



November 2025



Planning Report

Carmelite Stage 2 – Retirement Facility

380 Glen Osmond Road and
1 & 3 Spence Avenue, Myrtle Bank

for Southern Cross Care



WALTER
BROOKE



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Spence Avenue, Myrtle Bank

December 2025

WALTER
BROOKE



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WGA

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MasterPlan acknowledge the Traditional Custodians of Country across Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to Elders past and present.

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1 Introduction

MasterPlan SA Pty Ltd has been engaged by Southern Cross Care (SA) Inc ('SCC' or 'the applicant'), to assist with the preparation of a development application for the construction of Retirement Facility located at 380 Glen Osmond Road, 1 and 3 Spence Avenue, Myrtle Bank (the 'subject land').

In preparing this report, regard has been had to the *Planning, Development and Infrastructure Act 2016* ('PDI Act'), *Planning, Development and Infrastructure (General) Regulations 2017* ('PDI Regulations') and the relevant provisions of the Planning and Design Code (the 'P&D Code').

In accordance with the gazettal of the Accommodation Diversity Code Amendment, the State Commission Assessment Panel (SCAP) will be the relevant authority for the consideration and determination of this application.

This report contains a description of the subject land, the development site, the locality and the proposed development, as well as our assessment of the proposed development against the relevant provisions of the P&D Code, Version 2024.21 dated 4 December 2025 in accordance with the requirements of the PDI Act and PDI Regs.

This planning report has been informed by, and should be read in conjunction with, the following supporting documentation:

- **Appendix A** – Certificates of Title
- **Appendix B** – Architectural Drawings
- **Appendix C** – Traffic and Parking Review
- **Appendix D** – Arboricultural Impact Assessment
- **Appendix E** – Landscape Concept Plan
- **Appendix F** – Heritage Impact Statement
- **Appendix G** – Stormwater Management Plan
- **Appendix H** – Preliminary Site Investigation
- **Appendix I** – Waste Management Plan
- **Appendix J** – Acoustic Services



2 Background

2.1 Southern Cross Care Pty Ltd

Southern Cross Care (SA, NT & VIC) Inc is the largest not-for-profit aged care and retirement living provider based in South Australia and also provides services in the Northern Territory and Victoria.

Established in 1968, Southern Cross Care has proudly supported members of the community with high quality care and services for more than 55 years. Their valued residents and clients are at the heart of everything they do as they support them to be “Better for life”.

Southern Cross Care is committed to supporting the aged community to live a full and purposeful life by embedding healthy and active ageing principles into their services and delivering a health promoting, person centred, age friendly, informed and proactive service environment. Southern Cross Care services include:

- Health and fitness;
- Home care;
- Retirement living;
- Residential care; and
- Respite.

2.2 Development History

There have been several development approvals that are relevant to the subject land and the adjoining property that form part of the Southern Cross Care Precinct, including:

- 090/287/2015/C3 - Demolition of existing dwellings (x8), removal of 4 regulated trees and 1 significant tree and the construction of a 4-storey nursing home and ancillary facilities (Planning Consent granted 21 July 2015).
- 090/287/2015/C3/1/A - Variation to existing authorisation 'Demolition of existing dwellings (x8), removal of 4 regulated trees and 1 significant tree and the construction of a 4-storey nursing home and ancillary facilities - Amendment to construct additional storey (total 5-storey building) (Development Approval Granted 4 March 2016) (Carmelite - Stage 1)
- 090/711/2017/DIV - Realignment of boundaries (Development Approval granted 19 December 2017)
- 090/869/2018/C1 - Restoration works to existing State Heritage Place (Planning Consent granted 3 January 2019)
- 21024587 - Alterations to a State Heritage Place (Development Approval granted 24 January 2022)



3 Subject Land and Locality

3.1 Subject Land

The subject land includes several amalgamated land parcels at 380 Glen Osmond Road, 1 and 3 Spence Avenue, Myrtle Bank. More specifically, the subject site is identified by the following Certificates of Title, which are attached in **Appendix A**

The subject land is identified in **Figure 1** below and **Table 1** provides a summary description of the project site being the whole of the land.

Table 1: Summary of the Project Site

Project Sites	
Address	<ul style="list-style-type: none"> 380 Glen Osmond Road, Myrtle Bank 1 Spence Avenue, Myrtle Bank 3 Spence Avenue, Myrtle Bank
Local Government Area	City of Unley
Certificate of Title (CT) or Land Parcels	<ul style="list-style-type: none"> Volume 5218/Folio 958, Allotment 62, Filed Plan 15598 in the area named Myrtle Bank Hundred of Adelaide. Volume 5825/Folio 902, Allotment 63, Filed Plan 15598 in the area named Myrtle Bank Hundred of Adelaide. Volume 6210/Folio 195, Allotment 1, Deposited Plan 118577 in the area named Myrtle Bank Hundred of Adelaide.
Encumbrances	Nil
Easements	<ul style="list-style-type: none"> Subject to easement(s) over the land marked B on D118577 for drainage purposes (RTC 12946723). Together with easement(s) over the land marked Y on D118577 (T2559043). Subject to easement(s) over the land marked A (T2559043).
Site Dimensions and Area	<p>Site area is 19,416m².</p> <p>Irregularly shaped, maximum width of 190m by a maximum depth of 165m.</p>
Existing Use / Built Form	Carmelite Monastery building and gardens, plus vacant land.



The subject land is bounded by Glen Osmond Road to the east, Spence Avenue to the west and Cross Road to the south. The land has a total frontage to Spence Avenue of 26.7 metres (m), a frontage to Cross Road of 90.7m, and a frontage to Glen Osmond Road of 144m. The Glen Osmond Road Cross Road frontages are currently fenced by solid walls of approximately 2m in height. The land has a total area of approximately 1.94 hectares (ha).

The subject land gradually slopes downwards to the north-west from the intersection of Glen Osmond Road and Cross Road towards Spence Avenue. The site has a fall of 12m over a length of 250m, with an average gradient of 5 percent.

The subject land at 380 Glen Osmond Road accommodates the Carmelite Monastery (former Archbishop's residence), which is listed as a State Heritage Place (SHP) under Section 16(e), (f) and (g) of the *Heritage Places Act 1993* (SA). The land contains a variety of planted vegetation and gardens, including a number of trees that meet the criteria of a Regulated Tree pursuant to section 3F of the PDI Regs.

An existing and operational underground stormwater drain of 1,500 millimetres (mm) in diameter traverses through the land and exits towards the north-eastern boundary.



Figure 1: Subject Land (outlined in red)



3.2 Locality

The subject land is located approximately 3.7 kilometres (km) southeast of the Adelaide CBD at the base of the Adelaide Foothills and the start of the South Eastern Freeway.

The locality comprises a mix of land uses with a significant portion currently being used for large scale community and institutional facilities, including:

- Carmelite Stage 1 Residential Aged Care facility of five-storeys in height at the corner of Cross Road and Spence Avenue;
- Glen Woodley Estate Retirement Village, fronting Glen Osmond Road and extending through to Spence Avenue;
- Southern Cross Care Lourdes Valley, comprising the Heritage Apartments (3 Storeys);
- Waterford Apartments being four-storeys in height, extending between Cross Road, Spence Avenue and Ridge Avenue;
- Lourdes Valley Lodge, extending north along Ridge Avenue from the corner of Cross Road;
- Southern Cross Care Coach House Mews Retirement Village, extending between Cross Roads, Ridge Avenue and Ridge Park Reserve;
- The Monastery on the southern side of Cross Road; and
- Ridge Park to the north and fronting Glen Osmond Road.

The land adjoining the south-western site boundary accommodates a five (5)-storey integrated aged care accommodation comprising nursing home with associated allied health services, joint community facilities and independent units for retirement living and basement car parking which was developed as part of the first stage of the Carmelite Monastery development undertaken by Southern Cross Care. The integrated aged care accommodation is serviced by two (2) vehicle crossovers to Spence Avenue.

The institutional sites within the immediate locality exhibit large scale buildings set within well-landscaped grounds. Buildings with a scale of up to five-storeys in height are evident within the locality.

Furthermore, a distinct change in land use is evident to the northeast of the subject site, located on the opposing side of Glen Osmond Road. These allotments contain commercial land uses and are sited within the Suburban Activity Centre Zone.

Evidence of residential development is present within the locality and comprises detached, semi-detached and group dwellings of up to two (2)-storeys in height located within the Suburban Neighbourhood Zone (refer **Figure 2**).

Cross Road and Glen Osmond Road are both State Maintained Roads classified as Class 6 roads under the control of the Department of Planning, Transport and Infrastructure (DIT). The intersection of Cross Road and Glen Osmond Road is subject to road widening constraints.

Regular bus services are accessible on Cross Road, located at the road frontage of the Southern Cross Care Heritage Units (adjacent Cross Road) and from Glen Osmond Road.



Figure 2: Locality Plan



3.3 Carmelite Monastery (Former Archbishop's Residence)

State Heritage Place (SHP) 3767, known as Carmelite Monastery, is sited centrally on the subject land. The building is 'treated in the modern domestic Gothic style of architecture and is of a religious character' being the residence of the former Archbishop before being passed over to the Carmelite nuns in 1935¹.

The SHP is constructed of 'Mitcham stone with sandstone dressings, a central tower, terracotta mouldings and bluestone plinth's. The front elevation (south) comprises 'gables with Latin terracotta crosses and an arcaded verandah with an entrance porch'.

It is noted in the Unley Heritage Research Study (2006) that the "Carmelite Monastery is of considerable historical significance because of its original use as the residence of the Roman Catholic Archbishops of Adelaide. It is of additional importance as the convent of the contemplative order of Carmelite nuns, who took over the house in 1935. The original house still stands but its architectural integrity has been compromised by numbers of additions"

¹ McDougall & Vines, Unley Heritage Research Study (2006).



4 Proposed Development

The proposed development is summarised in **Table 2** below and with a more detailed description of the proposed works outlined below.

Table 2: Proposed Development Summary

Proposed Development Summary	
Summary Description	<p>The proposal comprises the construction of an integrated development providing:</p> <ul style="list-style-type: none"> • One (1) accommodation facility comprising two (2) towers (Building 1 and Building 2), one of four (4) levels and one of seven (7) levels, linked by an integrated lower ground level car parking area providing a combined 94 carparking spaces; and • the adaptation of the Carmelite Monastery (former Archbishop's residence) as a Community Hub for the entire Carmelite precinct. <p>To facilitate the development, site works in the form of retaining walls, earthworks, internal roads ways and ancillary car parking will be required.</p>
Development Elements	<ul style="list-style-type: none"> • Retirement Facility • Building Works • Advertisement • Tree Damaging Activity • Decking • Retaining Walls

Under Part 7 – Land Use Definitions of the Planning and Design Code (the ‘Code’) the following land use definitions are relevant to the proposal:

- **Retirement Facility** - Means a facility operating under the regulatory framework of the *Retirement Villages Act 2016*.

The proposed development fits comfortably within the above land use definitions.

The full extent of the proposed works is outlined in the following sections and more fully illustrated in the compendium of architectural drawings accompanying the application as prepared by Walter Brooke Architects and identified in **Appendix B**, Table 4 – Drawing Schedule.

4.1 Documentation

The proposed development is depicted on the set of plans prepared by Walter Brooks Architects as described in **Table 3** below.



