

Gregg Jenkins (Future Urban)

Construction of a five-storey residential aged care facility comprising 139 accommodation units (supported accommodation), and 17 independent living units with associated fencing, car parking, outbuilding, landscaping and advertising signage and removal of eight (8) regulated trees and two (2) significant trees

29-31 Austral Terrace, Morphettville

Development Application 26009707



DEVELOPMENT NO.:	26009707
APPLICANT:	Gregg Jenkins
ADDRESS:	29 -31 AUSTRAL TCE MORPHETTVILLE SA 5043 29 -31 AUSTRAL TCE MORPHETTVILLE SA 5043
NATURE OF DEVELOPMENT:	Construction of a five-storey residential aged care facility comprising 139 accommodation units (supported accommodation), and 17 independent living units with associated fencing, car parking, outbuilding, landscaping and advertising signage and removal of eight (8) regulated trees and two (2) significant trees Stage 1: Southern portion of building demolished and construction of Southern portion of new building and tree damaging activity Stage 2: Central portion of building demolished and construction of Central portion of new building Stage 3: Demolition of remainder of northern building and all remaining work

ZONING INFORMATION:	Zones: • General Neighbourhood Overlays: • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Significant Retirement Facility Supported Accom Sites • Urban Tree Canopy • Water Resources
LODGEMENT DATE:	6 May 2026
RELEVANT AUTHORITY:	State Planning Commission
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2026.8 30/04/2026
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Joanne Reid Senior Planning Officer
REFERRALS STATUTORY:	(Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 City of Marion
RECOMMENDATION	Conditional Planning Consent Granted

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ATTACHMENT 1: Application Documentation

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 1C Landscape Concept Plan by Oxygen
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ATTACHMENT 3: Representations

3A Representations
 3B Applicant Response to Representations (including response to RFIs and Council)

EXECUTIVE SUMMARY

Gregg Jenkins of Future Urban is representing BUPA aged care in its development application to construct a 5-storey residential aged care facility (supported accommodation) comprising 139 accommodation units and 17 independent living units together with ancillary associated fencing, car parking, landscaping, signage and the removal of 8 regulated and 2 significant trees, to be undertaken in three stages.

The State Planning Commission is the relevant authority pursuant to Schedule 6 (4) (1) of the *Planning, Development and Infrastructure (General) Regulations, 2017* and Part 5 of the Planning and Design Code which requires buildings that are 4 or more storeys in the Significant Retirement Facilities and Supported Accommodation Sites Overlay to be assessed by the Commission.

The application is classified as a performance-assessed form of development.

Statutory referrals were issued to Adelaide Airport Authority and the City of Marion pursuant to Regulations 23 and 41 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Public Notification was undertaken in accordance with the Planning and Design Code (Code)'s Table 5 – Procedural Matters – Notification, as the subject land exceeds the building height maximum for the General Neighbourhood Zone.

Referral agencies are generally supportive of the proposed development. The City of Marion provided comments on technical matters of stormwater management, traffic, access, tree management and waste. The Adelaide Airport Authority advised that it did not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) and had no objection to the proposal.

The site is located within the General Neighbourhood Zone where the proposed land use is envisaged, and the building height is contemplated in the Significant Retirement Facilities and Supported Accommodation Sites Overlay where sites up to 10,000m² can accommodate buildings up to 6 levels provided that off-site impacts can be managed. The key issues are building height and the management of interface issues with the adjacent residential land uses.

Overall the proposal is considered to respond appropriately to the relevant objectives and policy outcomes of the Planning and Design Code, and the development is unlikely to result in unacceptable impacts on nearby sensitive uses. Conditional planning consent is recommended subject to assignment of various reserved matters.

BACKGROUND:

The Housing Diversity Code Amendment was implemented on 4 December 2025 and introduced the 'Significant Retirement Facility and Supported Accommodation Sites' Overlay to most suburban residential zones allowing for an increased building height of 4-6 levels for retirement villages and supported living developments on significantly large sites.

The Code Amendment designated the State Planning Commission as the relevant planning authority for all development above 4 levels/15 metres in height for development triggering the Overlay. This is designated in Schedule 6 (4) (1) of the *Planning, Development and Infrastructure (General) Regulations, 2017* and Part 5 of the Planning and Design Code.

DETAILED DESCRIPTION OF PROPOSAL:

The proposed development is for the construction of a residential aged care facility (supported accommodation) with 139 rooms and 17 independent living units (ILU), along with an outbuilding for storage, advertising signage and associated car parking, fencing and landscaping.

The development will also include the removal of eight (8) regulated and two (2) significant trees.

The development will be undertaken in three stages being:

- Stage 1: Southern portion of building demolished and construction of southern portion of new building and tree damaging activity
- Stage 2: Central portion of building demolished and construction of Central portion of new building
- Stage 3: Demolition of remainder of northern building and all remaining work

A future building on the northern allotment (not part of this application) is being considered as part of a Masterplan.

The facility's main entrance is proposed from Appleby Road, which leads to a lobby area that incorporates reception and waiting area with café, greeting and dining areas. The ground floor also accommodates kitchen, laundry and staff amenity areas.

Each level, up to the second floor accommodates individual supported aged care rooms with a centrally located lounge, seating and dining areas as well as outdoor terraces. The third floor comprises the independent living units of one-, two-and three-bedroom typologies. The fourth floor includes a multi-purpose recreation area with outdoor terrace and a kitchen and outdoor dining terrace area.

The ILU section is for independent living for a healthy aged person who may wish to live on the same site as a relative living in the aged care accommodation.

Access to the seventy-five-space car park is gained from Appleby Road and Austral Terrace. The Appleby Road access leads to a drop-off area with Porte Cochere. Car parking is located in front of the building to the south, then continues along the eastern and northern sides of the building. The car parking to the north of the building will be allocated to the residents of the ILU, located undercover and secured behind a gate.

The building is designed around a central spine which then extends into what the applicant describes as six 'fingers', each separated by a landscaped courtyard. The built form follows a similar alignment over four floors while the fifth level recesses quite substantially, locating itself at the centre of the building.

The building is constructed with a combination of a mid-tone and light colorbond cladding and face brickwork with feature soldier coursing.

The ILU storage building is situated within the northern car park and constructed of brick.

Fencing will be in the form of two low-level textured masonry walls, standard 1.8m high colorbond fencing, 1.8m open metal rail fencing and a 3m high acoustic fence adjacent the waste area.

Illuminated signage is embedded into the masonry wall at the entry and there will also be a 2.7m high pylon sign at the Austral Terrace frontage.

The roof top includes solar panels and plant equipment.

A summary of the proposal is as follows:

Building Height	Ground plus 4 levels - 18.2m to top of Level 4.
Description of levels	Ground Floor: Entry lobby, reception, café, hair salon, kitchen, laundry, staff lounge, end-of-trip facility and lockers, offices, stores, fire pump.

	35 resident rooms, dining areas and servery, lounge, ILU lobby. First and second floor: 53 resident rooms (106 total), dining areas, servery, activity room, sitting areas, store, terrace, dining deck Total Resident Rooms: 139 Third Floor: 17 Independent Living Units • 3 x 1-bed • 6 x 2-bed • 8 x 3-bed Fourth floor: Multi-purpose room, servery, storage areas, terrace for ILU occupants																																																																																										
Accommodation Mix	137 standard residential aged care rooms – 26m² bedroom with ensuite 2 larger residential aged care rooms – 45m² bedroom with ensuite and kitchenette INDEPENDENT LIVING UNIT SUMMARY <table><tr><th>ACCOMMODATION TYPE</th><th>UNIT SIZE (M²)</th><th>NO. OF BEDROOMS</th><th>POS (M²)</th><th>BALCONY MINIMUM DIMENSION (M)</th></tr><tr><td>Apartment 1</td><td>127</td><td>3</td><td>14.3</td><td>2.6m</td></tr><tr><td>Apartment 2</td><td>67</td><td>1</td><td>8</td><td>2.4</td></tr><tr><td>Apartment 3</td><td>105</td><td>2</td><td>8</td><td>2.2</td></tr><tr><td>Apartment 4</td><td>131</td><td>3</td><td>12</td><td>2.1</td></tr><tr><td>Apartment 5</td><td>136</td><td>3</td><td>19</td><td>2.6</td></tr><tr><td>Apartment 6</td><td>64</td><td>1</td><td>6</td><td>2.3</td></tr><tr><td>Apartment 7</td><td>116</td><td>3</td><td>9</td><td>2</td></tr><tr><td>Apartment 8</td><td>105</td><td>2</td><td>12</td><td>2.2</td></tr><tr><td>Apartment 9</td><td>88</td><td>2</td><td>12</td><td>2.2</td></tr><tr><td>Apartment 10</td><td>126</td><td>2</td><td>18</td><td>2.6</td></tr><tr><td>Apartment 11</td><td>107</td><td>2</td><td>8</td><td>2.4</td></tr><tr><td>Apartment 12</td><td>124</td><td>3</td><td>11</td><td>2.9</td></tr><tr><td>Apartment 13</td><td>131</td><td>3</td><td>19</td><td>2.6</td></tr><tr><td>Apartment 14</td><td>87</td><td>2</td><td>10</td><td>2.3</td></tr><tr><td>Apartment 15</td><td>86</td><td>2</td><td>7</td><td>2</td></tr><tr><td>Apartment 16</td><td>91</td><td>2</td><td>8</td><td>2.1</td></tr><tr><td>Apartment 17</td><td>124</td><td>3</td><td>13</td><td>2.6</td></tr></table>	ACCOMMODATION TYPE	UNIT SIZE (M ²)	NO. OF BEDROOMS	POS (M ²)	BALCONY MINIMUM DIMENSION (M)	Apartment 1	127	3	14.3	2.6m	Apartment 2	67	1	8	2.4	Apartment 3	105	2	8	2.2	Apartment 4	131	3	12	2.1	Apartment 5	136	3	19	2.6	Apartment 6	64	1	6	2.3	Apartment 7	116	3	9	2	Apartment 8	105	2	12	2.2	Apartment 9	88	2	12	2.2	Apartment 10	126	2	18	2.6	Apartment 11	107	2	8	2.4	Apartment 12	124	3	11	2.9	Apartment 13	131	3	19	2.6	Apartment 14	87	2	10	2.3	Apartment 15	86	2	7	2	Apartment 16	91	2	8	2.1	Apartment 17	124	3	13	2.6
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Site Access	Austral Avenue and Appleby Road (vehicle, pedestrians, servicing)																																																																																										

