

May 27, 2026

Daniel Marotti
Planning Officer
Planning and Land Use Services
Department for Housing and Urban Development
Via: *The PlanSA Portal*

Dear Daniel

APPLICATION 25036473 – RESPONSE TO RFI / REFERRALS

We act on behalf of Malvern Development SA Pty Ltd (**'the Proponent'**), and provide the following response to:

- your request for information (**'RFI'**) originally dated January 7, 2026 (and issued again as a duplicate on April 15, 2026);
- the Government Architect's (**'GA'**) referral advice dated December 23, 2025;
- the City of Unley (**'the Council'**) referral comments dated December 17, 2025; and
- the referral response from the Commissioner of Highways / Department for Infrastructure and Transport (**'DIT'**).

Since lodgement, the proposal has undergone substantial further refinement in response to the RFI, referral comments, consultant coordination and matters raised during public notification. These refinements have principally focused on improving the eastern residential interface through increased setbacks, reduced perceived visual bulk, enhanced landscaping, reorientation of balconies, ongoing commitment to the retention of the substantial eastern boundary wall and further articulation of the built form.

The updated documentation should be considered holistically, noting that many of the matters raised by referral agencies and representors have informed coordinated design refinements across the architectural, landscape, traffic, acoustic, sustainability, waste and civil documentation.

We refer to the following documents to be read in conjunction with this response:

- updated Architectural Drawings by Woods Bagot, in **Appendix 1**;
- updated Landscape Concept Report by Landskap in **Appendix 2**;
- updated Sustainability Management Plan by ADP Consulting in **Appendix 3**;
- updated swept path and ramp details by Cirqa in **Appendix 4**; and
- updated Waste Management Plan by Rawtec in **Appendix 5**.

Our responses are set out below.

1. Commissioner of Highways Response

The referral response from the Commissioner of Highways / DIT is noted.

No objection has been raised to the proposal, subject to standard conditions. This is a significant matter in the context of representor concerns relating to traffic generation, access and road safety, noting that DIT is the relevant authority with respect to impacts on the State Maintained road network.

The proposal removes the existing Unley Road crossovers and consolidates access to Eton Street, which improves pedestrian safety, reduces vehicle conflict points along Unley Road and supports the main street activation outcomes sought by the Urban Corridor (Main Street) Zone.

2. Government Architect Response

2.1 Ground plane and Access

The GA's supportive comments in relation to the ground plane configuration and access strategy are noted and appreciated.

In particular, the GA supports:

- the removal of car parking and crossovers from the Unley Road frontage;
- the separation of vehicle and service functions to Eton Street;
- the retention and integration of the existing corner character building;
- the improved clarity and legibility of pedestrian access;
- the permeable and inviting ground floor arrangement; and
- the provision of basement car parking, together with convenient at-grade parking to support the ground floor tenancies.

In response to the GA's recommendation regarding potential acoustic impacts associated with vehicle movements along the eastern boundary, the proposal retains the substantial existing masonry boundary wall, which will continue to provide an important degree of acoustic separation to adjoining residential properties. This is also consistent with the position expressed by the adjoining owner of 67 Eton Street, who identified the existing boundary wall as providing important privacy, security and acoustic benefits.

In addition, the eastern boundary treatment incorporates deep soil landscaping and tree planting, which will further assist in softening activity at the interface.

Further acoustic detail has also been provided in response to the RFI and representor concerns, confirming that vehicle movements, loading, waste collection and mechanical plant can be managed in accordance with the relevant noise criteria and the Environment Protection (Commercial and Industrial Noise) Policy 2023.

2.2 Landscape and Public Realm

The GA's strong support for the landscape strategy and public realm interface is noted, including support for:

- Eton Street public realm upgrades;
- deep soil planting to the eastern boundary;

- integrated upper-level greening;
- landscaped pedestrian thoroughfares; and
- engagement with the City of Unley regarding public realm improvements.

In response to the GA's recommendations, the Proponent acknowledges the importance of ensuring suitable growing conditions for the proposed trees along the eastern boundary. Ongoing coordination between the architectural, structural and landscape documentation will confirm that potential encroachments, including piles, capping beams and the retained boundary wall, are appropriately resolved through detailed design.