Table 3: Supporting Documentation

Plan / Drawing No.	Description	Revision	Date
DA01	Title Sheet	A	29-10-25
DA02	Site Plan (Overall)	A	29-10-25
DA03	Site Plan (Lower)	A	29-10-25
DA04	Site Plan (Upper)	A	29-10-25
DA05	Basement/Undercroft Carpark	A	29-10-25
DA06	Ground Floor Plan	A	29-10-25
DA07	First Floor Plan	A	29-10-25
DA08	Second Floor Plan	A	29-10-25
DA09	Third Floor Plan	A	29-10-25
DA10	Fourth Floor Plan	A	29-10-25
DA11	Fifth Floor Plan	A	29-10-25
DA12	Roof Plan	A	29-10-25
DA13	Site Sections	A	29-10-25
DA14	External Perspective - Northeast	A	29-10-25
DA15	External Perspective - Northwest	A	29-10-25
DA16	External Perspective - South	A	29-10-25
DA17	Elevations – Sheet 1	A	29-10-25
DA18	Elevations – Sheet 2	A	29-10-25
DA19	Archbishop Ground Floor	A	29-10-25
DA20	Archbishop Elevations	A	29-10-25



4.2 Southern Cross Care – Vision

Southern Cross Care is driven by a core philosophy of “Better for Life”, empowering you to “Be the Difference” through their unwavering commitment to service, community, dedication, and a positive approach to helping others. This is underpinned by the courage to innovate act decisively, coupled with deep compassion rooted in empathy, concern and genuine humanity. Ultimately, Southern Cross Care strives to foster healthy aging and good quality of life by nurturing social relationships, supporting spiritual well-being, and honouring cultural well-being within the communities they serve.

The SCC philosophy has served as the inspiration for the proposed development and was the key driver of the ideas and vision for the project (**Figure 3**).



Figure 3: SCC Carmelite Key Ideas and Drivers

4.3 Built Form

The proposed development is delineated into two distinct elements. The first being the construction of two (2) independent living accommodation facilities (retirement facility) connected by a common, lower-ground car park (identified in Architectural Drawing DA03), but giving the above ground appearance of two (2) distinct buildings referred to as Building 1 and Building 2. Building 2 consists of seven (7) levels and is located to the north of the existing Carmelite Monastery. Building 1 consists of four (4) levels and is located to the north-west of the Carmelite Monastery. Both buildings have independent lift and stair cores and are linked via a lower-ground level carpark, which also contains the provision for storage areas, mechanical and hydraulic services and bin enclosures.



The combined total of independent living units contained within Buildings 1 and 2 are more particularly described as:

- 46 dwellings comprising a mixed typology, more specifically:
 - Nine (9) units containing two (2) bedrooms and a study;
 - Seven (7) units containing three (3) bedrooms;
 - 28 units containing three (3) bedrooms and a study;
 - Two (2) penthouses containing four (4) bedrooms each; and
 - undercroft car parking for 94 vehicles.

The second, distinct element of the proposal is the adaptive reuse of the existing State heritage listed Carmelite Monastery into a Community Hub providing services for the residents of the Southern Cross Care Aged Care and Retirement Facilities located adjacent the facility, the use of which will be directly associated with the proposed retirement facility together with the Carmelite Stage 1 and is connected via integrated landscaping and pedestrian pathways.

The proposed Community Hub will comprise a function room(s), library, lounge room, cinema, communal meeting spaces, community kitchen, managers office, toilets, plant and storage room. As part of this proposal, external restoration works will also be undertaken, along with the addition of outdoor decking.

4.4 Land Use

4.4.1 Independent Accommodation Buildings

The proposed development is for the construction of two (2) buildings comprising independent living units for retired persons and which are linked by a lower ground carpark.

The buildings will be setback a minimum of 13.0 metres from the northern boundary to Glen Woodley Estate, a minimum of 17.0 metres from the eastern boundary to Glen Osmond Road and a minimum of 47.5 metres from the western boundary to Spence Avenue. Building 1 will be a maximum of four (4) building levels in height whilst Building 2 will be a maximum of seven (7) building levels in height.

Specific internal elements of the proposed Buildings are detailed as follows:



Table 4: Summary of Proposed Independent Living Accommodation

Proposed Building	Building Level	Number of Units	Apartment Typology	Ancillary Features
Building 1 and Building 2	Basement / Undercroft Parking	N/A	N/A	<ul style="list-style-type: none"> 73x car parking spaces 3x waste storage rooms (2 of which with external access) 1x bulky store room 1x hydraulic plant room 1x Mechanical Plant room 1x comms room 1x fire pump room (accessed externally) 31x personal storage rooms (for resident use) 3x lifts and 3x staircases (2 of which provide lobby access)
Building 1	Ground Floor	10	A, B, C, D, E & F	<ul style="list-style-type: none"> 2x waste storage rooms Internal passageways 2x stairwells 2x lifts
	First Floor	10	A, B, C, D & G	<ul style="list-style-type: none"> 2x waste storage Internal passageways 2x stairwells and 2x lifts with associated lobbies
	Second Floor	8	H, I & J	<ul style="list-style-type: none"> 2x waste storage Internal passageways 2, stairwells and 2x lifts with associated lobbies
Building 2	Ground Floor	N/A	N/A	<ul style="list-style-type: none"> 21x car parking spaces 15x personal storage rooms (for resident use) 1x stairwell 1x lift and associated lobby
	First Floor	4	K & L	<ul style="list-style-type: none"> 1x waste storage Internal passageways 1x stairwell and 1x lift with associated lobby
	Second Floor	4	K & L	<ul style="list-style-type: none"> 1x waste storage Internal passageways 1x stairwell and 1x lift with associated lobby
	Third Floor	4	K & L	<ul style="list-style-type: none"> 1x waste storage Internal passageways 1x stairwell and 1x lift with associated lobby



Proposed Building	Building Level	Number of Units	Apartment Typology	Ancillary Features
	Fourth Floor	4	K & L	<ul style="list-style-type: none"> 1x waste storage Internal passageways 1x stairwell and 1x lift with associated lobby
	Fifth Floor	2	M	<ul style="list-style-type: none"> 1x waste storage Internal passageways 2x stairwell and 1x lift with associated lobby

Table 5: Apartment Typology Schedule

Apartment Type	Configuration
Type A	3-bedroom apartment, balcony and study
Type B	3-bedroom apartment and balcony
Type C	3-bedroom apartment and balcony
Type D	2-bedroom apartment, balcony and study
Type E	2-bedroom apartment, balcony and study
Type F	2-bedroom and balcony
Type G	2-bedroom apartment, balcony and study
Type H	3-bedroom apartment and balcony
Type I	3-bedroom apartment, balcony and study
Type J	3-bedroom apartment and balcony
Type K	3-bedroom apartment, balcony and study
Type L	3-bedroom apartment, balcony and study
Type M	4-bedroom Penthouse units with associated balconies presenting to the north, east and west facades

Residents will have access to all amenities and services provided within the overall Carmelite precinct, such as meals, treatment and medical services; however, will have independence in their living arrangements (i.e., not reliant upon supported accommodation).

The provision of independent living units and supported living units across the same site has been designed to enable 'ageing in place', whereby residents of the independent living units are able to transition to residential care if and when the need arises, without requiring significant changes to their surroundings.



4.4.2 Carmelite Monastery (Former Archbishops Residence) - Community Hub

The proposed alterations and additions to the Carmelite Monastery will provide for the adaptive reuse of the existing State Heritage listed asset into a community-oriented hub. At a macro level, the proposal incorporates adaptive reuse of the former residence, through clever design and modern interpretation of existing spaces. At the micro level, extensive internal and external building investigations have been undertaken to identify and reutilise existing heritage features for the new Community Hub.

As discussed in **Section 4.4**, the proposed Community Hub will comprise a function room(s), library, lounge room, cinema, communal meeting spaces, community kitchen, managers office, toilets, plant and storage room. As part of this proposal, external restoration works will be undertaken, along with the addition of outdoor decking.

4.5 Traffic and Car Parking

The proposed development comprises two (2) carparking areas associated with Building 1 and Building 2. These car parking spaces are proposed to be located within the basement/undercroft and ground floor levels. The total number of car parks proposed within the buildings is 94, with a further 18 car parks proposed around the site (including three (3) disability access spaces), 18 spaces provided within the road widening area, and two (2) drop off spaces provided north of Building 1. This results in a total of 132 carparking spaces being accommodated on site, to service this development.

The lower ground level parking which links Buildings 1 and 2, will provide access and egress from a double-width opening, located at the base of the western façade and providing for two-way vehicle movements.

Conversely the proposed car park located at the upper ground level of Building 2 will be accessed via a double-width opening at the base of the eastern façade also providing for two-way vehicle movements.

The subject land will be accessed via existing crossovers. There are two (2) existing crossovers located along the Glen Osmond Road frontage which will be retained, albeit with some minor modification (widening) to accommodate larger sized vehicles including emergency service vehicles and the community bus.

There are two (2) existing crossovers located on the Spence Avenue frontage. The southern-most crossover to 3 Spence Avenue will be returned to kerb. The northern-most crossover to 1 Spence Avenue will provide for two-way vehicle access for passenger vehicles and the waste refuse vehicle, however modifications to widen and flare the crossover will be required. To facilitate the revised crossover, the removal of two (2) street trees is required as discussed in **Section 7.5.1** of this report.

A Traffic and Parking review has been prepared by Empirical Traffic Advisory (ETA) in support of this application as contained in **Appendix C**.



4.6 Pedestrian Access

Connectivity has been a key element throughout the design process, with consideration being given to pedestrian access and movement both internally and externally throughout the site and more particularly between the existing Carmelite Stage 1 and proposed Carmelite Stage 2 developments. As such, Southern Cross Care propose to construct a multitude of internal walkways, allowing for the appropriate connection of facilities at ground level and throughout the site.

Walkways will be constructed to encourage and maximise the ability for occupants and visitors to interact with the extensively landscaped gardens, passive and active recreation areas located within close proximity to the built form.

To account for the natural topography of the site, access for persons utilising Glen Osmond Road will be gained through a proposed pedestrian walkway, located to the immediate north of the southern-most vehicle crossover on the Glen Osmond Road frontage. The walkways and associated pedestrian access have been designed purposefully to minimise conflict between pedestrian and vehicle movements in and around the site.

4.7 Fencing and Retaining Walls

The proposed development will include a new 1.8m high Colourbond “good Neighbour” fence along the northern site boundary that will sit atop the existing retaining wall and will replace existing fencing of a similar height and appearance.

A retaining wall of approximately 0.8m in height will be constructed along a portion (15m) of the western side of the SHP to assist with the difference in ground levels and allow the landing associated with the existing verandah to be extended (outdoor decking).

The dedicated bin storage area will be enclosed by a 2.1m high aluminium louvred fence with a gate facing the western site boundary.

The proposal includes a new shelter for the Community Bus which will comprise an L-shaped wall measuring 15.8m in length (west) by 8.7m in depth (north), with a maximum wall height of 3.4m. the wall will be finished in stone tile and will incorporate a metal fencing element on its western elevation.

The proposed development will also modify the existing entry gate located on the Glen Osmond Road boundary. The proposed seeks to remove the existing gate and a portion of the existing stone cladding to increase the width of the vehicle entrance to 3.5m.

4.8 Advertisements

Flush wall mounted signage is proposed on the external facing wall of the Community Bus Shelter. The sign will not be illuminated, will not move, flash or scroll and will only contain messaging directly related to the use of the land for the Carmelite Precinct.



The proposed sign will measure 4m in width by 2.5m in height and will have a single sign face of 10m².

4.9 Demolition

The extent of demolition that will be required for the various iterations of the Community Hub is displayed on the commensurate Demolition Plan and is directly related to the proposed alterations and additions.

