

Southern Cross Care

Retirement Facility and Ancillary Community Hub, Alterations and Additions to State Heritage Place and Tree Damaging Activity

380 Glen Osmond Road & 1-3 Spence Avenue Myrtle Bank

Application ID 25038676



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DEVELOPMENT NO.:	25038676
APPLICANT:	Southern Cross Care
ADDRESS:	380 GLEN OSMOND RD MYRTLE BANK SA 5064 1-3 SPENCE AV MYRTLE BANK SA 5064
NATURE OF DEVELOPMENT:	Retirement Facility and Ancillary Community Hub, Alterations and Additions to State Heritage Place and Tree Damaging Activity
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Urban Renewal Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 30 metres) • Affordable Housing • Heritage Adjacency • Noise and Air Emissions • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Signif Retirement Facility Supported Accom Sites

	<ul style="list-style-type: none"> • Traffic Generating Development • Urban Tree Canopy • Water Resources • Advertising Near Signalised Intersections • Future Road Widening • Major Urban Transport Routes • State Heritage Place (3767) <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 5 levels)
LODGEMENT DATE:	10 Dec 2025
RELEVANT AUTHORITY:	State Planning Commission
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.21 04/12/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Phil Mabbs Senior Planning Officer
REFERRALS STATUTORY:	Minister responsible for the administration of the Heritage Places Act 1993 City of Unley Commissioner of Highways Environmental Protection Authority
REFERRALS NON-STATUTORY:	None

EXECUTIVE SUMMARY:

The applicant proposes to utilise an existing State Heritage Place (SHP) as a community hub and construct an eight and a seven-level retirement facility and with associated basement/underground car parking levels. The retirement facility is proposed to address the north and be accessible from Glen Osmond Road and Spence Avenue.

The application is classified as a performance-assessed form of development. Statutory referrals were issued to the City of Unley (Council), Minister responsible for the administration of the Heritage Places Act 1993, the Environment Protection Authority and the Commissioner of Highways (CoH) pursuant to Regulations 23 and 41 of the *Planning, Development and Infrastructure (General) Regulations 2017*. Public Notification was undertaken in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* (PDI Act).

Concerns raised by the community involve detriment to amenity through tree removal, potential for diminished residential amenity caused by inconvenience during construction, interface conditions including pedestrian safety, traffic congestion and increased on-street car parking.

The Council does not object to the proposed development as a whole and provided both Regulation 23 related comments and planning observations, as part of their response. Furthermore, other referral agencies have offered general support for the proposal, subject to conditions being assigned to any authorisation granted.

Following a finely balanced assessment, the development concept is considered acceptable within the Urban Renewal Neighbourhood Zone. The proposal meets the criteria with respect to the intended land use, built form height and scale, interface conditions, occupant amenity, vehicle access and service arrangements, service arrangements and environmental performance.

Subject to satisfactory responses to the proposed reserve matters and the applicant's adherence to conditions assigned to any Planning Consent granted, the proposal is supportable and worthy of endorsement.

DETAILED DESCRIPTION OF PROPOSAL:

The applicant proposes to change the use of the State Heritage Building and construct a four (4) & a seven (7) storey Retirement Facility with associated Tree Damaging Activity. To facilitate the development, the proposal requires the removal of two (2) significant trees and ten (10) regulated trees.

The existing building on the site is the former Archbishop's residence. Architectural drawings demonstrate that the former residence is to be retained, and the partial demolition proposed will remove internal walls and internal shelving and joinery. The proposed development is being undertaken to facilitate the future communal use for the site's tenants, which would including a lounge, cinema, reading room, multi-purpose rooms and dining facilities.

The proposed retirement facility will accommodate 46 residences/dwellings, which will have between 2 and 4 bedrooms, and include the following associated amenities:

- Communal spaces within the Monastery/Archbishop's residence,
 - o Lounge,
 - o Reading Room,
 - o Function & Auditorium,
 - o Library,
 - o Cinema,
 - o Kitchen,
 - o Fine Dining Room and
 - o Multi-purpose room.

The proposed retirement facility buildings will have a maximum building height of seven (7) above ground levels (including the lower ground floor parking level) and four (4) levels. The buildings will have a maximum height of 26 metres above ground level (building #2) and 17 metres (building #1). The proposed buildings will be parallel to and offset from the northern boundary, and adjacent to former Archbishop's residence.

The proposed cladding materials for the development include a combination of stone tile, coloured precast, detailed precast, aluminium, glass, lightweight cladding, spandrel and metal. Introduced materials that are to be added to the Former Archbishop's Residence are intended to be reversible and match the existing building.

Vehicle access to the site is to be provided via both Glen Osmond Road and Spence Avenue. Vehicle access and egress to the common/shared areas of the site will be associated with the Glen Osmond Road crossovers in the eastern setback of the site. The undercroft levels are accessible via the entrances on the road-side elevations of the buildings. The undercroft parking areas also incorporate secure storage areas for residents and miscellaneous service area enclosures.

Waste generated by the building would be stored in dedicated undercroft bin storage rooms connected to three waste chutes, which are accessible from all levels of the buildings.

Bin collection would occur by staff transferring bins to the designated collection area in the north-western corner of the site. From this collection area, bin contents are proposed to be collected by a rear-lift collection vehicle operated by a private waste collection contractor, which would access the land by reversing into the site via Spence Av. It is estimated that one (1) regular collection per week would be required to service the development, with collection vehicles entering and exiting the subject land in a forward direction.

Stormwater runoff would be managed using two 136kL underground rainwater tanks positioned in the north-western corner of the site, underneath the Spence Avenue Parking area. These tanks will be connected to the buildings and connected to the existing Council Stormwater infrastructure via a 1500mm Reinforced Concrete Pipe (RCP) which is under the western part of the site.

The proposed residential flat buildings will have a consistent undercroft FFL of 132.3. The ground floors of the residential flat buildings will have an FFL of 135, which is below the FFL of the Archbishop's residence. The archbishop building has a FFL of 137.160, which is not proposed to be altered as part of the proposed development.

The proposal seeks to re-landscape and the site and provides multiple areas within the site which can accommodate additional planting and landscaping. The proposed buildings also include planter boxes along the northern and southern sections of the penthouse apartments.

A summary of the proposal is provided in the table below, with architectural and landscape plans and applicant planning report included in Attachments 1A, 1B & 1D.

Land Use Description	Retirement Facility and Ancillary Community Hub, Alterations and Additions to State Heritage Place and Tree Damaging Activity
Building Height	<u>Building 01</u> : four levels above ground level, 16.5 metres above ground level to the roof ridge. <u>Building 02</u> : seven levels above ground level (measured from the lowest part of the footprint), 25.5 metres above ground level to the roof ridge.
Description of Levels	<u>Former Archbishop's residence</u> : Cinema, Lounge, Gallery, Multi-purpose rooms, reading room, kitchen, bathrooms and fine dining room. <u>Basement/undercroft</u> : car parking (73 spaces), storage areas, lift lobby, stair cores and miscellaneous service areas / enclosures. <u>Building 01 Ground Floor</u> : entry & lift lobby and five two-bedroom apartments and five three-bedroom apartments <u>Building 01 First Floor</u> : four two-bedroom apartments and six three-bedroom apartments <u>Building 01 Second floor</u> : eight three-bedroom apartments <u>Building 02 Ground Floor</u> : car parking (21 spaces), storage areas, lift lobby, stair cores and residential storage enclosures. <u>Building 02 First to Fourth floor</u> : four three-bedroom apartments <u>Building 02 Fifth Floor</u> : four three-bedroom penthouses
Apartment Floor Area	Two-bedroom apartments: ranging in size from 100m ² to 130m ² Three-bedroom apartments: ranging in size from 131m ² to 147m ²
Private Open Space	Two-bedroom apartments: ranging in size from 14m ² to 25m ² Three-bedroom apartments: ranging in size from 14m ² to 25m ²
Apartment Storage Area	3 Storage rooms (2 are externally accessible) 31 storage units (for residential use)
Site Access	Spence Avenue (western roadway / local road) & Glen Osmond Road (eastern roadway/arterial road)
Car Parking	Motor vehicles – 132 spaces (94 spaces located under the buildings and 38 above ground spaces)

BACKGROUND:

The subject site(s) currently contains a single building which is the State Heritage Place, which is known as Carmelite Monastery and is the former Archbishop's residence.