Landskap has confirmed that the proposed Tuckeroo trees to be planted along the eastern boundary are capable of establishing within the nominated planting conditions having regard to the current piling locations and retention of the existing boundary wall.

The proposal should not be understood as relying on neighbouring vegetation to mitigate interface impacts. Rather, the architectural response, setbacks, built form articulation, integrated landscaping and retained boundary wall collectively establish an appropriate transition outcome in their own right.

The landscape design outcomes presented in the updated documentation will be maintained and refined through subsequent detailed design.

2.3 Built Form and Height

The GA's support for the proposed building height and broad built form composition is noted.

Importantly, neither the GA nor the Design Review Panel raised any in-principle objection to the proposed building height or overall development concept. Rather, the GA expressly supports the aspiration to provide a high-quality, design-led and sustainable mixed-use residential proposal in this location, while identifying areas where further refinement could improve the eastern interface condition.

The proposal has been carefully developed through on account of further consideration of third-party concerns expressed during the notification period as well as the comments made in the GA's referral comments, to respond to the site's dual context, being:

- a commercial and transport corridor anticipated for intensification under the Urban Corridor (Main Street) Zone; and
- an established low-rise residential context to the east requiring careful interface management.

The proposal achieves this balance through:

- concentration of the tallest built form toward Unley Road;
- a 'U-shaped' podium form transitioning to a more recessive upper-level form;
- a central void providing meaningful spatial separation to the eastern interface;
- progressive upper-level setbacks;
- retention of the existing eastern 6.4m tall boundary wall;
- material variation and façade articulation; and
- integrated landscaping to soften the presentation of the building when viewed from the east.

In relation to the GA's comments regarding the southern wing, the updated architectural package incorporates further refinements to improve the transition to the eastern residential interface. These include:

- increased eastern setbacks across Levels 3 to 6;
- reorientation of balconies away from the eastern boundary;
- integrated planter boxes and landscaped balustrades;
- increased visual relief to the eastern elevation; and
- minor reductions to balcony extents to facilitate increased separation.

Collectively, these refinements materially reduce perceived visual bulk and improve transition outcomes when viewed from adjoining residential land.

While the proposal does not strictly satisfy the 30-degree interface plane referred to in DPF 4.1, that DPF is not a mandatory control. The relevant planning assessment turns on whether the impacts of building massing are appropriately mitigated having regard to PO 4.1 and PO 5.2 of the Urban Corridor (Main Street) Zone.

In this regard, the updated proposal appropriately manages off-site impacts through a performance-based design response that reflects the strategic intent for increased development intensity on a Significant Development Site in this location.

2.4 Architectural expression and materiality

The GA's supportive comments regarding the architectural expression of the proposal are noted, including support for:

- the contextual response of the Unley Road frontage;
- integration of the retained character building;
- the level of façade articulation and material detail;
- the Eton Street frontage treatment; and
- the use of masonry, expressed slab banding, integrated planters and screening elements.

The upper-level expression along Eton Street and the eastern elevation has been deliberately articulated and expressed with lighter-weight materials to reduce perceived bulk and achieve a more recessive presentation to the residential interface.

The detailing of the hit-and-miss brickwork screening will be resolved through detailed design to ensure appropriate access for glazing maintenance and delivery of the intended architectural outcome.

Final external material selections, including physical samples, can be provided prior to the SCAP hearing and/or addressed through a condition of consent to ensure the design quality presented in the application is maintained.

2.5 Internal planning and residential amenity

The GA's support for the internal apartment layouts, daylight analysis and range of communal amenity spaces is noted.

The design response to the southern interface includes increased setbacks and reorientation of primary private open space areas to reduce potential future interface impacts and optimise residential amenity within the development.

The proposal provides a high-quality residential environment, with access to natural light, ventilation, landscaped communal spaces and private open space outcomes appropriate for a mixed-use residential development in this corridor location.

2.6 Environmentally Sustainable Design (ESD)

The GA's supportive comments regarding the ESD strategy are noted, including support for the engagement of a sustainability consultant and the comprehensive approach to:

- energy performance;
- integrated water management;
- indoor environmental quality;
- waste;
- transport; and
- designing for people and nature.