It should be noted that no buildings within the Carmelite Monastery are to be demolished.

4.10 Regulated/Significant and Street Trees

To facilitate the proposed development the removal of three (3) Significant and ten (1) Regulated trees, one (1) of which is a Council asset, is required. In addition, tree protection measures will be required during construction to enable the preservation of four (4) Regulated and three (3) Significant trees. An Arboricultural Impact Assessment has been prepared by Treesense Consulting SA Pty Ltd in support of this application, as contained in **Appendix D**.

All efforts have been made by the applicant to retain as many trees as possible, however it is not possible to accommodate a design which allows for the retention of all of them. Further assessment of the on-site Regulated and Significant trees against the relevant provisions of the Planning and Design Code (P&D Code) and their suitability for retention/removal is contained in **Section 7** of this report.

4.11 Landscaping

Significant new landscaping is proposed as part of this development. The range of plantings and considered design of the landscaping will provide pleasant surrounds for existing and future residents and also aid in formalising the visual and material linkage and interaction between the Carmelite Stage 1 and Stage 2 precincts. With the exception of the *Acer palmatum 'Atropurpureum'* (Purple Japanese Maple), the trees selected for the site will reach a mature height of minimum 4 metres (m) and thereby will contribute to the urban tree canopy within the locality.

The proposed independent living buildings and associated on-site road infrastructure and pedestrian pathways have been designed to maximise the retention of the well-established and existing trees, including several Regulated and Significant trees throughout the site. Additionally, landscape screening is to be planted adjacent the northern, north-western and north-eastern allotment boundaries.

The trees and shrubs that are to be planted on the site will be chosen from trees that are native and/or common within the locality and as further described with Oxigen's Landscape Concept Plan, as contained in **Appendix E**.



4.12 Stormwater Detention

The stormwater infrastructure required to be developed in association with the proposed Independent Living Accommodation is outlined in detail in the Stormwater Management Plan (SMP) prepared by Wallbridge Gilbert Aztec (WGA) as contained in **Appendix G**.

An existing stormwater main of 1,500mm in diameter extends from the Cross Road frontage, through the site and across the north-western corner of the development site, as detailed in the Stormwater Management Plan and displayed on Walter Brooke Site Plan SK02. The line of this existing stormwater drain has been used to define the north-eastern boundary the development site area shown. This existing underground stormwater drainage infrastructure is to be utilised in the event of a minor storm event.

As displayed on the Site Plan, a stormwater detention basin is proposed to be removed and replaced by two (2) 136 kilolitre (kL) underground, concrete detention tanks. The proposed detention tanks will replace the storage volume lost via the removal of the existing detention basin within the Carmelite Stage 1 boundaries.

4.13 Waste Management

The proposed development will be serviced by privately arranged waste collection contractors. Refuse vehicles will enter and exit the site via Spence Avenue with adequate provision for forward movement to and from the site. Waste will be collected from the enclosed bin storage area located west of Building 1 within the carpark area. The dedicated bin storage will measure 7.2m by 3.965m and will be screened by a 2.1m high aluminium louvred fence.

It is anticipated that the site will routinely generate general waste, recyclable and food/organics waste. Hard waste collection will be infrequent and organised on an 'as-needs' basis.

Maintenance services (i.e., gardening, lighting etc) will be undertaken as part of management of the site by maintenance staff or private contractor. Waste will be disposed of (off-site) by the persons responsible for undertaking these services.

Waste will be collected on weekdays between the hours of 9am and 7pm to comply with the requirements of the Environment Protection (Noise) Policy 2007.

A Waste Management Plan has been prepared by Colby Phillips Advisory in support of the proposal and is contained in **Appendix I**.



5 Planning and Design Code

Table 6 below, provides a summary of the applicable zone, sub zone, overlays and general development policy sections that have been identified as applying to the subject land.

Table 6: Planning and Design Code Summary

Planning and Design Code Summary	
Version and Date	2025.21 dated 4 December 2025
Zone	Urban Renewal Neighbourhood
Subzone	Nil
Overlays	<ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 30 metres) • Advertising Near Signalised Intersections • Affordable Housing • Future Road Widening • Major Urban Transport Routes • Noise and Air Emissions • Prescribed Wells Area • Regulated and Significant Tree • State Heritage Place (3767) • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Water Resources • Significant Retirement Facility and Supported Accommodation Sites
Technical Variations (TNV)	Maximum building height is 6 levels
General Development Policies	<ul style="list-style-type: none"> • Advertisements • Design • Design in Urban Areas • Interface between Land Uses • Land Division • Site Contamination • Transport, Access and Parking



6 Procedural Matters

The Zones, Subzones, Overlays and General Development Policies that apply may contain sections headed ‘Procedural Matters’, including the requirement to notify certain applications for planning consent and referrals to prescribed bodies.

Table 7 below, provide a summary of the procedural matters associated with the identified assessment pathway.

Table 7: Procedural Matters Summary

Procedural Matters Summary	
Relevant Authority	State Commission Assessment Panel (SCAP)
Assessment Pathway	Code Assessed – Performance Assessed
Statutory Referrals	<ul style="list-style-type: none">Minister responsible for the administration of the <i>Heritage Places Act 1993</i>.Commissioner of Highways.Environment Protection Authority.
Public Notification	Required

The relevant procedural matters involved in the identified assessment pathway are discussed below.

6.1 Relevant Authority

The subject land is located within the City of Unley Council Area. However, in accordance with the recent initiation of the Accommodation Diversity Code Amendment and subsequent Significant Retirement Facility and Supported Accommodation Sites Overlay, the State Commission Assessment Panel (SCAP) is considered as the relevant authority, as per Section 94(1)(a)(i) of the PDI Act. We note that the City of Unley will be provided an opportunity to provide comment during the assessment process, in accordance with Section 23(2)(b) of the PDI Regs.

6.2 Assessment Pathway

The applicant is seeking development approval for independent living units, which sits comfortably within the definition of a ‘retirement facility’, under Part 7 – Land Use Definitions of the Planning and Design Code (P&D Code).



A 'retirement facility' is not a class of development listed in Tables 1, 2, 3 or 4 of the Urban Renewal Neighbourhood and accordingly, defaults as "All Other Code Assessed Development" under Table 3- Performance Assessed Development. Thereby, all relevant policies from the zone, subzone, overlays and general development sections of the P&D Code that have application to the spatial location of the development apply for the purpose of assessment.

As previously noted, 'tree damaging activity' is required to facilitate redevelopment of the site. 'Tree damaging activity' is specifically listed within Table 3 - Performance Assessed Development of the General Neighbourhood Zone, and as such, has specific Zone, Overlay and General Development Policies that are relevant to this form of development. Notwithstanding, in accordance with Part 1 – Rules of Interpretation of the P&D Code, as the proposal 'comprises more than one element or more than one class (or form) of development all applicable polices and criteria must be considered by the relevant authority for the purposes of section 102 of the PDI Act'.

In Eliza Jane Investments Pty Ltd v City of Playford [2009] SASC 260, the Supreme Court of South Australia have agreed with the following statement, that it is appropriate to deduce "that where a part of the premises is used for a purpose which is subordinate to the purpose which inspires the use of another part, it is legitimate to disregard the former and to treat the dominant purpose as that for which the whole is being used".

This approach has also been adopted by the Environment Resources and Development (ERD) Court which has previously held in *Eliza Jane Investments Pty Ltd v City of Playford [2007] SAERDC 72*, that a proposal for a cafeteria or coffee shop within an existing and approved retail plant nursery was ancillary and subordinate to the retail plant nursery use and therefore not non-complying under the *Development Act 1993*.

Within Part 7 of the P&D Code it is stated that "unless stated to the contrary, a term ... which purports to define a form of land use will be taken to include a use which is ancillary and subordinate to that defined use". We consider that it is appropriate to apply this here, and as such, characterise the development by the dominant use as a 'retirement facility', whereby the proposed Community Hub, SHP alterations and additions, signage, landscaping, carparking, retaining walls and decking is ancillary and subordinate to the dominant use of the site.

6.3 Public Notification

A 'retirement facility' is a class of development listed as exempt from notification in Table 5 – Procedural Matters (PM) Notification of the Urban Renewal Neighbourhood, except where the development:



1. *"Exceeds 4 building levels or 15m in height
or*
2. *Does not satisfy Significant Retirement Facility and Supported Accommodation Sites Overlay DTS/DPF 2.2
or*
3. *involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and:*
 - (a) *the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment)
or*
 - (b) *the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment)".*

The proposed retirement facility will exceed four (4) building levels and does not satisfy Significant Retirement Facility and Supported Accommodation Sites Overlay DTS/DPF 2.2, accordingly notification is required in this instance.

6.4 Statutory Referrals

The Overlays of the P&D Code include Procedural Matters (PM) sections which mandate when applications require statutory referral to prescribed bodies prior to decisions being made on a development application. A review of the Overlays applicable to the site identified that the following statutory referrals are triggered by the proposed development due to its nature, scale and location

6.4.1 Heritage

The subject land is affected by the State Heritage Place Overlay as it comprises the Carmelite Monastery (former Archbishop's residence) which is a listed State Heritage Place (#3767). Accordingly, as the proposed development includes the following a statutory referral to the Minister responsible for the administration of the *Heritage Places Act 1993* is warranted:



4. *“Alterations or additions to buildings that:*
 - (i) *are visible from a public street, road or thoroughfare that abuts a State Heritage Place*
or
 - (ii) *may materially affect the context of a State Heritage Place*
or
 - (iii) *involve substantive physical impact to the fabric of significant buildings;*

5. *New buildings that:*
 - (i) *Are visible from a public street, road or thoroughfare that abuts the State Heritage Place*
or
 - (ii) *May materially affect the context of the State Heritage Place”.*

6.4.2 Commissioner of Highways

The subject land has frontage to both Glen Osmond Road and Cross Roads, both of which are subject to the Future Road Widening and the Urban Transport Routes Overlays. The following classes of development are triggers for a statutory referral to the Commissioner of Highways:

- *Other than where all deemed-to-satisfy criteria for all policies relevant to this referral are met, development (including the division of land) that is within or may encroach within a Future Road Widening Area.*
- *Except where all of the relevant deemed-to-satisfy criteria are met, development (including the division of land) that involves any of the following to/on a State Maintained Road or within 25 metres of an intersection with any such road:*
 - (a) *creation of a new access or junction*
 - (b) *alterations to an existing access or public road junction (except where deemed to be minor in the opinion of the relevant authority)*
 - (c) *development that changes the nature of vehicular movements or increase the number or frequency of movements through an existing access (except where deemed to be minor in the opinion of the relevant authority).*

As the proposed development encroaches a Future Road Widening Area, modifies an existing crossover, and changes the nature and frequency of movements through the existing access’ a referral to the Commissioner of Highways is warranted.



6.4.3 Environment Protection Authority

It is possible that the application may require a referral to the Environment Protection Authority (EPA). The relevant authority may determine that the nature of development involves a change of use to a more sensitive land use under Practice Direction 14 – Site Contamination Assessment 2021 where there is no current land use and the proposed use will be taken to be a more sensitive use other than where:

- (i) the immediate previous use was for a residential purpose; or
- (ii) the relevant allotment was lawfully created for a residential purpose and has not been used for any other purpose since that time; or
- (iii) the proposed use is industrial.

Under the above circumstances and noting that the land is currently vacant and that the land has been most recently used for construction laydown activities, a statutory referral to the Environment Protection Authority is warranted.

In this instance a Preliminary Site Investigation report and Site Contamination Declaration Form have been prepared in support of this application (**Appendix H**).