The site is flanked (north and south-west) by retirement facility land uses and the eastern and western boundaries of the site abut public roadways. The wider locality is comprised of a combination of liturgical, commercial, residential and public open spaces.

The application was lodged by Southern Cross Care c/ Masterplan on 10 December 2025, and was publicly notified between the dates of 17 December 2025 and 14 January 2026.

SUBJECT LAND & LOCALITY:

Site Description:



Location reference: 1-3 SPENCE AV & 380 GLEN OSMOND RD MYRTLE BANK SA 5064

Title ref.: CT 5218/958

Plan Parcel: F15598 AL62

Council: CITY OF UNLEY

Title ref.: CT 5825/902

Plan Parcel: F15598 AL63

Council: CITY OF UNLEY

Title ref.: CT 6210/195

Plan Parcel: D118577 AL1

Council: CITY OF UNLEY

Locality

In the locality, Glen Osmond Road is characterised by a mix of commercial uses established along the majority of the Glen Osmond Road frontage, generally consisting of sole tenanted single or double storey facilities accommodating commercial and retail businesses.

Figure 2 indicates the land is situated in the Code's Urban Renewal Zone between the Suburban Neighbourhood Zone to the south across Cross Road and the Suburban Activity Zone across Glen Osmond Road.

Glen Osmond and Cross Roads consists of two traffic lanes in each direction which (at their intersection at the base of Mount Barker Road) carries approximately 72,500 vehicles per day. There is no on-street parking permitted on Glen Osmond Road or Cross Road adjacent the proposed development site.

The boundary between the Urban Renewal Zone, the Suburban Neighbourhood Zone and the Suburban Activity Zone runs along the centre of Cross Road & Glen Osmond Road, respectively.

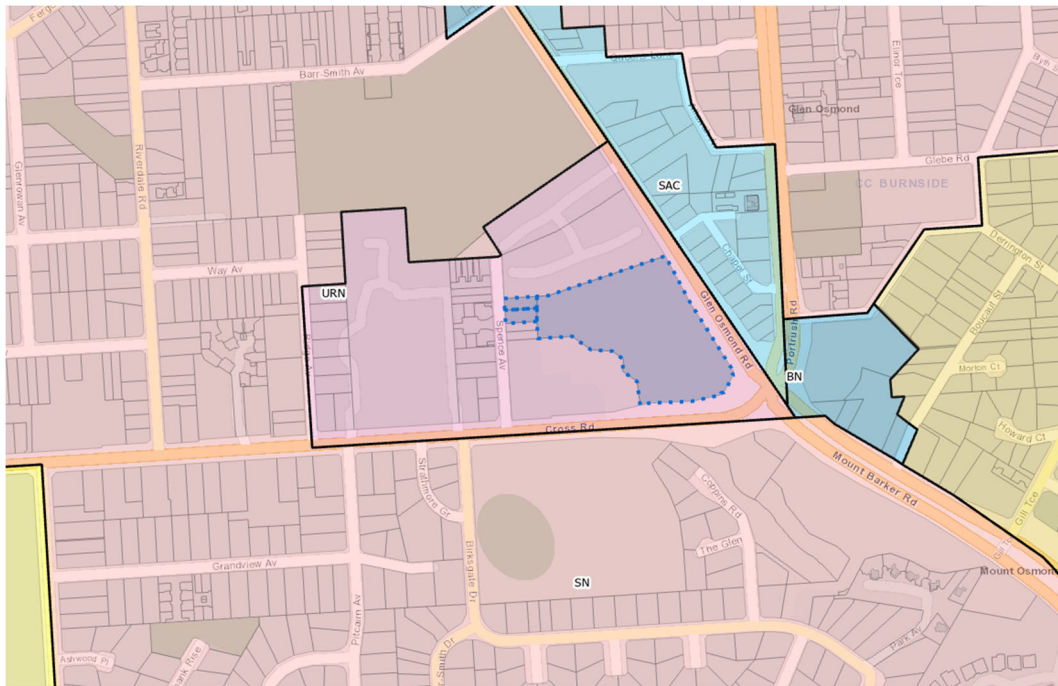


Figure 2 – Subject Land Zone Map

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

● **PER ELEMENT:**

- Advertisement
 - Code Assessed - Performance Assessed
- Building Alterations
 - Code Assessed - Performance Assessed
- Change of use
 - Code Assessed - Performance Assessed
- Deck
 - Code Assessed - Performance Assessed
- Fence
 - Code Assessed - Performance Assessed
- Retaining wall
 - Code Assessed - Performance Assessed
- Other - Residential - Retirement Living
 - Code Assessed - Performance Assessed
- Tree-damaging activity
 - Code Assessed - Performance Assessed
- Water tank (underground)
 - Code Assessed - Performance Assessed

● **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

● **REASON**

P&D Code; The proposed development does not meet the accepted, deemed-to-satisfy or restricted criteria as set out by Tables 1, 2 and 4 of the Zone

PUBLIC NOTIFICATION

● **REASON**

- Retirement Living is not a form of development that is excluded from the public notification requirements of Table 5 of the Urban Renewal Neighbourhood Zone

- Advertisement is not a form of development that is excluded from the public notification requirements of Table 5 of the Urban Renewal Neighbourhood Zone

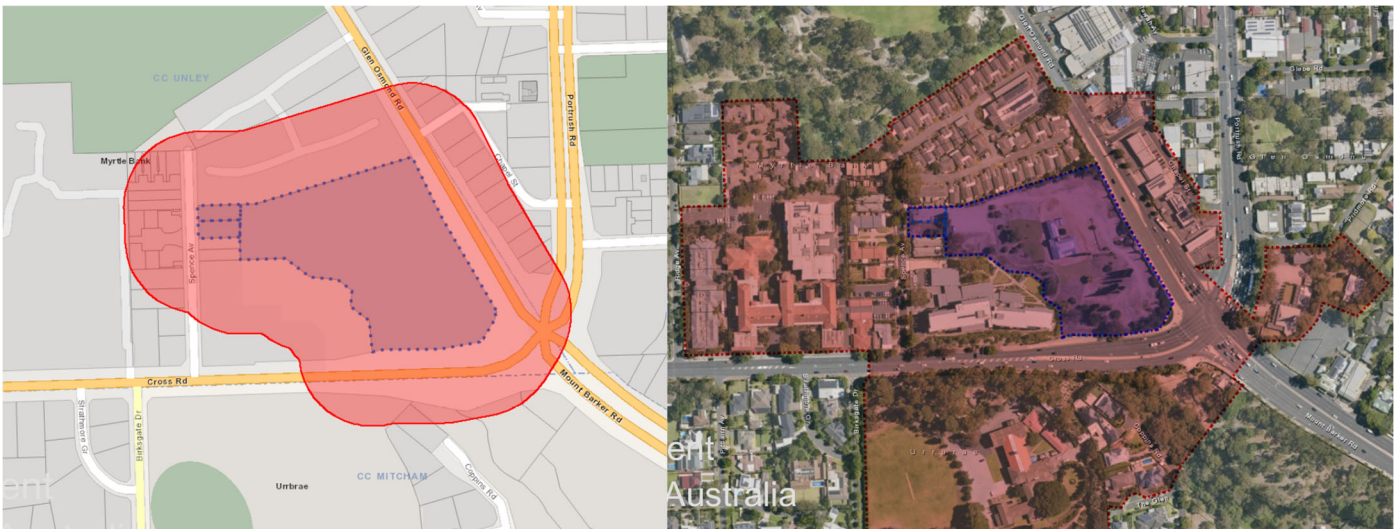


Figure 3 & 4 – 60m Notification Buffer Map (left) and locality plan (right)