The updated Sustainability Management Plan confirms that the project continues to pursue a high standard of sustainability performance, including a commitment to an average NatHERS rating of 7.5 stars, an all-electric building strategy, rooftop solar PV, EV charging infrastructure, water-efficient fixtures and integrated water sensitive urban design measures.

The Proponent acknowledges that State Planning Commission may consider conditions to secure key sustainability commitments. Any such condition should be framed to allow detailed design flexibility while ensuring the committed performance outcomes are delivered.

3. Response to RFI Items

3.1 Bulk / Massing

The RFI raises concern that the southern wing substantially protrudes beyond the notional interface plane under DPF 4.1 and recommends further reduction in massing and bulk to satisfy PO 4.1 and manage off-site impacts under PO 5.1.

The concern is acknowledged. However, the Code does not require strict compliance with the 30-degree DPF interface plane. The DPF is an indicative measure only, and the relevant planning assessment turns on whether the building mitigates massing impacts and provides an appropriate transition having regard to PO 4.1 and PO 5.2 of the Urban Corridor (Main Street) Zone.

The updated design incorporates several refinements to the southern wing to improve the eastern interface, including:

- Level 3: eastern setback increased by approximately 690mm, with integrated planter boxes to provide a softer landscaped edge;
- Level 4: eastern setback to the building façade increased from 9.40 metres to 11.70 metres, with landscaped balcony edges incorporated;
- Level 5: eastern setback to the building façade increased from 9.40 metres to 11.70 metres, with reorientation of balconies and integrated landscape balustrades;
- Level 6: eastern setback increased to approximately 11.70 metres to the balcony edge, with a corresponding increase of approximately 1.5 metres to the building façade; and

- select apartments reoriented to direct primary outlook south and west, reducing direct interface with the eastern boundary.

These amendments provide a more generous and consistent setback profile, reduce perceived visual bulk and strengthen the landscaped transition to adjoining residential properties.

The proposal also retains the substantial 6.4 metre eastern boundary wall, which provides an important visual and acoustic interface element.

Accordingly, while the proposal does not strictly sit within the notional 30-degree DPF plane, the updated design appropriately mitigates building massing impacts in a manner consistent with the qualitative intent of the relevant Performance Outcomes.

3.2 Stormwater Management

3.1 Rainwater tank annotation

The stormwater documentation has been reviewed and updated to clarify the rainwater harvesting and detention arrangements.

The proposal incorporates a 25kL rainwater harvesting tank, while the separate detention storage requirement is approximately 12kL. Any previous drawing annotation suggesting a 12kL rainwater tank has been corrected or clarified in the updated civil documentation.

3.3 Finished Floor Levels

Updated civil and architectural drawings now identify finished floor levels and relevant interface levels to assist assessment of the relationship between the development, the Unley Road and Eton Street frontages, the verge and the public realm.

The finished floor levels have been coordinated with flood protection, stormwater management and public realm interface requirements.

3.4 Traffic and Access

3.4.1 CIRQA design requirements

The updated architectural and traffic documentation has been amended to reflect CIRQA's design requirements, including car park layout refinements, ramp gradients, transition lengths, column clearances and headroom requirements.

These amendments do not materially alter the proposal's overall parking strategy or result in any unacceptable reduction to parking provision. The proposal continues to provide an appropriate level of on-site parking having regard to the Code rates applicable within a Designated Area and the site's high accessibility to public transport, services and employment.

3.4.2 Basement 2 turnaround bay

The updated traffic review confirms that Basement 2 does not require an additional turnaround bay in the same location as Basement 1. Vehicle movements and circulation have been reviewed by CIRQA and can operate safely and efficiently.

3.4.3 Bicycle parking

The updated documentation provides additional clarification in relation to bicycle parking.

The proposal incorporates bicycle parking within accessible and common areas for visitors, customers and commercial users, including short-stay bicycle parking opportunities within the Eton Street public realm and secure long-stay bicycle parking within the building.

It is also noted that residents of apartment developments commonly store bicycles within apartments or secure storage areas, particularly higher-value bicycles. Notwithstanding, the updated plans seek to show dedicated bicycle parking where practical to respond to the RFI.

3.4.4 Eton Street access / sightlines / corner cut-off

The Eton Street access has been reviewed and refined to ensure appropriate sightlines and pedestrian safety. The updated documentation demonstrates that the access arrangement satisfies the relevant Australian Standards and Code provisions relating to safe ingress and egress.

