

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 19 September 2023 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson
ASSESSMENT MANAGER

Dated 11/09/2023

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yaitya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

*Kurna Translation provided by Kurna Warra Karrpanthi

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

19 September 2023

MEMBERS:

Mr Brenton Burman
Ms Colleen Dunn
Mr Will Gormly
Dr. Iris Iwanicki
Professor Mads Gaardboe (Deputy)

APOLOGIES:

Mr Terry Sutcliffe

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED:

SECONDED:

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 20 June 2023, as printed, and circulated, be taken as read and signed as a correct record.

A G E N D A

Apologies
Conflict of Interest
Confirmation of the minutes

Item No	Planning, Development Infrastructure Act Applications	Page
1.	3 Mitchell Street, Hyde Park – 23012676	4-30
2.	5 Glenferrie Avenue, Myrtle Bank - 21011428	31-335

Item No	Appeals Against Decision of Assessment Manager (PDI Act)	Page
	Nil	

Item No	ERD Court Compromise Reports - CONFIDENTIAL	Page
	Motion to move into confidence	
	Nil	
	Motion to move out of confidence	

Item No	Council Reports	Page
3.	CAP Annual Report 2022-2023	336-341

Any Other Business
Matters for Council's consideration

ITEM 1**DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061**

DEVELOPMENT NO.:	23012676
APPLICANT:	Kenneth Wong
ADDRESS:	3 MITCHELL ST HYDE PARK SA 5061
NATURE OF DEVELOPMENT:	Alterations and additions to the existing dwelling, the installation of a boundary fence maximum height of 3.6m and alteration to the swimming pool safety barriers
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Historic Area • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 6m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 600 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	26 Jun 2023
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	2023.8 – 15 June 2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Amelia De Ruvo Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil
RECOMMENDATION	Support with conditions
ATTACHMENTS	1 - Plan Set & Supporting Documentation 2 - Representations 3 – Response to representations

ITEM 1

DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for alterations and additions to the existing two storey detached dwelling proposing an elevated decorative aluminium batten screen to the front façade, a dwelling addition to the rear, an attached 3.6m aluminium batten insert to the existing masonry fence on the western boundary and alterations to the swimming pool safety barriers. The proposed plans are contained within **Attachment 1**.

The proposal seeks to undertake substantial alterations to the internal floor layout of the existing dwelling, resulting in a dwelling with three bedrooms, four bathrooms (two being ensuites), study, living area, billiard room, theatre, gym, piano room, laundry, wine room and an open plan kitchen, dining and living area. The dwelling will have a total floor area of 659m².

The dwelling addition will result in the following:

- Front setback to the building line of the dwelling is maintained at 7.9m;
- The western boundary setback to the ground floor and first floor remains unchanged with the exception of the courtyard being screen with battens on the existing boundary wall;
- The eastern boundary setback to the ground floor and first floor remains unchanged;
- The dwelling will be sited on the rear boundary with a wall height of 3.6m;
- The overall building height of the dwelling is maintained at 7.7m when measured from natural ground.

Vehicular access to the site will remain from the existing crossover from Mitchell Street with no alteration proposed to the existing vehicular parking arrangement.

The proposal also seeks to construct a 3.6m masonry fence with timber battens along the eastern and western boundaries. The proposed fence will be sited behind the building line of the existing dwelling.

SUBJECT LAND & LOCALITY:

Location reference: 3 MITCHELL ST HYDE PARK SA 5061

Title ref.: CT 5490/311

Plan Parcel: F10577 AL 133

Council: CITY OF UNLEY

Site Description:

The subject land is located within the **Established Neighbourhood Zone** and the **Historic Area Overlay**.

The subject land is rectangular in shape with a frontage to Mitchell Street of 17.71m, a depth of 39.67m and an approximate site area of 702.5m². The land is not affected by any easements or encumbrances.

The site currently contains a contemporary two storey detached dwelling, built in 2001, a masonry front fence with batten inserts and a swimming pool. The site is currently provided with vehicular access to Mitchell Street from the existing crossover on the eastern side of the subject land.

The land is relatively flat and contains no regulated or significant trees on the subject site or adjoining sites that will be affected by the development. There is one (1) street tree located on Mitchell Street.

ITEM 1

DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061



Figure 1: View of the subject land from Mitchell Street

Locality:

When determining the locality of the subject land I have considered the general pattern of development and the extent to which the proposed development is likely to impact surrounding occupiers and landowners. The locality is located within both the **Established Neighbourhood Zone** and the **Suburban Main Street** immediately adjacent to the east of the subject site.

The locality is predominantly characterised by residential dwellings, with the exception of King William Road containing commercial land uses with varying forms of shops such as restaurants, clothing stores, jewellers and florists. Residential development in the locality is comprised of both single and double storey dwellings, sited on rectangular shaped allotments with site areas ranging between 250m² and 800m². Original housing styles such as Villas are interspersed within conventional dwellings, modern interpretations of cottages and more recent contemporary buildings, resulting in a mixed streetscape character (refer to Figures 2 – 4 below).

Fencing within the locality is of varying styles, predominantly masonry with slatted / batten inserts or brush fencing to a height of 1.8m. There are examples of low traditional fencing further west and outside of the identified locality.

The locality is well vegetated with mature trees located within the verge of Mitchell Street.

ITEM 1

DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061



Figure 2: View of the contemporary dwellings at 5 & 7 Mitchell Street, west of the subject land.



Figure 3: View of semi-detached dwellings as an interpretation of a cottage at 4 & 4A Mitchell Street, north of the subject land.