Four (4) submissions were received through the portal. Three (3) of these submissions support the development with some concerns and one (1) submission did not support the proposal.

Representors' concerns are summarised below:

- impacts to visual amenity; and
- impacts to house values; and
- off street parking availability; and
- waste collection; and
- pedestrian safety; and
- light refraction from the proposed bus shelter; and
- additional traffic generation and heavy vehicle use of Spence Avenue, introducing safety concerns and inconvenience for road users throughout the local road network.

One (1) representors wishes to be heard by the SCAP in support of their submissions. Copies of all representations and the applicant's response to the matters raised can respectively be found in Attachment 4A and Attachment 4B.

AGENCY REFERRALS

- Commissioner of Highways
- Minister responsible for the administration of the Heritage Places Act 1993
- Environment Protection Authority
- City of Unley

Referral Body	Function	Summary of Response
Commissioner of Highways <i>Regulation 41</i>	Direction	Support, subject to directed conditions involving: <ul style="list-style-type: none"> • Access to and from the site be undertaken in accordance with the endorsed plans, • Sight lines and maximum vehicles sizes allowed on site; • vehicle access to the development & parking space dimensions; and • stormwater management including appropriate collection and discharge A copy of the Commissioner of Highways' response is included in Attachment 3A
Minister responsible for the	Direction	No objection, with the following comments:

<p>administration of the Heritage Places Act 1993 <i>Regulation 41</i></p>		<ul style="list-style-type: none"> • The proposed development of two large multi level residential accommodation buildings has a visual impact on the context and setting of the former Archbishop’s House, of the Carmelite Monastery State Heritage Place. This impact has been predominantly mitigated through the form, façade articulation and choice of compatible materials for the proposed buildings. • Scale is substantial, but continues the scale of existing development on site, and Building 2 is reduced in height adjacent the State Heritage Place – Archbishops House – substantially reducing visual impact from within the grounds of the site. • The Archbishop’s House is the main heritage element on the site and would remain highly visible from the east, west and south sides. • Proposed upgrade work to the Archbishop’s House follows current best practice heritage methodology. <p>A copy of the Heritage South Australia response is included in Attachment 3C.</p>
<p>Environment Protection Authority <i>Regulation 41</i></p>	<p>Direction</p>	<p>General support, with the following comments: The EPA is reasonably satisfied that while site contamination has been determined to exist, realistic human exposure pathways have been identified and remediation is considered necessary; based on the information provided and other key factors, it has been adequately demonstrated the preconditions for audit have not been met for the proposed land use. The EPA considers that sufficient information has been provided which reasonably demonstrates the site can be made suitable for the proposed use, subject to a statement of site suitability, using the form required by Practice Direction 14 completed by an appropriate practitioner. A copy of the EPA’s response is included in Attachment 3B.</p>
<p>City of Unley <i>Regulation 23(3)(a)</i></p>	<p>Advice</p>	<p>First referral response</p> <ul style="list-style-type: none"> - No objection, with the following comments: <ul style="list-style-type: none"> • Council will not support the removal of the two street trees on Spencer Avenue and alternative access arrangements must be considered; • Updated plans and reports showing the requested additional information, turn path assessments and documents regarding traffic and waste movements and activities; <ul style="list-style-type: none"> • Inclusion of bicycle parking; • Additional information and further investigations required to address concerns of Council regarding vehicular access and ground water; • Applications are required for the proposed works in the public realm affecting street trees, crossovers and reinstatements, and upgrades to the verge area. <p>Second referral response</p> <ul style="list-style-type: none"> - No objection, with the following comments: <ul style="list-style-type: none"> • Council will not support the removal of street trees on Spencer Avenue and alternative access arrangements must be considered; • A Parking Management Plan is to be provided that clearly identifies which car parking spaces are allocated to residents and which are designated for visitors. <p>A copy of the City of Unley’s response is included in Attachment 3D & 3E,</p>

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Question of Seriously at Variance

The proposed development comprises construction of a multi-level retirement facility, including an ancillary Community Hub, Alteration and Additions to a State Heritage Place and Tree Damaging

Activity. It is located in the Urban Renewal Neighbourhood Zone. Development of this nature is appropriate within the site, locality or in the subject Zone for the following reasons.

The development is for a land use which are envisaged in the zone as specified is DTS/DPF 1.1.

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*.

Quantitative Provisions

Design Parameters	Planning and Design Code Guideline	Proposal	Achieved / Not Achieved
Maximum Building Height	Six (6) levels* / 22m	Seven (7) levels / 25.5m	Not achieved
Minimum Primary Street Setback	3 metres	17.5m (measured to the residential flat building)	Achieved
Minimum Secondary Street Setback	900mm	+40m (measured to Spence Av)	Achieved
Car Parking	102 on-site car parking spaces <ul style="list-style-type: none"> – 83 spaces for apartment residents – 9 spaces for visitors – 10 spaces for the multipurpose rooms 	132 on-site car parking spaces <ul style="list-style-type: none"> – 94 spaces for apartment residents – 38 spaces for visitors including <ul style="list-style-type: none"> • 4 bus parking spaces • 2 drop off spaces 	Achieved

*Please note, whilst the TNV for the site is five (5) levels, the site exceeds 10,000m² in area and benefits from DTS/DPF 2.1 of the Significant Retirement Facility and Supported Accommodation Sites Overlay, which envisages development of up to six (6) levels.

The proposal performs appropriately when considered against the quantitative provisions relating to the recommended setbacks and car parking, however, it is acknowledged the proposal exceeds the maximum recommended building height by one (1) storey, approximately three (3) metres.

The departure from the recommended maximum building height of the Code are considered acceptable and are further discussed in the body of this assessment report.

The Future Road Widening Overlay applies to the subject land, which relates to the Metropolitan Adelaide Road Widening Plan Act 1972. The DTS/DPF seeks to encourage development that does not compromise future road widening requirements. The proposal was referred to the Commissioner of Highways who raised no objection. This advice confirms that the development will not compromise future road widening requirements, thus satisfying PO 1.1 of the overlay.

Land Use and Character

The Urban Renewal Zone anticipates development that accommodates increased densities and diversity options, on well located sites. The provision of community services is also encouraged, to support improved access to goods and services.