The design does not seek to alter or remove the existing Eton Street road closure, and there is no intention for the development to rely upon any future opening of that road closure.

3.4.5 Dashed line at Eton Street access

The dashed line shown at the Eton Street access denotes the building element above / overhead built form and does not represent a vehicle gate. No gate is proposed across the Eton Street access that would impede ingress or egress.

3.5 Eastern Boundary

3.5.1 Tuckeroo planting and retained boundary wall

The eastern boundary wall is to be retained.

The proposed Tuckeroo trees have been reviewed by Landskap having regard to the retained wall, current piling locations and the available planting zone. Landskap has confirmed that the proposed trees can establish within the nominated conditions.

The final coordination of structural elements, wall footings, piling, capping beams and planting zones will occur through detailed design to ensure that planting viability and structural requirements are appropriately resolved.

3.5.2 Potential removal of eastern boundary wall

The proposal does not seek to remove the eastern boundary wall. Accordingly, the impacts of wall removal do not arise from the proposed development.

The retention of the wall forms an important part of the interface response, including in relation to privacy, acoustic separation, visual screening and lower-level activity separation.

3.6 Noise Impacts

The RFI asks whether the acoustic assessment of the Level 3 pool area also considers potential noise impacts from the pool pump.

The pool pump and associated filtration equipment will be selected and located during detailed design and will be required to comply with the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

The acoustic consultant has confirmed that noise associated with plant and equipment can be managed through standard and well-established measures, including:

- selection of low-noise equipment;
- acoustic enclosure or screening where required;
- attenuators;
- acoustic louvres;
- appropriate location of plant; and
- ongoing compliance with relevant EPA noise criteria.

In addition, the proposal retains the 6.4 metre eastern boundary wall, which provides an existing acoustic barrier between the development and adjacent residential properties to the east.

A condition requiring final mechanical plant and equipment to be designed to achieve the relevant noise criteria would be reasonable and capable of being satisfied.

3.7 Overlooking

The RFI raises concerns regarding potential overlooking from Levels 5, 6 and 7, east-facing dwellings, angled façade elements and internal overlooking between apartments.

Overlooking has been addressed in detail in the original Planning Report and further considered in the Response to Representations package.

Applying the definition of “direct overlooking” in Part 8 of the Code, only a limited number of adjoining properties are capable of experiencing a direct overlooking relationship.

Notwithstanding, the updated design incorporates additional mitigation measures, including:

- increased eastern setbacks;
- reorientation of balconies to reduce direct eastward outlook;
- integrated planter boxes and landscaped balustrades to southern wing balconies;
- angled façade elements to redirect views;
- spatial separation between buildings and boundaries; and
- deep soil landscaping along the eastern boundary.

The communal pool and residential amenity areas on Level 3 are also screened and landscaped, and are ancillary residential spaces rather than publicly accessible entertainment venues.

Internal overlooking between balconies has been considered through building separation, offset balcony placement, orientation and screening/landscape treatments where appropriate. The resulting

outcome is consistent with expectations for a high-quality apartment building in an urban corridor setting.

Accordingly, the proposal appropriately mitigates overlooking in accordance with DUA PO 16.1, PO 28.1, PO 28.2 and related visual privacy policies.

3.8 Private Open Space

The RFI queries the functionality of private open space areas where bicycles or clothes drying facilities may be stored.

The private open space areas have been designed to provide functional outdoor amenity appropriate to the apartment typologies proposed. The updated design refinements have not compromised the overall functionality of private open space areas.

Where bicycles are stored within apartments or associated storage areas, this will be a matter for individual residents. The Code does not require private open space areas to remain entirely unobstructed, but rather to provide functional outdoor amenity for residents.

Clothes drying can be accommodated through internal laundry facilities, discreet drying racks or building management arrangements without materially affecting the usability of private open space.

3.9 Communal Area

The communal open space areas are intended to function as passive residential amenity spaces for residents and their guests.

They are not intended to function as event spaces or commercial entertainment areas. Their operation will be managed through building management / body corporate rules, including reasonable controls on hours of use, noise and guest behaviour.