ITEM 1

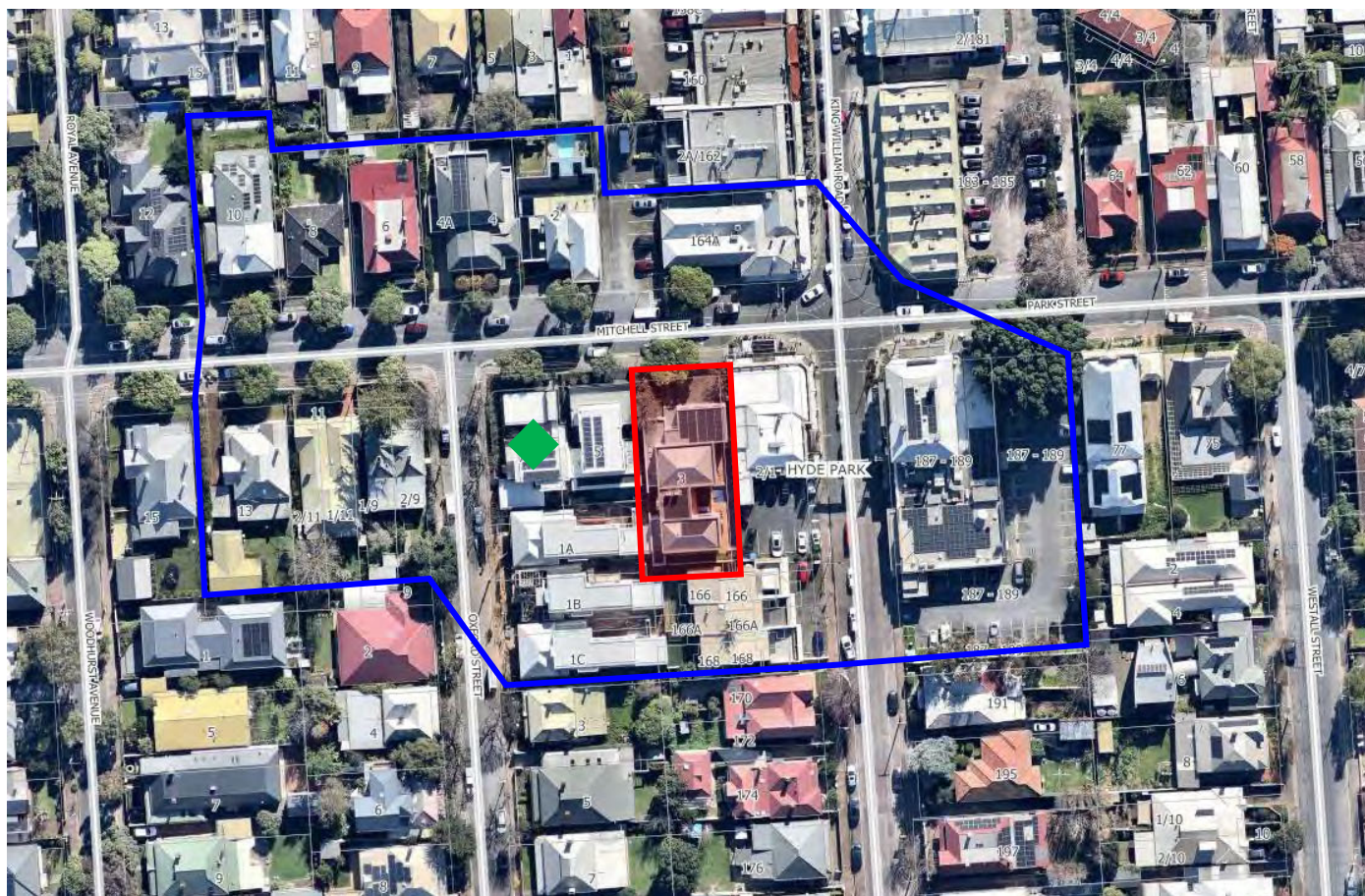
DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061



Figure 4: View of King William Road commercial precinct, east of the subject land.

Locality Plan

One representer is sited outside of the aerial image.



Subject Land



Locality



Representer

ITEM 1**DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061****CONSENT TYPE REQUIRED:**

Planning Consent

Category of Development:**Per Element:**

Dwelling alteration or addition

Fences and walls

Dwelling addition: Code Assessed - Performance Assessed

Internal building work: Accepted

Fence: Code Assessed - Performance Assessed

Overall Application Category:

Code Assessed - Performance Assessed

Reason

P&D Code

PUBLIC NOTIFICATION:**Reason:**

Established Neighbourhood Zone - Table 5 - Procedural Matter (PM) - Notification - Clause 3(1) the dwelling alterations and additions exceeds the maximum building height specified in Established Neighbourhood Zone DPF 4.1, therefore is not an excluded form of development and requires to be publicly notified.

Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
[REDACTED]	I oppose the development	Yes	Self
[REDACTED]	I support the development with some concerns	No	

Summary:

43 owners and / or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject land for the duration of the notification period. A copy of the representations can be found in **Attachment 2**.

One representor supports the development with concerns regarding the proposed fence being excessive in height at 3.6m and not in keeping with the prevailing character of the dwellings and streetscape character of the locality.

One representor opposes the development with his concerns relating to height. No further correspondence was provided to Council and attempts to contact the representor regarding their possible concerns were unsuccessful.

The applicant provided a response to the representations refer to **Attachment 3**. The response to representations provided by URPS was emailed to the representors.

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AGENCY REFERRALS

Not required

INTERNAL REFERRALS

Not required

RULES OF INTERPRETATION:

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines **Zones**, **Subzones**, **Overlays** and **General Development Provisions** policy which provide **Performance Outcomes (POs)** and **Desired Outcome (DOs)**.

In order to interpret **Performance Outcomes**, the policy includes a standard outcome that generally meets the corresponding performance outcome (**Designated Performance Feature or DPF**). A **DPF** provides a guide as to what will satisfy the corresponding performance outcome. Given the assessment is made on the merits of the standard outcome, the DPF does not need to be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case;
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

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 Extract](#)

Dwelling Alterations and Additions

Land Use

The subject site is an existing residential property located within the **Established Neighbourhood Zone** where the **Desired Outcomes (DO)** and **Performance Outcomes (PO)** are:

***DO 1** - A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.*

***DO 2** - Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.*

***PO 1.1** – Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.*

The subject land currently contains a contemporary two storey detached dwelling and seeks to undertake alterations and additions to the existing built form. The proposal maintains the residential nature of the site and is consistent with the above Desired Outcomes and Performance Outcome.

Design and Appearance

ITEM 1

DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061

The dwelling alterations and additions propose an elevated decorative wrap around batten screen extending out beyond the building line of the existing dwelling, an addition to the rear and the alteration of the internal floor layout. The proposed batten screen to the front facade will be the only visible alteration to the dwelling readily viewed from the public realm.

DO 1 – Established Neighbourhood Zone

A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.

PO 4.2 – Established Neighbourhood Zone

Additions and alterations do not adversely impact on the streetscape character.

The existing dwelling on site is contemporary design, circa 2000, which currently does not conform with the **Historic Area Overlay** or the relevant **Historic Area Statement**. The proposed alterations are considered to soften the harsh mass of the existing dwelling and is not considered to detract from the visual amenity and built form character of the streetscape. Dwellings within the immediate locality, with specific reference to the southern side of Mitchell Street, do not display the built form attributes of the Historic Area Statement and therefore are not considered to contribute positively to the historic area. While there are more traditional housing styles such as Villas on Mitchell Street and Cottages on Oxford Street, the historic streetscape character of the locality has been disturbed by the instances of contemporary dwelling, infill housing and more recent building interpretations.

Given the existing streetscape of Mitchell Street in the locality and the nature of the proposed development, it is considered reasonable to place weight on how the development complements the existing streetscape rather than the degree it satisfies DO 1, DO 2, and PO 1.1. The contemporary design and form of the existing dwelling with the addition of the batten screen would have relatively the similar impact on the streetscape

Rear Boundary Offset

PO 9.1 – Established Neighbourhood Zone

Buildings are set back from rear boundaries to provide:

- a) separation between buildings in a way that complements the established character of the locality;
- b) access to natural light and ventilation for neighbours;
- c) private open space;
- d) space for landscaping and vegetation.

The dwelling addition is proposed to be sited on the rear southern boundary of the allotment for a length of 15.19m to a height of 3.6m. The 3.6m wall height is proposed to match in with the existing masonry fence sited on the eastern boundary. **PO 9.1** of the **Established Neighbourhood Zone** seeks for buildings to be offset from rear boundaries to provide separation between buildings in a manner that complements the established character of the locality to give adjoining properties reasonable access to natural light and ventilation. The corresponding **DPF** indicates that to satisfy the relevant **PO**, a minimum offset of 4m for the first building level should be provided.

