment to landscaping at the front eastern corner to improve sight lines
- Adjust screening to balconies and windows to resolve overlooking issues

Having reviewed the changes proposed we find they are either neutral or slightly positive from a heritage point of view. They do not however alter the opinions or conclusions expressed in our HIS.

## Review of Representations

We note that the issues raised through the representations were considered and addressed by the Design Architects during the design process. They were also assessed in our HIS. Having reviewed the representations (and the changes to the Development noted above) we have reassessed the proposed new works against the heritage provisions within the Code. While we have not replicated the detailed assessment presented as part of the HIS, this reassessment confirms that our initial position remains valid and upheld.

The overall design is of high quality and thoughtfully executed. One challenge facing the Development is that the proposed land use, and resulting built form, differ from what is typically seen in the locality and what is generally anticipated by the Code for the area. This difference in land use is also however present in both the current and historical use of the site. The Concept Plan (Figure 12) acknowledges this and offers additional guidance for the site in question.

Although the Development proposes deviations from the Concept Plan, particularly regarding building height, we view the Plan as a guideline to be interpreted in conjunction with the broader context of the Code, rather than as a rigid requirement.

The proposed new works are well designed and carefully considered. While they satisfy most of the heritage provisions, the key challenge is that the buildings proposed are three-storeys high. This exceeds the anticipated building height for this location. Both the Zone and the Concept Plan for the Helping Hand site envision two-storey development, and the introduction of an additional storey has the potential to create tensions with the existing urban context if not suitably addressed.

The design team has extensively reviewed this aspect of the design such that the potential heritage-related impacts of the additional storey have been largely mitigated. The façade of the Front Building, which faces the street, has been carefully articulated with horizontal features and detailing that help break down the mass of the building. This includes the design of the front fence, the verandah, and the careful treatment of both the lower and upper floors. These design elements contribute to a softer, more contextual integration with the

streetscape and lessen the visual impact of the additional storey. The considered detailing also means the building complements the surrounding heritage and character properties, without mimicking, overwhelming or overshadowing them.

While the additional height raises some broader planning considerations—such as potential overshadowing of nearby properties, the risk of overlooking, and an increase in vehicle loads—these factors have been carefully considered and addressed in the development’s design. Reports prepared by Ekistics and other specialist consultants explore these issues in detail, outlining how the design minimizes adverse impacts.

From a heritage standpoint, the primary concern with the additional height relates to its potential impact on the setting of the heritage and character places in the locality. This height could alter the visual relationship between the new development and the surrounding heritage buildings, potentially diminishing the historical context and streetscape. However, as noted earlier, through careful and considered high-quality design, the Development has mitigated these impacts. The building’s massing, setbacks, and detailing have been designed to preserve the heritage values of the area while allowing for appropriate modern development.

That being said, a provision-by-provision assessment of the heritage provisions highlights some variances that, in isolation, may seem significant. These variances stem from the additional storey, as well as some minor discrepancies in setbacks and scale when compared to the strict heritage guidelines. Within the narrow context of these specific issues, the deviations from the heritage provisions could be seen as notable. However, when viewed within the broader planning context, these variances are likely less impactful. A balanced planning assessment, considering the positive contributions this development will make to the broader community—including the creation of additional housing, improved streetscape, and integration of heritage-sensitive design—may form a view that the variances are minor in relation to the overall benefits of the proposal.

## Conclusion

The proposed development has been carefully designed and has considered the heritage provisions in the Code. However, its three-storey height presents a challenge, as both the zoning and Concept Plan for the Helping Hand site anticipate two-storey buildings.

To mitigate this, the design incorporates horizontal elements, detailed facade features, a well-designed front fence, and a verandah, helping it blend into the streetscape. These refinements ensure the building integrates with the area’s heritage character without overpowering it.

Potential concerns such as overshadowing, overlooking, and increased traffic have been thoroughly considered, with reports from Ekistics and other specialists confirming minimal impact. From a heritage perspective, the key issue is how the additional height affects the visual balance between the new development and surrounding heritage buildings. Thoughtful design—focusing on setbacks, shape, and finishes—has helped reduce these concerns.