Car and Bicycle Parking	75 car parks
	6 bike parks – 2 staff and 4 visitor

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 29 -31 AUSTRAL TCE MORPHETTVILLE SA 5043		
Title ref.: CT 5091/478	Plan Parcel: F9790 AL509	Council: CITY OF MARION
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The subject site comprises two allotments as described above, located at 29-31 Austral Terrace, Morphettville. The site has two road frontages, Austral Avenue and Appleby Road.

Combined, the allotments have a total site area of 10,188m² with a frontage on Austral Terrace of 29.62m and a frontage on Appleby Road of 34.14m.

The site has an existing use as a residential aged care facility and contains two primarily single storey buildings with a small two-storey section fronting Austral Avenue. The building on the front allotment takes up a large proportion of the allotment with a car park and entrance located at the front along the Austral Terrace frontage. The building on the rear allotment is built in an 'L' shape along the east and north boundaries and includes a landscaped outdoor area with shade sails within a central area and a driveway and carparking along the western boundary, accessible from Appleby Road.

The site is relatively flat topographically and there are three significant and eight regulated trees situated on the portion of the land where the proposed building is to be constructed with an additional two regulated trees located along the Austral Terrace frontage.



Figure 1: Subject site shaded in blue (Source: SAPPA)

Locality

The locality is shown in Figure 2 below. The Sturt Street Creek/Warripirri and linear trail is located to the south-west of the subject site and separates the locality into north-east and south-west of the creek system.

The locality is predominantly residential with a diverse range of dwelling types of one and two storey dwellings. The area north of Austral Terrace contains detached dwellings on large allotments while the area to the east and west contains a mix of units directly adjacent the subject site as well as a mix of new infill and existing housing stock within the streets of Le Cornu and Baker Avenues. Redevelopment has occurred south-east of the subject site within the streets of Appleby Road, Nilpena Avenue and Ambleside Place.

The other side of the Creek to the south-west comprises a number of unit developments and predominantly older housing stock. An Electricity substation is located towards the outer edge of the locality along Morphett Road.

The Zoning is predominantly General Neighbourhood with small pockets zoned Suburban Neighbourhood north of Austral Terrace along Elis Avenue and Grafton Avenue.



Figure 2: Approximate Locality (Source: SAPP)

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

Other - Residential - Supported Accommodation and residential care: Code Assessed - Performance Assessed

Tree-damaging activity: Code Assessed - Performance Assessed

Fences and walls

Advertisement: Code Assessed - Performance Assessed

Fence: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

P&D Code

PUBLIC NOTIFICATION

- **REASON**

Table 5, Part 3 - Supported Accommodation does not satisfy GNZ DTS/DPF 4.1 and advertisement not listed in column A as excluded.

- **LIST OF REPRESENTATIONS**

During the public notification period, a total of three (3) representations were received with two (2) representors indicating that they wish to be heard by the Panel (refer to **Attachment 3A**). One (1) representation was in support, one (1) in support with some concerns and one (1) opposed.

- **SUMMARY**

The issues contained in the representations opposed to the development are summarised as follows:

- Overlooking concerns
- Concern north-western wing will be visually dominant when viewed from unit 7/25 Austral Terrace and should better align within the 45-degree plane building envelope in DTS/DPS 2.2 of the Significant Retirement Facility and Supported Accommodation Sites Overlay
- Concerns of increased traffic and congestion
- Concerns parking is insufficient
- Five levels is inconsistent with low-rise character
- Overshadowing concerns
- Construction and Property values (not planning considerations)

AGENCY REFERRALS

- **(Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996**

The referral response from Adelaide Airport Authority was received on 17 June 2026.

No objection with comments.

The development does not penetrate the Airport Obstacle Limitation Surface (OLS). Any proposed addition to the structure, including aerials or masts is subject to a separate assessment.

Crane operations are subject to a separate assessment, and any cranes above 48.5m AHD will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.

Restrictions may apply to lighting and illumination and will need to conform to airport lighting restrictions and shielded from aircraft flight paths.

The above information was included as an advisory note.

- **City of Marion**

The referral from City of Marion was received on 27 May 2026.

No objection with comments.

Comments were made in relation to traffic and vehicle access, stormwater management, waste management, impacts to regulated trees.

Although, generally supportive of the development and land use, some requests for refinements, information and suggested conditions were included in the response such as:

- Side Entry Pit to be altered via Section 221 permit process
- Adequate traffic control devices to comply with AS 2890.1 should be provided
- Widening of central island at entry/exit point from Appleby Road is encouraged
- Stormwater Management Plan acceptable and encouraged plumbed-in rainwater tanks to toilets
- Private waste collection supported
- Consideration of waste vehicle movements for safety and internal driveways should be appropriately engineered and designed for repeated heavy vehicle use, including swept paths and turning areas
- Satisfied that trees located within Council land can be adequately protected and recommend condition to ensure monitoring and certification in line with AS 4970 Section 5.
- Some planning observations were provided which were outside the scope of Regulation 23 (2) (b) of the *PDI Act, 2016*.

PLANNING ASSESSMENT

Question of Seriously at Variance

The Zone seeks for predominantly residential development and envisages aged care facilities and supported accommodation as appropriate land uses.

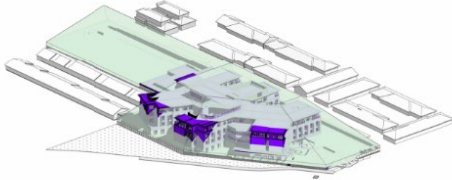
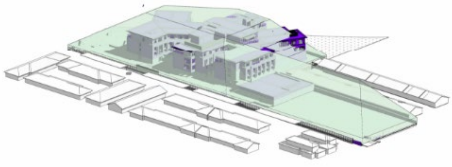
Although the Zone desires low rise development, the Significant Retirement Facility and Supported Accommodation Sites Overlay contemplates buildings up to 6 levels on sites over 1 hectare, providing off-site impacts can be managed.

The land use and built form could be deemed suitable due to the Overlay and, as such, warrants further consideration regarding design, context and impacts on adjacent land uses through an assessment against the provisions of the Planning and Design Code.

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Quantitative Provisions

TABLE 2: Quantitative Provisions

Design Parameters	Planning and Design Code Guideline	Proposed	Guideline Achieved
Building Height Local Variation Technical Numeric Variation (TNV):	Significant Retirement Facility and Supported Accommodation Overlay DPF 2.2 Site Area = 10,000m ² Maximum Building Height (levels) = 6 levels. Maximum Building Height (Metres) = 22 metres.	Site area – 10,188m ² Five (5) Levels 18.2m	DPF satisfied
Interface Height	Significant Retirement Facility and Supported Accommodation Overlay DPF 2.2 45 degree plane measured from a height of 3m above natural ground level at the site boundary (except where this boundary is a southern boundary or a State maintained road): 30 degree plane measured from a height of 3m above natural ground level at southern boundary	<u>Western side</u>  <u>Northern and Eastern side</u> 	Southern side - Satisfied Does not comply (partially): The following encroachments occur within the 45-degree plane <u>Western side</u> Level 4 – Portion of apartments 10, 13 and 16 <u>Northern side</u> Level 4 – Portion of apartments 8, 9 and 10 <u>Eastern side</u> Roofline of apartment 5
Car parking	Table 1 – General off-street parking requirements <u>Supported Accommodation</u> 0.3 spaces per bed = 139 41.7 spaces required <u>Independent Living Units</u> <i>Retirement Facility Rate applied</i>	75 car parks provided	Satisfied

	3 x 1-bed = 3 spaces 6 x 2-bed = 6 spaces 8 x 3-bed = 16 spaces Visitor spaces = 3.4 28.4 spaces for ILU Total spaces required = 70.1		
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OVERLAYS

Airport Building Heights (Regulated) Overlay

The Airport Building Heights (Regulated) Overlay seeks the management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.