A “Retirement Facility” is an envisaged land use in the Zone’s (Land Use and Intensity) DTS/DPF 1.1 and as such the proposal is considered to be an appropriate use of land in this location, consistent with the expectations of Zone PO 1.1. The proposal would provide low density accommodation options incorporating recreational amenities at ground level comprising a reading room, multipurpose room, sitting room, kitchen and private dining room. These elements would be expected to contribute to increased

community access to services and facilities, consistent with the intent of Zone (Land Use and Intensity) PO 1.3 & PO 1.5.

Heritage

The Code’s State Heritage Place Overlay anticipates development that maintains the heritage and cultural values of SHPs through conservation, ongoing use and adaptive reuse. This Overlay also establishes that a SHP should not be demolished, destroyed or removed unless it represents an unacceptable risk to safety (and is irredeemably beyond repair) or the portion/s of the SHP intended for removal do not contribute to the place’s heritage value.

The State Heritage Unit supports the applicant’s proposal to retain and repurpose the SHP building. It is included in the referral response that the proposed works to the Archbishop’s House follows current best practice heritage methodology. It is further considered that, whilst the scale of the overall development is substantial, the scale of building 2 is reduced in height, substantially reducing the visual impact from within the site. The State Heritage Architect further noted that the main heritage element on the site would remain highly visible from the east, west and south sides.

In addition, the applicant provided a Heritage Impact Assessment (HIS), authored by Hosking Willis Architecture, which includes additional advice responding to the State Heritage Place Overlay, and recommends support for the proposed development. A copy of the HIS can be found in Attachment 1F.

In respect of the built form of the SHP, the proposal seeks to retain the key features/fabric of the existing SHP and remove all of the later alterations/additions (shown below in figure 5), with the use altered from residential to communal, to support the future residents/occupants of the site.

The alterations to the building (to be removed) include the internal walls and cabinetry (shelving and cupboards of unknown age). As part of the Heritage Impact Assessment, the applicant has included confirmation that the proposed internal alterations to the building will have a lesser impact on the significance of the place. It is further confirmed that the areas of the SHP, that are more sensitive to change, will be retained.



Figure 5: The proposed partial Demolition to the SHP (archbishop’s residence) - (source: Attachment 1B – Architectural Drawings by Walter Brooke Architects)

The external alterations to the LHP include:

- The infill of later addition windows on the eastern wall
- The closing of the former connection to the twentieth century chapel by installing a series of aluminium bi-fold doors and metal surround,
- Enclosure of the external/internal corridor adjacent to the Bell Tower and
- The construction of additional outdoor decking.

The applicant's heritage impact assessment includes comment that the primary intent of the works to the SHP is to ensure that the development retains and conserves the heritage value of the place, whilst upgrading the internal spaces, to be reused appropriately.

The internal works proposed generally include:

- Refurbishment of principal rooms to accommodate multipurpose community uses.
- Conservation, repair and refinishing of existing timber floors, joinery and plasterwork, with new finishes introduced only where required for amenity.
- Installation of new services infrastructure to meet compliance standards.
- Selective formation or reinstatement of openings to improve circulation, generally located in areas of previous change or disruption to fabric.
- Upgrades to bathrooms and other ancillary spaces to provide accessible facilities.
- Repainting and other cosmetic works to provide a coherent interior presentation.

In considering the relationship between the SHP and the proposed buildings, the SHP Overlay seeks to ensure that any new development maintains the heritage and cultural values of State Heritage Places through conservation, ongoing use and adaptive reuse. As part of their review of the proposed development, the State Heritage Architect initially requested additional information, requesting clarification on:

- Spatial considerations;
- Revised Elevations of the SHP when set against the proposed buildings;
- Shadow diagrams and perspective images of the development;
- Clarification on conservation works, including methodologies and materials finishes and colours;
- Additional detail on the proposed works surrounding the building (landscaping); and
- A revised Heritage Impact Statement.

The applicant provided a written response, which included:

- Additional detail and dimensions on the proposed plans;
- Additional elevation plans and associated documents;
- Confirmation of the applicant's intent to address documentation concerns associated with the restoration/alteration of the SHP, during the construction phase; and
- The provision of a revised Heritage Impact Assessment.

The applicant's response to the RFI stated that the proposed development is reasonable because:

- The proposal is the result of a balanced consideration between the functional and safety requirements of an operational retirement facility, the feasibility requirements, and the need to maintain the former Residence as a prominent element within the site.
- The potential impacts of overshadowing that are to be caused by the proposed development are outweighed by the benefits of the adaptive reuse, restoration and renovation of the SHP. In addition to the immediately surrounding landscaping and the broader garden setting, the proposal will result in a net benefit to the place;
- The ongoing use & conservation of the heritage building will remediate and undo later alterations and additions, which were undertaken with minimal heritage consideration; and
- The level of detail provided on the elevation plans and within the Heritage Impact Statement are sufficient to enable a comprehensive heritage assessment.

The applicant's heritage architect, Hosking Willis, in their revised Heritage Impact Assessment, stated that while the development would have a greater height than the SHP, the location and design of the buildings is appropriate to the site and the surrounding locality, and would not dominate the SHP for the following reasons:

- The proposal maintains a curtilage around the Former Archbishop's Residence;
- The proposal allows the Former Archbishop's Residence to remain clearly identifiable within an open setting; and
- The proposed plantings around the buildings and site will screen and block longer views to the buildings, further reducing the visual impact of Building 2 in the context of the Archbishop's Residence.

A copy of the revised HIS can be found in Attachment 1M.

In the referral response, the State Heritage Unit indicated support for the development, and provided no conditions, should consent be granted. It was further commented by Council that, whilst outside the scope of the Regulation 23 referral matters, the proposal represents an adaptive reuse, and the additions and restoration of the State Heritage building are supported, and will ensure the building remains a valuable part of the City of Unley's heritage for many years to come.

A key provision of the SHP Overlay is to ensure new buildings and structures maintain the heritage values of a State Heritage Place. The authentic and successful reinstatement of the materials and design of the original building will arguably result in positive overall performance against other applicable provisions of the SHP Overlay. This outcome would further be achieved through appropriately scaled and sited built form, responsive massing and architectural detailing that is sympathetic to and complementary with the retained heritage values of the SHP. The reinstatement would also enhance exposure to and appreciation of the place for future users of the development

These characteristics would contribute to achieving the intent and outcomes sought by SHP Overlay (Built Form) PO 1.1 - PO 1.7 and (Alterations and Additions) PO 2.1 - PO 2.2, the benefits which should not be overlooked when considering the overall merits of this performance-assessed development proposal.

The proposal retains the heritage values of the SHP and is considered to be in accordance with the expectations of SHP Overlay PO 1.2 and PO 1.3. The use of built form massing, scale, siting, and architectural detailing is assessed as having the potential to create a design that is sympathetic to the SHP's original external features & appearance, thereby mitigating the potential for heritage loss and preserving key elements of the Local Heritage Place.

Given the inherent challenges associated with the reconstruction of a heritage site, specifically original fabric, a mechanism is typically requested/required to ensure the stated design outcomes are achieved. A typical condition of consent is recommended to ensure adherence to the applicant's Heritage Impact Statement. As affirmed by the applicant, and not objected to by the State Heritage Architect, given the extent of previously undocumented development that has been undertaken to the SHP, a mechanism is not reasonably required at this stage and, would be more appropriately managed as part of the building consent. Given that the State Heritage Architect did not object to this, and that the development will be required to be undertaken in accordance with the endorsed plans, the Built Form and Alterations Performance Outcomes are expected to outweigh any potential loss of original heritage fabric.