The quantitative measures of **DPF 9.1** of **Established Neighbourhood Zone** has not been achieved by the proposal as the addition will be sited on the common boundary with a commercial land use at 166 King William Road. Considering the commercial nature of the adjacent land, the height of the boundary wall is not considered to cause negative visual or amenity impacts. The reduced rear setback also does not impact on the provision of Private Open Space on site (in excess of 60m²), space for landscaping or access to natural light and ventilation for neighbours, and therefore satisfies the intent of **PO 9.1** of **Established Neighbourhood Zone**.

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Soft Landscaping

Performance Outcome 3.1 of the **Established Neighbourhood Zone** states:

Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

The corresponding **Designated Performance Feature DPF 3.1** of **Established Neighbourhood Zone** seeks for development to not result in site coverage exceeding 50%. The proposed dwelling alterations and additions result in a 57% site coverage (an addition of 4.5% from the existing) which is at variance with the quantitative requirements of **DPF 3.1**. Despite the 7% shortfall, the proposed building footprint is consistent with the predominant pattern of development of Mitchell and Oxford Street where dwellings result in site coverage of approximately 60-65% of their respective sites.

PO 22.1 – Design in Urban Areas

Soft landscaping is incorporated into development to:

- a) minimise heat absorption and reflection contribute;*
- b) shade and shelter;*
- c) provide for stormwater infiltration and biodiversity*
- d) enhance the appearance of land and streetscapes.*

Notwithstanding the above, the proposal is highly unusual in that while the dwelling additions results in an additional 4.5% of site coverage, the percentage of soft landscaping on site increases to 10% (from an existing 8%). It is acknowledged that the site does not provide the minimum 25% of soft landscaping sought by the corresponding **DPF 22.1 – Design in Urban Areas**, however the soft landscaping is an improvement on the existing situation. The proposal is considered to satisfy the intent of **PO 3.1** of **Established Neighbourhood Zone** and **PO 22.1** of **Design in Urban Areas**.

Fencing

The proposal seeks to infill a 3.8m gap within the existing 3.6m high masonry wall along the western boundary with aluminium battens to be finished in the colour white.

Performance Outcome 9.1 of **Design in Urban Areas** states that:

Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity to adjoining lands access to sunlight or the amenity of public places

The addition of the battens to the existing boundary wall will be of a height that will maintain the privacy and security of residents from the subject land and adjoining properties. In addition to the above, the battens will not unreasonably impact on the visual amenity of the adjoining land as light and ventilation to the adjoining properties will be maintained without exacerbating the visual mass of the masonry wall (refer to Figure 5). The proposal satisfies the intent of **PO 9.1** of **Design in Urban Areas**. Lastly, **PO 4.4** of **Historic Area Overlay** seeks:

Fencing and gates closer to a street boundary (other than a laneway) than the elevation of the associated building are consistent with the traditional period, style and form of the associated dwelling.

Considering the contemporary design of the existing dwelling, the fence is consistent with the style and form of the associated dwelling and satisfies the intent of **PO 4.4** of **Historic Area Overlay**.

ITEM 1

DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061



**Figure 5: View of the common boundary wall between 3 Mitchell Street, 5 Mitchell Street and 1A Oxford Street.
Source: google.com/maps – June 2022**

CONCLUSION

Whilst the development does not satisfy some of the Designated Performance Features set out in the relevant Performance Outcomes, these shortfalls are not considered to be detrimental to the locality or the historic characteristics of the area, particularly in light of the existing streetscape of the locality and the adjoining commercial development.

The matters raised by the representors have been considered in the course of this assessment (as best as can be due to the lack of information from one of the representors). Having considered all the relevant assessment provisions, the proposal is considered to be not seriously at variance with the Planning and Design Code. The proposed dwelling is a desirable form of development that is consistent with the Desired Outcome for the Established Neighbourhood Zone. It is considered that:

- On balance the proposed development satisfies the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies;
- The existing dwelling does not conform to the relevant Historic Area Statement and the additions will soften the visual bulk of the existing dwelling;
- The proposed dwelling has been designed to respect and complement the streetscape context and is not considered to unreasonably impact upon the adjacent properties in regards to bulk and scale, and materials;

RECOMMENDATION

It is recommended that the Council Assessment Panel/SCAP resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23012676, by Kenneth Wong is granted Planning Consent subject to the following conditions:

ITEM 1

DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

The colours of the materials specified on the plans for the external surfaces of the building and the pre-coloured steel finishes and paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

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

Condition 4

The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of Council at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.

Condition 5

A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

ADVISORY NOTES

Planning Consent

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

ITEM 1

DEVELOPMENT APPLICATION - 23012676 – 3 MITCHELL STREET, HYDE PARK SA 5061

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

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

Advisory Note 6

Please be advised that your application involves work that may impact on the stability of neighbouring land. Pursuant to section 139 of the Planning, Development and Infrastructure Act 2016, you are reminded of your obligations to:

- 20 business days before the building is commenced, caused to be served on the owner of the affected land a notice of intention to perform the building work and the nature of that work; and
- Take precautions as may be prescribed to protect the affected land or premises, carry out such other building work in relation to that land or premises as that adjoining owner is authorised by the Planning, Development and Infrastructure (General) *Regulations 2017* to require.