7 Planning Assessment

The purpose of this section of the report is to provide justification, by means of technical planning assessment, as to why the proposal meets the intent of the relevant provisions. This technical assessment will address both the intent (qualitative provisions of the Planning and Design Code, generally expressed as Performance Outcomes (PO's), along with any specified quantitative guidelines (generally expressed as Designated Performance Feature (DPF)). Importantly, we note that the 'intent' of the relevant policy can be met even if the quantitative requirements of the P&D Code are not.

7.1 Land Use

The subject land is located within the Urban Renewal Neighbourhood Zone, which has a 'Desired Outcome' (DO) that seeks:

'Housing and other land uses which no longer meet community preferences are replaced with new diverse housing options. Housing density increases, taking advantage of well-located urban land. Employment and community services will improve access to jobs, goods and services without compromising residential amenity". (DO1)

This is supported by Urban Renewal Neighbourhood Zone Performance Outcome (PO) and Designated Performance Feature (DPF) 1.1 which seeks [underline added for emphasis]:

Performance Outcome	DTS / DPF
<p>PO 1.1</p> <p>Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable urban neighbourhood.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Ancillary accommodation (b) Child care facility (c) Community facility (d) Consulting room (e) Dwelling (f) Educational facility (g) Office (h) Place of Worship (i) Recreation area (j) Residential flat building (k) Retirement facility (l) Shop (m) Student accommodation (n) Supported accommodation.

The proposed development considers the construction of a retirement facility (in the form of independent living units) and for the adaptive reuse of an existing State Heritage Place for use as a community facility (ancillary and Subordinate to the Retirement Facility). As such the proposed land uses associated with this application are thoroughly envisaged within the Urban Renewal Neighbourhood Zone as further evidenced within PO 1.1 and DTS/DPF 1.1 (c) and (k) above.



Further to the above, Significant Retirement Facility and Supported Accommodation Sites Overlay PO 1.1 seeks that:

PO 1.1

“Non-residential activities are subordinate to, and in association with, retirement facilities and/or supported accommodation to support occupant care and wellbeing and the local community”.

The proposed development seeks to transform the Carmelite Monastery into a Community Hub for improved residential amenity and wellbeing of the occupants of the Carmelite Aged Care Accommodation (Stage 1) and proposed Carmelite Independent Living Units (Stage 2). Thereby the proposed clearly satisfies the intent of PO 1.1.

7.1.1 Site Suitability

As discussed in **Section 6.4**, the proposed land use is residential in nature and therefore meets the criteria, under Table 1: Land Use Sensitivity Hierarchy of PlanSA Practice Direction 14 - Site Contamination Assessment 2021, as a more ‘sensitive’ land use.

In determining whether or not the land is suitable for the proposed use, Site Contamination PO 1.1 and DPF 1.1 of the P&D Code is relevant, stating:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more sensitive use.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <ul style="list-style-type: none"> (a) does not involve a change in the use of land (b) involves a change in the use of land that does not constitute a change to a more sensitive use (c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form) (d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following: <ul style="list-style-type: none"> (i) a site contamination audit report has been prepared under Part 10A of the Environment Protection Act 1993 in relation to the land within the previous 5 years which states that <ul style="list-style-type: none"> (A) site contamination does not exist (or no longer exists) at the land



Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
	<p>or</p> <p>(B) the land is suitable for the proposed use or range of uses (without the need for any further remediation)</p> <p>or</p> <p>(C) where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development)</p> <p>(ii) (ii) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a site contamination declaration form).</p>

Ennovo environmental consultants have prepared a Preliminary Site Investigation (**Appendix H**), which provides the following findings:

1. *All soil results reported below the adopted criteria with the exception of soil location BH06 which reported an elevated TRH (C16-C34) and benzo(a)pyrene (B(a)P) concentration above the ecological and / or health criteria for high density residential land use. The elevated concentrations were reported in surface soils (from 0-0.1 m below ground level).*
2. *The soil impacts at BH06 appear to be limited to surface soils with B(a)P impacts vertically delineated in the underlying sample BH06_0.3-0.5. A thin layer of bitumen was noted at BH06 from 0.2 to 0.3 m bgl which may have attributed to the elevated TRH and B(a)P concentrations.*
3. *Ecological exceedances are not considered significant in terms of a proposed high density residential land use.*
4. *Additional sampling and testing in the vicinity of BH06 was conducted to delineate the impacts horizontally. All samples reported B(a)P concentrations below the laboratory Limit of Reporting (LOR), indicating the impacts are limited to BH06.*

The findings are surmised stating:

“Based on the site investigations, Ennovo concluded that there was low likelihood of contamination that might pose an unacceptable risk to human health or the environment in terms of the proposed development, provided the hotspot in the vicinity of BH06 is excavated



and disposed off-site appropriately. Noting that additional soil sampling and testing may be required to classify soils requiring off-site disposal”.

The Ennovo report goes on to state that “the review of the site history has identified several potentially contaminating activities (PCA’s). Potential contaminants of concern associated with the identified potential sources of contamination include (but may not be limited to) heavy metals, acids, alkalis, volatile organic compounds (including solvents), fuels and oils, polycyclic aromatic hydrocarbons, pesticides, herbicides and asbestos”.

The report provides the following conclusion:

“Based on the outcome of the PSI and the Soil Investigation Report (2023), it is concluded that site contamination may exist in the area of the former cemetery footprint. It is also noted that groundwater has not been tested since 2017, and current groundwater conditions are unknown. The hotspot located in the southern portion of the site (in the vicinity of test location BH06) should be excavated and disposed off-site appropriately to support the proposed development.”

From the findings and recommendations described within the Ennovo PSI, further on-site remediation works will need to be undertaken as part of this project and to the satisfaction of the Environment Protection Authority (EPA). These remediation works will be undertaken by a suitably qualified consultant and in accordance with requirements of the EPA to ensure the safety and long-term suitability of the site to support the intended land use.

7.2 Design and Appearance

7.2.1 Building Height

The proposed development will comprise a built form of up to seven (7) building levels in height. As previously discussed, the proposed development comprised the construction of one (1) building as the undercroft carpark links both “Building 1” and “Building 2”. Accordingly, the building height is measured from the lowest building level.

Proposed Building 1 will reach four (4) building levels in height, one of which will comprise an undercroft carpark. Building 2 will reach seven (7) building levels in height, of which two (2) levels will form an undercroft carpark.



Significant Retirement Facility and Supported Accommodation Sites Overlay PO and DPF 2.1 seeks that:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
<p>PO 2.1</p> <p>Buildings for, or associated with, supported accommodation and/or retirement facilities on a significant retirement facility and supported accommodation site are consistent with the form expressed in DTS/DPF 2.1 or positively responds to the local context, provided that off-site impacts can be managed.</p>	<p>DTS/DPF 2.1</p> <p>Buildings for, or associated with, supported accommodation and/or a retirement facility on a significant retirement facility and supported accommodation site do not exceed:</p> <ul style="list-style-type: none"> (a) 4 levels and 15m in height on sites between 6,500m² up to 10,000m² in area or (b) 6 levels and 22m in height on sites over 10,000m² in area. <p>In instances where the zone's maximum building height exceeds the height specified in part DTS/DPF 2.1 (a) or (b) (whichever is relevant), then the zone's maximum building height will apply.</p>

In this instance the land is located within the Urban Renewal Neighbourhood Zone which provides for a maximum building height of 5 building levels. In accordance with Part 1 – Rules of Interpretation, the hierarchy of policies determines that where there is an inconsistency between provisions, for the purpose of section 66(3)(b) of the Act, the provisions of an overlay will prevail over all other policies applying in the particular case.

It is acknowledged that the proposed built form exceeds the envisaged height prescribed by the relevant Zone and Overlay provisions of the P&D Code. The subject site is part of a significant supported accommodation/retirement facility located within the northwest corner of the intersection of Glen Osmond Road and Cross Road, that is operated by Southern Cross Care and comprises Lourdes Valley, Glen Woodley Estate, Coach House Mews and Carmelite Stage 1 and extends over an area of some 8.5 hectares of land.

With reference to Significant Retirement Facility and Supported Accommodation Sites Overlay DTS/DPF 2.1, the Overlay provides for buildings up to six (6) building levels in height when associated with supported accommodation and/or a retirement facility on a significant retirement facility, and the land size exceeds 10,000m² (1 hectare) in area. The proposed development will sit on land of approximately 19,000m² which exceeds the considerations of this guideline; however, Building 2 will have an overall height of some 22m above natural ground level, excluding the lower undercroft carpark which sits below natural ground level as the land falls from southeast to northwest.



The proposed seven-storey building (Building 2), being located closest to the Glen Osmond Road frontage will present to the street as a five (5)-storey element, given the topography of the subject site. This is due to the fact that the basement/undercroft and ground floor car parking levels are set into the slope, thus decreasing the appearance of bulk and scale when viewed from Glen Osmond Road and Spence Avenue. In essence and when viewed from the adjacent Glen Woodley Estate to the north, the proposed basement/undercroft car parking does not present as a storey above ground level.

Further to the above and while acknowledging Building 2 exceeds the six-level guidelines expressed for built form within the overlay, it is necessary to consider the height in the context of the state of existing development in the locality and the gradient of the subject land. PO 2.1 of the Significant Retirement Facility and Supported Accommodate Sites Overlay is therefore expressly relevant for assessing the proposed building height which states: *“Buildings for, or associated with, supported accommodation and/or retirement facilities on a significant retirement facility and supported accommodation site are consistent with the form expressed in DTS/DPF 2.1 or positively responds to the local context, provided that off-site impacts can be managed.”* Secondly, the height should also be considered in respect to the potential impacts resultant from the proposed height of the buildings. In this instance, as shown on the Elevations (refer **Appendix B**), the proposed building is in keeping with the height and scale of the existing Carmelite 1 building to the south, which due to the natural topography of the subject site, is located on the highest point. The proposed four (4)-storey building (Building 1) is highly compatible with the height and scale of existing aged care buildings to the south and west, namely the Heritage and Waterford Units and the Lourdes Valley Lodge.

The perception of the building’s height when viewed from adjacent properties and road frontages will be considerably mitigated by the building setbacks from the adjacent road boundaries. Furthermore, the scale of the building as viewed from Cross Road and Glen Osmond Road to the east will be mitigated by the existing site topography, retention of the existing wall surrounding the subject land and the excavated finished ground level.

Finally, the two (2)-storey scale of the Carmelite Monastery to the north-east will maintain its setting within the subject land, aided by being located up-slope from proposed Building 2. Furthermore, considered design of the proposed buildings, combined with the restoration and adaptive reuse to a Community Hub will emphasise views of the former monastery from within the site boundaries. Accordingly, we submit that the proposed development height is sufficiently consistent with PO 2.1 in that it is occurring on a site of aged care significance. The proposed development is considered contextually appropriate in that the land size can easily accommodate buildings of the scale proposed without materially impacting the amenity of adjacent land nor will it adversely impact traffic movements of the adjacent public road network. The subject land is located within close proximity to public transport, services and facilities, and at approximately 3.7km from the Adelaide CBD will also be afforded access to the major social, health and medical services available to the State.



