

Mandala M1 Centre Pty Ltd

Construction of a 40 storey student accommodation building with ancillary shop on the ground floor including verandah and roof-mounted solar photovoltaic panels

195 North Terrace, Adelaide SA 5000

Application ID 26019328



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DEVELOPMENT NO.:	26019328
APPLICANT:	Mandala M1 Centre Pty Ltd
ADDRESS:	195 NORTH TCE ADELAIDE SA 5000
NATURE OF DEVELOPMENT:	Construction of a 40 storey student accommodation building with ancillary shop on the ground floor including verandah and roof-mounted solar photovoltaic panels
ZONING INFORMATION:	Zones: • Capital City Overlays: • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Design • Heritage Adjacency • Hazards (Flooding - Evidence Required) • Noise and Air Emissions • Prescribed Wells Area • Regulated and Significant Tree Technical Numeric Variations (TNVs): • Maximum Building Height (Metres) (No prescribed height limit) • Concept Plan (Concept Plan 79 - Primary Pedestrian Area)
LODGEMENT DATE:	22 Jun 2026
RELEVANT AUTHORITY:	State Planning Commission
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2026.11 18/06/2026
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	No
RECOMMENDING OFFICER:	Phil Mabbs Senior Planning Officer
REFERRALS STATUTORY:	(Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 City of Adelaide Government Architect
REFERRALS NON-STATUTORY:	None

EXECUTIVE SUMMARY:

The proposal seeks Planning Consent to construct a mixed use building, that incorporates student accommodation and a ground floor shop. The proposed building will incorporate a ground floor verandah that extends into the public realm and roof mounted solar panels. The proposed building will have 40 storeys and an overall height of 89.39 metres (91.79 metres including the roof plant/ overrun).

The proposed building will include an electrical transformer, waste storage, offices and staff amenities (associated with the operation of the student accommodation use), a fire hydrant booster, bicycle storage facilities, gym, common area, laundry, study spaces, cinema, meeting rooms, shared kitchen, outdoor terrace and bbq's, media room and kitchenette.

The application is classified as a performance-assessed form of development. Statutory referrals were issued to the City of Adelaide (Council) pursuant to Regulations 23 and 41 of the *Planning, Development and Infrastructure (General) Regulations 2017*. Public Notification was not undertaken, as the proposal is exempt from public notification, in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* (PDI Act).

The Council does not object to the proposed development and provided comment on the proposed impacts of the development on the public realm, infrastructure, traffic network and stormwater network. Statutory referrals were undertaken with the Government Architect (ODASA) and the relevant Commonwealth Department responsible for administering the Airports Act 1996 (Adelaide Airport Limited)

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

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

PRE-LODGEEMENT:

The proponent engaged with the Department for Housing and Urban Development (the Department) to hold a Pre-Lodgement Panel Meeting, which occurred in December 2025. This also included ODASA & the City of Adelaide, providing opportunities for initial and independent planning, technical and design advice during which the proponent made selected changes to design features including architectural expression, external materials, bicycle parking provision, servicing arrangements and building matters.

The proponent further engaged in the Design Review Panel (DRP) meeting process, hosted by ODASA, prior to lodgement. Two DRP meetings were undertaken prior to lodgement. The DRP letter has been provided by the applicant as part of the lodgement documentation and is included in Attachment 1J.

The applicant lodged the application prior to finalising any pre-lodgement agreements and as such, formal referrals were undertaken.

DETAILED DESCRIPTION OF PROPOSAL:

The applicant proposes to construct a forty (40) storey residential flat building with a ground floor shop. The proposal seeks to construct an associated canopy/verandah, which extends over the public realm.

The site plan demonstrates that the building will cover the entirety of the site, with exception of a thin section on the eastern boundary. Due to the askew shape of the site, there is a diagonal line on the eastern boundary. This area will be capped and sealed to prevent it being a vermin trap or accumulating waste.

The proposed layout of the residential/student accommodation is consistent across all floors, having a combination of studio, twin & double bedrooms. The residential floors do not include shared amenities, with such facilities located on levels 1, 2, 3, 9 & 39. The lower of the communal floors are designed to provide common study spaces and lifestyle amenities (cinema, indoor games, gym, laundry, bicycle parking, etc). The upper common floors (levels 9 & 39) are designed with food preparation and consumption spaces (indoor and outdoor eating areas, BBQ's, kitchenette and kitchen), study area and media space.

The north, south and west elevations of the building have been extensively covered with windows and glass cladding, providing passive surveillance and amenity to the street and internal areas of building. The eastern elevation of the building is completely solid, having no windows or openings addressing Tobin House. It is acknowledged that floors 9 and above of the building have a glass cladding material. As confirmed on the floor plans, the east elevation does not include windows.

The proposed cladding materials for the development include a combination of brick, concrete, aluminium, and glass, as shown in the materials palette.

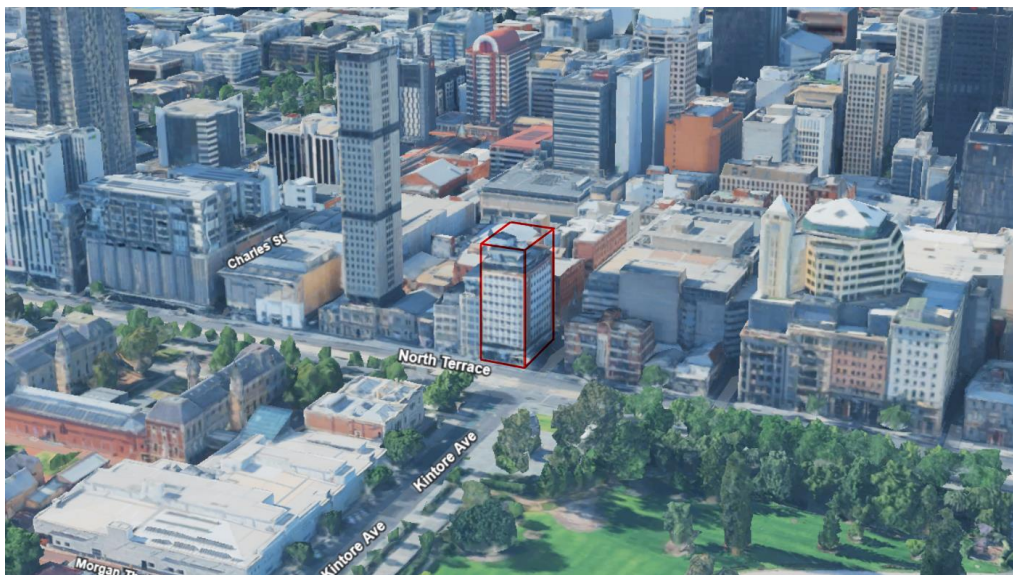


Figure 1: An isometric image of the subject site and the surrounding locality, photo taken with a south-eastern aspect. The site is highlighted in red. (Source: Google Earth)



Figure 2: The proposed site plan (Source: Attachment 1C)

Waste generated within the building would be stored in a dedicated bin storage area in the south-eastern corner of the ground floor. Residents and staff will be able to store garbage/refuse via a pair of waste chutes, which are to the south of the elevator shafts, adjacent to the stairwell/fire escape. During scheduled collection periods, the waste bins will be moved into the laneway and emptied by a waste collection vehicle.

A summary of the proposal is provided in the table below, with architectural plans and a design report included in **Attachment 1**.

Land Use Description	Construction of a 40 storey student accommodation building with ancillary shop on the ground floor including verandah and roof-mounted solar photovoltaic panels
Building Height	<u>Student Accommodation:</u> 89.39 metres and 40 storeys (including the ground level)
Description of Levels	Ground floor – Student Accommodation admin & reception rooms, transformer room, waste room, Lobby & retail tenancy/café. Level 1 – Bicycle parking/storage, fire water tanks, plant room & coms room. Level 2 – Gym, Laundry & Games Area. Level 3 – Quiet study, open study & meeting/presentation spaces. Levels 4-8 – Student accommodation rooms (1x Twin room, 9x Studio room, 3x Premium Studio 1 & 5x Premium Studio 2).