Advisory Note 7

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

Advisory Note 8

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

OFFICER MAKING RECOMMENDATION

Name: Amelia De Ruvo

Title: Planning Officer

Date: 19 September 2023

ATTACHMENT 1



Proske Architects

Project
Wong Residence

Client
Ken & Sharon Wong

Project Address
3 Mitchell Street, Hyde Park

Project Status
For Approval



BUILDING AREA SCHEDULE

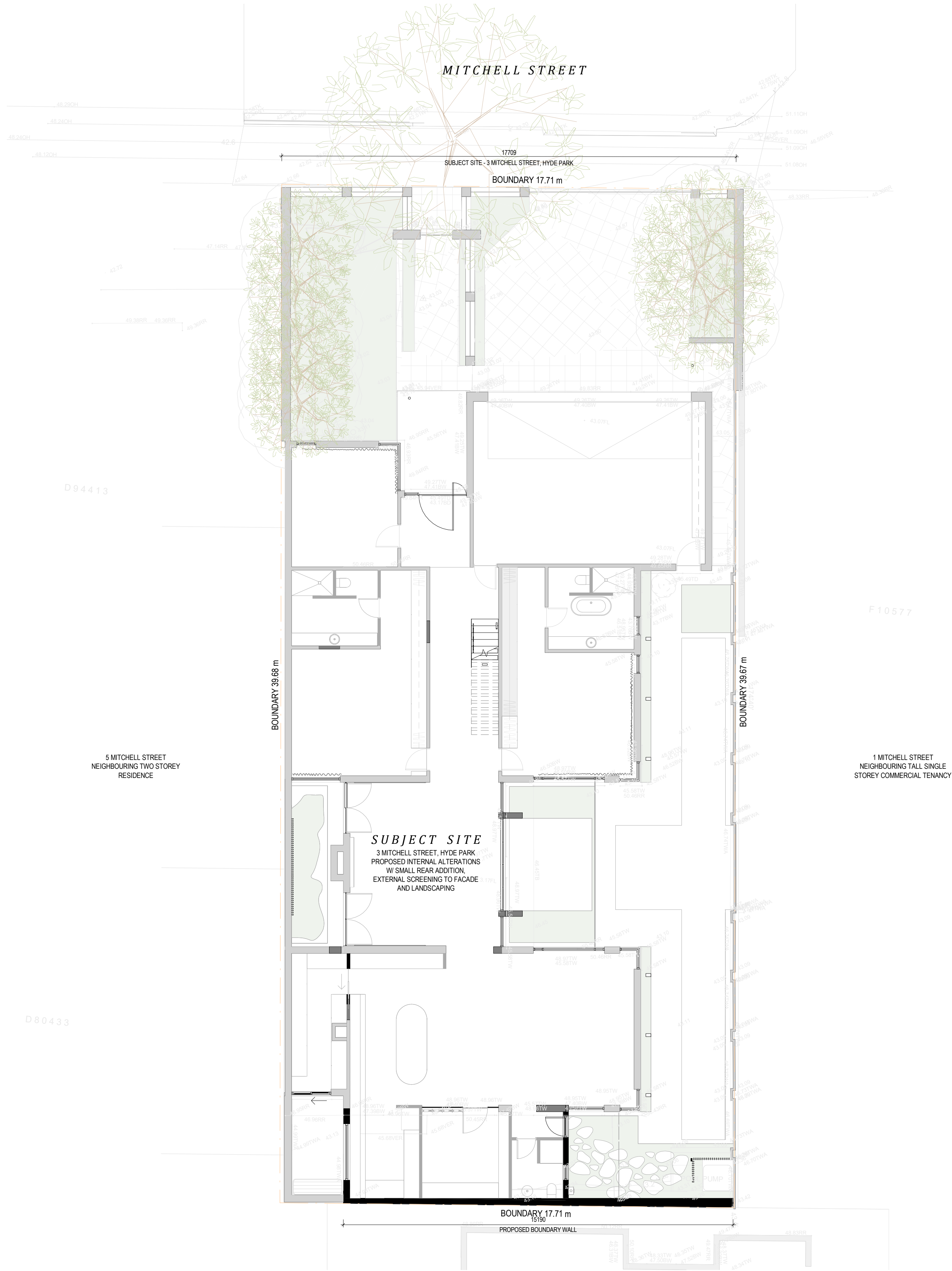
AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL
LINE, UNLESS OTHERWISE SPECIFIED.