While there are some variations from heritage guidelines, primarily due to the additional height and slight differences in setbacks and scale, their overall impact is minimal when viewed in the broader planning context. Ultimately, as part of an overall planning assessment, these small departures may be seen to be outweighed by the development's overall benefits.



## APPENDIX 4

### Response to Traffic Matters

**CIRQA**

**Ref: 24479|BNW**

27 February 2025

Ms Catherine Orford  
Ekistics  
Level 3, 431 King William Street  
ADELAIDE SA 5000

Dear Catherine,

**CHILDERS STREET APARTMENTS (APP ID: 24040803)  
RESPONSE TO REPRESENTATIONS**

I refer to the proposed residential (independent living) development for Helping Hand at Lot 893 Buxton Street and 157 Childers Street, North Adelaide. Specifically, this letter provides a response to the representations received during the public notification period.

A total of 28 representations were received in respect to the proposed development. A portion of the representors raised queries in respect to traffic and parking aspects of the application. The key comments raised relevant to my expertise are quoted below in italics, followed by my response.

*"I don't think the street is appropriate for a (sic) aged care facility with all of the extra traffic and deliveries and services." (Mr G. Porcaro)*

The proposal is for a retirement facility in the form of 'independent living units'. Such a land use generates very low levels of traffic (including deliveries and servicing). Notably, the proposal represents an increase of only two independent living units compared to the existing use of the site. Any actual increase in traffic associated with the site will be negligible.

*"Loss of existing visitor parking within Lot 893 Buxton Street, North Adelaide..." (Mr J. Burt)*

The proposal will not result in the removal of any visitor parking within Lot 893 Buxton Street (it simply removes the garaged resident parking space and its associated manoeuvring provisions within Lot 893 Buxton Street).

*"I believe the development will significantly increase the traffic congestion of the street and area, causing parking issues and disruption to the route of the Adelaide free commuter bus (stop 6) which is currently used by a large number of residence (sic), for transportation to work or university and particularly for the elderly who do not drive. Having an increase in the traffic flow in the area by way of trucks and trades vehicles will reduce the safety of the local community and cause major disruptions."* (Ms S. Daminato)

As above and as per the original traffic report, there would be negligible additional traffic movements associated with the proposed development. The proposal will also result in positive road safety impacts by removing the need for vehicles to be reversed out of (or into) the existing garages accessed directly from the Childers Street frontage (all vehicles associated with the proposed development will be able to enter and exit in a forward direction).

*"There is limited parking in our street. Many spaces are taking up by staff members of Helping Hand. This will only increase."* (Ms A. Mangan)

As detailed in the original traffic and parking report prepared by CIRQA, the proposal will allow the creation of an additional five on-street parking spaces as a result of the proposal. Noting that the theoretical increase in visitor demands (to be accommodated on-street) equates to less than one parking space (0.75 spaces or less), the proposal will increase both parking supply and availability on Childers Street.

Of note, there are over 120 on-street parking spaces within Childers Street between Jeffcott Street and Hill Street (ultimately, over 125 spaces should the development proceed). To further demonstrate that there would be no notable impact on-street parking availability, parking utilisation surveys have been undertaken by Austraffic (third party data collection company). The surveys were undertaken on Friday 21 and Saturday 22 February 2025 between 10am to 2pm and 6pm to 9pm both days (to capture typical peak periods including general demand periods on-street as well as primary visitation periods associated with the proposed use). The parking survey data indicates the following on-street parking utilisation within the section of Childers Street between Jeffcott Street and Cardiff Street:

- **Friday** – maximum occupancy of approximately 83% (with 11 vacant spaces) at 11:30am with an average occupancy of 63.8% (approximately 23 vacant spaces available on average);
- **Saturday** - maximum occupancy of approximately 55% (with 29 vacant spaces) at 11:00am with an average occupancy of 46.6% (approximately 34 vacant spaces available on average);

- evening/night time occupancies on both days (after 6pm) ranged between approximately 40% to 52.3% (with at least 31 vacant parking spaces available); and
- during both the Friday and Saturday surveys, even lower occupancy rates were observed in the section of Childers Street between Cardiff Street and Hill Street (maximum occupancy on either day of approximately 42% and an average of 34% to 36%).