Accordingly, the proposed partial demolition, alterations and additions to the LHP is an appropriate response to the cultural significance of the site and will not remove from the significant elements of the place. It is further considered that, as discussed in Heritage Unit's referral response to the SHP, the proposed buildings have provided an evident and acceptable response to the heritage place and are appropriately designed and setback to be sympathetic and independent.

Building Height and Massing

The building height policies of the Urban Renewal Neighbourhood Zone contemplate buildings that have higher densities, where developed on well-located sites. Development should be of a height that manages the massing and impacts on adjoining residential sites, being expressed in applicable Technical and Numeric Variations, or otherwise positively respond to local context through a reduced visual mass, architectural detail, visually interesting treatments and safe, attractive, welcoming and functional streetscape elevations.

As depicted below in Figure 6, the eastern most block, addressing Glen Osmond Road, would exceed the maximum building height recommended in this location by one (1) level or approximately 7.8 metres to the top of the building 2 rooftop (from the relevant ground level). Building 1, on the western portion of the site and north of Carmelite Stage 1, is in keeping with the envisaged building levels of the zone, though exceeds the envisaged building height by 1.5 metres. This is attributed to the combination roof form.



Figure 6: A northern elevation cross section of the proposed retirement facility buildings.

In recognition of the expected interface conditions arising from the proposal (discussed further below) the departure from the recommended building heights is considered marginal and acceptable as the buildings have been located toward the northern and eastern portion of the site, thereby providing separation from nearby sensitive uses within the Urban Renewal Neighbourhood Zone, also noting expectations of the Zone's (Building Height) PO 2.1 which advocates for buildings designed to achieve increase heights, where impacts on adjoining residential land are managed.

While the established built form character of the locality consists (primarily) of single storey residential buildings and double storey commercial buildings, the development is responsive to the existing built form to the immediate south. It is further considered to be consistent with the Zone, which seeks to promote increased housing option diversity, and higher density living on well-located sites, which the proposal is generally consistent with.

The proposed heights at the site interfaces provide an effective transition in built form scale and massing at the interface with the Established Neighbourhood Zone to the east across Thomas Place, representing an appropriate transition between the greater building height anticipated in the Zone and the residences located to the west.

The overshadowing diagrams were not provided by the applicant. In its planning report, the applicant raised that the adjoining residential properties will not be impacted by overshadowing due to the solar orientation of the site. It was acknowledged that, whilst the proposal does not completely respond to the interface height policy included in the Significant Retirement Facility and Supported Accommodation Sites Overlay (PO and DPF 2.2), the topography of the site, the footprint and the design & massing act to minimise the visual impacts massing and provide a complementary transition to the scale built form character to both Glen Osmond Road, and the residential character to the west.

Accordingly, the proposed departures from the Code's building heights expectations are considered acceptable, noting the Zone anticipates increased built form uplift and opportunities for higher density development on well-located sites.

Design and Appearance

The Design Overlay expects that medium rise buildings demonstrate an appropriate response to adjoining residential development, by managing massing and impacts.

The Zone does anticipate a specific built form for development, seeking to promote residential land uses at higher densities. The applicable TNV anticipates built form of up to 5 storeys, and the Building Height policy seeks to promote taller buildings on sites that area a suitable size and dimension to manage massing and impacts on adjoining residential development.

The proposed building 2, seen from Glen Osmond Road would be expressed through vertical architectural extrusions and an inset top floor, articulated by the combination roof form. Building 1, as seen from Spence Avenue, would have a similar appearance, shown in the renderings, though more defined, and of a reduced scale.

The cladding of the base of the proposed retirement buildings will feature stone tile. The proposed residential floors of the building will incorporate a combination of precast concrete, aluminium, glass, lightweight cladding, spandrel and metal (roof) sheeting. The proposed cladding materials will provide an effective focal point / feature for the site, providing a visual relationship between the two structures and a distinctive separation from the SHP, which is in keeping with the Burra Charter.

Integrated landscaping for the site would include multiple planting zones, open lawns, pine trees and planter boxes on the residential balconies, as shown in the Landscaping Plans (Attachment 1D).

Heritage SA considers the development has been reasonably mitigated to provide visual separation from the SHP, through the form, façade articulation and choice of compatible materials for the proposed buildings. Whilst it is acknowledged that the scale of the development is substantial, Heritage SA notes the proposed development continues the scale of existing development on site, and Building 2 is reduced in height adjacent to the State Heritage Place, substantially reducing visual impact from within the grounds of the site.

While 1.5 metre setbacks from the primary road frontage are recommended in the Zone (Primary Street Setback) policy to provide a consistent streetscape edge from building mass, the existing SHP is setback approximately 47 metres from the site frontage. It is noted adjacent and nearby commercial land uses have minimal front setbacks.

The proposed front setback (to Glen Osmond Road) is approximately 16.5 metres, measured to the north-eastern corner of Building 2, which is in compliance with the requirements of the Commissioner of Highways and the Zone. Whilst building 2 will be forward of the SHP, it is considered that the front setback (between the SHP and Glen Osmond Road) is appropriately designed/landscaped to respond to the existing streetscape. The front setback character of Glen Osmond Road is a combination of commercial development with minimal setbacks (typically used for on-site car parking) or open space. The proposed building line below ground is consistent with the above ground floors, exceeding the minimum requirement of the zone.

The development's design and appearance are ultimately considered to respond positively to key planning and design outcomes anticipated by Heritage and Design policy. The support from Heritage SA for the development is indicative of its performance against the expectations of the State Heritage Overlay, and the proposal would also satisfy various objectives of the Design in Urban Areas policy module including by:

- reinforcing a corner site through changes in articulation, materials, colour and massing consistent with (All Development – External Appearance) PO 1.1;
- designing and detailing building elevations to convey purpose, identify main access points and complement the streetscape (All Development – External Appearance) PO1.3;
- integrating mechanical plant and servicing areas in the building's design to minimise visibility from the public realm and diminished residential amenity satisfying (All Development – External Appearance) PO 1.4 - PO 1.5;

- providing safe and perceptible access from street frontages, and opportunities for passive surveillance of the public realm in accordance with (Safety) PO 2.1 and PO 2.3 - PO 2.4;
- addition of landscaping to enhance to appearance of the streetscape as expected by (Landscaping) PO 3.1; and
- including architectural details composed to reinforce human scale, break up building elevations into distinct elements exhibiting visual interest and provide high quality, attractive and functional street frontages in alignment with (All Development – Medium and High Rise – External Appearance) PO 12.2 - PO 12.3 and PO 12.6 - PO 12.8.

The Heritage Unit have not recommended the applicant provide further information including of external materials or finishes, nor requested a formal agreement to confirm the works to the SHP. Given the documentation and scale of works proposed, these matters are not considered to require additional conditions or mechanisms to ensure compliance, should Planning Consent be granted.

Interfaces

The Code's (Interface between Land Uses) policy advocates for development to be located and designed to mitigate adverse impacts on nearby land uses caused by overshadowing and generation of noise and/or vibration. The Code's Design in Urban Areas – All Development – Medium and High-Rise policy emphasises the desire for mitigation of direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as building orientation, window and balcony off-sets, boundary setbacks and use of screening devices.

Overlooking

One representor raised concerns with view impacts which are associated with the general environment and house values. In its response to representations (Attachment 4B) the applicant provided a written submission, affirming that the proposed development will not adversely impact the current amenity enjoyed by existing residents within the locality.

The proposed multi-storey buildings are located approximately 15 metres from the nearest northern dwelling, such that direct overlooking, as defined by the Code, would not occur and therefore not warranting the inclusion of mitigation devices/measures, providing an acceptable response to the policy.