TOTAL ALLOTMENT AREA = 702m²

DESCRIPTION	AREA
GROUND FLOOR	372 m ²
FIRST FLOOR	287 m ²
	659 m ²

PRIVATE OPEN SPACE

NAME	AREA
PRIVATE OPEN SPACE	331 m ²



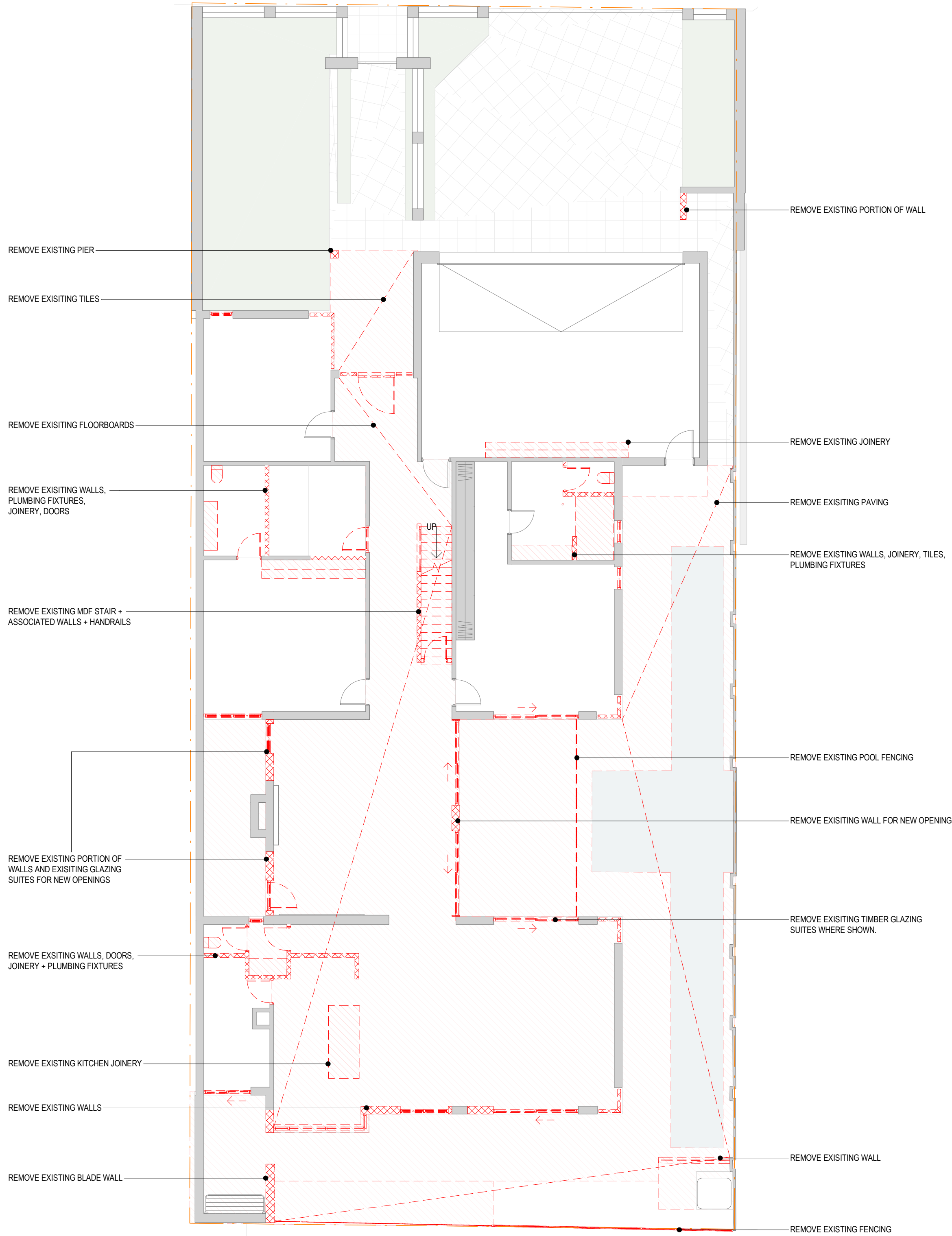
For Approval

Client
Ken & Sharon Wong

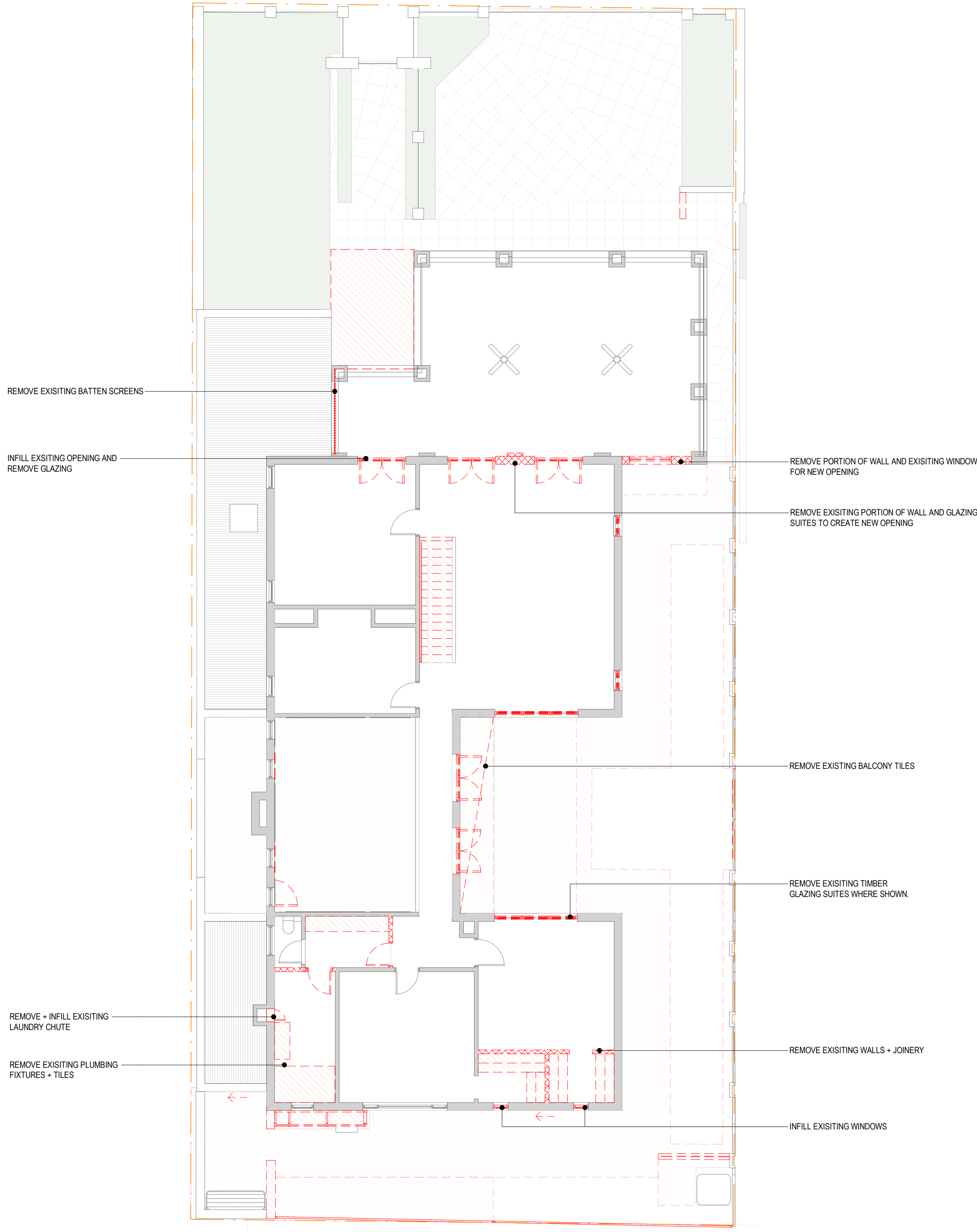
Drawn: HS Checked: AMZ Date: 05.09.2023

Scale: 1:100 Paper Size: A1

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The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specification. Strictly not to be used for Construction unless specifically stamped otherwise.