Even ignoring the additional 5 spaces created by the proposal, the theoretical visitor demand would have no notable impact on parking availability within Childers Street.

*"It has been suggested that the proposed development provides sufficient parking in providing 19 covered parking spaces... As identified in the response provided by the City of Adelaide, there is in fact a requirement for 19 parking spaces and 2 visitor car parks. Whilst there is sufficient car parking for residents, there is no parking provided for visitors."*  
(Mr A. Kelly, Mellor Olson)

I do not concur with Mr Kelly's interpretation of the Planning and Design Code. Specifically, in my opinion, the parking rates identified in the Code are not prescribed/minimum 'requirements' as suggested. Rather, my understanding is that the rates in the Code are simply those identified to address the relevant DTS/DPF criteria. Notably, the relevant Performance Outcome (5.1 of General Development Policies - Transport, Access and Parking) contemplates acceptance of lower parking provision rates having regard to various land use, locality and accessibility factors – including availability of on-street parking.

In my view, it is also relevant to consider that (a) the proposal will allow an increase in on-street parking supply and (b) there is an existing shortfall associated with the site (with the theoretical increase equating to less than one parking space). Notably, as determined by *Stamopoulos Pty Ltd v City of Holdfast Bay* [ERD Court, 2004], when determining car parking requirements for a new development, any shortfall in car parking associated with the existing use is lawful and cannot be added to any shortfall created by the subject proposal for the purpose of the planning assessment.

*"... one would expect there to regularly be more than two 'visitors' attending the Proposed Development, given the likelihood of regular attendance by carers as well as other visitors to the residents. This will all take place in a street setting in which on-street car parking is already at a premium for various reasons."* (Mr A. Kelly, Mellor Olson)

As above, the proposal is for 'independent living' dwellings rather than higher dependency forms of aged care. While there may be some demand for services such

as gardeners, maintenance and care services, I anticipate such 'visitors' would be infrequent. Importantly, the subject site forms part of a broader facility associated with on-site maintenance and care staff as well as contractors who service the overall precinct. This notably reduces generation of additional visitor demands compared to isolated/standalone retirement facilities. This is particularly relevant in respect PO 5.1's consideration of factors which justify lower (on-site) parking provision rates.

I also note that Mr Kelly's suggestion that on-street parking is '*already at a premium*' has not been supported with any quantified data. The surveys undertaken by Austraffic do not support Mr Kelly's assertion (nor do my own observations of conditions in Childers Street). Mr Kelly has also made no acknowledgement of the additional on-street parking supply that could be created by the revised access arrangements.

*"Parking in the street will be considerably increased. There is provision for only 2 visitor spaces. Considering this property is for aged care residents there would be regular visitors such as carers, physiotherapists and other associated medical professionals as well as family. Two visitor spaces would seem a considerable underestimation."* (Ms S. Roux)

Refer above responses.

*"Parking - as a long term resident of North Adelaide, parking is an issue and one that is unfortunately becoming increasingly challenging. Whilst there is sufficient car parking for residents, there is no parking provided for visitors."* (Mr J. Kwan)

Refer above responses.

Having reviewed the representations received, I remain of the opinion that the proposal is supportable and appropriate in respect to both traffic and parking considerations. Specifically, I reiterate that:

- the proposed use is a very low traffic generating land use and there will be negligible increase in traffic movements and impacts associated with the proposal (particularly noting there is only an increase of two independent living units compared to the existing situation);
- the proposal includes sufficient on-site (off-street) resident parking; and
- while there is a small shortfall in visitor parking provisions against the DTS/DPF rate, the increase compared to the existing situation equates to less than one parking space. The small increase (even if the site's existing shortfall is ignored) will be more

than offset by the creation of additional on-street parking spaces on Childers Street. In my view, the proposal sufficiently addresses Performance Outcome 5.1 of General Development Policies - Transport, Access and Parking.

Please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,



**BEN WILSON**

Managing Director | CIRQA Pty Ltd

Encl.   - Key dimensional provisions for parking accessibility (Drawing C24479\_02 SH01)  
          - Indicative vehicle turn paths (Drawing C24479\_02 SH02)