Noise and Air Emissions

The Code's Noise and Air Emissions Overlay advocates for the protection of community health and amenity from adverse impacts of noise and air emissions. The site is subject to this Overlay, which necessitates the achievement of requirements of the Ministerial Building Standard MBS 010 – Construction requirements for the control of external sound (MBS 010) for class 1 and 2 buildings, respectively comprising dwellings and residential flat buildings.

MBS 010 specifies minimum acoustic requirements for building façades based on a sound exposure category and separation distances from roadways with a posted speed limit of 60 kilometres per hour, which apply on Cross and Glen Osmond Rods.

The applicant provided an acoustic report to inform the design response. The report has demonstrated that the acoustic performance of the external walls, windows, glass doors and roof achieve the requirements of MBS 010, which are necessary for the purposes of obtaining Building Rules Consent in this circumstance.

The nature of the proposed use raises no concerns in relation to potential for generation of and / or exposure to excessive air pollution, such that the Overlay's objectives related to Air Emissions would be achieved.

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 adequate storage facilities and private open space.

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

- all dwellings would meet or exceed the minimum floor areas recommended by Design in Urban Areas (Amenity) DTS/DPF 31.1 such that these would be capable of providing a high standard of amenity and flexible living areas, satisfying Design in Urban Areas (Amenity) PO 31.1;
- internal structure has been positioned to ensure all dwellings would be functional and useable as recommended by Design in Urban Areas (Residential amenity in multi-level buildings) PO 28.7;
- all apartment living areas would have an external outlook, and all bedrooms would be adequately separated from circulation spaces and vehicle parking areas to limit noise and artificial light intrusion as sought by Design in Urban Areas (Outlook and Amenity) PO 18.1 - PO 18.2;
- each dwelling (including ground floor dwellings and townhouses) would be provided with adequate private open space in the form of a functional balcony accessible from a habitable room as recommended by Design in Urban Areas (Private Open Space) PO 27.1 and (Residential amenity in multi-level buildings) PO 28.3;
- convenient waste transfer to the building's ground floor storage area would be enabled by waste chutes positioned over upper levels; and
- all apartments would be provided with adequate residential storage space, meeting or exceeding 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' storage needs.

The development is expected to provide a high level of occupant amenity, satisfying the Code's expectations in this regard.

Traffic Impact, Access and Parking

Transport related Overlays applicable to the subject land advocate for the efficient operation of major urban transport routes including safe and convenient access to the road network for all road users, adequate provision of on-site vehicle parking and acceptable generation of traffic. The Design in Urban Areas general policy also provides guidance regarding the appearance of car parking.

The applicant engaged Empirical Traffic Advisory (ETA) to prepare a Traffic & Parking Review (included in Attachment 1L) which included swept path analyses and consideration of traffic and parking implications as discussed in the following sections.

Vehicle Access

Vehicles would access the subject land via Glen Osmond Road & Spence Avenue, entering the relevant parking area via the relevant entry-point, which is considered to be orderly, efficient and consistent with the existing road network

All parking areas have been designed to satisfy the relevant Australian Standards and would allow passenger vehicles to enter and exit the site in a forward direction, further noting that the proposed waste management arrangements would occur by the associated vehicles accessing the site via Spence Ave to stand and collect refuse from within the site, at the designated collection area.

The report provided by the applicant demonstrates that vehicle manoeuvrability (for B85, B99, 7.7m Community Bus' and 8.8m Fire Trucks) allowing simultaneous movements in and around the site and shared roadways have been demonstrated by turn path diagrams prepared by ETA using CAD vehicle swept path analysis software. These diagrams also indicate a waste management vehicle accessing the designated collection area in the western portion of the site, allowing sufficient clearance for waste collection vehicles, where on street parking is present.

Waste collection vehicles in this position would be likely to temporarily obstruct passenger vehicle movements on within the site, during collection, however the infrequent and temporary nature of such an obstruction is considered acceptable, noting these would typically occur during off-peak periods. Accordingly, the proposed access arrangements are considered functional and appropriate to serve the development's expected purposes and would not adversely impact the efficiency or safety of the road network

Vehicle Parking

On-site vehicle parking rates established by the Code's General Development (Transport, Access and Parking) Table 1 – General Off-Street Car Parking Requirements indicate the development would generate demand for a total of 102 on-site car parking (rounded up), comprising of 83 spaces for apartment residents and 9 spaces for visitors. In addition, 10 parking spaces would be required to meet the associated demand of the Multipurpose Room.

The proposal would provide 136 on-site car parking spaces, to be distributed between apartment residents and visitors (18 spaces). On this basis the proposal either meets or exceeds the applicable parking requirements set out in the Code's (Transport, Access and Parking) Table 1. Accordingly, no concerns are held in respect of the proposed on site vehicle parking provision.

On-site parking provided is considered sufficient to accommodate anticipated demand and would be expected to mitigate representors concerns regarding potential overflow on street parking and increased traffic congestion in the locality.

Traffic Generation

The Code's Significant Retirement Facility and Supported Accommodation Sites Overlay policy includes provisions for higher yield developments where the off-site impacts can be managed. The Planning, Development and Infrastructure Regulations further require the relevant Council to provide comment on this element of the proposed development.

ETA estimated that the expected trip generation rates for the proposed development would generate an additional 13 vehicle movements per hour and 131 vehicle trips per day.

The technical response provided by Council raised no concerns with calculation methodology or expected number of daily trips to be generated by the development.

The CoH considered the proposal against policy expectations of the Future Road Widening Overlay raising no objection to the application, and has not identified any current requirement for land adjacent to the Glen Osmond Road frontage needed for road widening purposes. Should Planning Consent be granted, two conditions (regarding access arrangements and stormwater management) have been directed by the CoH for assignment to any authorisation.

Several representors raised additional concerns with the impacts associated with the traffic generation related to the waste collection vehicle. The concerns were associated with traffic conflicts, turning constraints, operational concerns, impacts to existing parking spaces, damage to existing buildings and pedestrian safety risks. To respond to the additional concerns raised, the applicant responded with a written submission which included a revised access arrangement to Spence Avneue, intended to address some of the concerns associated with sun and headlight glare.

In summary, the proposed vehicle access arrangements, parking provision and predicted traffic generation are considered acceptable and in accordance with policy objectives of the Future Road Widening Overlay, Traffic Generating Development Overlay and Major Urban Transport Routes Overlay and the General Development (Transport, Access and Parking) module.

Environmental Factors

The Code's Design in Urban Areas (Environmental) policies encourage development that minimises detrimental micro-climatic impacts on adjacent land and buildings and incorporates design techniques and features that would contribute to ecologically sustainable outcomes regarding community health, urban heat, environmental performance, biodiversity and energy consumption. The proposal's performance against Code policy expectations concerning environmental matters are discussed in the following sections.

Stormwater Management

Code policy advocates for development that implements water sensitive urban design techniques and that minimises potential impacts from flood risk through appropriate design and siting. Wallbridge Gilbert Aztec (WGA) were engaged to prepare a stormwater management report (included as Attachment 1I) indicating the proposal will manage the disposal of stormwater from the post-development site based on the Council's Development and Stormwater Management Design Guide.

Stormwater arrangements would include collection of all roof and surface water in a pair of underground rainwater tanks positioned underneath the western area of the site, with capacity for 272,000 litres enabling complete detention with any overflow to be gradually discharged to Council drainage infrastructure, which is a 1500mm diameter RCP stormwater drain.