1 | DEMOLITION PLAN - GROUND FLOOR
SCALE 1 : 100



2 | DEMOLITION PLAN - FIRST FLOOR
SCALE 1 : 100

- For Approval 02.05.2023
A For Approval 05.09.2023

For Approval

Client
Ken & Sharon Wong

Drawn **HS** Checked **AMZ** Date **05.09.2023**

Scale **1 : 100** Paper Size **A1**

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Project
Wong Residence

Project Address
3 Mitchell Street, Hyde Park

Drawing Title
Demolition Plan

Project No.
22-051

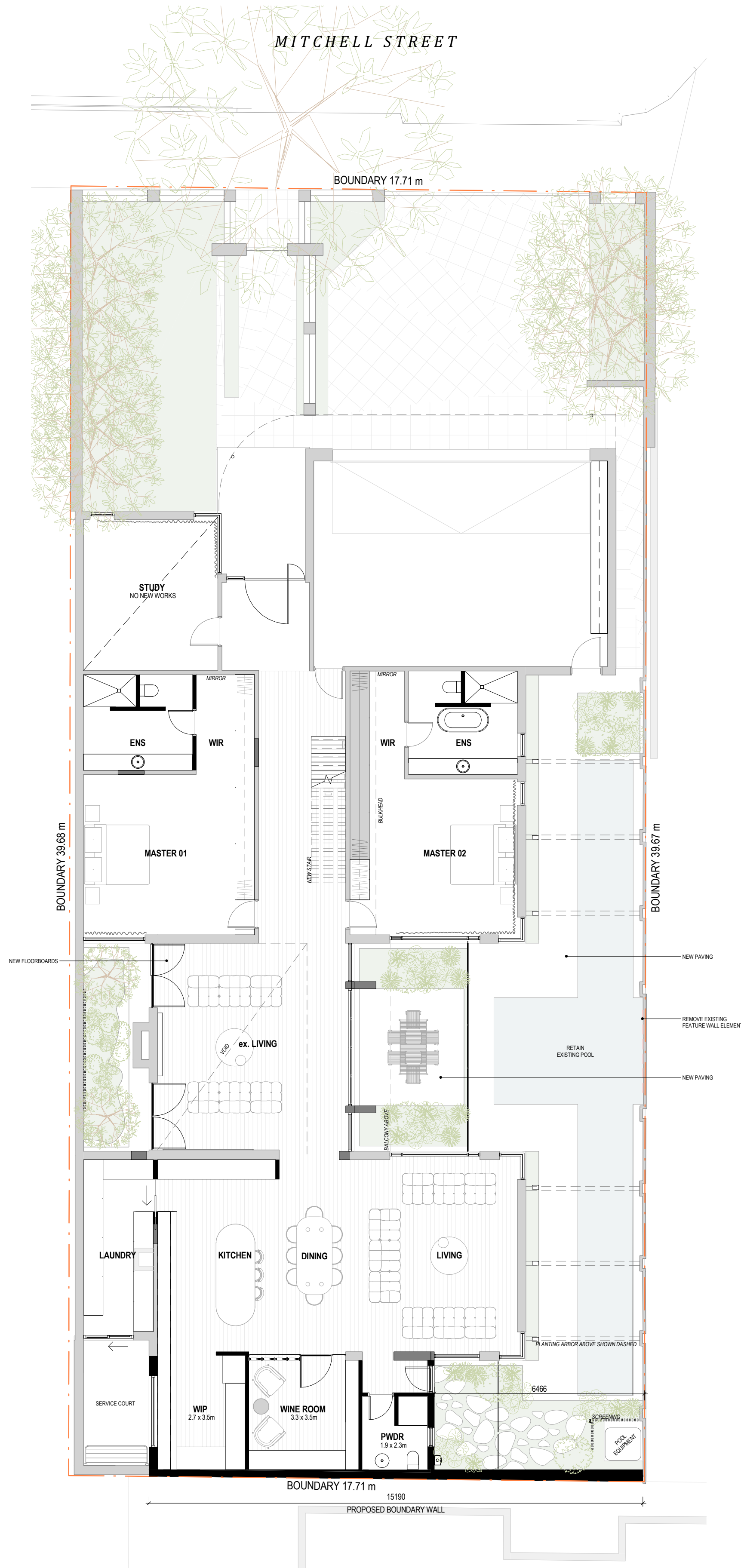
Drawing No.
PL02A

BUILDING AREA SCHEDULE

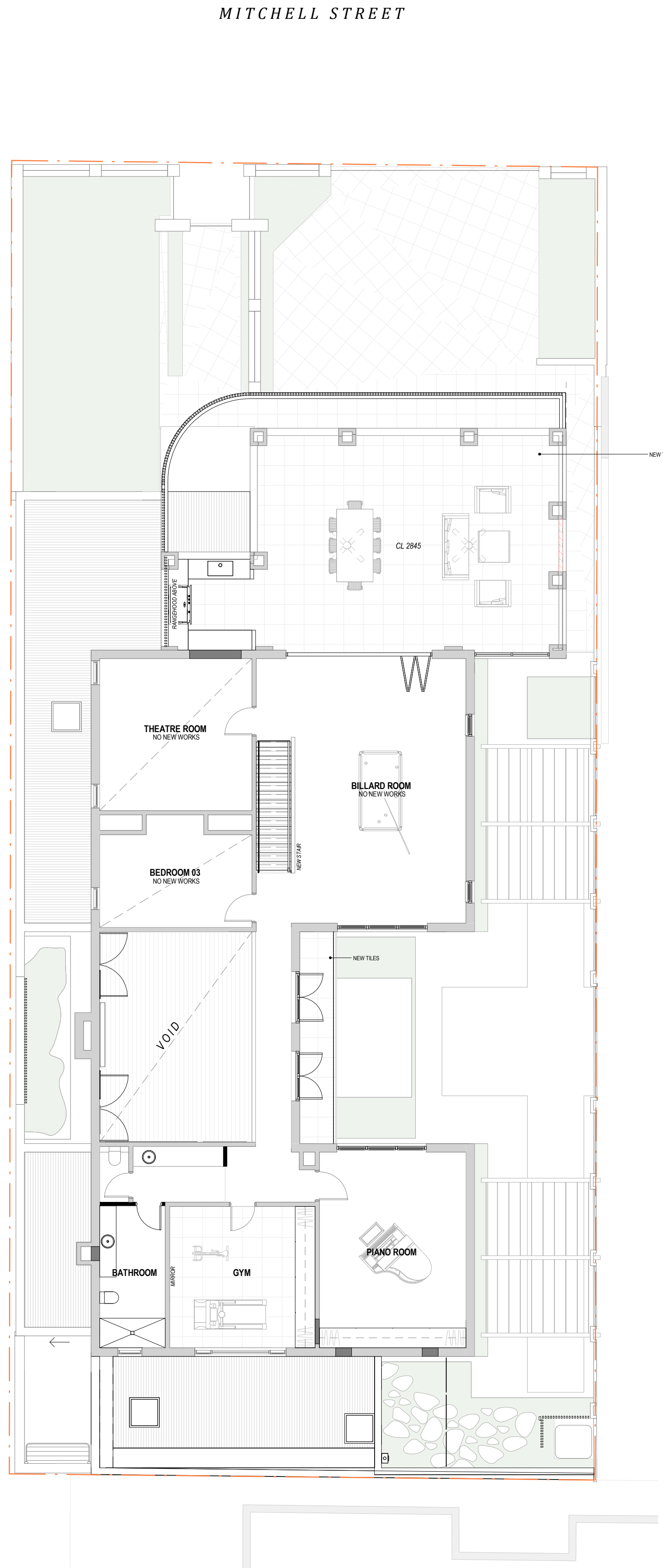
AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL
LINE, UNLESS OTHERWISE SPECIFIED.