	Level 9 – Common kitchen, outdoor terrace, indoor dining/lounge, lounge, BBQ areas & shared bathrooms. Levels 10-38 – Student Accommodation (1x Accessible Studio, 9x Studio room, 3x Premium Studio 1 & 5x Premium Studio 2). Level 39 – Common media room, kitchenette & study. Each floor contains two, two-bedroom dwellings with associated balcony's and a shared/common stairwell.
Accommodation Floor Area	Studio – 12m2 Twin Apartment – 30m2 Prem. Studio 1 – 18m2 Prem. Studio 2 – 18m2 Accessible Studio – 23m2
Private Open Space	165m2 on Level 9
Apartment Storage Area	8m ³ per apartment, dispersed between: Shelving, Cupboards, vanity, etc.
Site Access	North Terrace, Gawler Place & Angels Lane
Car & Bicycle Parking	Motor vehicles – 0 spaces Bicycles – 86 spaces

BACKGROUND:

The subject site is currently occupied by a 12 storey multi-use building. The site is abutting a mixed use building that also incorporates commercial uses and a rooftop residence level. The locality is comprised of a combination of residential, commercial, retail, educational, government and hospitality sites. Public open space is also available within the wider locality.

The application was lodged by Mandala M1 Centre Pty Ltd c/ Future Urban on 22 June 2026 and was referred in accordance with the legislative requirements.

SUBJECT LAND & LOCALITY:

Site Description:



Figure 3 – Subject Land Aerial Map (Attachment 2A)

Location reference: 195 NORTH TCE ADELAIDE SA 5000

Title ref.: CT 6079/187 **Plan Parcel:** F130641 AL2 **Council:** ADELAIDE CITY COUNCIL

Locality

The subject site is on the south eastern corner of the Gawler Place, North Terrace intersection. The site is currently occupied by a 12-storey mixed-use building comprising shop, office, consulting room and residential land uses. The site is triple fronted, being accessible from the North, South & West. The eastern boundary of the site abuts Tobin House.

The surrounding locality is a combination of student accommodation, residential flat buildings, office buildings, commercial & retail uses, consulting rooms, educational centres (galleries, museums, universities, etc) and government buildings.

As the site is entirely covered by the existing building, there are no dedicated vehicle crossovers or on-site parking areas. Delivery and service vehicles are able to utilise on street parking on Gawler Place or the rear laneway (Angels Lane) to service/access the site. The rear laneway is currently used to accommodate waste storage bins (skips). The rear laneway is also used to provide direct access to the on-site transformer, which is located in the south-eastern corner of the site.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
New housing
Shop: Code Assessed - Performance Assessed
Verandah: Code Assessed - Performance Assessed
Student accommodation: Code Assessed - Performance Assessed
Solar photovoltaic panels (roof mounted): Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Table 5 - Procedural Matters (PM) – Notification identifies, pursuant to section 107(6) of the Planning, Development and Infrastructure Act 2016, classes of performance assessed development that are excluded from notification.

Column A exclusion 2 identifies *Any kind of development where the site of the development is not adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone* as not requiring notification. No exceptions are applicable.

AGENCY REFERRALS

In accordance with the applicable legislative framework the following statutory referrals were undertaken.

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

Referral Body	Function	Summary of Response
(Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 <i>Regulation 41</i>	Direction	No objection, with the following comments: • The development will infringe the OLS by approximately 52 metres. • The application will require approval in accordance with the Airports (Protection of Airspace) Regulations 2026 with approval by the Department of Infrastructure, Transport, Regional Development, Communication, Sports and the Arts. • Crane operations associated with construction require approval in accordance with Airports (Protection of Airspace) Regulations 2026. A copy of the Secretary for the Relevant Commonwealth Department responsible for administering the Airports Act 1996 response is included in Attachment 3A .
Government Architect <i>Regulation 41</i>	Advice	General support, with recommendations given regarding: • a detailed materials and finishes schedule, including glazing specifications, supported by the provision of a physical materials board

		• detailed facade drawings for both a typical podium level and typical lower level to confirm the location of the curtain wall glazing with one third solid aluminium non-vision insulated panels and detailing of the operable windows • detailed landscape documentation including planter soil depths, species selection and irrigation strategy to ensure delivery of the landscape and sustainability outcomes as presented • clear and measurable sustainability commitments, including incorporation of relevant recommendations in the M1 PBSA – Summary of Sustainability Initiatives dated April 2026, prepared by Summation and confirmation of how the 20 per cent improvement in energy efficiency compared with NCC-compliant development will be achieved. A copy of the Government Architect's response is included in Attachment 3B.
City of Adelaide <i>Regulation 23(3)(a)</i>	Advice	No objection, with the following comments: • Massing and materiality of the proposed development effectively matches the existing building, albeit with a visually well separated tower above. • Any structures shown on the footpath are not approved and should be removed from the plans. Approval for outdoor dining needs to be approved separately by Council. • The Gawler Place median strip may be required to be modified to accommodate the proposed vehicle movements. Any costs associated with redevelopment of the public realm will be incurred by the developer. • Site Management Plan should be prepared and provided to Council for consideration and approval prior to commencing any work on site. • No concerns are raised regarding the proposed Waste Management Plan or the proposed method of collection. A copy of the City of Adelaide's response is included in Attachment 3C,

Applicant Response

Following receipt of the above referral responses, the applicant provided a written response to the above comments (attachment 1N). The responses have been included in the table below.

Referral Body	Applicant Response
(Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 <i>Regulation 41</i>	No response was provided by the applicant.
Government Architect <i>Regulation 41</i>	The applicant provided a written response to the GA comments provided. These comments included further clarification on materials, design elements and architectural design of the proposal.
City of Adelaide <i>Regulation 23(3)(a)</i>	Revised plans and a written response were provided by the applicant, to address concerns raised by Council. The changes to the plans included alterations to the ground floor footprint of the building and removal of the outdoor dining areas associated with the retail use.

INTERNAL REFERRALS

PLANNING ASSESSMENT

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

Planning and Design Code

Under section 107 of the Act, Performance Assessed Development is to be assessed on its merits against the Planning and Design Code.

The application has been assessed on its merits against the relevant provisions of the Code, which are contained in Appendix 1A within the DA Binder.

The following is an expansion of the pertinent issues, having regard to the hierarchy of the relevant policies of the Code.

Question of Seriously at Variance

The proposed development comprises student accommodation and retail land uses. It is located in the Capital City Zone. Development of this nature is appropriate within the site, locality or in the subject Capital City Zone for the following reasons.

The development proposes a mixed-use development that is in a zone that is the economic and cultural focus of the state supporting a range of residential, employment and educational opportunities for population and employment growth, as specified in DO 1 of the Zone.

The uses have been laid out to provide a high intensity and large-scale development with high street walls reinforcing the distinctive grid pattern layout of the city with active non-residential ground level uses to positively contribute to public safety, inclusivity and vibrancy, which is sought under DO 2 of the Zone.

The development contains land uses which are envisaged in the zone as specified in DTS/DPF 1.1.

The development provides a Building height that is consistent with the form expressed in the local context and achieves the desired outcomes of the Zone, as specified in PO 4.1 of the Zone.

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*.

Overlays:

- Airport Building Heights (Regulated)
- Affordable Housing
- Building Near Airfields
- Design
- Heritage Adjacency
- Hazards (Flooding - Evidence Required)
- Noise and Air Emissions
- Prescribed Wells Area
- Regulated and Significant Tree

For the purposes of assessing this development, it is considered that the abovementioned Overlays are all applicable with exception to the *Building Near Airfields* Overlay, the *Prescribed Wells Area* Overlay and the *Regulated and Significant Tree Area* Overlay.

Quantitative Provisions

Table 1

Design Parameters	Planning and Design Code Guideline	Proposal	Achieved / Not Achieved
Minimum Building Height	No prescribed minimum height limit	Proposed building is in excess of 4 storeys tall.	Achieved
Maximum Building Height	No prescribed maximum height limit	89.39m (above ground floor FFL to height of the roof, not including mechanical plant enclosure) 39 levels (not including the ground floor)	Achieved
Car Parking	No prescribed car parking requirement	No on-site car parking spaces provided.	Achieved
Bicycle Parking	318 bicycle parking spaces (all for students) No spaces for visitors	86 bicycle parking spaces, including 24 spaces for e-bikes, and associated charging facilities	Not Achieved 232 space shortfall

The proposal performs appropriately when considered against the quantitative provisions of the zone and the parking volumes sought by the Design in Urban Areas (DIUA) General Design Guidelines. It is acknowledged the proposal does not meet the bicycle parking volumes sought by the DTS/DPF provisions of the Student Accommodation policy within the DIUA. Whilst there is a shortfall of 232 spaces, the proposed shortfall is considered acceptable and is further discussed in the body of this assessment report.