The technical response provided by Council raised no concerns with the proposed stormwater management methodology or proposed Preliminary Stormwater Plan.

Based on the information provided, stormwater management arrangements would satisfy the Council's technical requirements and relevant Code policy expectations regarding water sensitive urban design strategies, such that these features are considered acceptable and appropriate for the proposal.

Site Contamination

The Code's General Development (Site Contamination) policy recommends that land is confirmed to be suitable for its proposed use in circumstances where the land is, or may have been, subject to site contamination.

As the proposed development would involve a more sensitive use of the subject land in accordance with the Commission's Practice Direction 14, the applicant engaged Ennovo to prepare a Preliminary Site Investigation Report (Attachment 1K) supported by a Soil Investigation Report, which was undertaken in 2023.

Ennovo's investigations identified that site contamination exists on the land due to the previous uses of the property which included the use of pesticides & herbicides, groundwater contamination associated with the petrol station to the east, historical fill that was imported from unknown sites and a partial site use as a cemetery. Noting that one particular use may not be the sole agent of contamination. Ennovo has indicated the potential presence of heavy metals, acids, alkalis, volatile organic compounds, fuels and oils, polycyclic aromatic hydrocarbons, pesticides, herbicides and asbestos.

The EPA has considered Ennovo's advice, concluding that sufficient information has been provided, which reasonably demonstrates that the site can be made suitable for the proposed use, subject to a statement of site suitability. In accordance with their referral response, the EPA have directed the Commission to include conditions on any approval, which will ensure that the site is remediated prior to the issuing of the Certificate of Occupancy.

The applicant has advised that future on-site remediation would require to be undertaken by a suitably qualified consultant. These remediation works would be undertaken to the satisfaction of the EPA and ensure the safety and long-term suitability of the site to support the intended land use.

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 to prepare a high-level Waste Management Plan (Attachment 1H) including an estimate of the proposal's waste generation and the means of storing and collecting various waste streams.

Colby Phillips estimates the development would produce 1,440 litres of waste per week requiring 8 skip bins (comprising 1,100 litre capacity bins) and 5 MGB (wheelie bins) for temporary storage. Colby Phillips notes that one (1) regular collection per week would be needed to service the development, and that additional hard waste generation would be able to be accommodated on an as needs- basis at the request of the building management without impacting site operations.

An enclosed waste storage room would be included at the building's ground level connected to a waste chute system integrated with enclosed transfer rooms provided over all upper levels. Waste produced by the Archbishop's House and in communal areas would be transferred by building cleaning staff via trolleys to the Waste Storage Room.

Waste collection would occur following transfer of bins in the dedicated waste collection area in the western corner of the site into a rear-lift collection vehicle.

The waste report further stipulated that waste to be generated by Maintenance Services or External Services will be managed by the relevant contractors, and not the staff or residents of the building.

Waste collection contractors would access the site by vehicles reverse entering into the waste collection area accessible via Spence Ave before collecting waste and exiting the subject land in a forward direction. In considering the volume of access required to facilitate collection in this part of the site, Colby Phillips prepared swept path diagrams (included in Attachment 1H) demonstrating entry and exit manoeuvres could occur satisfactorily to the waste collection area, although some temporary vehicle obstruction could occur to car parking areas within the site, in this circumstance, which is considered acceptable given the infrequent nature and short duration of waste collection that is listed to be once per week, for up to 10 minutes per collection.

Overall, the proposed waste collection arrangements are considered appropriate and consistent with Code Policy expectations including Design in Urban Areas (Site Facilities / Waste Storage (excluding low rise residential development)) PO 11.1 - PO 11.3.

Public Realm

The Code's General Development (Design in Urban Areas) policy promotes provision of quality spaces integrated with the public realm which help optimise accessibility, comfort and safety for the community. The Regulated and Significant Tree Overlay expects retention of regulated and significant trees (including their root systems) during construction activity involving excavation and / or filling of land.

Concern was initially raised by Council, during the statutory referral process, regarding sight lines and pedestrian safety associated with each exit lane. The applicant provided a revised crossover plan, that proposed access arrangements for the development in accordance with the Australian Standards and conforms with the requirements of the Planning & Design Code.

The applicant engaged Treesense Consulting to prepare an Arboricultural Impact Assessment, Tree Protection Specification and Tree Protection Plan to determine appropriate means of protecting and maintaining trees that may be impacted by the proposed development. A copy of the Arboricultural Impact Report can be found in Attachment 1J

Treesense' assessment considered a total of twenty (20) trees comprising five (5) Mediterranean Cypress trees, three (3) Giant Honey Myrtles, Two (2) Canary Island Date Palms, a Narrow-leaved Ash, a Kurrajong, a Weeping Bottlebrush, a White Bauhinia, a Shoestring Acacia, a Pohutukawa, a Jacaranda, a European Ash and a River Red Gum. The assessment includes notional and structural root zones for each of these trees, and has designated as them according to their regulated status. The report has confirmed that, of the six (6) trees to be removed, two (2) have been determined to be significant, with the remaining being exempt regulated.

The assessment undertaken by Treesense is based on the applicant's strategy to retain all regulated trees excluding six (6), which are in the centre of the site. Treesense identified that to undertake the development, all trees to be retained must be protected for the duration of the work in accordance with AS4970-2025 (Protection of Trees on Development Sites) and further science-based arboricultural literature.

Treesense advises this could occur using tree sensitive development activities and protections as required. Options for managing the retained tree(s) were nominated by Treesense in accordance with by AS4970-2025 including implementation of specific arrangements for engagement of an appropriately qualified Project Arborist during construction, use of tree protection fencing and limitations on machinery access, fencing and retaining structures in vicinity of the trees in question. The recommended tree protection measures are to be removed at the point of practical completion.

A condition is proposed to be assigned to any Planning Consent granted, requiring strict adherence to the tree protection measures recommended by Treesense to ensure the ongoing protection of trees that are to be retained. Subject to implementation of and adherence to the recommended tree protection measures, the proposal would achieve the intent of objectives established in the Regulated and Significant Tree Overlay including (Tree Retention and Health) PO 1.1 and PO 1.4 and (Ground work affecting trees) PO 2.1.

The Code's Regulated & Significant Tree Overlay policy recommends retaining Significant Trees where they make an important contribution to the character or amenity of the local area. The proposed Significant and Regulated trees to be removed (listed as Numbers 35, 37, 38, 47, 48 & 65 in the Arborist Report) are located in the centre of the site. The trees have an overall height of between 7-16 metres. Due to the surrounding built form and topography of the site, the trees are effectively screened from views from the public realm. Being only visible when viewed within the site or Carmelite Stage 1. When viewed from Spence Avenue, Cross Road or Glen Osmond Road, the trees are not considered to provide a contribution or notable visual element to the locality, and do not warrant retention as specified by the Code and Legislation.

CONCLUSION

The proposal is considered acceptable and worthy of Planning Consent in recognition of the following features:

- the intended residential land use is envisaged in the Urban Renewal Neighbourhood Zone;
- it is acknowledged the proposal includes departures from the maximum quantitative building height guidelines in the Zone;
- however, the development has been designed to appropriately respond to the characteristics of the locality, including surrounding built form, streetscape context and adjoining land uses.