The application was referred to (Adelaide Airport), the Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 as the height of the building exceeds the 15m height control limit specified in the Overlay.

The response resolved that there was no objection to the development, however, further approvals are required in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996 for any further structures and cranes exceeding heights of 48.5m AHD.

Building Near Airfields Overlay

The Building Near Airfields Overlay seeks to maintain the operational and safety requirements of certified commercial and military airfields, airports, airstrips and helicopter landing sites through management of non-residential lighting, turbulence and activities that may attract or result in the congregation of wildlife.

The building is adequately separated from the nearest runway such that it is not determined to pose a safety hazard to aircraft flight movement.

Hazards (Flooding – Evidence Required) Overlay

The Overlay adopts a precautionary approach to mitigate the risks of potential flooding through appropriate siting and design of the development.

The applicant has provided a stormwater management report (**Attachment 1B**) which identifies the development's floor levels in response to the potential flood risk.

The Stormwater Management Plan has been prepared in accordance with design advice received from the City of Marion. Flood mapping provided from the City of Marion identifies that both the northeastern end of the northern site and the southwestern end of the southern site which fronts on to Sturt River/Warripirri is subject to 100mm flooding. Council has recommended a finished floor level of 300mm above flooding levels.

The finished floor level of the proposed building has been set at 14.0m AHD and is a minimum of 400mm above the existing levels in the flood prone areas which vary between 13.35m AHD and 13.55m AHD. The perimeter pavements around the building shall grade away to avoid overland flows diverting elsewhere on to the site.

The development has been appropriately designed to minimise the risk of damage due to the potential flood risk in accordance with PO 1.1 of the Overlay and the development will not involve the storage of hazardous materials within the building, therefore satisfying PO 2.1 of the Overlay relating to environment protection.

Prescribed Wells Area Overlay

The proposed development will have a lawful, sustainable and reliable water supply that does not place undue strain on water resources in the prescribed wells area in accordance with PO 1.1 of the Overlay.

Regulated and Significant Trees Overlay

A preliminary tree assessment and arboricultural report was undertaken by Arborman Tree Solutions (**Attachment 1E**) that considered twenty-one trees located on and adjacent to the development site.

Sixteen trees were determined to be Regulated or Significant. Three (3) Significant (Tree numbers 3, 4, 6) and Ten (10) Regulated (Tree numbers 1, 2, 8, 9, 10, 11, 12, 13) are trees located on the subject site, and three (3) Significant trees (Tree numbers 15, 16, 17) are situated adjacent the site along the adjacent linear trail or neighbouring property as shown in the map in Figure 3 below:



Figure 3: Significant and Regulated Tree map (Source: Arborman Tree Solutions)

Trees 1, 2, 3, 4, 8, 9, 10, 11, 12, 13 have been identified for removal and are located in the south-western outdoor area. Tree 6, the Significant Silky Oak (*Grevillea Robusta*) will be retained.

Table 2 provides a summary of the trees and their retention rating determined by the Arborist.

TABLE 2: Trees identified for removal:

Tree Number	Tree Characteristics	Legislative Status	Retention Rating	NRZ Radius	Observations
1	Sweet Gum – <i>Liquidambar styraciflua</i> Height – 5-10m Spread- <5m Health/Form - Good	Regulated	Moderate	3.6m	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. Tree damaging activity, including removal, may be approved if no reasonable design alternatives exist.
2	Triangle Palm – <i>Dypsis decaryi</i> Height – 5-10m Spread- 5-10m Health/Form - Good	Regulated	Moderate	3.96m	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. Tree damaging activity, including removal, may be approved if no reasonable design alternatives exist.
3	Norfolk Island Pine – <i>Araucaria heterophylla</i> Height – 15-20m Spread- 10-15m Health/Form - Good	Significant	Moderate	8.16m	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. Tree damaging activity, including removal, may be approved if no reasonable design alternatives exist.
4	Coral Gum – <i>Eucalyptus torquata</i> Height – 5-10m Spread- 5-10m Health/Form – Fair/Good	Significant	Low	6.7m	This tree is considered to be in fair overall condition due to the moderate level of dieback and reduction in foliage density. Additionally, there has been a recent branch failure in a storm, however this has not impacted its structural integrity. This tree has a Low Retention Rating and should not constrain redevelopment
8	Gawler Hybrid Bottlebrush – <i>Callistemon 'Harkness'</i> Height – 5-10m Spread- 5-10m Health/Form - Good	Regulated	Moderate	4.82m	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. Tree damaging activity, including removal, may be approved if no reasonable design alternatives exist.
9	Gawler Hybrid Bottlebrush – <i>Callistemon 'Harkness'</i> Height – 5-10m Spread- <5m Health/Form – Poor/Fair	Regulated	Low	3.24m	This tree is considered to be in poor overall condition as indicated by the substantially reduced foliage density and the level of the dieback throughout the crown. This tree has a Low Retention Rating and should not constrain redevelopment.

10	Gawler Hybrid Bottlebrush – <i>Callistemon 'Harkness'</i> Height – 5-10m Spread- <5m Health/Form – Good/Fair	Regulated	Moderate	3.28m	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. Tree damaging activity, including removal, may be approved if no reasonable design alternatives exist.
11, 12, 13	Triangle Palm – <i>Dypsis decaryi</i> Height – 5-10m Spread- 5-10m Health/Form - Good	Regulated	Moderate	11 – 5.04m 12 – 6.60m 13 – 4.80m	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. Tree damaging activity, including removal, may be approved if no reasonable design alternatives exist.

All trees are in good condition with a moderate retention rating except for trees 4 and 9 which have a level of dieback indicating poor to fair condition and tree 4 has had recent branch failure.

All trees are conflicted by the development, and their removal is required to accommodate the building to achieve a cohesive built form with appropriate setbacks, which will interfere with the structural root zone of the trees.

Whilst the trees do make some contribution in their immediate setting, their overall height and vigour are such that they are not an important visual contribution, nor are they indigenous to the area, or listed as a rare or endangered species. Additionally, the arborist has not indicated that it has observed the trees as an important habitat for native fauna. Trees 4 and 9 have been identified as being in some decline with a useful life expectancy of less than 10 years.

Whilst trees 4 and 9 do display some characteristics of PO 1.3 of the Overlay to warrant its removal, in that it shows some elements of decline, the removal is more closely aligned with PO 1.4 (a) in that working around the trees would have impacted the feasibility and function of a land use that requires meticulous planning around the servicing, operations, safety and wellbeing of a particular cohort to ensure that the potential of the facility is maximised.

Whilst the removal of mature trees is regrettable, the applicant has provided a landscape plan which seeks to replace the trees with more than the twenty-two trees required, being the condition to off-set the trees' removal.

Tree's 16 and 17 are Significant Trees located on adjacent public land along the Sturt Creek/Warripirri and are Eucalypts which that are indigenous, albeit planted. They are considered to display some characteristics identified in PO 1.2 of the Overlay and should be retained, notwithstanding they are government assets. Adelaide Arb Consultants have undertaken an assessment (**Attachment 1F**) and has considered the proposed development will not impact that health and vitality of the trees.

Notwithstanding this, the consulting arborist has recommended a tree protection strategy to be implemented during construction works. A condition which specifies tree protection measures as identified in the arborist report will be attached to any consent granted.

It is considered the trees earmarked for removal were not considered worthy of retention and the removal of the trees allows the development to realise its ambition whilst also enabling tree replacements through an integrated landscape plan and is therefore considered to be acceptable. Three significant trees are being retained and will be protected.

Stormwater Management Overlay

The Stormwater Management Overlay seeks water sensitive urban design involving the capture and re-use of stormwater to manage peak use and stormwater quality to ensure that the stormwater infrastructure can accommodate the flows and discharge rates and not overload the system downstream.

The Stormwater Management Plan by CPR (**Attachment 1B**) identifies methods of stormwater collection and disposal and management of stormwater quantity and quality.