Land Use

The Capital City Zone anticipates development that accommodates a vibrant mix of compatible residential and non-residential uses including shops and other business activities at ground and lower floor levels with residential land uses above, to add to the vitality of the area and extend activities outside of business hours.

A mixed use building incorporating “Student Accommodation” and “Shop” is an envisaged land use in the Zone’s (Land Use and Intensity) DTS/DPF 1.1 and as such the proposal is considered to be an appropriate use of land in this location, consistent with the expectations of Zone PO 1.1. The proposal would provide high density residential accommodation options incorporating recreational amenities comprising kitchen/food prep facilities, study areas, games areas, media rooms, movie theatre and balconies throughout the building, and an entry lobby and café/retail space and canopied entry walkway along the North Terrace and Gawler Place frontages. These elements are expected to contribute to increased activation on the ground floor and provide passive surveillance to the respective roadways, consistent with the intent of Zone (Activation) PO 2.1-2.3.

The GA has indicated support for the proposed land use and the built form, acknowledging the configuration of the ground floor to increase activation and openness. The intended residential-type use is therefore considered appropriate in this location.

The proposal seeks consent to construct a building that will provide 612 rooms with a total of 635 beds. The proposal includes a ground floor retail use, that further responds to the envisaged land uses. The proposal is considered to be an appropriate response to PO 1.1 of the Zone.

The ground floor of the building is to incorporate a retail use that will activation and support pedestrian activity. The ground floor has bi-fold doors which open on the northern and western sides of the retail tenancy, providing a sense of openness, visual interest and a clear sense of address to the building. The ground floor design of the building is considered to provide an acceptable response to PO’s 2.1 - 2.4 of the Zone.

Building Height

The building height policies of the Capital City Zone contemplates buildings that are designed to achieve optimal height and floor space yields. Development should be of a height that is consistent with the form expressed in applicable Technical and Numeric Variations, or otherwise positively respond to local context and achieves the desired outcomes of the Zone.

In considering the height of the proposed building, as there is no prescribed height limit in the TNV of the Building Height DTS/DPF provision, the proposed development needs to be considered against the local context and the DO’s of the Zone.

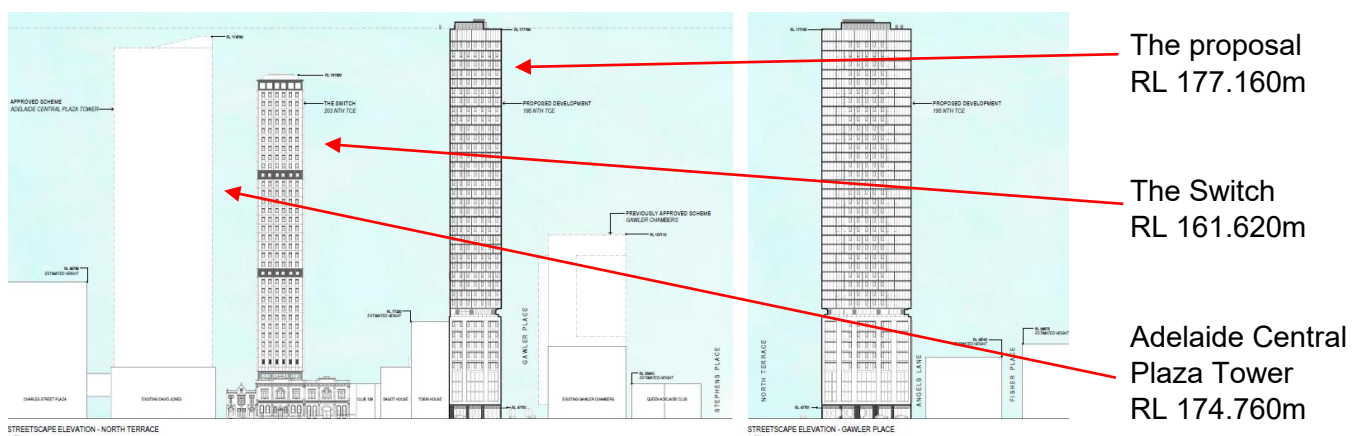


Figure 4: The proposed building height, compared to The Switch & the Adelaide Central Plaza Tower.

While the established built form character of the locality consists of a variety of built forms and development intensities, the Zone envisages high intensity and large-scale forms of development that positively contribute to safety, inclusivity and vibrancy whilst also accommodating employment and population growth, which the proposal is generally consistent with.

The Airport Building Heights Overlay applies to the subject land, which relates to the *Adelaide Airport Obstacle Limitation Surfaces (OLS)* and requires additional consent under the Airports Act 1996

(Commonwealth) to build or erect a structure above 125.16 metres RL. The proposal, incorporates building work that will intrude into the OLS by 52 metres, consequently, not complying with the Airports Act.

The proposal was referred to the Secretary of the Minister responsible for the administration of the Airports Act 1996 of the Commonwealth, who raised no objection. This advice confirms that the development will not pose a hazard to the operation of a certified or registered aerodrome, though will require additional separate approval under the Airports (Protection of Airspace) Regulations 2026. This is considered to satisfy PO 1.1 of the overlay.

When considering the interface impacts of the development, that are associated with the building height provisions of the Zone, the Zone's Interface policy (PO 5.1 & 5.2) seeks to encourage development that manages its impacts on residential amenity in the City Living Zone. The site does not interface with the City Living Zone and does not exceed the maximum building height specified by the Zone DTS/DPF. As the site is surrounded by the Capital City, City Main Street and City Riverbank Zones, the proposed development does not require a response to the Interface Policy of the Zone, the test of the interface impacts of the development is considered under the General Development Policies.

The overshadowing diagrams provided demonstrate that the development of the site won't result in unreasonable impacts to the adjoining land uses and the surrounding locality. The interface height policy anticipates that development will mitigate impacts on residential uses within the City Living Zone. It is confirmed that the proposed development will not impact residential uses within the City Living Zone and that the proposal provides an appropriate response to the character and amenity of the locality.

The GA supports the proposed building height including the podium design approach, including the podium height and definition. The GA notes this approach provides a simplified form, strengthening the corner condition and improving the relationship with adjacent buildings.

The proposed building height is consistent with existing buildings that address North Terrace. Similar style developments in proximity to the site are shown in Figures 4 & 5, offering a comparable understanding of the built form. The site is not subject to a TNV and is sought to provide a building height that positively responds to the local context and achieves optimal height and floor space yields.

In considering the extent of the existing built form as well as the existing site coverage, being 100%, the proposal is considered to provide an appropriate response to the existing character of the locality and follows an established trend on North Terrace, where sites are being redeveloped to accommodate multi storey buildings.

The proposal represents an acceptable response to the building height PO's.

The proposed development was referred to the Adelaide Airport for comment, who raised no concern with the proposal. It was raised that the proposal would require separate approval due to the height and the proposal's intrusion into the PANSOPS protected airspace.

It is considered that the proposal provides an acceptable response to the PO's and is compatible with the requirements of Adelaide Airport.