7.2.2 Residential Amenity

With regard to residential amenity, the following Design in Urban Areas policies of the P&D Code are relevant:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
Siting Configuration and Design	
PO 37.1 Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.	DTS/DPF 37.1 None are applicable.
PO 37.2 Universal design features are incorporated to provide options for people living with disabilities or limited mobility and / or to facilitate ageing in place.	DTS/DPF 37.2 None are applicable.
Movement and Access	
PO 38.1 Development is designed to support safe and convenient access and movement for residents by providing: <ul style="list-style-type: none"> (a) ground-level access or lifted access to all units (b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places (c) car parks with gradients no steeper than 1-in-40, and of sufficient area to provide for wheelchair manoeuvrability (d) kerb ramps at pedestrian crossing points. 	DTS/DPF 38.1 None are applicable.

Whilst the land is sloped, there are existing retaining walls along the northern site boundary to minimise impacts for users of the site. The proposed development uses the slope to incorporate undercroft carparking to cut into the slope and provide a consistent ground level for pedestrian access and circulation.

The proposed modifications to the Carmelite Monastery incorporate a retaining wall on its western side to minimise impacts of the lands natural slope and pedestrian movements from the Community Hub to the communal open space and Independent Living Units. Whilst there is some variation in ground levels within the communal open space area, walking tracks are sufficiently managed to allow for ease of movement between spaces without compromising the safety of residents. Pedestrian tracks will have a gradient no greater than 1:20 and thereby are sufficient for wheelchair access particularly when spread over a considerable distance.



In addition to ground level access, proposed Buildings 1 and 2 provide lift access to all units, and the pedestrian link between buildings is level and provides sufficient space for the passing of wheelchairs. Carpark areas are also of a suitable gradient (maximum 1:20). The disability accessible parking spaces located within the eastern carpark have direct access to a pedestrian walkway so that wheelchair users do not have to traverse the carpark but are able to easily access the main buildings or Community Hub without difficulty. As part of the adaptation of the Carmelite Monastery, access ramps will be incorporated to key building entrances to allow for suitable access to the community facilities, which include an ambient bathroom.

The proposed development has carefully considered the needs of its existing and future residents and has created a series of convenient and logical pedestrian access links between buildings, site facilities and the Carmelite Stage 1 development.

7.2.2.1 Residential Outlook

With regard to residential outlook, the following Design in Urban Areas policies are relevant to the proposed development:

Performance Outcome	Deemed-to-Satisfy / Designate Performance Feature
All Residential Development	
Outlook and Amenity	
PO 18.1 Living rooms have an external outlook to provide a high standard of amenity for occupants.	DTS/DPF 18.1 A living room of a dwelling incorporates a window with an external outlook of the street frontage, private open space, public open space, or waterfront areas.
PO 18.2 Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.	DTS/DPF 18.2 None are applicable.

Proposed Buildings 1 and 2 have been designed so that residents will have outlook to either the north or south from both internal living room windows and private balconies. Units with outlook to the north will have views of the landscaped gardens directly north of the building (ground floor) or will have views of the nearby Ridge Park and/or the southern Parklands and Adelaide CBD. Residents with a southerly outlook will have views of the communal open space, Carmelite Monastery and Adelaide foothills.



The buildings have been designed in consideration of the Acoustic Services assessment (**Appendix J**). Construction methods and materials will be adopted to minimise noise impacts between units as well as from external noise sources such as vehicle movements (refer **Section 7.4.1** – General Land Use Compatibility). Although located directly adjacent the primary communal open space area, the ground floor bedrooms associated with Building 2 will be raised to a higher building level whereby the undercroft carpark will act as a buffer between the two (2) areas.

7.2.2.2 Site Facilities

With regard to site facilities and storage, Design in Urban Areas policies PO 40.1 through PO 40.7 seek provision of the following:

- Storage for small powered electric vehicles;
- Mail box and external clothes drying facilities;
- Screened facilities for general waste and recycling; and
- Screeded utility services.

The proposed development provides internal private storage areas for each for the unit typologies, in addition approximately thirty-one (31) personal storage units as well as one (1) shared bulky item storage room is provided within the undercroft carparks.

Each unit has a private balcony of sufficient size to allow for external clothes drying, if required.

Mailbox facilities have yet been nominated; however, there is adequate opportunity for mailbox facilities near the Spence Avenue vehicle access or within the building lobbies.

As previously discussed, a screened communal bin storage will be provided in the western carpark. Waste and recycling shoots are provided on each building level within both buildings.

7.2.2.3 Communal Open Space

The following Design in Urban Areas policies are considered to be of relevance in relation to the design and functionality of communal open space:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
PO 39.1 Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.	DTS/DPF 39.1 None are applicable.
PO 39.2 Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.	DTS/DPF 39.2 None are applicable.



Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
PO 39.3 Communal open space is of sufficient size and dimensions to cater for group recreation.	DTS/DPF 39.3 Communal open space incorporates a minimum dimension of 5 metres.
PO 39.4 Communal open space is designed and sited to: <ul style="list-style-type: none"> (a) be conveniently accessed by the dwellings which it services (b) have regard to acoustic, safety, security and wind effects. 	DTS/DPF 39.4 None are applicable.
PO 39.5 Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.	DTS/DPF 39.5 None are applicable.
PO 39.6 Communal open space is designed and sited to: <ul style="list-style-type: none"> (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings (b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance. 	DTS/DPF 39.6 None are applicable.

Oxigen have been engaged to provide a considered landscaping design for the overall development (**Appendix E**). In accordance with the above policies and based on the design provided, we are confident that the design and functionality of the communal open space meet the intent of the provisions outlined above. The design is substantial in scale, will encourage active and passive recreation uses, while being easily accessible and facilitating adequate passive surveillance.

7.2.3 Landscaping and Urban Tree Canopy

In relation to landscaping, Design in Urban Areas, PO 3.1 and 3.2 seek that:

PO 3.1

Soft landscaping and tree planting is incorporated to:

- (a) *minimise heat absorption and reflection*
- (b) *maximise shade and shelter*
- (c) *maximise stormwater infiltration*
- (d) *enhance the appearance of land and streetscapes contribute to biodiversity*



PO 3.2

Soft landscaping and tree planting maximises the use of locally indigenous plant species, incorporates plant species best suited to current and future climate conditions and avoids pest plant and weed species.

The proposed development incorporates significant landscaping which has been carefully designed to provide a vibrant and contemporary garden setting for future occupants of the new independent living units. The landscape design considers the needs of the residents, promoting autonomy and facilitating meaningful social interactions whilst complementing and reflecting the qualities of the Carmelite Monastery. The landscape design is detailed in **Appendix E** and comprises the following key elements:

- formal lawns, gardens and arbours surrounding the Community Hub;
- a central lawned green space for residents to meet and interact;
- integration of existing tree and landscape features;
- pedestrian connectivity;
- raised planters and seating opportunities between Buildings 1 and 2;
- diversity in tree and ornamental plantings;
- defined entrance, arrival and departure points; and
- contemporary materials that are robust and reflect the inherent site qualities and characteristics.

The appearance of the proposed buildings from adjacent allotments and road frontages will be managed through the establishment of a significant number of trees in proximity to the site's boundaries. This will include the planting of 12 trees along the northern boundary to Glen Woodley Estate and further trees planted along the northern portion of the Glen Osmond Road frontage. The Spence Avenue frontage will be distinguished by a feature rock garden. We note that trees will also be planted within and around the east and west carparking areas to provide shade and a pleasant visual outlook.

The subject land is located within the Urban Tree Canopy Overlay of the P&D Code which has a Desired Objective that seeks:

“Residential development preserves and enhances urban tree canopy through the planting of new trees and retention of existing mature trees where practicable”. (DO1)

The proposed landscape design includes upwards of fifty (50) trees across the site which, with the exception of the Purple Japanese Maple (*Acer palmatum*) can grow to a mature height in excess of 4m, thereby making a significant contribution to the urban tree canopy within the site and locality.

7.2.4 Advertisements

The proposed development will incorporate signage mounted to the community bus shelter façade and will be visible from the Spence Avenue road frontage. Under the P&D Code, Advertisements DO 1 seeks that:



DO 1

“Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard”.

The proposed advertisement will be mounted flush with the wall and measure 4m in width by 2.5m in height, with a total sign area of 10m². The sign will clearly relate to the use of the land, comprising the Carmelite name, and Southern Cross Care corporate logo. The sign will also serve to provide wayfinding instructions to visitors of the site by identifying the direction of key features of the Carmelite development (i.e., retirement living, residential care, health and wellness centre, café etc). The proposed sign will not be illuminated and will be setback some 4.5m from the Spence Avenue road frontage and thereby will not restrict any traffic movements or be mistaken as traffic directions. There are no signalised vehicle or pedestrian signals within proximity of the proposed signage.

The proposed signage is relevant to the site by context and provides clear identification and wayfinding to passersby and visitors to the site. The sign is of negligible scale given the context of the development and will not result in a cluttered appearance or dominate views of the streetscape or locality.

We note that the proposed sign will be located approximately 100m west of the SHP and will not be visible from the SHP or restrict views of the SHP.

7.3 Adaptive Reuse and Heritage Considerations

During the concept design stage associated with Buildings 1 and 2, Walter Brooke Architecture, have had significant regard to the existing State Heritage listed Carmelite Monastery (former Archbishops Residence). Through the use of considered design elements, such as sympathetic colours and materials, horizontal datum lines and building massing the proposed buildings relate sympathetically to the SHP through a modern interpretation of the architectural character.

A Heritage Impact Statement has been prepared by Hosking Willis Architecture in support of this application, as contained in **Appendix F**.

The following State Heritage Place (SHP) Overlay policies of the P&D Code, are relevant for new buildings located within proximity of a SHP:



Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
PO 1.1 The form of new buildings and structures maintains the heritage values of the State Heritage Place.	DTS/DPF 1.1 None are applicable.
PO 1.2 Massing, scale and siting of development maintains the heritage values of the State Heritage Place.	DTS/DPF 1.2 None are applicable.
PO 1.3 Design and architectural detailing (including but not limited to roof pitch and form, openings, chimneys and verandahs) maintains the heritage values of the State Heritage Place.	DTS/DPF 1.3 None are applicable.
PO 1.4 Development is consistent with boundary setbacks and setting.	DTS/DPF 1.4 None are applicable.
PO 1.5 Materials and colours are either consistent with or complement the heritage values of the State Heritage Place.	DTS/DPF 1.5 None are applicable.
PO 1.6 New buildings and structures are not placed or erected between the primary and secondary street boundaries and the façade of a State Heritage Place.	DTS/DPF 1.6 None are applicable.

Proposed towers Buildings 1 and 2 will be sited towards to northern site boundary to allow the SHP to remain prominent within the site. The buildings will not restrict views of the SHP from Glen Osmond Road or Cross Road and incorporate a mixture of external materials and finishes to reduce impacts of visual dominance, including glass balustrades and walls, vertical modulated panels finished in a complementary colour, roof gardens and recessed building elements. The proposed buildings will comprise a gable roof form to harmonise with the slope and pitch of the SHP.

The proposed development reinforces the importance of the SHP by encouraging linkages with the proposed buildings and the Carmelite Stage 1 buildings through a series of walkways. The proposed landscaping and walking tracks encourage passive observation of the building and appreciation of its visual contribution.

With regard to adaptive reuse of the SHP, Desired Outcome 1 of the State Heritage Places Overlay seeks:



DO 1

Development maintains the heritage and cultural values of State Heritage Places through conservation, ongoing use and adaptive reuse consistent with Statements of Significance and other relevant documents prepared and published by the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the Heritage Places Act 1993.

The proposed development seeks to undertake alterations and additions to the SHP to allow the building to be used as a Community Hub servicing the Stage 1 and Stage 2 Carmelite Aged Care and Retirement Facilities. The building will comprise a cinema room, multi-function meeting room and function room/auditorium, a community kitchen and dining areas, lounge room, gallery, managers office, reading room and outdoor verandah.