The calculations of impervious areas pre and post development indicate that there will be a reduction in site imperviousness as the buildings on the northern site will be removed and landscaped (prior to being developed) and the impervious areas of the southern site will only marginally increase. As a result of the decrease in site impervious areas, no detention is required prior to the release of stormwater into the existing infrastructure. It is however noted in the report that this will need to be reviewed if the northern site is to be further developed.

Whilst Council did request retention tanks to be plumbed into the toilets, professional advice received recommended against the provision of rainwater tanks due to risk of legionella and its potential impacts on the vulnerable occupants of the facility. Council were generally accepting of the stormwater management methodology.

Stormwater will be treated prior to discharge into the Council system to reduce total suspended solids, phosphorous, nitrogen, gross pollutants and oils from downstream flows using a product from ATLAN.

It has therefore been demonstrated that PO 1.1 of the Stormwater Management Overlay has been adequately addressed.

Water Resources Overlay

The south-western edge of the site is affected by the Overlay due to the Sturt Creek/Warriparri River catchment running alongside the subject land.

The Overlay seeks to ensure the protection of water quality and maintenance of the function and natural flow paths of watercourses to assist in the management of flood waters and stormwater run-off.

The discussion in the Hazards (Flooding – Evidence Required) Overlay and the Stormwater Management Overlay which responds to stormwater capture and disposal, water quality and flood mitigation satisfactorily addresses the provisions in this Overlay. Furthermore, the proposed development will not result in impacts to vegetation on the banks of the watercourse.

Urban Tree Canopy Overlay

The proposed development includes the retention and planting of trees to contribute to an urban tree canopy as sought by PO 1.1 of the Overlay.

Significant Retirement Facility and Supported Accommodation Sites (SRFSAS) Overlay

Built Form and Character

2.1 of the SRFSAS Overlay states that buildings for or in association with supported accommodation and/or retirement facilities 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.

The DPF allows for buildings to be 4 levels/15m in height for sites between 6500m² and 10,000m² or 6 levels/22m in height for sites over 10,000m².

The site, when both the northern and southern allotments are combined, is in excess of 10,000m² and the ground plus 4-level building of 18.2m satisfies the desired height standards of PO 2.1. Even when considering the southern site in isolation, the site area of 7550m² provides an additional 1000m² of land above the minimum site area to enable the fifth level, which is a much smaller footprint and substantially recessed in from the other four levels.

Whilst the site area standards are considered to be achieved, the second test is ensuring that off-site impacts can be managed with PO 2.2 seeking developments to minimise impacts on local streetscapes and adjacent residential uses with regard to overshadowing, massing and building proportions.

The building has been designed with a central spine and six protruding sections extending to the eastern and western boundaries and separated by courtyards. The building is positioned towards the western boundary in an acknowledgement that the Sturt River/Warriparri provides a separation buffer between the residential properties on that side. A greater setback is provided to the north, south and east through car parking and voids in the built form.

The associated DPF suggests one way of managing the interface is by establishing the building's setbacks in line with a 45-degree plane measured from a height of 3m above natural ground level at the site boundary, except on the southern side where a 30-degree plane is the standard.

The building is setback approximately 29m from the southern boundary which is sufficient to keep the entire building outside of the 30-degree plane from the south.

As identified in drawing no. DA13 of the architectural drawings, the fourth level and a small portion of the third level of the western side encroach within the 45-degree plane from this boundary. However, as mentioned, the impacts are minimised as this does not directly adjoin residential land and the separation of the creek adds an additional 40m buffer to the nearest residential property on the western side, therefore lessening the visual impact of the building when viewed from this side.

The encroachment into the 45-degree plane from the east is marginal, with the diagrams showing that the roof overhang of apartment 5 is the only portion departing from the standard. Whilst this in itself is a minor encroachment, it should be acknowledged that there is a driveway on the adjoining property to the east which further separates the residential dwellings from the subject land.

The departure from the DPF is greatest from the northern boundary and the impacts should be further explored due to the single storey units located at 7 Austral Terrace adjoining the site. Drawing no. DA15 provides a more detailed view of the encroachments (identified in dark purple) and the applicant has also sought to demonstrate the portions of the building that are within the 45-degree plane.

The applicant contends that despite this encroachment, there is a greater proportion of the building which does not encroach within the 45-degree plane and the building 'pulls back' from the boundary adjacent to the private open space of the those affected properties on adjoining land.

There is agreement that the positioning of the building seeks to resist aligning the built form with the private open space of the rear units at 7 Austral Terrace with the carports of those buildings, mitigating some views of the taller portions of the building. It is acknowledged that unit 7/27 Austral Terrace will have views of a four-level building diagonally towards the south-east from their POS area, however, the POS is orientated east and the building will be in the peripheral, with the roof of the ILU car park and landscaping further mitigating and softening views of the building. Additionally, overshadowing and overlooking impacts will be minimised as will be discussed in later sections of the report.

Whilst it is acknowledged that the development does encroach into the building envelope, the building also seeks to mitigate the visual massing in other ways such as providing recesses in the building's façade, introducing a variation in colours, materials and finishes, incorporating openings to avoid blank walls and stepping the building back from the boundaries in several sections with landscaping provided to soften the built form.

It will also be discussed later in the report that the proposed setbacks do not result in unreasonable overshadowing or overlooking towards the adjacent residential properties.

On balance, the building is considered to have a design approach that seeks to minimise the impacts on the streetscape and surrounding residential area in its siting, articulation and reduction in building massing, setbacks and positioning the building predominantly where there is a buffer of the creekline to the residential area.

ZONE ASSESSMENT

General Neighbourhood Zone

Land Use and Intensity

PO 1.1 of the Zone seeks for residential development that supports an active, convenient and walkable neighbourhood. The site is currently used for aged care housing, and the proposed development seeks to upgrade the facility to increase the number of beds and offer independent living units which may be of benefit to a healthy person whose partner may require the supported accommodation, but seeks to live within convenient proximity.

The site is well placed along the linear trail of the Sturt Creek/Warriparri, providing active recreational opportunities along with a wellbeing aspect of an open outlook with natural elements.

The proposed land uses are envisaged as specified in DTS/DPF 1.1 and it is therefore considered that the proposal achieves PO 1.1 of the Zone.

Built Form and Character

Although the Zone seeks for development to be compatible with the low-rise, low-density residential context of the surrounding area, the site is located within the Significant Retirement Facilities and Supported Accommodation Sites (SRFSAS) Overlay which adopt an approach that taller buildings can be contemplated where the sites exceed 6500m².

Part 1 of the Planning and Design Code's rules of interpretation state that where there is an inconsistency between provisions of the relevant policy the provisions of the Overlay will prevail over all other policies applying in their particular case. Therefore, the Zone's policies relating to density, setbacks, and building height are deferred to the SRFSAS Overlay and have been determined to be acceptable in this regard. This also applies to PO 3.1 relating to site coverage, where the discussion considers how the building footprint allows for sufficient space to limit visual impact, provide an attractive outlook and access to light and ventilation.

Whilst it is acknowledged that this will result in a change to the urban landscape, it will address an overriding need for aged care accommodation. This notwithstanding, the design approach is a thoughtful one which seeks to provide a high-quality development outcome that manages bulk and scale and minimises the impacts of the taller built form on the surrounding residential neighbourhood.

Ancillary Buildings and Structures

The ILU store is located at the northern end of the development area and although detached from the main building, is integrated into the development through its connection with the roof of the ILU car park area and the brick external cladding which matches elements of the main building's materiality.

The structure is approximately 12m wide and 5.5m in length with a height of approximately 4m. The structure is setback from existing residential boundaries and at 66m² in floor area, akin to a large residential shed.

The proposed building will not be visible from Austral Terrace or Appleby Road and satisfies PO 11.3 which seeks for ancillary buildings and structures to not detract from the streetscape character, appearance of buildings on the site of the development, or the amenity of neighbouring properties.

GENERAL DEVELOPMENT POLICIES

Clearance from Overhead Powerlines

The applicant has provided a declaration to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the *Electricity Act 1996*.

Design in Urban Areas

External Appearance

The building presents to Appleby Road with a generous front setback and an entry statement that features a Porte Cochere with light colour feature banding that continues through to the western side of the building to create an undercover area and provide a defining element for the ground floor.

The entry is also framed in a light-coloured banding around the transparent electronic doors, and the ground floor is clad in a mixture of face brickwork with feature soldier coursing and a mid-tone colorbond metal cladding.

At the front, the upper levels form a wide 'v' shape and incorporate brickwork that is broken up by light and mid-toned colorbond cladding in the same colours and textures as the ground floor. The brickwork and aluminium framed windows extend vertically over floors 1 and 2, giving the impression that it is one level, thereby simulating a building with one less level and another way of managing the visual bulk. The third floor is clad predominantly in mid-tone colorbond with recessed elements to accommodate balconies and large windows to provide relief in the façade. The fourth floor is generously setback from the level below and centrally located to be a subtle element that limits the apparent height of the building.