The location, design and landscape treatment of these areas provide high-quality residential amenity while appropriately managing potential impacts to adjoining properties.

3.10 Level 1 Commercial Area Access

Access to the Level 1 commercial tenancy areas will be resolved to maintain clear separation between residential and commercial users.

The final access control arrangement will ensure:

- secure resident-only access to residential lobbies, lifts and residential levels;
- independent access to commercial tenancy areas where required;
- appropriate after-hours access arrangements for commercial occupants; and
- no need for commercial users to pass through private residential secure areas.

This can be appropriately resolved through detailed design and building management arrangements.

4. City of Unley Referral Comments – Regulation 23

The Proponent appreciates the constructive engagement and detailed comments provided by the City of Unley.

The matters raised pursuant to Regulation 23 of the *Planning, Development and Infrastructure (General) Regulations 2017* principally relate to detailed design coordination, engineering resolution, operational management and public realm delivery. These matters are capable of being satisfactorily addressed through the updated documentation, further detailed design, and the imposition of appropriate conditions or advisory notes.

4.1 Vehicle Access and Sightlines

Council requested confirmation of pedestrian sight triangles at the Eton Street access.

The updated traffic and architectural documentation confirms that the Eton Street access achieves appropriate pedestrian sightlines and has been reviewed against the relevant Australian Standards.

The proposed access arrangement improves the existing condition by removing vehicle access from Unley Road and consolidating movements to Eton Street.

4.2 Car Parking Layout, Ramp Grades and Headroom

The updated architectural drawings have been amended to reflect the recommendations of CIRQA in relation to:

- parking space dimensions;
- car clearance envelopes;
- column clearances;
- ramp grades;
- transition lengths; and
- headroom requirements.

These changes ensure safe and efficient operation of the car park and do not materially affect the overall parking provision.

4.3 On-Street Parking Permits

Council's comments that residents, staff and visitors of the development will not be eligible for on-street parking permits are noted.

The Proponent does not object to an advisory note to this effect, provided it is framed consistently with Council's usual practice.

4.4 Loading, Deliveries and Waste Collection

Council has requested that loading and waste collection activities occur outside typical peak staff and visitor movement periods.

The Proponent accepts that loading and waste collection can be managed through appropriate operational controls. The updated Waste Management Plan has been prepared to address waste storage, collection arrangements, bin movement and operational management.

Conditions controlling waste collection times are acceptable in principle, provided they remain practical and consistent with the Local Nuisance and Litter Control Act 2016 and commercial waste collection requirements.

4.5 Groundwater

Council's comments regarding groundwater are acknowledged.

At this stage of the project, both potential basement design solutions remain available, being:

- A sealed, fully tanked basement (dry basement) designed to prevent groundwater ingress; or
- A drained basement system (wet basement) with controlled discharge to the Council stormwater network.

The Proponent acknowledges that the suitability of either approach will depend on further geotechnical investigation and detailed engagement with the City of Unley. Accordingly:

- The Proponent does not seek to lock in a final basement water management method at the planning stage.
- Further technical investigations will be undertaken following planning consent to determine the most appropriate and feasible approach.
- The final design solution will be developed in consultation with Council to ensure that groundwater management, structural integrity, stormwater performance and downstream network capacity are satisfactorily addressed.

This approach ensures that all feasible engineering solutions remain available, while allowing the planning authority to be confident that the site can be developed responsibly in accordance with the Code with the final design being appropriately addressed by a reserved matter.

4.6 Verge Interaction and Public Realm Works

Council's comments regarding public realm coordination, footpath levels, verge works, crossovers and public infrastructure are noted.

The Proponent has proactively engaged with Council regarding the proposed Eton Street and Unley Road public realm improvements and remains committed to continuing that engagement.

The updated documentation provides further detail regarding levels and interface conditions between the private site and public realm.

Any separate approvals or permits required for works within the road reserve, reinstatement works, canopy encroachments or public realm upgrades will be obtained at the appropriate stage.

4.7 Waste Management

Council requested that the Waste Management Plan be updated to address Council's Sustainable Kerbside Waste Management Policy, identify waste room and chute arrangements on the architectural plans, and include appropriate waste education signage.