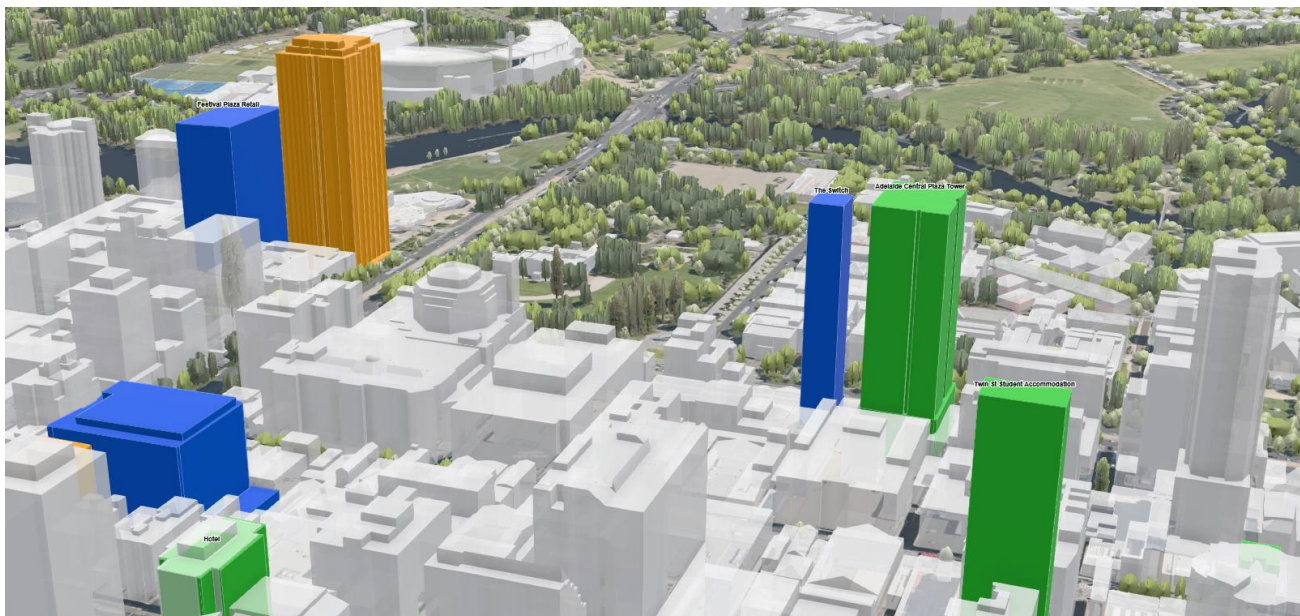


Figure 5: An image of the subject site and nearby developments of similar heights. The green building being the Adelaide Central Plaza Tower and to its immediate left, the blue tower being The Switch building.

Setbacks, Design & Appearance

The Design Overlay expects that medium to high-rise buildings demonstrate high-quality design which positively contributes to the liveability, durability and sustainability of the built environment.

The Zone (Built Form and Character) anticipates buildings that contribute a contextual design response, ensuring a cohesive streetscape and framed building proportion. The Code policy anticipates facades that incorporate a composition and proportion that reflects the existing frontages, contributes to a consistent built form and incorporates a vertical composition.

The proposed building elevation addressing North Terrace would be expressed through changes in cladding materials, the outdoor terrace amenity levels and articulated by the glass panelling and end-wall cladding.

The base of the building will feature Krause Heritage Red Brick, aluminium, glazed glass, and concrete. The applicant proposes to provide a samples board of the external materials to the GA/ODASA as a function of the Planning Consent, with final selections to be confirmed in consultation with the GA/ODASA (Attachment 1N). The proposed cladding materials will provide an effective focal point / feature for the site, providing a visual relationship between the proposed and surrounding buildings, which is in keeping with the Heritage Adjacency Overlay.

Integrated landscaping for the site would include planters along the peripheries of the Level 9 common terrace, in booths in the common social/gathering spaces. No area of the site's ground floor includes any planting. Additional plantings are shown in the Gawler Place streetscape, though this does not form part of the consent and is subject to review/approval by Council via a separate consent/approval process.

With respect to the building, the Council provided no comments on the proposal, whilst the GA provided the following positive advice on the of the following design aspects:

- a simpler and more legible architectural expression;
- the increased podium height and a clearer definition of the podium and singular tower; and
- increased focus on public access, permeability and connectivity;

Whilst it is acknowledged that the scale of the development is substantial, the design is considered to be an appropriate response to the locality and other, recent developments on North Terrace. The development satisfies the relevant assessment provisions and achieves a positive outcome when viewed from the public realm, and that additional landscaping, once established, further softens the built form.

The Design Overlay provides guidance on the building setbacks with the context that it is viewed as an element of building design rather than an element of character. It is considered that, as nil setbacks are established and expected on North Terrace, Gawler Place and Angels Lane, that the proposed nil setback is appropriate. It is noted adjacent and surrounding commercial land uses have minimal or nil front setbacks. PO 1.2 of the Design Overlay encourages development provide footpath shelter in the form of canopies, with

the aim to provide comfort to the public realm. It is considered that the proposed canopy over the North Terrace and Gawler Place footpath provides sufficient protection and comfort to pedestrians. The use of the canopy, when combined with the higher ground floor ceiling height, provides a contextual response to the nil setback built form/streetscape character, which provides an appropriate response to the desired and existing character of the locality. Figure 6, below, demonstrates the pattern of front setback in the locality, specifically the southern side of North Terrace.



Figure 6: The front boundary (red line) and building line of existing structures on the southern side of North Terrace. Sourced from SAPPA.

The development's design and appearance are ultimately considered to respond positively to key planning and design outcomes anticipated by Zone policy. The GA's overall satisfaction with the development is indicative of its performance against the expectations of the Design Overlay, and the proposal would also satisfy various objectives of the Design in Urban Areas policy module including by:

- reinforcing a corner site through changes in articulation, materials, colour and massing consistent with (All Development – External Appearance) PO 1.1;
- designing and detailing building elevations to convey purpose, identify main access points and complement the streetscape (All Development – External Appearance) PO1.3;
- integrating mechanical plant and servicing areas in the building's design to minimise visibility from the public realm and diminished residential amenity satisfying (All Development – External Appearance) PO 1.4 - PO 1.5;
- providing safe and perceptible access from street frontages, with easily understood visual delineation between areas of public/communal & private spaces and opportunities for passive surveillance of the public realm in accordance with (Safety) PO 2.1 - PO 2.4;
- addition of landscaping to enhance to appearance of the streetscape as expected by (Landscaping) PO 3.1; and
- including architectural details composed to reinforce human scale, break up building elevations into distinct elements exhibiting visual interest and provide high quality, attractive and functional street frontages in alignment with (All Development – Medium and High Rise – External Appearance) PO 12.1 - PO 12.8.

It should be noted the GA also recommended the applicant provide further information including confirmation of external materials and finishes (supported by provision of a physical material samples board), detailed façade drawings and landscape documentation. These matters would be reserved for further assessment should Planning Consent be granted.

Heritage

The Code's Heritage Adjacency Overlay anticipates development that does not dominate, encroach or unduly impact on the setting of the Place. This Overlay seeks to ensure that a LHP maintains its heritage and cultural value and is not unreasonably impacted by a development.

The Council does not object to the proposed development, noting:

- Tobin House is a Local Heritage Place and
- The massing and materiality of the proposal matches the existing building, albeit with a visually well separated tower above.

In understanding how to interpret the DO & PO, context is taken from the *Burra Charter*. The Burra Charter defines 'setting' as the immediate and extended environment of a place the is a part of or contributes to its cultural significance or distinctive character. The site was authorised as a Heritage Place on 01-Nov-2001 though no extent of the listing was confirmed or additional information is available to provide confirmation of the elements of the development that are of cultural/heritage significance. As such, limited weight can be given to the Overlay.

While the development would be a prominent addition to the setting of the Local Heritage Places, the proposal would not dominate the wider setting for the following reasons:

- The scale of the proposed development is consistent with the broader context of North Terrace;
- Generous setbacks are afforded from the heritage places to the proposed development;
- The setting of the LHP is maintained by the separation of the roadway; and
- The cladding materials of the podium element of the proposed built form, proportion and materiality is sympathetic to the surrounding LHP's.