The materials, colours and textures follow the same theme around the other facades to provide a well-articulated building in the round. The two-dimensional elevations do not provide a full picture of the variation in the façade as the building steps back to create the extended portions of the building, referred to as 'fingers'.

The above design techniques are considered to achieve Design in Urban Areas PO 1.1 and 12.3 which relates to managing visual bulk and mass.

The brick finish responds to the local context and reinforces the human scale at ground level and the entrance points are designed to convey purposes, identify main access points, complement the streetscape and have a welcoming and pedestrian friendly feel through its central position and varied design on the building as well as a canopy at the entrance and landscaped pathways to address Design in Urban Areas PO 1.3, 12.1, 12.2, 12.6 and 12.7.

The masonry and pre-finished materials have durability to them as desired by PO 12.5.

POs 1.4, 1.5 and 12.8 seek for waste and plant equipment to be integrated into the building and screened from public view. The waste area room is located within the ground floor of the building, and the roof plant is screened with a 2.3m high aluminium plant screening that ties in with the colours of the building.

Accordingly, the design is considered to satisfactorily achieve the relevant desired and performance outcomes to provide a building that is contextual, durable, inclusive and sustainable and will positively contribute to the streetscape and the locality.

Safety

The building provides the following features to maximise safety and provide passive surveillance to the public realm:

- The building incorporates windows, balconies and terraces directly overlooking the street and open space areas to provide passive surveillance to the public realm;
- Access to lobby areas are easily identifiable from street level with perceptible pathways provided to the main entry of the building from the public realm;
- Transparent building access with views into and out of the car parking area and clear glazing into lobby maximising surveillance at street level;
- Enclosed areas differentiating public and private areas;
- Airlock and secured access afterhours.

It has been confirmed that access to the outdoor areas of the site would only occur with supervision of a staff or family member and the applicant considers the risk of a resident exiting the site via the linear park access gate to be low as with unsolicited visitors to the site.

The proposed building is considered to provide suitable design techniques to satisfactorily address POs 2.1 to 2.5.

Landscaping

The application plans include a Landscape Concept Report by Oxigen (**Attachment 1C**) and specifies a design intent based on principles focused on the wellbeing of residents. The landscape plan incorporates plantings and furniture on ground level which are designed to:

- Be accessible and promote sensory engagement and social connection
- Support mobility and rest through shared pathways, seating nodes and raised garden beds
- Enhance biodiversity and seasonal interest with native and climate-resilient plants
- Provide safe, secure outdoor access with views and fresh air on courtyards and terraces
- Provide purposeful activity, sensory stimulation such as gardening
- Provide space to welcome families, visitors and residents and includes opportunities for activities, games and outdoor dining
- Provide pathways without obstacles to create 'looped' walks
- Provide outdoor spaces for physical activities.

The landscape plan provides an indicative planting schedule which includes a variety of shade trees, shrubs and ground covers, planters, water features and furniture that has been guided by the desired function for each area.

The landscaping is a key feature of the offering for residents and is considered to meet the desired outcomes sought in Design in Urban Areas PO 3.1 to:

- minimise heat absorption and reflection

- maximise shade and shelter
- maximise stormwater infiltration
- enhance the appearance of land and streetscapes

The setbacks allow for deep soil zones to be provided as sought by Design in Urban Areas POs 13.1 to 13.4, noting that pathways also need to be accommodated for accessibility.

In conclusion, it is considered that there has been a considered response with respect to landscaping and it satisfactorily addresses the relevant policies of the Code.

Environmental Performance

Design In Urban Area POs 4.1 to 4.3 and 14.2 seeks a building's orientation and design maximise passive environmental performance to minimise energy consumption and reliance on mechanical systems such as heating and cooling.

A Sustainability Strategy Report from SUHO (**Attachment 1J**) has been provided which reviews the sustainable initiatives that will be incorporated into the design, construction and operation of the proposed development.

The assessment is an informal benchmark against the Green Building Council of Australia's Green Star Building Framework i.e. it has not been formally registered with the Green Building of Australia.

The following initiatives are identified, with the project demonstrating a clear commitment to sustainable design principles that are appropriate for a residential aged facility, and is considered to satisfy the relevant provisions of the Code:

- Sustainable construction management including using sustainability consultants, minimising and diverting waste during construction and responsible waste management
- Natural light and ventilation to residences, healthy mechanical ventilation systems, low toxin environment and landscaped environments
- Climate risk assessment
- Full electrification for heating, cooling, hot water, or cooking
- 10% reduction in embodied carbon compared to a reference building
- Water efficient fixtures that satisfy Green Star minimum requirements
- Encourage sustainable transport with end of trip facilities and bike parking

The report concludes that 'continued refinement of the design, product selection and building systems during the detailed design phase will provide further opportunities to enhance environmental performance, occupant wellbeing and long-term building resilience while remaining aligned with the project's functional, operational and budgetary requirements'.

Wind Impact

Design techniques implemented as suggested in PO 14.3 to minimise the impacts of wind are:

- Verandahs at ground level to deflect downward wind flows over pedestrian areas
- Balconies setback from the edge to deflect wind at ground level
- Ground level offset from street to deflect wind and avoidance of tall shear elevations that create windy conditions at ground level.

Car Parking Appearance

The at-grade staff and visitor car park is an open car park that traverses the front and side of the building. Soft landscaping is proposed around the edges and at the entry/exit point at Appleby Road to reduce solar heat loading and to enhance and soften the appearance of hardstanding areas.

The front car park incorporates legible pathways to the entrance of the facility and staff can access other parts of the building from the eastern side car parking.

The rear ILU car park will be covered and enclosed on the eastern side with metal slat security fencing and integrated design techniques such as the feature banding as well as measures recommended to minimise the noise impacts to the adjoining property such as incorporating acoustic absorption to the underside of the car park roof. The structure will remain open on the western side and setback 1m from the boundary.

The redesigned car park will incorporate water filtration techniques such as landscaping and gross pollutant traps where there currently are none.

The car park is considered to reasonably satisfy Design in Urban Areas POs 7.2 to 7.7.

Fences and walls

Fences are predominantly standard height with the exception of a 3m high acoustic fence along the eastern boundary to reduce the noise from delivery, refrigeration and waste collection vehicles. The fence will be located adjacent a driveway and views mitigated by carport structures and therefore will not result in unreasonable impacts.

1.5m high textured masonry signage walls form part of an integrated design that will be in keeping with the appearance of the building and satisfies Design in Urban Areas 9.1 and 9.2.

Residential Amenity/POS/Visual Outlook

Balconies are set into the building and are appropriately positioned to provide occupants with an outlook to the creek or landscaped courtyards as well as being sufficiently separated to provide visual and acoustic privacy in accordance with Design in Urban Areas POs 28.1 and 28.2.

In addition, all dwellings contain an open plan kitchen/living/dining room that features an external outlook and sliding door access direct to the balcony as sought by Design in Urban Areas 18.1.

Not all ILU provide private open space and balcony dimensions that satisfy Table 1 – Private Open Space. However, the shortfalls are marginal and each balcony is a minimum dimension of 2m as well as compensated by both communal open space and excellent access to public open space. As such, the balconies are sufficient and afford occupants with usable open space in accordance with Design in Urban Areas POs 27.1 and 28.3.

Dwelling Configurations and Sizes

The proposed development comprises a mix of 1, 2 and 3-bedroom independent living units.

The proposed dwellings provide a variety of dwelling sizes that are suited to aging in place living and will contribute to housing diversity in Design in Urban Areas PO 29.1.

Each dwelling satisfies the desired minimum internal floor area specified in Design in Urban areas PO 31.5 and provides an orientation that minimises the impact on the amenity, outlook and privacy of occupants and neighbours as discussed above in the section relating to visual privacy to address PO 31.2.

The proposal is considered to meet the key outcomes and performance objectives of the Design in Urban Areas in relation to dwelling configurations and sizes.

Overlooking/Visual Privacy

The majority of windows will be setback at a distance where the external terraces and windows will be a more than 15m from the adjacent properties and does not constitute 'direct overlooking' as defined by the Code.

It was requested that further consideration be given to whether screening devices would be necessary for the northern facing rooms and ILU.

The applicant in its response contends that the siting and orientation of the building manages direct overlooking and the positioning of the units of the northern adjoining allotments are such that overlooking impacts will be limited.

The applicant has provided diagrams to demonstrate the extent of overlooking on the neighbouring properties as shown Figures 4.