TOTAL ALLOTMENT AREA = 702m²

DESCRIPTION	AREA
GROUND FLOOR	372 m ²
FIRST FLOOR	287 m ²
	659 m ²



2 | GROUND FLOOR PLAN - PROPOSED
SCALE 1:100



1 | FIRST FLOOR PLAN - PROPOSED
SCALE 1:100

- For Approval 02.05.2023
A For Approval 05.09.2023

For Approval

Client
Ken & Sharon Wong

Drawn
HS

Checked
AMZ

Date
05.09.2023

Scale
1:100

Paper Size
A1



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Project
Wong Residence

Project Address
3 Mitchell Street, Hyde
Park

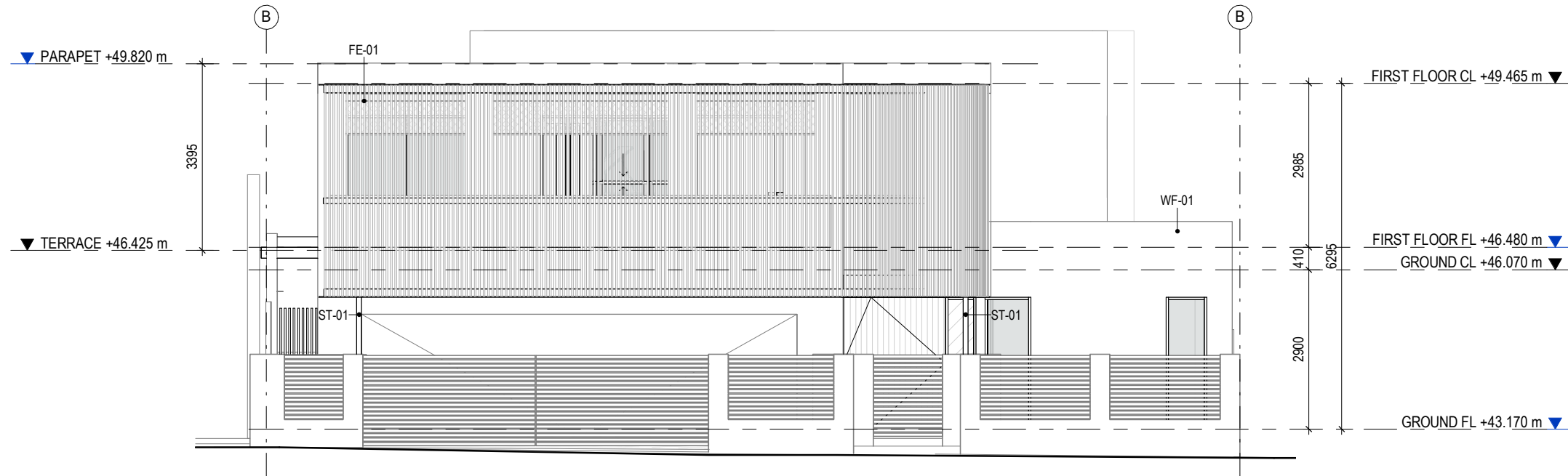
Drawing Title
Proposed Floor Plan

Project No.
22-051

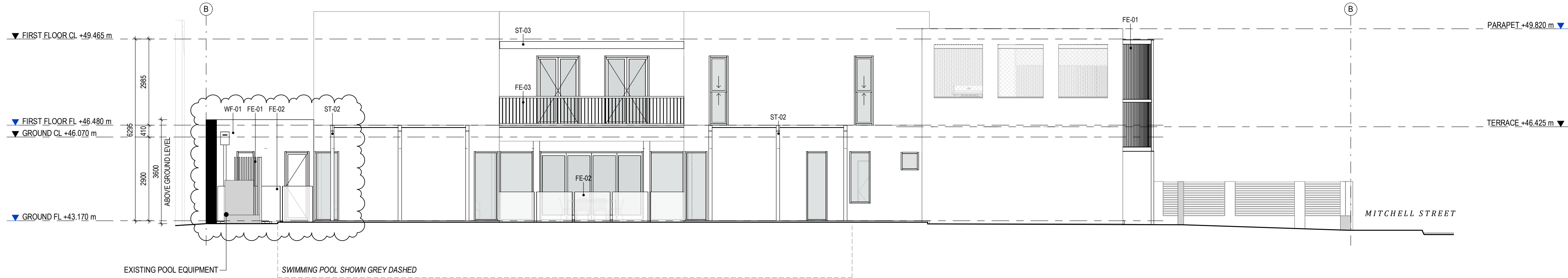
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PL03₂₀A

EXTERNAL FINISHES - DPC

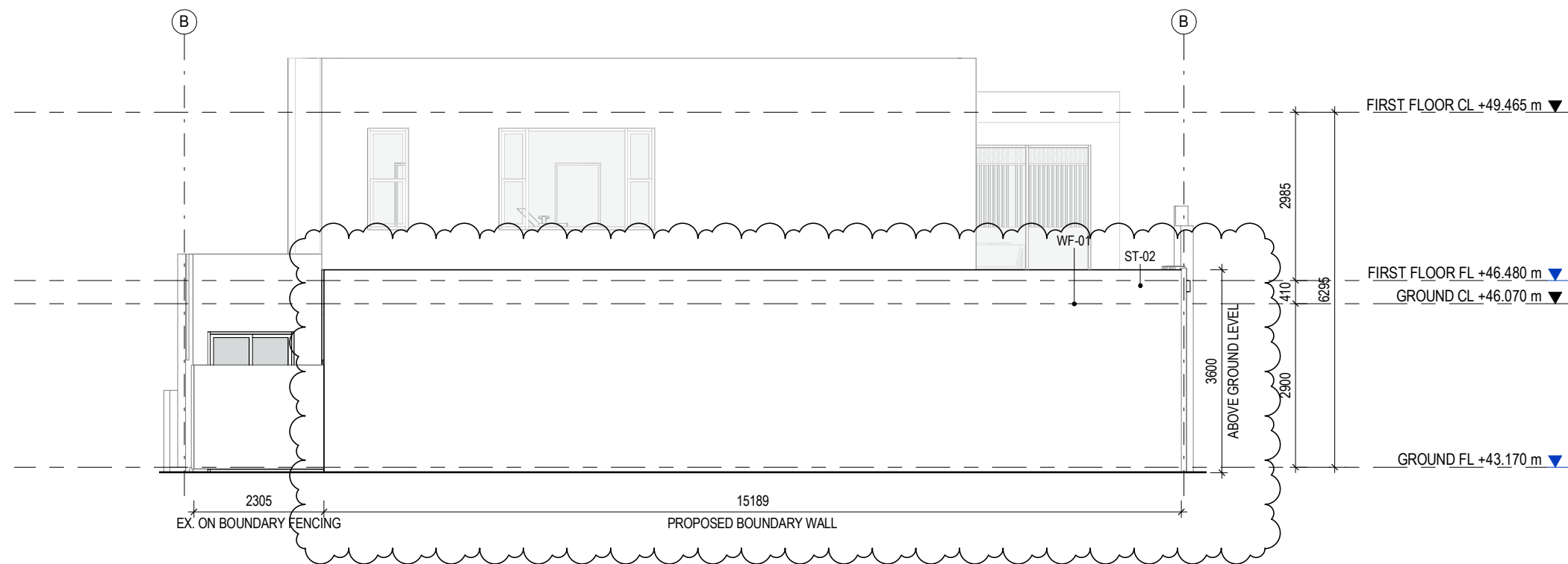
CODE	DESCRIPTION
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FE-02	FENCE TYPE 02 GLASS POOL BALUSTRADE FENCE STAINLESS STEEL SPIGOTS COLOUR: CLEAR GLASS
FE-03	FENCE TYPE 03 EXISTING BALUSTRADE TO BE PAINTED COLOUR: WHITE
FT-01	FRAME TYPE 01 FINISH: ALUMINUM FRAME POWDERCOATED COLOUR: WHITE
ST-01	STRUCTURAL TYPE 01 FINISH: STEEL COLUMN POWDERCOATED COLOUR: WHITE
ST-02	STRUCTURAL TYPE 02 FINISH: TIMBER COLUMN/ARBOR PAINT FINISH COLOUR: LIGHT GREY
ST-03	STRUCTURAL TYPE 03 FINISH: TIMBER FRAMED VERANDAH, PAINT FINISH COLOUR: LIGHT GREY
WF-01	WALL FINISH 01 FINISH: EXISTING RENDER PAINT FINISH OR NEW TO MATCH EXISTING COLOUR: VIVID WHITE