Under the P&D Code, the following State Heritage Place Overlay policies are relevant to the proposed adaptive reuse of the former Archbishops residence:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
PO 1.7 Development of a State Heritage Place retains elements contributing to its heritage value.	DTS/DPF 1.7 None are applicable.
PO 2.1 Alterations and additions complement the State Heritage Place and are sited to be unobtrusive, not conceal or obstruct heritage features and detailing, or dominate the State Heritage Place or its setting.	DTS/DPF 2.1 None are applicable.
PO 2.2 Adaptive reuse and revitalisation of State Heritage Places to support their retention in a manner that respects and references the original use of the State Heritage Place.	DTS/DPF 2.2 None are applicable.
PO 7.1 Conservation works to the exterior and interior of a State Heritage Place and other features of identified heritage value match original materials to be repaired and utilise traditional work methods.	DTS/DPF 7.1 None are applicable.

In effect, the proposed adaptation will allow the SHP to function as a community ‘residence’ providing shared spaces to improve the residential amenity for residents of the adjacent facilities to relax and socialise.

The proposed development includes conservation works and additions to the exterior of the building including:



- Painting existing walls (east and south elevation);
- Reinstating windows to the original configuration (south elevation);
- Installing bi-fold glass doors (east elevation);
- Enclosing a verandah with glazing and works to the uncovered decking including stone clad plinths, balustrades, handrails, access ramps and pedestrian access (east elevation);
- Installing a retaining wall stone clad plinths and glass balustrades to the western verandah area;
- Installing a ramped access with glass balustrades and a hand rail (north elevation);
- Enclose northern pedestrian entrance with glass; and
- Obscure windows associated with the internal bathrooms and community kitchen.

The use of glass will allow for views of the original features to be maximised, whereas an opaque material may have detracted from the original sandstone brickwork.

7.4 Land Use Interface

7.4.1 General Land Use Compatibility

Interface between Land Uses PO 1.1 seeks that:

“Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone”. (PO 1.1)

The proposed development will provide for sensitive receivers as the land use comprises a retirement facility (i.e., dwellings). Notwithstanding, future occupants will be surrounded by similar land uses with residential development existing immediately to the north and west of the development site. Non-residential development is sufficiently separated from the development site, being located on the eastern side of Glen Osmond Road.

The proposed dwellings will be setback sufficiently from the adjacent State Maintained Roads, and particularly away from the intersection of these roads, thereby minimising adverse impacts from traffic noise. In addition, the proposed dwellings incorporate acoustic treatments to maintain a suitable internal ambient noise level, including:

- The use of appropriate building materials on the building façade, external glazing and roof to mitigate traffic noise;
- Utilise appropriate construction method for internal walls and floors to reduce noise between bedrooms and to comply with the National Construction Code (NCC); and
- Assess and treat noise impacts from mechanical plant equipment and waste collection during the detailed design phase.



In support of the proposal, Southern Cross Care have engaged Bestec Consultants to undertake an Acoustic Services assessment (**Appendix J**) of the development and provide recommendations regarding the potential for noise related impacts to adjoining allotments (such as mechanical plant and waste collection) and existing sensitive receivers (including future residents of the independent accommodation facility).

This report provides in summary that the noise emitted during the undertaking of vehicle car parking, waste removal and mechanical plant will achieve the relevant sleep disturbance criterion, albeit the mechanical plant will require design of appropriate attenuators and vibration isolators.

The Bestec report proposes to limit waste collection to between 7am – 7pm Monday to Saturday and 9am to 7pm Sunday or Public Holiday, in order to limit the potential nuisance under the *Local Nuisance and Litter Control Act 2016*, and to maintain compliance with the relevant Environment Protection (Commercial and Industrial Noise) Policy criteria.

As such it is considered that any potential for interface issues has been mitigated to acceptable levels and in accordance with the relevant guidelines.

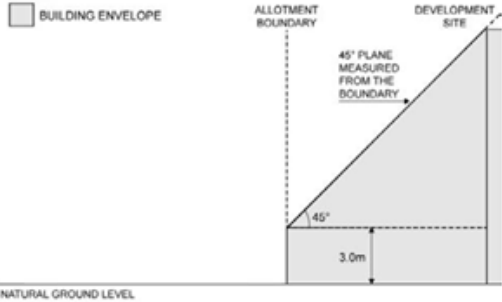
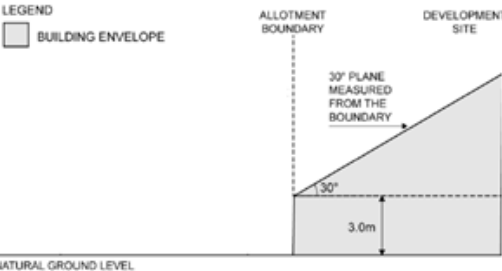
7.4.2 Overshadowing

Proposed Buildings 1 and 2 will be sited to the south of the adjoining residential dwellings and will be setback approximately 47.5m from the western boundary and 16.5m from the eastern site boundary.

With regard to overshadowing, Significant Retirement Facility and Supported Accommodation Sites Overlay PO and DPF 2.2 seeks:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
Built Form and Character	
<p>PO 2.2</p> <p>Development on a significant retirement facility and/or supported accommodation site designed to minimise impacts on local streetscapes and adjacent residential land uses with regard to overshadowing, massing and building proportions.</p>	<p>DTS/DPF 2.2</p> <p>Parts of a building associated with, a retirement facility and/or supported accommodation on a significant retirement facility and supported accommodation site that exceed the zone’s maximum building height are constructed within a building envelope provided by a:</p> <p>(a) 45 degree plane measured from a height of 3m above natural ground level at the site boundary as shown in the following diagram (except where this boundary is a southern boundary or a State maintained road):</p>



Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
	<p data-bbox="821 465 877 488">LEGEND</p> <p data-bbox="821 495 981 517">□ BUILDING ENVELOPE</p>  <p data-bbox="805 862 1324 1019">(b) 30 degree plane measure from a height of 3m above natural ground level at the southern site boundary as shown in the following diagram (except where this boundary is a State maintained road):</p> <p data-bbox="821 1052 877 1075">LEGEND</p> <p data-bbox="821 1081 981 1104">□ BUILDING ENVELOPE</p> 

The two (2) upper levels of Building 1 will encroach into the 45-degree plane demonstrated in DPF 2.2(a) above. Notwithstanding, the adjoining residential properties will not be impacted by overshadowing due to the solar orientation of the site. With regard to massing and building proportions, the design features both vertical and horizontal architectural features as well as recessed elements to minimise impacts of visual massing. The uppermost building level in particular will be recessed at least 2.5m from the buildings edge and will incorporate a feature garden wall to add visual interest and reduce visual bulk.

Moreover, the design and placement of Buildings 1 and 2 will contribute to minimising the impact on the adjoining estate to the north. More specifically, designing the taller and thinner of the two (2) proposed buildings in close proximity to Glen Osmond Rd, (as the major transport corridor) allows for a transition in size westerly to Building 1, as the topography of the subject site decreases closer to Spence Avenue. This transition in building height reflects the type, scale and intensity of existing built form within the immediate locality.



In consideration of the above, the proposed development will not materially impact on the residential amenity or outlook of the adjoining occupiers of dwellings, nor will it impact streetscape character or amenity due to the generous setbacks proposed from the street frontages.

7.4.3 Visual Privacy

The applicant has taken every precaution to ensure that impacts on the privacy of the occupants of the adjacent land will be minimised.

In consideration of visual privacy, Design in Urban Areas PO 10.1 and 10.2 are most relevant to the proposed, seeking that [underline added for emphasis]:

PO 10.1

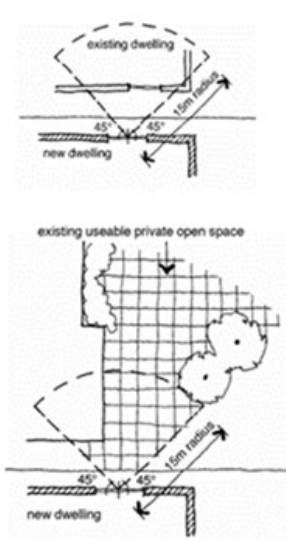
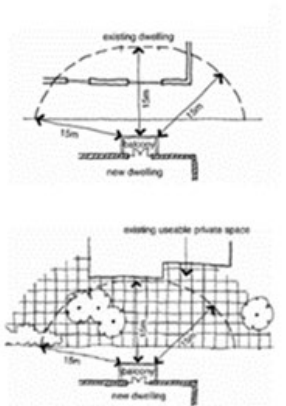
Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.

PO 10.2

Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining uses in neighbourhood type zones.

We note that 'direct overlooking' is further defined in the P&D Code as follows:



Term (Column A)	Definition (Column B)	Illustrations (Column C)
<p>Direct overlooking</p>	<p>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.</p> <p>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.</p>	<p>Overlooking window</p>  <p>Overlooking deck, balcony or terrace</p> 



Whilst there is a northerly aspect for some of the proposed independent living units, affording views from north-facing rooms and balconies towards the adjoining dwellings to the north, these views are not considered to result in any direct views which would impact on the reasonable privacy of the adjacent residential properties. **Figure 4** provides a visual representation of the 'direct' views afforded over the dwellings adjoining the northern site boundary. It is evident that a negligible portion of the private open space of the adjoining sites will be visible from the first to fourth level of Building 2, however in most cases privacy will be protected by existing landscaping, roof forms and verandahs. The upper-most level of Building 2 (level 5) will have no direct views of the adjoining private open space and will look out over roof tops only.