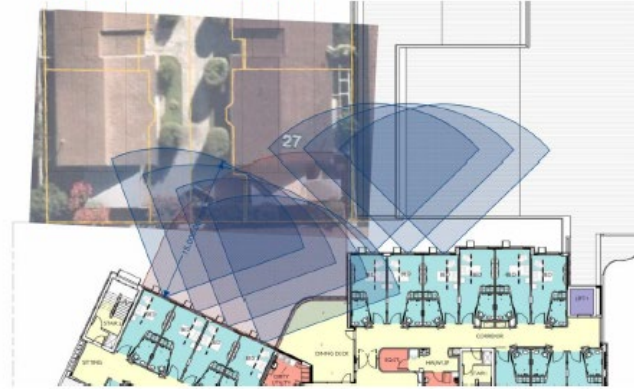
The applicant considers that overlooking is generally restricted to the common driveway, carport and outbuilding structure of the rear units of 25 Austral Terrace with a small extent of overlooking from the third and fourth floor terrace 'dining' balcony but considers the area of unit 7/25 to be used as a service yard.

There is some agreement that the overlooking from the north-western 'finger' is not direct and only extends to the carport and common driveway. However, further convincing is required for the bedrooms and living areas of the apartments, and potentially some of the supported accommodation units of the north-eastern 'finger'. It is recommended that a reserved matter be included that provides further details of the screening devices mentioned i.e window shrouds which may protrude to a point that oblique overlooking is restricted.

Pictures from realestate.com in 2012 indicate the extent of the shed and service yard, which is not a large portion of the backyard. The aerial view of the property does not indicate that it has changed significantly.

Whilst the proposal will not result in unreasonable impacts to the privacy of the majority of adjacent residential properties, it is considered that further considerations are necessary to fully satisfy Design and Urban Areas POs 10.1, 10.2 and 16.1 for the adjacent unit to the north.

Direct Overlooking – Level 1 and 2



Direct Overlooking – Level 3

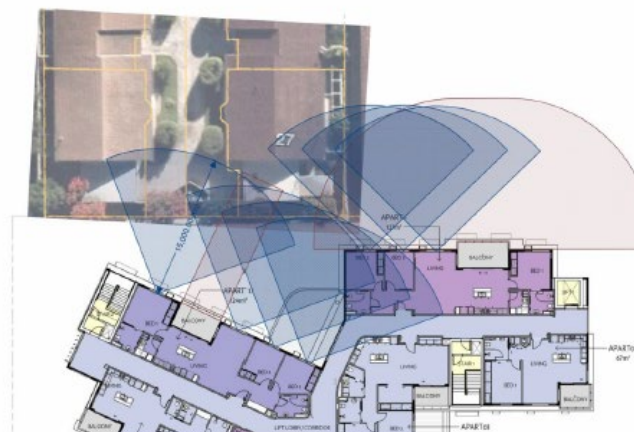


Figure 4: Overlooking diagrams



Figure 5: POS of 7/25 Austral Terrace (Source realestate.com)

Supported Accommodation

The proposed development will be a purpose-built facility designed to accommodate aged persons in various stages of mobility and function. It incorporates naturally lit and ventilated rooms as well as ancillary services such as a café and hair salon.

The building has been configured for efficient movement from resident rooms to communal spaces, with living/dining areas located towards the centre of the floor in close proximity to rooms and smaller seating areas provided in widened corridors adjacent an enclosed courtyard. Lifts are located centrally close to both back of house facilities and resident rooms.

The facility includes a number of courtyards and terraced areas as well as activity rooms and private function and dining rooms for an enhanced visitor experience. The ILU enable elderly relatives to live close to their loved ones who need more support.

The outdoor areas are purposefully landscaped for resident wellbeing and social interaction as discussed in the Landscape Concept Plan.

The back of house area provides for services such as catering and laundry as well as storage and end-of-trip facilities.

For the ILU apartments, in addition to the individual private open space provided, a communal area is provided on the fourth floor which is a versatile space that can be used for social activities and passive recreation and connects to a larger outdoor terrace. The common area does not directly abut any noise sensitive areas (i.e. bedrooms) being located on a separate floor.

Sufficient storage space is provided for personal items and specialised powered vehicles, laundry facilities are provided in the apartments but may also be serviced by the facility. Mail can be collected at reception and waste disposed of via chutes to downstairs waste area. Additional storage is also provided for the ILU apartments in the detached outbuilding located in the car park in addition to the storage within the apartments.

Design in Urban Areas POs 37.1, 37.2, 38.1, 39.1 to 39.6 and 40.1 to 40.7 which relate specifically to supported accommodation are considered to be satisfactorily addressed.

Waste Management/servicing

The development incorporates a bin storage room within the building and concealed from public view.

A Waste Management Plan, provided by CIRQA (**Attachment 1G**) outlines how waste would be disposed of, managed and collected.

Bins would be provided in communal areas and separated into general waste and recycling and transported from these areas and from resident rooms by staff/cleaners. Waste chutes for general waste and recycling will be located on the upper levels, with other waste streams transported to the bin area via the lifts.

Clinical/medical waste and confidential paper bins will be stored within the hairdresser/consulting room and staff admin offices.

The kitchen and serveries would be set up for the convenient separation of food waste, cardboard and general waste and transported to the bin area by staff/cleaners.

The following volume of waste is estimated to be generated:

Table 3: *Estimated waste generation*

Waste Type	Supported Accommodation (L/week)	ILU units (L/week)	Total
General Waste	10842	3042	13884
Comingled recycling	4170	1170	5340
Food/ Garden Organics	4309	1209	5518
Cardboard	2224	624	2848
Clinical/Cytotoxic waste	139	39	178
Confidential paper	209	59	268
Total	21893	6143	28036

The above waste amounts would require the following bin volumes and collection frequencies:

Table 4: *Estimated bin requirements and collections per week*

Waste Type			
	Bin Size (L)	No. of bins required	Collections Per Week
General Waste	1100L	4	4
Comingled recycling	1100L	3	2
Organics	660L	3	3
Cardboard/Paper	660L	3	2
Clinical/Cytotoxic waste	240L	1	1
Confidential Paper	240L	2	1

Waste collection would be undertaken by private collector which would involve a 10.2m refuse collection vehicle entering the loading area on the eastern side of the building and manoeuvring within the loading bay area and car park to enter and exit the site in a forward direction.

The estimated total number of bin collections would be up to 13 per week, or 2 collections per day on average.

Council is supportive of the private waste collection and the applicant has demonstrated forward movements into and out of the site as requested.

The proposed waste management plan sufficiently demonstrates the outcomes sought in Design in Urban Areas POs 11.1 to 11.5 and 40.4 to 40.6.

Advertising

Appearance

Three signs will be displayed on the site, one at the entrance of Appleby Road attached to a textured masonry wall, a low-level textured masonry entrance wall in front of the building, both with a display area of approximately 1.7m² and a 2.7m high triangular pylon sign. There will also be a small sign for deliveries which will have limited visibility.

The signage satisfies POs 1.2 to 1.5 by:

- Being compatible with the design of the building they are associated with
- Having a display area commensurate to the building size, not disfiguring the appearance of land, and of a scale appropriate to the local character

- It will not encroach on public land or land of the adjacent allotment
- Will not be in the direct line of sight of any neighbouring dwelling.

Advertising proliferation and content

There are three advertisements, two at the entrance which will provide information regarding the use of the building and assist with wayfinding and one near the building and one located at the building's frontage.

The freestanding sign is equivalent height of a fence and will assist driver's in recognising the destination from further afar.

The content is restricted to the lawful use of land to identify the building, does not include unrelated content and has been minimised to avoid visual clutter and untidiness in accordance with POs 2.1, 2.3 and 3.1.

Amenity Impacts and Safety

The signs will not be illuminated in a manner that will unreasonably compromise the amenity of sensitive receivers or distract or create a hazard to drivers. A condition can be included to limit the illumination of signage so that it does not result in a nuisance to nearby residences. It will be located a significant distance from the carriageway and will not affect driver movements. POs 4,1 and 5.1 to 5.6 have been achieved.

Infrastructure and Renewable Energy Facilities

The proposed development will be connected to a mains water supply and common wastewater disposal service. This achieves POs 11.1-11.2 and PO 12.1.

An indicative 100KW solar system are integrated into the rooftop to utilise solar as an energy source.

Interface Between Land Uses (IBLU)

General Land Use Compatibility/Activities generating noise or vibration

IBLU PO 1.2 states that development adjacent to a site containing a sensitive receiver or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

An Environmental Noise Assessment was undertaken by Echo (**Attachment 1H**) to determine the potential impacts of the development on the nearest sensitive receivers.

Potential noise sources from the development could include:

- Deliveries in the loading area
- Car park activity such as people talking in the car park, the opening and closing of car doors, vehicles starting, idling and accelerating out of the car park
- Noise from resident activities and socialising outdoors
- Operation of mechanical plant and equipment (including emergency generators and fire pumps)
- Waste disposal and collection.