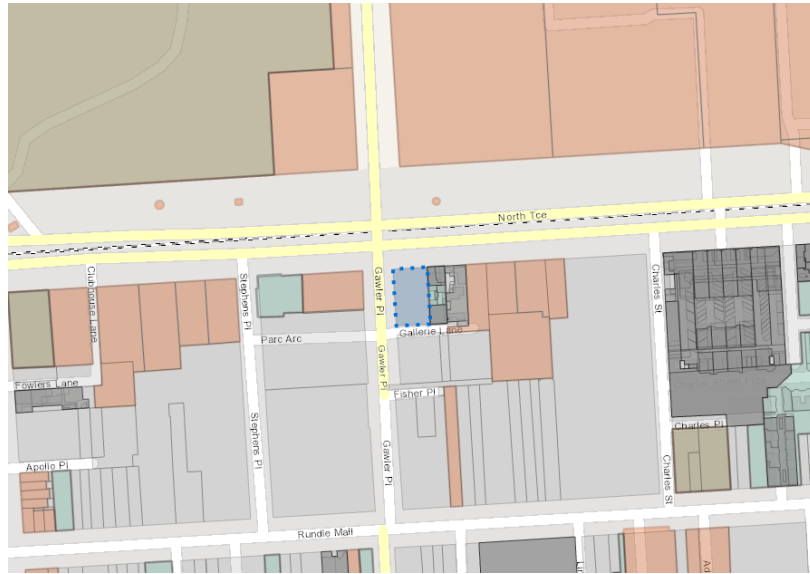


Figure 7: The surrounding Local and State Heritage Places (source: SAPPA)

The GA has highlighted the heritage significance of the precinct and emphasised the civic responsibility of the developer, though has not commented on the potential impacts on the heritage character or cultural significance of the site as a result of the proposed development. The GA has included comment on the built form and materials selection, though this was discussed earlier in the officer report.

Accordingly, the proposed development is considered an appropriate response to the cultural significance of the adjacent site and will not remove from the significant elements of the place. It is further considered that, as discussed in Council's technical response (Attachment 3B) to the LHP, the proposed development has provided an acceptable response by mimicking the existing buildings-built form and is appropriately designed and setback to be sympathetic and independent.

Traffic Impact, Access and Parking

Transport related policy applicable to the subject land advocates for the efficient operation of major urban transport routes including safe and convenient access to the road network for all road users and acceptable generation of traffic. The Design in Urban Areas general policy also provides guidance regarding the functionality and design of entry/access points.

The applicant engaged Empirical Traffic Advisory (ETA) to prepare a Traffic & Parking Review (included in Attachment 1F) which included inspections of the North Terrace and Gawler Place frontages, swept path analyses and consideration of traffic and parking implications as discussed in the following sections.

Vehicle Access

Vehicles would access the subject land via Angels Lane, entering the waste storage room via a set of openable louvered doors in the south-eastern corner of the land that is considered to be orderly, efficient and consistent with the existing road network.

The report provided by the applicant demonstrates that vehicle manoeuvrability allowing simultaneous movements to and from the rear laneway have been demonstrated by turn path diagrams prepared by ETA using CAD vehicle swept path analysis software.

Waste collection vehicles in this position would be likely to temporarily obstruct passenger vehicle movements on Angels Lane, however the infrequent and temporary nature of such an obstruction is considered acceptable, noting these would typically occur during off-peak periods. Accordingly, the proposed access

arrangements are considered functional and appropriate to serve the development's expected purposes and would not adversely impact the efficiency or safety of the road network

The proposed development has provided universally accessible entry to the building, having at grade entry to the student accommodation lobby, which connects to the elevators, café and admin/office rooms.

The proposed ground floor layout has included vehicle access/service points that minimise the impact of traffic on public roads and pedestrian paths. The proposed vehicle access points for servicing and delivery vehicles are located on Gawler Place and Angels Lane. These areas are considered sufficiently removed from North Terrace to demonstrate that the development appropriately responds to PO 7.1 of the Zone.

The proposal has sited the services area at the rear of the site, in Angels Lane. The proposed location is considered to be acceptable as the site does not function in a manner that will require a high volume of deliveries to occur. It is acknowledged that waste collection will be required and that will occupy an area of Angels Lane, though the WMP has confirmed that the duration and frequency of such collections are acceptable and won't unreasonably impact the operation of the surrounding traffic network.

As discussed earlier, the proposed ground floor has incorporated glass at the corners of the ground floor, to provide sightlines for vehicles and pedestrians moving around the site. The proposed sightlines are acceptable and provided an acceptable response to PO's 2.1 & 2.2. No fences, walls or landscaping is proposed to impeded views around the site.

Parking

On-site bicycle parking rates established by the Code's General Development (Transport, Access and Parking) Table 3 – Off-Street Bicycle Parking Requirements indicate the development would generate demand for a total of 318 bicycle parking spaces. This would be required to meet expected demand, which is calculated to be 0.5 spaces per student resident.

The proposal would provide 86 on-site bicycle parking spaces, to be distributed between student residents. Bicycle parking provision does not meet the statutory minimum requirements. These spaces would be located within a single storage area on Level one (1) of the building, containing a combination of racks and rails, with a designated e-bike charging area of the space. This results in a ratio of one (1) bicycle parking space per 7.4 students.

The applicant provided a Transport Impact Assessment, authored by ETA, with the purpose of demonstrating the shortfall of car parking (sought by the DTS/DPF provision) does not result in development that is inconvenient or provide insufficient amenity for the students. The report by ETA attests that, due to the location of the site (both within the CBD and in terms of the proximity of the site to the surrounding university campuses), the student residents are less likely to utilise bicycles to commute to the University Campuses, noting that the City East campus is a 5 minute walk and the City West Campus is a 10 minute walk from the site.

To further support the reduced parking supply, the applicant has provided confirmation of the bicycle parking volume & rates at eight (8) other student accommodation sites throughout Australia. These are shown below in Figure 8. The proposed bicycle parking rate that is more than double that of the nearest development (Carlton) and provides a ratio that is seven (7) times higher than the closest example (in terms of student bed numbers) provided by the applicant (Sydney Central). The combination of the site location and the comparable bicycle parking provision & demand are considered to provide an acceptable response to PO 41.1 of the DIUA guidelines module.

Location	Total Beds	Total Spaces Provided	Total Spaces Occupied	No. Beds Per Bicycle	Comments
Quays Street, Haymarket, Sydney	334	44	10	33.4	City centre location, close proximity to UTS and Sydney University.
Bank Street, Adelaide	503	24	22	22.9	City centre location, Close proximity to Uni SA and University of Adelaide
South Bank, Brisbane	755	75	29	26	City centre location
City Road, Sydney	440	98	5	88	Sydney University on campus location (opened July 2015)
Cleveland Street, Sydney	461	135	15	30.7	Chippendale, close proximity to UTS and Sydney University
Sydney Central	665	86	13	51.2	Ultimo, close proximity to UTS
Melbourne Central	461	81	11	41.9	Carlton, close proximity to University of Melbourne
Carlton	272	41	18	15.1	Carlton, close proximity to University of Melbourne
Average			15.4	38.6	

Figure 8: Comparable developments across Australia and their bicycle parking provision & demand findings. Sourced from Page 8 of Attachment 1F.

On this basis the proposal is held to provide an acceptable volume of bicycle parking and appropriately meets the on-site bicycle parking requirements. Accordingly, no concerns are held in respect of the proposed on-site vehicle or bicycle parking provision.

The proposed entry to the ground floor provides at-grade entry through the western boundary. This access point services the elevators associated with the student accommodation as well as the café in the northern area of the site's ground floor. The proposal is considered to provide an appropriate response to the PO.

The proposal does not seek to provide any on-site parking spaces or areas for service vehicles. The proposal has sought to utilise the adjacent parking spaces on Gawler Place and Angels Lane to provide waste and delivery vehicles with areas to service the site.

Concerns were raised with Council that the proposed use of the surrounding road network to support deliveries and waste collection would result in unreasonable impacts to other users of Angels Lane.

The applicant has provided a waste management plan that affirms that the site is within a commercial area and that the operation of waste collection is able to occur at alternative hours outside those associated with residential localities. The volume of time required to support the waste collection is relatively short the proposed impacts are considered to be acceptable.

The proposed ground floor of the building does not include corner cut offs. The proposed use of glass on the western corners of the building provides vehicles and pedestrians with visibility through the site, functioning in a similar manner as a corner cutoff. The proposed development is considered to provide an acceptable response to PO 10.1.

The proposal is considered to provide an acceptable response to the PO's contained within the Transport, Access and Parking General Development Policy Module.

Traffic Generation

The Zone seeks for sites to be developed to accommodate buildings with optimal height and floor space yields. This policy direction promotes developments that take advantage of their shape, location and surroundings, which has an associated impact on activity density and the associated traffic generation. The Planning, Development and Infrastructure Regulations further allow Council to provide comment on the impacts of development on traffic generation.