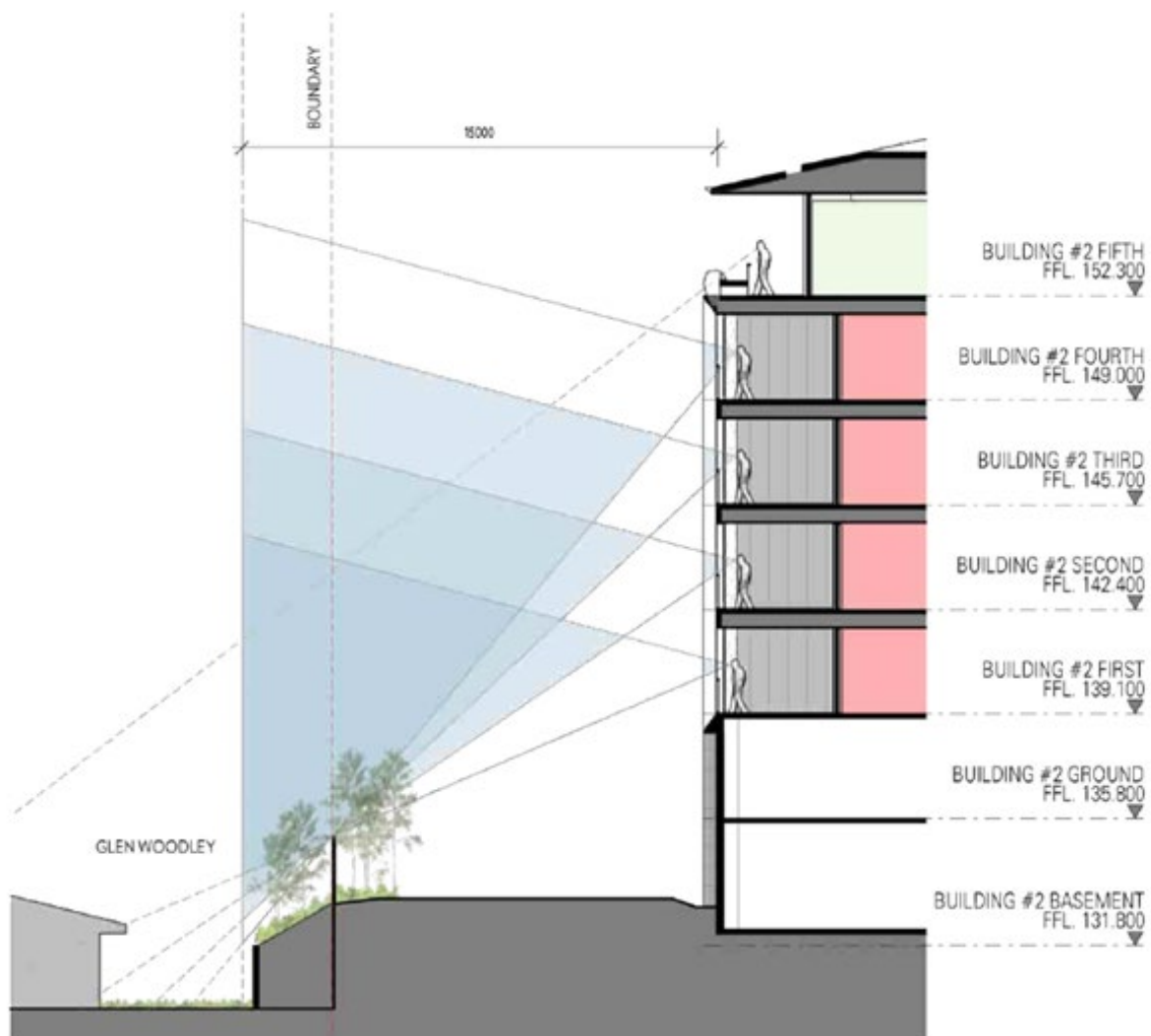


Figure 4: Direct Overlooking from Proposed Building 2 (excerpt from Walter Brookes Drawing No. DA13)



7.5 Tree Damaging Activity

7.5.1 Tree Removal

The subject land currently has a number of trees located within its boundaries that meet the criteria of Section 3F of the PDI Regs for a Regulated or Significant tree.

An Arboricultural Impact Assessment has been prepared by Treesense Consulting in support of this application (**Appendix D**).

To facilitate the proposed development, the removal of ten (10) Regulated and three (3) Significant trees is required. As noted in Section 4.9, careful consideration has been given to design a product that meets the needs of Southern Cross Care, whilst retaining as many trees as possible.

The proposed trees to be removed are described in **Table 8** below:

Table 8: Description of Regulated/Significant Trees Proposed for Removal

Tree No.	Name / Species	Circumference (cm)	Regulated Significant	Retention Rating
1	Narrow-leaved Ash – <i>Fraxinus angustifolia</i>	192	Regulated (*street tree)	Moderate
2	Kurrajong – <i>Brachychiton populneus</i>	169	Regulated (*street tree)	Moderate
3	Weeping Bottlebrush – <i>Callistemon viminalis</i>	236	Significant	Moderate
5	Mediterranean Cypress – <i>Cupressus sempervirens</i>	129	Regulated	Moderate
6	Mediterranean Cypress – <i>Cupressus sempervirens</i>	120	Regulated	Moderate
9	Mediterranean Cypress – <i>Cupressus sempervirens</i>	105	Regulated	Moderate
21	White Bauhinia – <i>Bauhinia acuminata</i>	160	Regulated	Moderate
24	Giant Honey Myrtle – <i>Melaleuca armillaris</i>	133	Regulated	Moderate
26	Giant Honey Myrtle – <i>Melaleuca armillaris</i>	274	Significant	Moderate
28	Giant Honey Myrtle – <i>Melaleuca armillaris</i>	122	Regulated	Moderate
40	Shoestring Acacia – <i>Acacia stenophylla</i>	234	Significant	Moderate
53	Pohutukawa – <i>Metrosideros excelsa</i>	165	Regulated	Moderate
56	Jacaranda – <i>Jacaranda mimosifolia</i>	185	Regulated	Moderate



The arborist notes that Tree 1 is an 'exempt' species as defined under the PDI Act and is thereby excluded from legislative requirements. Notwithstanding, Trees 1 and 2 are street trees (Council assets) and thereby require Council's consent for removal. The removal of these trees is required to facilitate two-way vehicle access from Spencer Avenue which is not able to be relocated or redesigned due to the other verge features, including a utility pole. The arborist notes that Trees 1 and 2 share a root plate and thereby removal of Tree 1 would compromise the stability of Tree 2. As a result, the arborist recommends that both trees be removed simultaneously.

The arborist notes that 'Trees 21, 26 and 28 are located adjacent the sites northern boundary wall where a neat row of various ornamental trees is proposed'. The arborist contends that "*...these three existing trees are not in keeping with the broader scope of the development and will not contribute positively to the visual amenity of the area post-completion*".

The remaining trees (i.e., Trees 3, 5, 5, 9, 24, 40, 53 and 56) will experience an encroachment into the Notional Root Zone (NRZ) of greater than 20 percent as a result of the proposed development. The arborist provides that "*...design changes or special measures are not appropriate for these trees' retention due to their retention ratings as "moderate"*".

In considering the removal of a Regulated or Significant Tree, Regulated and Significant Tree Overlay PO 1.1 and PO 1.2 of the P&D Code seeks that:

PO 1.1

Regulated trees are retained where they:

- (a) make an important visual contribution to local character and amenity*
- (b) are indigenous to the local area and listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species
and / or*
- (c) provide an important habitat for native fauna.*

PO 1.2

Significant trees are retained where they:

- (a) make an important contribution to the character or amenity of the local area*
- (b) are indigenous to the local area and are listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*
- (c) represent an important habitat for native fauna*
- (d) are part of a wildlife corridor of a remnant area of native vegetation*
- (e) are important to the maintenance of biodiversity in the local environment
and / or*
- (f) form a notable visual element to the landscape of the local area.*



The trees that are proposed to be removed have minimal visibility from the adjacent public roads as they are largely concealed by the existing boundary wall or reduced in their impact due to their setback from the site boundaries. The exception to this is the cluster of pines located near the western boundary (Trees, 5, 6 and 9), and the two (2) street trees located adjacent the existing Spence Avenue vehicle access. None of these trees are particularly notable within the locality. The pines are only of note by the fact that they are clustered thereby increasing their overall size. The species is somewhat at odds with the other plantings located along Spence Avenue. The pines would be more fitting if located on the Glen Osmond Roadside of the land as there are a number of pine plantings which have been made a feature, particularly along the boundary fence line. Notwithstanding, the pines are not visible from Glen Osmond Road. The street trees (Tree 1 and 2) are not of particular interest within the streetscape. They are not part of any consistent (by spacing or species) tree planting and do not have a form or canopy that would present as 'notable'. The tree trunks are too close together which detracts from the visual pleasantness of both trees.

In assessing the merits of the removal of the regulated Trees, we have considered the assessment methodology for Significant trees as outlined in *Summers v City of Unley (2002)*, which in turn references the Supreme Court Hearing of *City of Mitcham v Freckmann (1999)*. The Summers Case considered the removal of two Significant Trees of 'fair' condition. The Court granted Planning Consent for removal of the two trees due to their limited contribution to the visual amenity of the locality. The assessment methodology of the Summers Hearing has been referred to regularly by the ERD Court in Hearings of this nature and is considered to represent the pre-eminent authority.

Judge Trenorden in Summers references the first assessment test once the nature of development is determined, as:

...to determine the desired character or purpose and intent of the zone, by reference to the objectives and principles of the development control for the zone.

and goes on to say:

In my view it would be in error to look solely at those provisions of the Development Plan under the heading of 'Significant Tree. It would be contrary to the provisions of the Development Plan itself' 'the provisions of the Development Plan with respect to significant trees must be read together with other relevant provisions. However, before I consider the significant tree provisions in context, it is worthy of note that these provisions do not seek to preserve significant trees at the cost of development. The development Plan acknowledges that trade-offs will have to be made.

The 'Freckmann' and 'Summers' assessment methodology of determining the essential intent and purpose of the Zone is relevant in considering the development (and land use) intentions of the General Neighbourhood Zone on balance with the Trees' importance in contributing to the amenity of the locality.

In considering the merits of removing the above Regulated and Significant trees, the development intentions of the zone are important. Desired Outcome (DO) 1 of the General Neighbourhood Zone seeks:



DO 1

“Housing and other land uses which no longer meet community preferences are replaced with new diverse housing options. Housing density increases, taking advantage of well-located urban land. Employment and community services will improve access to jobs, goods and services without compromising residential amenity”.

Section 7.1 of this report establishes that the proposed retirement facility and ancillary structures are envisaged within the zone. The proposed development is of a scale and density that is contextually appropriate for the site and locality. The retirement facility complements the aged care facility on the adjoining land (Carmelite Stage 1) and together they provide housing options that allow older persons to age in place and directly responds to the increased need for aged accommodation across South Australia.

Reasonable development of the site to achieve the above form, which is anticipated within the zone, is not able to be achieved on the subject land without the removal of the Regulated and Significant Trees specified above. Whilst the land size is considerable (1.9 hectares), it is constrained by a number of factors, including the State Heritage Place located centrally on the site, the limitations from new crossovers within proximity of the Glen Osmond Road/Cross Road intersection, future road widening requirements, and noise impacts from the Glen Osmond Road/Cross Road intersection. Whilst alternative design options were considered for the site, the commercial residential density, on-site carparking, vehicle manoeuvrability and more detailed and contextually appropriate landscaping (including replacement planting with a number of semi-mature trees that have capacity to grow to a height up to 10 metres) could not be realised without some tree removal. We note that the design has been able to accommodate the retention of seven (7) Regulated/Significant trees.

In consideration of the above, we have formed the view that reasonable development of a scale and form envisaged for the Urban Renewal Neighbourhood Zone could not be achieved without the removal of the nominated trees. Removal of the proposed ten (10) Regulated and three (3) Significant trees is consistent with the intentions of PO 1.4 (a) in that ‘it accommodates the reasonable development of land’.

7.5.2 Tree Retention

As noted in the previous section, the proposed development seeks to retain four (4) Regulated and three (3) Significant trees across the site, including:

- 1x Regulated Bay Tree (*Laurus nobilis*)
- 2x Regulated Mediterranean Cypress' (*Cupressus sempervirens*)
- 1x Regulated European Ash (*Fraxinus excelsior*)
- 2x Significant Canary Island Date Palms (*Phoenix canariensis*)
- 1x Significant River Red Gum (*Eucalyptus camaldulensis*) *located on the adjoining land



The proposed development will be undertaken within close proximity of these trees with some encroachment of the NRZ anticipated. Tree protection measures in accordance with AS4970-2025: *Protection of trees on development sites* will be implemented to ensure the trees are protected during and following construction.

We note that Tree 35 (Bay Tree) will experience a major encroachment of the NRZ, however it is the client's express desire that this tree be retained. In addition to protective tree measures during construction, ongoing monitoring of the trees condition will be observed. Should the tree experience decline, removal and replacement may be considered at a future time and subject to a separate application.

7.6 Transport, Access and Parking

7.6.1 Road Widening

As previously noted, the subject land is affected by the Future Road Widening, Traffic Generating Development and Urban Transport Routes Overlays of the P&D Code. With regard to Future Road Widening, Desired Outcome 1 seeks “...development which is consistent with and will not compromise efficient delivery of future road widening requirements”.