Potential noise sources from the development could include:

- Car park activity such as people talking in the car park, the opening and closing of car doors, vehicles starting, idling and accelerating out of the car park
- Deliveries from a refrigerated van or small truck
- Operation of mechanical plant equipment

Echo predicted the noise levels based on assumed activities within any 15-minute period which included:

- 4 Passenger movements in the ILU car park and 15 passenger movements in other car parking areas during the day
- 2 passenger vehicle movements in the ILU car ark and 8 passenger vehicle movements in other car parking areas during any 15-minute period of the night
- 20 residents/family socialising in the outdoor area during the day
- Continuous operation of air condition, refrigeration and exhaust fans located at roof level during the day and night
- A non-refrigerated truck delivery to the loading dock during the day
- A refrigerated delivery truck to the loading dock during the day
- A noise attenuated generator
- A noise attenuated fire pump

The consultant concludes that the predicted noise levels achieve the criteria provided by the Noise Policy at all residences when the following noise control measures are implemented:

- Restricting delivery vehicle access and associated activity to the development and associated activities occur between 9am and 8pm on a Sunday and between 9am and 8pm on all other days
- Ensure non-refrigerated delivery trucks switch off engines during loading and unloading
- Construct boundary fencing with a base metal thickness of at least 0.42mm (or acoustically equivalent) and ensure that they are airtight at installation with fence heights of 1.2m adjacent the development and 3m adjacent the loading zone and generator as identified in plan
- Install acoustically absorbent material to the underside of the ILU car park roof with a minimum reduction coefficient of 0.8.
- Reduce impacts of car park grates, drains, ramps, or similar
- Ensure alarms, speakers or the like are inaudible at sensitive receivers
- Waste disposal and collection during 9am to 7pm on Sundays and Public Holidays and 7am and 7pm on all other days.

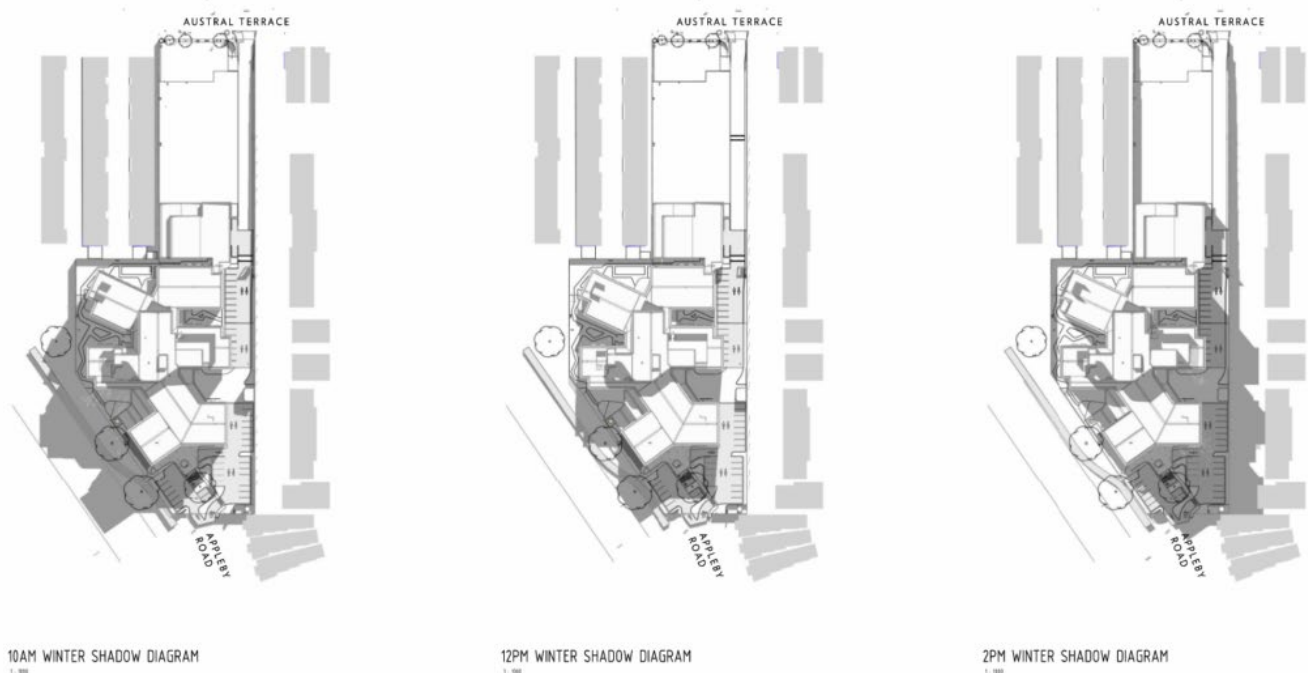
Regarding the mechanical plant units, as their selection has not yet been determined, the noise level should be reviewed at detailed design stage, which can be included as a reserved matter.

With the implementation of the appropriate acoustic measures, the proposal should adequately satisfy IBLU PO 1.2.

Overshadowing

The Overshadowing diagrams identified in Drawing DA11 of the architectural plans show that the during the winter months, overshadowing will be restricted to the western side and extend into Sturt Creek/Warriparrri during the morning hours and move south during the afternoon. Shadow in the late afternoon will move east and will generally be over the common driveway area of the adjoining land, however may impact the POS areas of some units at approximately 3pm.

The diagrams demonstrate that the associated DPF for PO 3.1 and PO 3.2 is achieved, recommending that north-facing windows of habitable rooms and POS, receive at least 3 hours of direct sunlight between 9am and 3pm on 21 June.



Lighting

Lighting can be controlled via condition which requires lighting on the site to be in accordance to AS/NZS 4282:2023 – Control of the obtrusive effects of outdoor lighting.

Transport, Access and Parking

A traffic and parking assessment undertaken by CIRQA can be found in **Attachment 11**.

Vehicle Access

The site will be accessed via the existing access points on Appleby Road and a modified access point on Austral Terrace that will be widened to 7.5m.

The proposed access points do not result in the loss of any street trees or on-street parking and will maintain pedestrian sight line requirements.

The proposed access point can accommodate the vehicle movements of a 11m rigid vehicle as demonstrated by the turn path diagram provided by CIRQA in their traffic report as shown in figure 6 below.

A Section 221 permit will be required for the widening of the crossover, relocation of a side entry pit and construction of the section located within the public road reserve. A speed hump has been included at the request of Council.

Overall, the proposed access is considered to provide safe and convenient access for vehicles associated with the site and is consistent with Traffic, Access and Parking POs 2.1, 2.2, 3.1 to 3.6, 3.8 and 3.9.

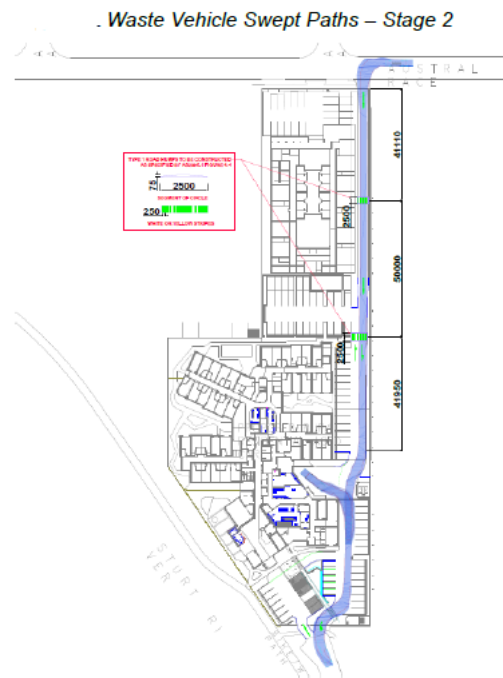


Figure 6: Heavy Vehicle Turnpaths (Source: CIRQA)

Parking

The Planning and Design Code specifies a car park rate in Table 1 - Off-Street Car Parking Requirements for supported accommodation of 0.3 spaces per bed and the retirement facility rate has been applied to the ILU of 1 space per one- or two-bedroom dwelling, two spaces per three-bed dwelling and 0.2 spaces per dwelling for visitor parking.

The required car parking for the development is as follows:

Proposed Use	Yield	Code requirement
Supported Accommodation	139	41.7
1- and 2-bed ILU	9	9
3-bed ILU	8	16
Visitor Parking	17	3.4
Total		70.1

The development would generate a theoretical parking demand of 70 car park spaces and the 75 car parks provided results in a surplus of 5 parks.

The 28 spaces allocated to the ILU will be located behind a secure parking area with remote control sliding gate. The twelve tandem spaces will be allocated to the three-bedroom dwellings.