Partial demolition & alterations & additions to the SHP on the land, to facilitate the overall development is not contemplated by Code policy. However, the evidence provided is sufficient to mitigate the risk associated with this approach, subject to conditions;

- the quality of architectural design and external appearance of the new built form elements is considered to be of a high standard and offer an effective contrast between historic and contemporary building fabric, qualifying for the State Heritage Unit's support;

- the CoH does not object to the proposed access arrangements, intensity/scale of the development, noting the proposed waste collection vehicles would access and egress from the site via Spence Avenue;
- the siting and design of the development would be such that overshadowing and overlooking conditions for adjoining land uses would be acceptable, noting that the north-facing windows of the residences at Carmelite Stage 1 would have their primary view to the north further impacted, were the western building be developed to the maximum recommended five (5) building levels, as recommended by Code policy for this development in this location;
- the residential offering provides a suitably high level of occupant amenity in terms of dwelling size, access to natural light and ventilation and provision of external outlook, functional private open space and residential storage in accordance with key objectives of the Code;
- arrangements proposed for vehicle access to the subject land, on-site vehicle parking provision and expected traffic generation would meet relevant expectations of the Code's General Development policies;
- technical matters and environmental factors including management of stormwater and domestic waste, site contamination, tree protection measures and provision of sustainable development outcomes have been appropriately considered and addressed; and
- State Heritage, including matters associated with the works to the Archbishop's House have been satisfactorily addressed.

It is therefore recommended that Planning Consent be granted to the application, subject to the conditions detailed in this report.

RECOMMENDATION

It is recommended that the SCAP 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 25038676, by Southern Cross Care is granted Planning Consent subject to the following conditions/reserved matters:

RESERVED MATTERS

Planning Consent

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

Reserved Matter 1

The applicant shall provide a revised landscape & vehicle access plan, detailing the location and dimension of the crossover to Spence Avenue, prepared in consultation with the City of Unley, to the satisfaction of the State Planning Commission.

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

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

Condition 3

All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2018 (Part 3) to ensure that stormwater does not adversely affect any building, adjoining property or public road.

Condition 4

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

Condition 5

Replacement trees must be planted within 12 months of completion of the development at the following rates:

- if the development relates to a regulated tree—2 trees to replace a regulated tree; or
- if the development relates to a significant tree—3 trees to replace a significant tree.

Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, and cannot be planted within 3 metres of an existing dwelling or in-ground swimming pool.

Condition 6

The planting and landscaping identified on the approved plans granted Planning Consent shall be undertaken in the first planting season concurrent with or following substantial completion of the development. Such planting and landscaping shall be irrigated and maintained thereafter, and any plants which become diseased or die, must be replaced within the next available growing season with suitable species.

Conditions recommended by City of Unley

Condition 7

No groundwater is to be discharged into Council's stormwater system.

Condition 8

All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

Condition 9

Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Condition 10

Temporary debris and sediment control measures shall be installed prior to the commencement of work on site, to ensure that debris, soil, soil sediments and litter are maintained within the construction site. At no time shall debris, soil, soil sediments and litter from the construction site enter Council's drainage system, road network or neighbouring properties.

Conditions imposed by Environment Protection Authority under Section 122 of the Act

Condition 11

Remediation works must be undertaken in accordance with the Construction Environmental Management Plan - Carmelite Aged Care, Glenn Osmond Rd and Cross Rd, Myrtle Bank, South

Australia, prepared by Ennovo (dated 12 March 2026) and must be overseen by a suitably qualified and experienced site contamination consultant.

Condition 12

A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability (in the form described by Practice Direction 14: Site Contamination Assessment 2021) is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

Condition 13

For the purposes of the above condition and regulation 3(6) of the Planning, Development and Infrastructure (General) Regulations 2017, the statement of site suitability must be issued by a site contamination consultant.

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

Condition 14

All access to/from the development shall be gained in accordance with the site plan produced by Walter Brooke, Project No. 23- 0628, Drawing No. DA02, Rev A, Dated 29-10-2025.

Condition 15

The entry and exit points shall be suitably signed and line-marked to reinforce the desired traffic flow. Appropriate traffic control shall be provided at the roundabout adjacent to the Glen Osmond Road ingress to ensure that vehicles entering the site from Glen Osmond Road have priority over all other traffic.

Condition 16

Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

Condition 17

All vehicles shall enter and exit the site in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

Condition 18

All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022.

Condition 19

The largest vehicle permitted to use the access points on Glen Osmond Road shall be restricted to a 7.7 metre vehicle.

Condition 20

Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 21

Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. 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

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 5

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Advisory Notes imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

Advisory Note 6

Please note the following requirements of the Aboriginal Heritage Act 1988. (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the Aboriginal Heritage Act 1988.

Advisory Note 7

Please note the following requirements of the Heritage Places Act 1993.

(a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.

(b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.

Advisory Notes recommended by City of Unley

Advisory Note 8

The alteration of the verge to Glen Osmond Road and Spence Avenue shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. Refer to the City of Unley website for Forms & Applications – Specification Crossover Opening, Kerb & Gutter, Footpath Repair. <https://www.unley.sa.gov.au/Page/Forms-Applications>

Advisory Note 9

Residential Parking Permits will not be issued to residents of Community or Strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.

Advisory Note 10

Parking restriction currently in place along Glen Osmond Road, Cross Road, Spence Avenue and surrounding street network will not be altered as a result of the development.

Advisory Note 11

Numerous parts of the Council area have low lying water tables. Where there is sub-surface development occurring, groundwater can be encountered. Issues related to the disposal of this groundwater, either temporarily or permanently, can cause damage to surrounding Council infrastructure and cause problems for adjoining landowners. Where groundwater is encountered during the construction of the development, it will be necessary for measures to be taken to ensure the appropriate containment and disposal of any groundwater.

Advisory Note 12

Any works undertaken on Council owned land (including but not limited to works relating to reserves, crossing places, landscaping, footpaths, street trees and stormwater connections and underground electrical connections), shall require a separate authorisation from Council. Further information and/or specific details can be obtained by contacting Council's Asset Management department on 8272 5111.

Advisory Note 13

That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the applicant.

Advisory Note 14

The construction of the crossing place(s)/alteration to existing crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to the City of Unley website Forms & Applications – Driveway Crossover Specifications. <https://www.unley.sa.gov.au/Page/Forms-Applications>

Advisory Note 15

Driveways Crossovers are not to be constructed from concrete over the footpath area between the kerb to boundary. Driveways and boundary levels at fence line are required to matching existing footpath level at boundary and or between 2% and 2.5% above kerb Height. Crossover is not to exceed 2.5% or 1:40 cross fall gradient over footpath between boundary to verge and not excess 5% from verge to crossover kerb invert. If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an existing crossover. The redundant driveway crossover or part of, is required to be closed and returned to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed. Provisions for Sliding Gate: Note that the high side of concrete plinths / footing for siding gates should not be higher than existing footpath level. Any level adjustments to gradients to achieve a level plinth for sliding gate railing is required to be within the property boundary.

Advisory Note 16

All redundant crossovers shall be permanently closed and reinstated with kerb and gutter prior to the commencement of use of the development. All costs are to be borne

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act

Advisory Note 17

The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

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

Advisory Note 18

The Metropolitan Adelaide Road Widening Plan currently shows a possible requirement for a strip of land up to 12.00 metres in width from the Cross Road and Glen Osmond Road frontages of this site for future road purposes. Additionally, the Plan shows a possible requirement for a strip of land up to 4.5 metres in width from both the Cross Road and Glen Osmond Road frontages of this site for future upgrading of the adjacent intersection, together with additional land from the southeastern corner.

The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the possible requirements. 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 19

In the event that traffic flows on the abutting roads are impacted during construction of the development 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.