The ETA Traffic and Parking Review (**Appendix C**) provides that the proposed development sits outside of the area required for future road widening, as confirmed by DIT, with setback requirements depicted in **Figure 5** below.



Figure 5: Road Widening Setbacks (excerpt from ETA's Traffic and Parking Review, page 10)

In consideration of the above, the proposed development will not impact on DIT's ability to deliver future road widening.

7.6.2 Carparking

The following Transport, Access and Parking policies of the P&D Code, have been identified as relevant to the proposed car parking associated with the development:



Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
<p>PO 5.1</p> <p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <ul style="list-style-type: none"> (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared (d) the adaptive reuse of a State or Local Heritage Place 	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area (b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
<p>PO 6.1</p> <p>Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.</p>	<p>DTS/DPF 6.1</p> <p>Movement between vehicle parking areas within the site can occur without the need to use a public road.</p>
<p>PO 6.2</p> <p>Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
<p>PO 6.4</p> <p>Pedestrian linkages between parking areas and the development are provided and are safe and convenient.</p>	<p>DTS/DPF 6.4</p> <p>None are applicable.</p>
<p>PO 6.6</p> <p>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</p>	<p>DTS/DPF 6.6</p> <p>Loading areas and designated parking spaces are wholly located within the site.</p>
<p>PO 7.1</p> <p>Undercroft and below ground garaging of vehicles is designed to enable safe entry and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>



The proposed development comprises 132 parking spaces including three (3) disability accessible spaces. Table 1 – General Off-Street Car Parking Requirements seeks parking rates specified as detailed in **Table 9** below.

Table 9: Parking Rates Summary (excerpt from the ETA Traffic and Parking Review)

Land Use	Size (m ²)	P&D Code Requirement	Parking Spaces Required
Dwelling with 1 or 2 bedrooms	9	1 space per dwelling	9
Dwelling with 3 bedrooms or more	37	2 spaces per dwelling	74
Visitor Parking	46	0.2 spaces per dwelling	9
Multipurpose Rooms	95	10 spaces per 100m ²	10
Total			102

In accordance with the findings of the Traffic and Parking Review (refer **Appendix C**):

“the assessment has identified a parking requirement for 102 car parking spaces. Across the site, there is proposed to be a total of 94 resident parking spaces, 18 visitor spaces, 2 parallel drop off spaces plus 18 spaces within the road widening area are provided across the subject site for the various uses (totalling 132 spaces or 114 spaces if we excluded counting the spaces within the road widening area), meeting the requirements of [the table above]”.

Accordingly, ETA have confirmed that the proposed development easily satisfies the recommended vehicle parking rates of the P&D Code and that the proposed parking meets the layout requirements of Standards AS/NZS2890.1:2004 and AS/NZS2890.6:2009.

We note that the vehicle parking provided around the site is located within close proximity of building entrances and incorporates landscaping within the carparking areas to provide shade and a visually amenable outlook when viewed from within the site and from the street.

The proposed development incorporates dedicated parking and bus stop for the community bus, and accessibility for the waste refuse truck within close proximity of the Spence Avenue access with easy access to the bin storage area. It is anticipated that emergency service vehicles will enter and exit the site via the Glen Osmond Road vehicle access points.

The proposed undercroft carparking associated with Building 1 will be setback some 47m from Spence Avenue and will thereby not adversely impact the safety of pedestrians, cyclists or other vehicles using Spence Avenue.



7.6.3 Vehicle Access

With regard to vehicle access the following policies Transport, Access and Parking section of the P&D Code are of particular relevance to the proposed development:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
<p>PO 1.3</p> <p>Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.</p>	<p>DTS/DPF 1.4</p> <p>All vehicle manoeuvring occurs onsite.</p>
<p>PO 3.1</p> <p>Safe and convenient access minimises impact or interruption on the operation of public roads.</p>	<p>DTS/DPF 3.1</p> <p>The access is:</p> <ul style="list-style-type: none"> (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
<p>PO 3.3</p> <p>Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.5</p> <p>Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.</p>	<p>DTS/DPF 3.5</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner



Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
	(ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
PO 3.8 Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.	DTS/DPF 3.8 None are applicable.
PO 3.9 Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.	DTS/DPF 3.9 None are applicable.
PO 4.1 Development is sited and designed to provide safe, dignified and convenient access for people with a disability.	DTS/DPF 4.1 None are applicable.

Further to **Section 4.5** of this report, the ETA Traffic and Parking review has analysed the proposed access and provides the following:

“The proposed development will connect with Glen Osmond Road and Spence Avenue for access to the residential units Archbishops Residence and car parking areas. The internal roundabout within the circulation roadway near the Glen Osmond Road ingress has been designed to accommodate vehicles up to a 6m Ambulance and 7.7m 25 seat minibus”.

Boom gate controlled access will enable emergency vehicles/infrequent large vehicles to exit the site via Glen Osmond Road along the southern roadway. Fire access to the booster will be gained via the Glen Osmond Road egress. The fire truck will be able to access the booster in a forward direction, undertake a three-point turn, to then exit back out to Glen Osmond Road via the egress.

The proposed internal roads have been designed for simultaneous movements by light vehicles and access by vehicles up to a 25 seat mini bus at the drop off area adjacent the northern façade of Building 1.

As previously discussed, waste collection vehicles will access the proposed bin storage site located within the western car park, with trucks entering and exiting via Spence Avenue.



In consideration of the above, the proposed vehicle access and circulation is sufficient of the type and frequency of vehicle expected to use the site. The existing (albeit modified) crossovers on Spence Avenue and Glen Osmon Road will be utilised, the internal road layout provides adequate on site manoeuvrability for the type of vehicles envisaged, and the overall design minimises any adverse impacts to the existing public roads.

7.6.4 Traffic Volume

The Traffic and Parking Review (**Appendix C**) considers that if peak periods for all uses were to coincide, the proposed development would generate 13 vehicles per hour and 131 vehicles per day.

In addition, the Traffic and Parking Review considers that, *“...once these trips have been distributed across the proposed access points, the anticipated traffic generation of the subject site is not anticipated to impact the safety or function of the surrounding road network”*.

The report concludes that, *“...overall the proposed development will only have a very minor impact on traffic volumes on the adjacent road network”*.

7.7 Stormwater Management

The stormwater infrastructure required to be developed in association with the proposed development is outlined in detail in the Stormwater Management Plan (SMP) prepared by WGA (**Appendix G**).

Preliminary discussions between WGA and the City of Unley have been undertaken and are summarised below:

“Council’s preference that all stormwater run-off from the site is ultimately connected to their aquifer recharge and re-use site at Ridge Park and that detention requirements and designs are driven only by the capacity of the existing 1500mm diameter pipe main to carry the site’s additional stormwater.

Council have advised that the existing detention basin at Ridge Park is able to achieve the required stormwater attenuation for the catchment and, as such, no detention storage is required for this Stage 2 development”.

The WGA report considers that:

“...stormwater runoff from the new buildings will be collected by roof gutters and downpipes which will be connected to a series of underground stormwater pipes. Surface runoff from the new pavements will also be collected by grated inlet pits, trench grates and similar and connected to the underground stormwater system.

New underground stormwater drainage for Stage 2 will connect to the existing 1500mm diameter] stormwater pipe (in the north-western corner of the site)”.

While the drainage design is still in the preliminary design phase, the SMP demonstrates the methodology behind stormwater runoff and management associated with the proposed development.



8 Conclusion

We conclude that the proposed development complies sufficiently with the intent of the relevant provision contained within the South Australian Planning and Design Code. In particular, the proposed development:

- is a form of development that is anticipated within the Urban Renewal Neighbourhood Zone;
- will establish a 'retirement facility' in a zone and locality that is inherently and already accommodating of similar land uses;
- is of a scale and density that is contextually appropriate, and which suitably mitigates impacts of visual massing, overlooking and overshadowing through setbacks, design features and variations in external materials and finishes;
- that provides for the restoration, maintenance and adaptive reuse of an existing and otherwise untenanted State Heritage Place;
- creates a Community Hub that is ancillary to the dominant use of the site as 'retirement facility' and will provide essential services on-site for residents, which will improve their amenity and overall quality of life;
- provides well considered and appropriate residential amenity, site facilities, shared community facilities and communal open space;
- will provide a landscape design for the site that will significantly improve the site's appearance, will provide connection with the history of the site and character of the locality, and will provide meaningful and easily accessible open space for residents and the wider community.
- ensures that the removal of Regulated and Significant Trees to accommodate the proposed development is balanced carefully with tree retention, reasonable development anticipated for the zone, and suitable landscaping that will improve the site's contribution to the environment generally and also the urban tree canopy;
- utilises existing vehicle crossovers (albeit modified), while mitigating adverse traffic impacts within the locality;
- provides appropriately sited car parking and service areas across at-grade and basement levels that will sufficiently service the needs of residents, staff and visitors and moreover has a coordinated appearance that is integrated with the proposed built form;
- enables vehicle access and circulation that has been demonstrated as suitable for standard vehicles, emergency service vehicles, a 25-seat minibus and waste refuse trucks; and
- will appropriately manage stormwater through existing and new management systems;

We conclude that the proposed development accords with the provisions of the Planning and Design Code, and we therefore invite the State Planning Assessment Panel as the relevant authority to accept that the proposal meets the relevant provisions of the Planning and Design Code in a manner sufficient to warrant the application be granted Planning Consent.



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Appendix A

Certificates of Title

A detailed architectural rendering of a modern, multi-story building with a complex facade of vertical panels and large windows. The building is set in a landscaped area with tall grasses and small trees. Several people are visible walking in the foreground. The sky is bright and slightly overcast.

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Appendix B

Architectural Drawings

An architectural rendering of a modern, multi-story building with a facade of vertical slats and balconies. The building is set against a sky with light clouds and green foliage. In the foreground, there are tall grasses and a few people walking. The text "WALTER BROOKE" is overlaid on the left side of the image.

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Appendix C

Traffic and Parking Review

A detailed architectural rendering of a modern, multi-story building with a complex facade of vertical slats and large windows. The building is set in a landscaped area with tall grasses and young trees. Several people are visible walking on a path in the foreground. The sky is bright and slightly overcast.

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Appendix D

Arboricultural Impact Assessment

An architectural rendering of a modern, multi-story building with a facade of vertical slats and balconies. The building is surrounded by landscaping, including tall grasses and small trees. People are visible walking on a path in the foreground. The sky is bright and overcast.

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Appendix E

Landscape Concept Plan

A detailed architectural rendering of a modern, multi-story building with a complex facade of vertical panels and balconies. The building is set in a landscaped area with tall grasses and small trees. Several people are visible walking in the foreground. The sky is bright and slightly overcast.

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Appendix F

Heritage Impact Statement



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Appendix G

Stormwater Management Plan

A detailed architectural rendering of a modern, multi-story building with a complex facade of vertical slats and large windows. The building is set in a landscaped area with tall grasses and small trees. Several people are visible walking on a path in the foreground. The sky is bright and slightly overcast.

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Appendix H

Preliminary Site Investigation

A detailed architectural rendering of a modern, multi-story building with a complex facade of vertical panels and large windows. The building is set in a landscaped area with tall grasses and small trees. Several people are visible walking on a path in the foreground. The sky is bright and slightly overcast.

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Appendix I

Waste Management Plan

A detailed architectural rendering of a modern, multi-story building with a complex facade of vertical slats and large windows. The building is set in a landscaped area with tall grasses and small trees. Several people are visible walking in the foreground. The sky is bright and slightly overcast.

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Appendix J

Acoustic Services