The car park layout is supported by the traffic consultants, stating that the car park will be designed in accordance with AS/NZS 2890.1:2004 in that:

- parking spaces will be at least 2.5m wide and 5.4 m long (or 4.8m long with 0.6m overhang)
- disabled parking spaces will be 2.4m wide and 5.4 m long with an adjacent shared area of the same dimension
- parking aisles will be at least 6.2m wide
- 1.0 m end-of-aisle extensions shall be provided beyond the last parking space in an aisle
- 0.3 m clearance will be provided (where applicable) to all objects greater than 0.15 m in height

The car parking areas are adequately landscaped and provide pedestrian pathways to the entrance of the facility and appropriate acoustic treatments will be applied to reduce noise impacts to adjoining properties.

The proposed vehicle car parking rates and areas have been designed to cater for the needs of the development and the layout designed so that it complies with the Australian Standards in that vehicles can adequately manoeuvre within the car park and enter and exit the site in a forward direction. The proposal is therefore consistent with POs 5.1, 6.1, 6.2, 6.4, 6.5, 6.6, 6.7 and 7.1.

Bike Parking

Bike parking does not theoretically need to be provided as it is not located in a designated area identified in Table 3 – Off Street Bicycle Parking Requirement.

That being said, bike parking has been provided at the front of the site for visitors and staff. There are 4 bike parks located in front of the building's entrance and 2 located in the staff courtyard. End of trip facilities with showers and lockers for staff are also provided.

The bicycle provisions are cognisant of the convenient location of the site and satisfies POs 9.1 to 9.3 of the Code.

Traffic Generation

Housing for Seniors is a source document prepared by Hyder Consulting who conducted trip generation and parking surveys across a number of aged care facilities to determine typical traffic and parking rates. It identified peak hour generation rates of 0.3 am site peak hour trips per dwelling (or bed), 0.17 pm peak hour trips per dwelling (or bed) and 1.8 daily trips per dwelling (or bed).

Housing for Seniors identifies that traffic generation for aged care facilities generally does not coincide with the road network peaks, particularly the am peak hour and identified movements peak between the hours of 10am and 12 midday. There is a closer correlation between evening site peaks and the network peak.

The traffic report calculates the proposal is forecast to generate in the order of 281 trips per day, with 47 occurring during the am site peak hour and 27 trips during the (network) pm peak hour.

The existing site has capacity for 126 beds and the forecast generation is calculated at 227 trips per day, with 38 trips occurring during the am site peak (a difference of 9 trips per day) and the 21 during the (network) pm peak hour (a difference of 6 trips per day).

The consultant considers that the forecast additional movements are well within the capacity of the access points and can be readily accommodated on the adjacent road network with minimal impact upon its operation.

The proposal is therefore considered to satisfactorily meet Traffic, Access and Parking PO 1.1 which requires development to be integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.

CONCLUSION

The proposed land use of an aged care facility (supported accommodation) and aged care residences is a desired land use in the General Neighbourhood Zone and the site is conveniently located next to the Sturt Creek/Warriparri linear park and trail.

The building has been designed with resident wellbeing as a primary focus with communal areas, activity rooms and landscaped outdoor areas and terraces.

The building's architectural design seeks to minimise the building's massing through the use of setbacks, a variety of materials and finishes, landscaping, recessing the top floor and creating sections where the building is brought substantially back from the boundaries.

The building satisfies the building height specified in the Significant Retirement Facilities and Supported Accommodation Sites Overlay and utilises the large land holding to manage the interface with the neighbouring properties whilst seeking to maximise the development's potential. It is acknowledged that in some sections, the interface building envelope plane is contravened, however the abovementioned design strategies are considered to mitigate the visual impact of height and ensure that the overall massing has been appropriately managed to satisfy the relevant performance outcomes.

The assessment demonstrates that the interface with the adjacent residential zone can be appropriately managed and is not expected to result in unreasonable impacts on neighbouring properties with respect to noise, traffic, overlooking (upon addressing reserved matters), overshadowing and visual amenity. Stormwater will also be appropriately dealt with to ensure it does not overflow on the adjacent land.

Whilst it is noted that the development will increase traffic around the adjacent road networks, a comprehensive traffic assessment has been undertaken which concludes the increase can be accommodated without significant impact to the efficiency and flow of the surrounding streets. The development promotes alternative transport modes through the inclusion of bike parking with end of trip facilities.

The proposal is considered to satisfy key objectives and policy outcomes of the Planning and Design Code as outlined in the above commentary and despite the identified deviations from recommended policy outcomes, the application is not considered to be one that could reasonably be determined to be seriously at variance to the relevant policy provisions. Accordingly, conditional planning consent is recommended, subject to the reserved matters listed below:

RECOMMENDATION

It is recommended that the SCAP resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 26009707, by Gregg Jenkins is granted Planning Consent subject to the following conditions and reserved matters:

RESERVED MATTERS

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

1. The applicant shall submit a final Acoustic Report, ensuring that the development satisfies the noise level criteria defined in the *Environment Protection (Commercial and Industrial Noise) Policy 2023* for the mechanical plant equipment.
2. Plans and final details of the proposed privacy screening measures and additional considerations that may be required that mitigates direct overlooking from upper-level windows from Apartment 1 and north facing first and second floor supported accommodation rooms, to habitable rooms and private

open spaces of adjoining residential uses shall be provided to the satisfaction of the State Planning Commission.

CONDITIONS

Planning Consent

Condition 1

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

Condition 2

The development must be undertaken in accordance with the Tree Protection Zone Guidelines of the *Arboricultural Impact Assessment Report* prepared by Adelaide Arb Consultants dated 7 May 2026.

Condition 3

A tree protection Zone shall be provided to the Significant Silky Oak (*Grevillea Robusta*) on the site and a suitably qualified project arborist engaged to provide tree management solutions and supervise all works within the notional root zone of the tree.

Condition 4

Replacement trees must be planted within 12 months of completion of the development at the following rates:
if the development relates to a regulated tree—2 trees to replace a regulated tree; or
if the development relates to a significant tree—3 trees to replace a significant tree.

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

Condition 5

The following measures shall be implemented to satisfy *the Environment Protection (Commercial and Industrial Noise) Policy 2023* when measured at the nearest sensitive receiver, in accordance with the Acoustic Report from Echo, dated 13 March 2026:

- Deliveries restricted to between 9.00am and 8.00pm on a Sunday, and between 8.00am and 8.00pm on all other days and all non-refrigerated delivery trucks to switch off engines during loading and unloading;
- Boundary fences constructed from sheet metal to a base metal thickness of at least 0.42mm or acoustically equivalent in the locations identified on the plans herein approved;
- Incorporate an acoustically absorbent material to the underside of the ILU carpark roof to achieve a minimum noise reduction coefficient rating of 0.8;
- Car park grates, drains, ramps or similar shall be fixed to the ground;
- Alarms, speakers, or the like shall be inaudible at the nearest sensitive receiver.

Condition 6

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

Condition 7

All on-site vehicle parking be constructed in accordance with AS/NZS 2890.1:2004 and AS 5124:2017.

Condition 8

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

Condition 9

Waste collection and deliveries shall be scheduled to occur between the hours of 9am and 7pm on a Sunday or public holiday and 7am and 7pm on any other day

Condition 10

All bicycle parks shall be designed and constructed in accordance with Australian Standard AS2890.3-2015.

Condition 11

Any external lighting, including any illuminated signage, shall be designed to comply with Australian Standard 4282-2023 'Control of the obtrusive effects of outdoor lighting'.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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

Advisory Note 2

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

Advisory Note 3

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

Advisory Note 4

The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street watertable.

Further information on the standards can be obtained via Council's website.

marion.sa.gov.au > Search Civil engineering > Click 'Civil engineering infrastructure - standard drawing index'

Advisory Note 5

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' shall be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 6

A Construction Environmental Management Plan (CEMP) should be prepared in collaboration with, and to the satisfaction of, the Local Government Authority prior to the issue of Development Approval. The approved CEMP shall be implemented throughout the development and should incorporate, without being limited to, the following matters:

- Car parking and access arrangements for tradespersons
- Siting of materials storage
- Site offices
- Work in the Public Realm
- Hoarding
- Site amenities
- Traffic requirements including construction access/egress and heavy vehicle routes
- Reinstatement of infrastructure
- Site contamination management, if required (prepared by a suitably qualified and experienced site contamination consultant in accordance with EPA guidelines)

Advisory Note 7

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

Advisory Notes imposed by (Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 under Section 122 of the Act

Advisory Note 8

Adelaide Airport Limited has no objection to the above proposal.

The Owner/Developer need to be advised of the following:

- a) The development as described (building height at RL 33.5m AHD) does not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. Any further proposed addition to the structure, including aerials or masts, must be subject to a separate assessment.

b) Crane operations associated with construction shall be the subject of separate application. Cranes above 48.5m Australian height Datum (AHD) will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 2026.

c) Restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft flight paths.