The technical response provided by Council raised concerns with the bicycle parking shortfall, commenting that the comparison to other existing developments was not supported. Further, that the applicant should provide an updated Traffic Impact Assessment, demonstrating that the potential peak periods of trip generation won't overwhelm the potential operation and safety of Gawler Place and the traffic signals at the adjacent intersection.

The Council anticipates that the proposal will result in a potential increase of 1,918 pedestrian trips per day and may result in a 30% increase in the volume of traffic during peak periods (based on a 2018 count). The Council has sought for the applicant to provide a review that provides confirmation of the impact of the development on all modes of transport, including a parking turnover analysis to Gawler and a SIDRA intersection analysis.

In addition, Council raised technical concerns with the bicycle parking data, commenting that the comparison data referenced by ETA in the Traffic and Parking Assessment did not sufficiently demonstrate that the proposed shortfall was acceptable. Additional concerns were raised by Council regarding traffic impacts to North Terrace during the construction phase of the project. Traffic management is not a planning matter and will be considered during the detailed design phase of the project and ultimately requires Council Consent to undertake development within the public realm.

The Council referral comments were forwarded to the applicant for review, as part of a Request for Further Information. To respond to the concerns raised, the applicant engaged with the Commission and provided a written response, forming attachment 1N. Council's concerns regarding the potential pedestrian impacts of the development are noted, though the site is located within a locality that is heavily oriented to supporting pedestrian movement systems, is in proximity to a highly trafficked pedestrian avenue (Rundle Mall) and within walkable distances from daily needs shops and services. As the proposal does not seek to include vehicle parking spaces on site and the pedestrian access points to the building are appropriately setback from the North Terrace intersection, the proposal is considered to provide an appropriate design to mitigate safety impacts associated with movements in and out of the site.

With regard to Council's concerns with peak movements and pedestrian numbers, given the design and use of the building, the proposal is not sufficiently sized to be considered to have an unreasonable impact on the intensity of pedestrian activity on Gawler Place or King William Road. The ground floor is limited in its ability to support movement in and out of the site. The ground floor provides access to the residences via three (3) elevators. As the primary use of the building is for student accommodation, which provides fluctuating and inconsistent schedules, it is considered reasonable that there are no specific surge periods that would result in an excessive generation of pedestrian activity.

In summary, the proposed vehicle access arrangements, bicycle parking provision and predicted traffic generation are considered acceptable and in accordance with policy objectives of the General Development (Transport, Access and Parking) module.

Environmental Factors

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

Interfaces

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

The proposed development appropriately manages the impact of the development on surrounding residential uses. The applicant has demonstrated, in the plans, that the proposal will not result in unreasonable overlooking, overshadowing or create impacts on residential amenity in the locality that are unreasonable.

Overlooking / Overshadowing

In its response to the overlooking and amenity provisions, the Code seeks mitigation of "direct overlooking" of nearby habitable rooms and private open spaces, consistent with the definition provided in Part 8 of the

Code which identifies direct overlooking would be possible between a horizontal distance of 15 metres between a development's windows, decks, balconies or terraces and adjacent property.

The proposed building is setback approximately 0.7 metres from the nearest dwelling, atop Tobin House, to the east. The eastern elevation of the building has been designed to prevent overlooking into the adjacent residence and provides amenity and solar access to the level nine (9) and 39 communal floors on either side of the elevator core & fire escape structure of the building. The eastern elevation of the building, other than levels nine (9) and 39 is screened for the length of the building, though clad in a combination of curtain wall glazing, black mineral stained concrete or brick. This included provision of glazed wall cladding and brick provides a continuation of built form to the building and maintains the character of the building when viewed from all sides.

Shadow diagrams (Figure 9) demonstrate the extent of overshadowing of the proposed development expected to be caused. The diagrams demonstrate the development would not result in an unreasonable increase in the shade cast on nearby sites within the locality.

The applicant has provided overshadowing diagrams that demonstrate that, whilst the shadow will reach beyond King William Road, the thin profile & built form of the building will result in a fast moving shadow that won't unreasonably impact any nearby residential sites or solar energy facilities.



Figure 9: Overshadowing Diagrams of the Proposed Development (Attachment 1C)

Noting the above, this represents a circumstance of development within the Capital City Zone, where development is expected to achieve an optimal yield with no envisaged maximum building height. The applicant is considered to have adopted a suitable built form siting and scale that would adequately manage the interface between the subject site and the adjacent residence, such that (Overshadowing) DTS PO 3.1 would be satisfied.

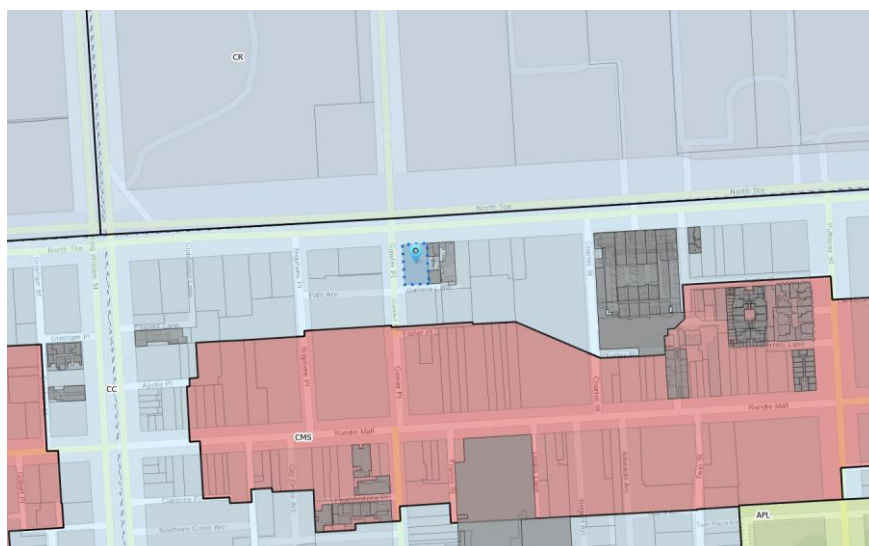


Figure 10: The Zoning Map of the Subject Site and Surrounds (Attachment 2B)

The building immediately to the south of the subject land at 12–20 Gawler Place accommodates commercial tenancies. A reasonable degree of overlooking and/or overshadowing of this building's northern elevation would therefore be expected and is considered largely unavoidable, given the unrestricted maximum building height included in the DTS/DPF provision, overshadowing and overlooking are envisaged in the locality.

Occupant Amenity

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

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

- all units would meet or exceed the minimum floor areas recommended by Design in Urban Areas (Student Accommodation) DTS/DPF 41.5 such that these would be capable of providing a high standard of amenity and indoor facilities, satisfying Design in Urban Areas (Student Accommodation) DTS/DPF 41.1;
- the living areas of all units would have an external outlook, and all bedrooms would be adequately separated from circulation spaces to limit noise and artificial light intrusion and each unit would be provided with adequate communal open space in the form of a social spaces with associated amenities as recommended by Design in Urban Areas (Student Accommodation) DTS/DPF 41.3 & 41.4;
- internal structure has been positioned to ensure all accommodation units would be functional and useable as recommended by Design in Urban Areas (Student Accommodation) DTS/DPF 41.5;

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

Public Realm

The Code's General Development (Design in Urban Areas) policy promotes provision of quality spaces integrated with the public realm which help optimise accessibility, comfort and safety for the community. The applicant initially included outdoor seating areas in the public realm of the site, which were associated with the café/retail space. The Capital City Zone expects that development in the public realm is only supported where it does not interrupt the movement or infrastructure and contributes to the vibrancy and safety of pedestrians and other users. Council confirmed that additional approval for works in the public realm will be required in future, should Planning Consent be granted.

Concern was raised by Council, during the statutory referral process, regarding sight lines and pedestrian safety to and from Hewitt Avenue. The Traffic Impact Assessment by ETA has commented on the proposed pedestrian, cycling and vehicle volumes associated with the development, as well as supporting swept paths diagrams. ETA confirmed that the proposed access arrangement for the development provided a design that is in accordance with the Australian Standards and conforms with the requirements of the Planning & Design Code.

While no objection to the proposal has been raised by the CoA, consent for new building works located within the public realm is required in accordance with the *Local Government Act 1999*. That consent would need to be sought separately to any Planning Consent granted under the PDI Act.