The updated Waste Management Plan and architectural documentation respond to these matters by:

- identifying waste storage areas and chute arrangements;
- addressing the three waste streams;

- providing operational guidance for collection and management; and
- incorporating signage and education measures consistent with SA Government “Which Bin” materials.

4.8 Public Realm

Council’s support for the Proponent’s proactive engagement and willingness to consider public realm improvements beyond the site boundaries is noted and welcomed.

The proposal delivers meaningful public realm benefits, including:

- improved Unley Road frontage activation;
- removal of existing Unley Road crossovers;
- Eton Street verge widening and landscape opportunities;
- improved pedestrian amenity;
- tree planting and greening; and
- a more integrated relationship between ground floor tenancies and the public realm.

The Proponent remains willing to continue working with Council to refine and deliver the public realm improvements.

4.9 Stormwater Management

The updated stormwater documentation confirms that stormwater can be appropriately managed on site without adverse impact to adjoining land or the adjacent street network.

The Proponent does not object in principle to standard stormwater conditions requiring final stormwater management details to be submitted and approved prior to development approval / construction, provided the wording allows reasonable detailed design refinement.

4.10 Construction Management and Sediment Control

Council’s comments regarding sediment, debris and litter control during construction are noted.

These matters can be appropriately addressed through a Construction Environmental Management Plan or equivalent condition requiring erosion, sediment and waste controls during construction.

4.11 Street Tree

Council’s arboricultural comments regarding the removal and replacement of the young street tree on Eton Street are noted.

The Proponent accepts that any street tree removal, replacement and associated verge works will be coordinated with Council and undertaken in accordance with Council requirements.

5. City of Unley Planning Observations

Council's planning observations, which sit outside the strict scope of Regulation 23(3), are noted.

The issues raised by Council in relation to height, massing, the 30-degree interface plane, overlooking, overshadowing, noise, affordable housing and public realm outcomes have been addressed comprehensively across the application material, including the original Planning Report, Response to Representations package, updated architectural drawings, updated landscape documentation, acoustic material, and this response.

In summary, the Proponent maintains that the proposal appropriately responds to the relevant planning framework because:

- the site qualifies as a Significant Development Site, where increased development yield is expressly contemplated by the Code where impacts are managed and broader community benefit is achieved;
- strict compliance with the 30-degree DPF is not mandatory, and the relevant assessment turns on whether the proposal satisfies the corresponding Performance Outcomes;
- the updated design provides further refinement to the southern wing interface, including increased setbacks, balcony reorientation and integrated landscaping;
- the existing 6.4 metre eastern boundary wall is retained, assisting with visual separation, privacy and acoustic mitigation; and
- overlooking, overshadowing and acoustic impacts have been appropriately assessed and mitigated in accordance with the relevant Code provisions and technical criteria.

Accordingly, the matters raised by Council do not alter the Proponent's position that the proposal delivers an appropriate planning outcome, including substantial public realm improvements, increased housing diversity, sustainability benefits and a high standard of architectural and landscape design.

6. Conclusion

The updated proposal represents a carefully refined and well-resolved design response that has evolved through extensive Design Review Panel engagement, detailed consultant coordination, referral agency input, consideration of representor concerns, and ongoing architectural refinement.

The proposal delivers a high-quality mixed-use outcome within a strategic growth corridor and appropriately responds to the site's role as a Significant Development Site. It achieves a high standard of architectural and landscape design, retains and integrates the existing character building, provides increased housing diversity in a highly accessible location, and improves access arrangements by removing vehicle movements from Unley Road.

Importantly, the proposal also provides a carefully managed response to the eastern residential interface through retention of the substantial eastern boundary wall, increased setbacks, refinement of the southern wing, built form articulation, integrated landscaping and acoustic treatment. These measures collectively mitigate interface impacts and support an appropriate transition to adjoining residential land.

Having regard to the relevant provisions of the Planning and Design Code, together with the extensive technical material prepared in support of the application, the Proponent respectfully submits that the proposal warrants Planning Consent.

We trust that our responses satisfactorily address the referral agency comments and the matters raised in your RFI. Should you have any queries, please do not hesitate to contact me on 0411 275 446 or via email at jason@futureurban.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jason Cattonar", written over a large, light grey "DRAFT" watermark.

Jason Cattonar
Associate Director