PO 10.1 (Public Realm) of the Zone anticipates that development of sites with frontages to the public realm or public roads will occur within the adjacent public realm. As the site is prominently located on the corner of a North Terrace & Gawler Place (a highly trafficked vehicle and pedestrian roadway/thoroughfare), the requirements for the proposed development to respond to the requirements of PO10.1 (as there are no DTS/DPF provisions) apply to this assessment.

Noise Emissions

The Code's Noise and Air Emissions Overlay advocates for the protection of community health and amenity from adverse impacts of noise and air emissions. The site is subject to this Overlay, which necessitates the achievement of requirements of the *Ministerial Building Standard MBS 010 – Construction requirements for the control of external sound* (MBS 010) for class 3 & 6 buildings, respectively comprising student accommodation and a shop.

MBS 010 specifies minimum acoustic requirements for building façades based on a sound exposure category and separation distances from roadways with a posted speed limit of 50 kilometres per hour, which apply on North Terrace.

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

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

Waste Management

The Code's General Development (Design in Urban Areas) policy recommends that development addresses any negative visual impact of outdoor storage, waste management, loading and service areas through screening from public view considering the form of development contemplated in the relevant zone. The applicant commissioned Colby Phillips to prepare a high-level Waste Management Plan (**Attachment 1E**) including an estimate of the proposal's waste generation and the means of storing and collecting various waste streams.

Colby Phillips estimates the development would produce 47,600 litres of waste per week requiring 16 skip bins (comprising a mix of either 1,100 litre or 660 litre capacity bins) and 2 MGB's of 240 litres for temporary storage. Colby Phillips notes that approximately four (4) regular collections per week would be needed to service the development. Colby Phillips further estimates that hard waste generation would be able to be accommodated on an as needs- given the rooms are to be fully furnished. Hard waste collection is anticipated to only be necessary (at reasonable volumes) at end of year periods, when student end their tenancies.

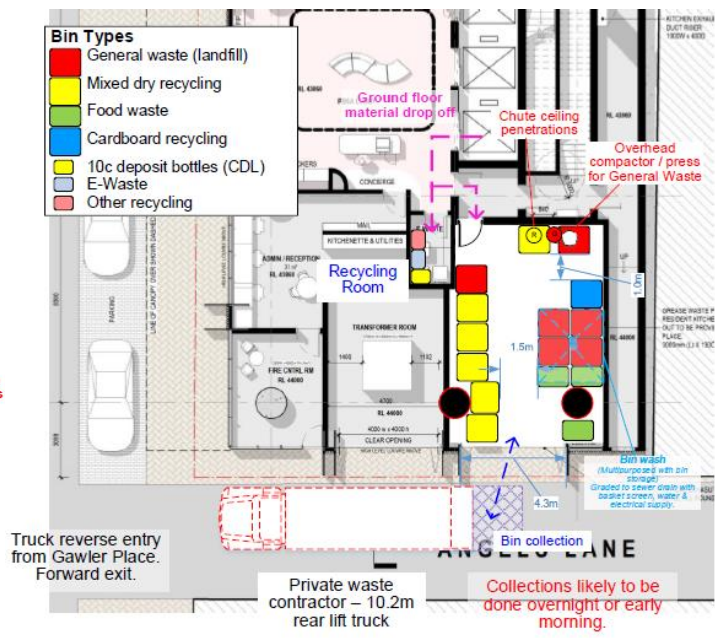
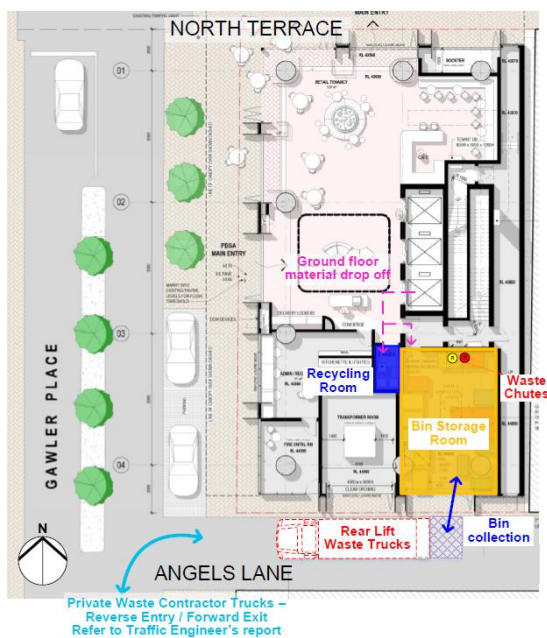
An enclosed waste storage room would be included at the building's ground level connected to a waste chute system integrated with enclosed transfer rooms provided over all upper levels. Waste produced by the retail tenancy/shop and in communal areas would be transferred by building cleaning staff via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

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

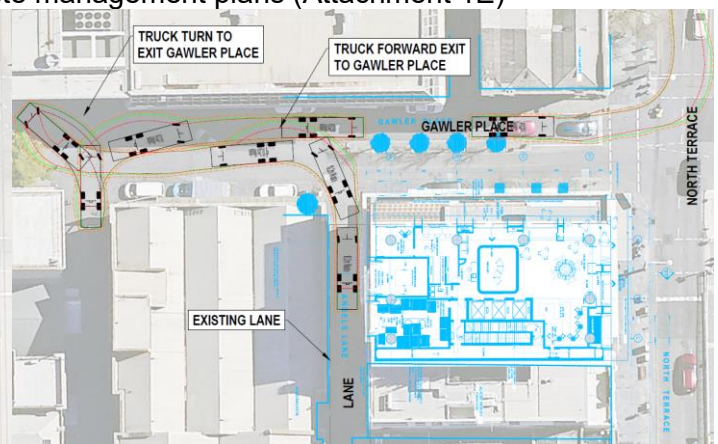
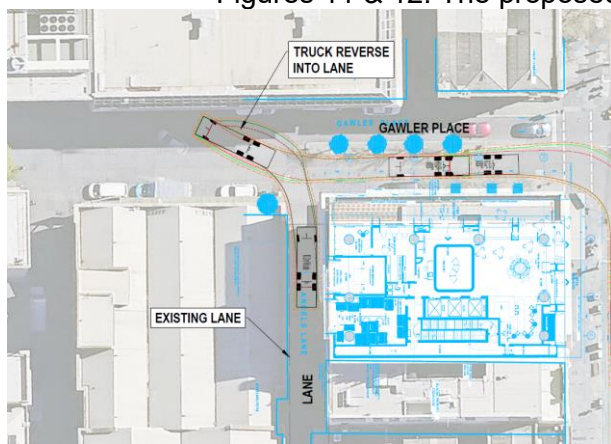
The waste report further stipulated that waste to be generated by Maintenance Services or External Services will be managed by the relevant contractors, and not the staff or residents of the building.

Waste collection contractors would access the site by vehicles reverse entering into the waste collection area in Angels Lane before collecting waste and exiting the subject land in a forward direction. In considering the volume of access required to facilitate collection in this part of the site, ETA prepared swept path diagrams (included in Attachment 1F) demonstrating entry and exit manoeuvres could occur satisfactorily to the waste collection area, although some temporary vehicle obstruction could occur in this circumstance, which is considered acceptable given the infrequent nature and short duration of waste collection that is listed to be four times per week, for up to 15 minutes per service/collection.

Overall, the proposed waste collection arrangements are considered appropriate and consistent with Code Policy expectations including Design in Urban Areas (Site Facilities / Waste Storage (excluding low rise residential development)) PO 1.5 - PO 43.1.



Figures 11 & 12: The proposed waste management plans (Attachment 1E)



Figures 13 & 14: The proposed waste collection vehicle swept paths diagrams (Attachment 1F)

Energy Efficiency

The applicant engaged *Summation* to prepare a report detailing the Project Requirements for Environmentally Sustainable Development (ESD, included as **Attachment 1J**) establishing how the proposal would incorporate sustainability strategies and reduce the proposal's impact on the environment during construction and operation. Identified principles include the following:

- Energy efficient and comfortable living spaces, all-electric and fossil fuel free;
- Powered by renewable energy through a combination of onsite and offsite solar PV;
- Energy efficient fixtures/appliances and drought tolerant planting;
- Built form reduces solar gain through low absorption materials, double glazing, natural and mechanical cooling and external shading;
- Support sustainable transport through encouraging active transport and reducing carbon emissions.

Summation's report notes that the proposed development would meet and / or exceed the NatHERS requirements if the development is constructed in accordance with the report's contents, supporting documentation and applicable drawings.

The GA supports the proposed ESD initiatives included in the sustainability report. Additional confirmation was sought regarding the submission of a detailed materials and finishes schedule, additional confirmation of the location of operable windows associated with the cooling, and confirmation of the 20% energy improvement references in the report. The applicant provided a written response to these comments from the GA, including images of the proposed cladding materials and confirmation that additional detailing associated with the façade will be addressed by the project engineer during the detailed design phase of the project.

Accounting for this, and in recognition of Summation's ESD report, the proposal would be expected to incorporate appropriate sustainable design and construction techniques and features capable of satisfying expectations of the Code's Design in Urban Areas (Environmental) PO 14.2.

Wind Analysis

Development exceeding five or more building levels (or 21 metres or more in height) should be designed to minimise the impacts of wind through design measures such as a podium at the base of a tall tower, substantial verandahs and / or building siting to assist in deflecting downward travelling wind flows over pedestrian areas.

The proposal's built form, articulation, setbacks and inset terrace areas on the lower floors would be expected to assist in minimising wind impacts and providing spaces that are within the walking comfort criterion, as sought by Design in Urban Areas (Environmental) PO 14.3 and emphasised by the applicant in the associated Wind Impact Assessment contained in **Attachment 11**.

In summary the expected maintenance of public realm conditions is supportable and would be in accordance with applicable Design in Urban Areas policy expectations.

Site Contamination

The Code's General Development (Site Contamination) policy and Practice Direction indicate that, as there is no change in land use and does not warrant additional detailed consideration against this element of the Code and Legislation.

Stormwater Management

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

Stormwater arrangements would include direction of all stormwater runoff into a detention tank with a minimum capacity for 13,000 litres enabling complete detention with any overflow to be gradually discharged to Council drainage infrastructure on Gawler Place.

In considering the Council's stormwater management requirements, WGA references the Council's Infrastructure Design Guidelines and confirmed that the stormwater management arrangements would enable controlled discharge of up to 15 litres per second from the detention tank to Council's existing infrastructure. This rate of discharge meets the Council infrastructure requirements.

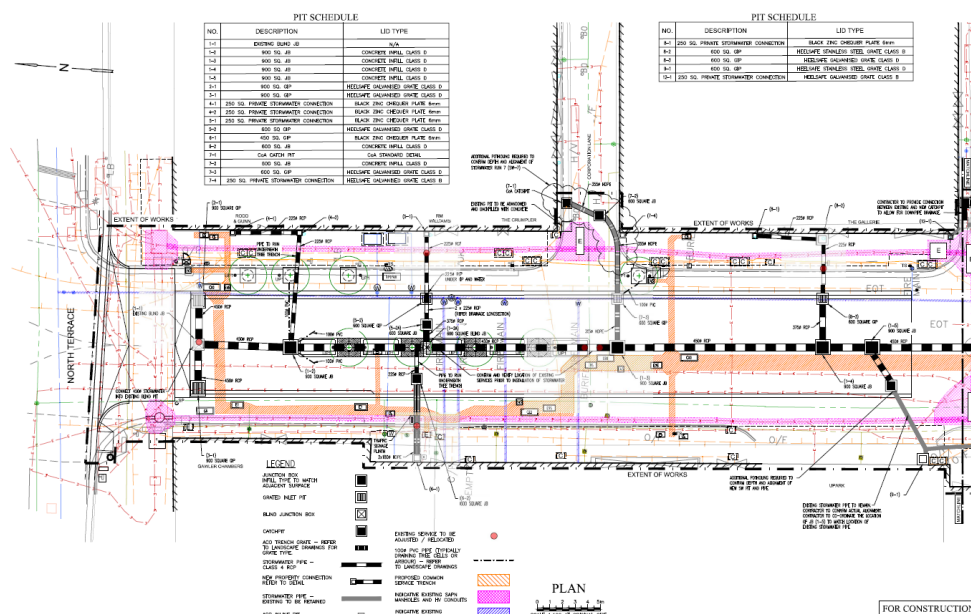


Figure 15: The local drainage network within Gawler Place (Attachment 1D)

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

CONCLUSION

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

- the intended residential land use is envisaged in the Capital City Zone;
- the development has been designed to appropriately respond to the characteristics of the locality, including surrounding built form, streetscape context and adjoining land uses.
- the quality of architectural design and external appearance of the new built form elements is considered to be of a high standard, qualifying for the GA's measured support (subject to confirmation of materials);
- the CoA does not object to the proposed development and has provided comments;
- the siting and design of the development would be such that possible impacts (such as overshadowing and overlooking) would be mitigated to a reasonable extent, noting that the residence atop Tobin House would likely be impacted by shadow even if the subject land were developed to the same height, even though there is no specified height limit, as recommended by Code policy for this development in this location;
- the residential offering provides a suitably high level of occupant amenity in terms of residence size & amenity, access to natural light and ventilation and provision of external outlook, functional private open space and residential storage in accordance with key objectives of the Code;
- arrangements proposed for vehicle access to the subject land, on-site vehicle parking provision and expected traffic generation would meet relevant expectations of the Code's General Development policies; and
- technical matters and environmental factors including management of stormwater and domestic waste, site contamination, tree protection measures and provision of sustainable development outcomes have been appropriately considered and addressed.

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

RECOMMENDATION

It is recommended that the SCAP resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 26019328, by Mandala M1 Centre Pty Ltd is granted Planning Consent subject to the following reasons/conditions/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.

Reserved Matter 1

A final stormwater management plan prepared in consultation with the City of Adelaide, including:

- a detailed site drainage / hydraulic services plan;
- confirmation of the calculation of pre-development and post-development areas; and
- confirmation of strategies to be implemented for stormwater retention / reuse within the development.

Reserved Matter 2

The applicant shall submit a final, detailed landscaping plan, prepared by a suitably qualified landscape architect that clearly identifies detailed landscape documentation including planter soil depths, species selection and irrigation strategy in consultation with the Government Architect and to the satisfaction of the State Planning Commission.

Reserved Matter 3

A final schedule of external material selections (supported by provision of physical material samples) prepared in consultation with the Government Architect, with appropriate consideration given to material finishes, durability and environmental performance.

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

Waste Management shall be undertaken in accordance with the Approved Waste Management Plan prepared by Colby Phillips and dated 11 June 2026.

Condition 3

The recommendations detailed in the Preliminary Design Report Revision 01, dated 21.04.26 prepared by BESTEC shall be fully incorporated into the development. Such measures shall be undertaken prior to the occupation or use of the development and maintained at all times to the satisfaction of the Relevant Authority.

Condition 4

The recommendations detailed in the Desktop Wind Impact Study, dated 29 May 2026 prepared by VIPAC shall be fully incorporated into the development. Such measures shall be undertaken prior to the occupation or use of the development and maintained at all times to the satisfaction of the Relevant Authority.

Condition 5

The recommendations detailed in the Sustainability Statement report, dated 30/04/2026 prepared by Summation shall be fully incorporated into the development. Such measures shall be undertaken prior to the occupation or use of the development and maintained at all times to the satisfaction of the Relevant Authority.

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 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 4

The application has been assessed and the development with a building height of approx. RL 177.160 metres Australian Height Datum (AHD) the application will penetrate the Adelaide Airport Obstacle Limitation Surfaces (OLS) which is protected airspace for aircraft operations.

The development will infringe the OLS by approximately 52 metres.

The application will require approval in accordance with the Airports (Protection of Airspace) Regulations 2026 with approval by the Department of Infrastructure, Transport, Regional Development, Communication, Sports and the Arts.

Carrying out a controlled activity other than in accordance with an approval that has been granted under the Regulations is an offence under Part 12 of the Airports Act 1996 (Cth).

Providing false or misleading statements in applications or false or misleading information or documents may constitute an offence against Part 7.4 of the Criminal Code Act 1995 (Cth).

Crane operations associated with construction require approval in accordance with Airports (Protection of Airspace) Regulations 2026.