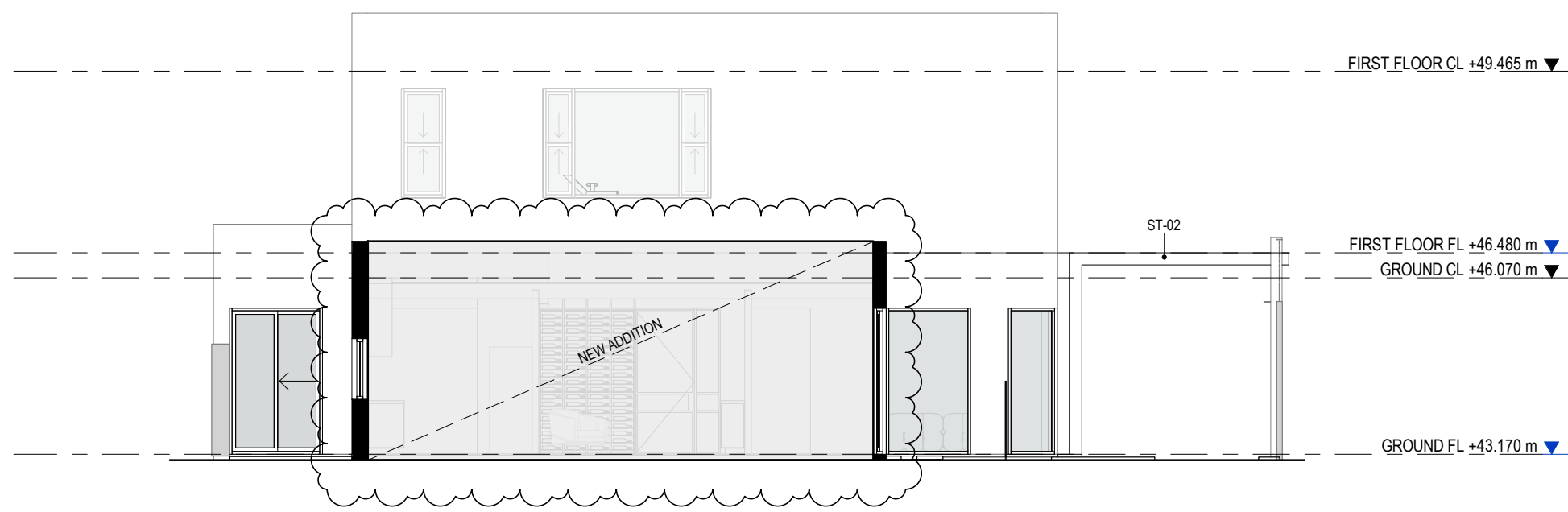
1 NORTH ELEVATION
SCALE 1: 100



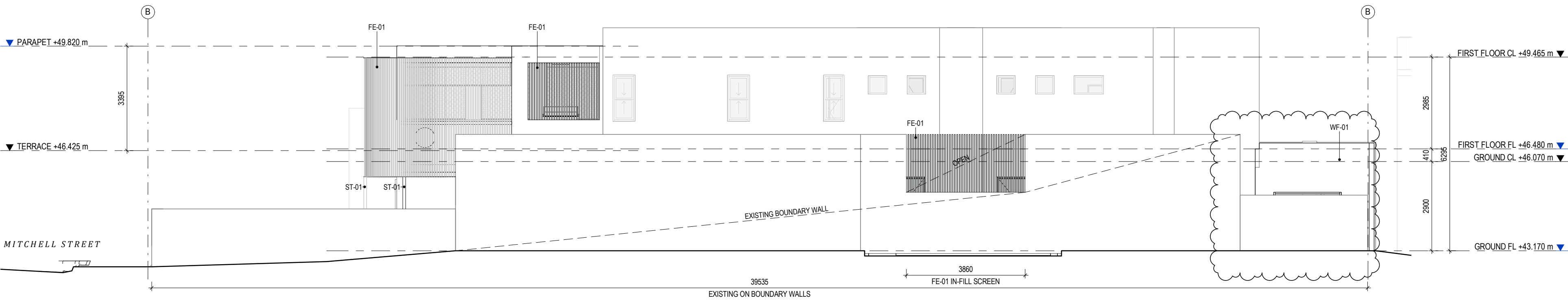
2 EAST ELEVATION
SCALE 1: 100



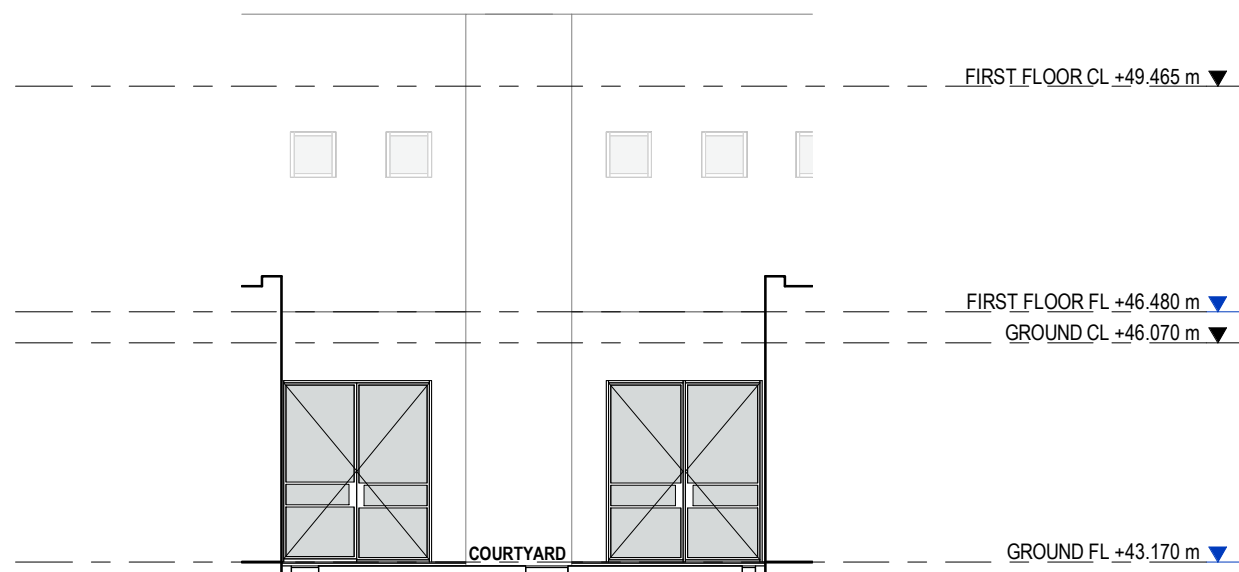
3 SOUTH ELEVATION
SCALE 1: 100



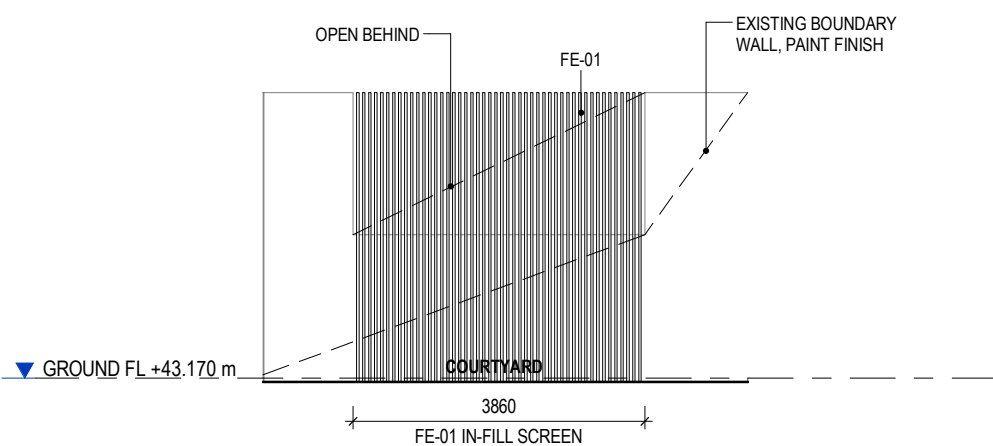
7 SOUTH ELEVATION - PART
SCALE 1: 100



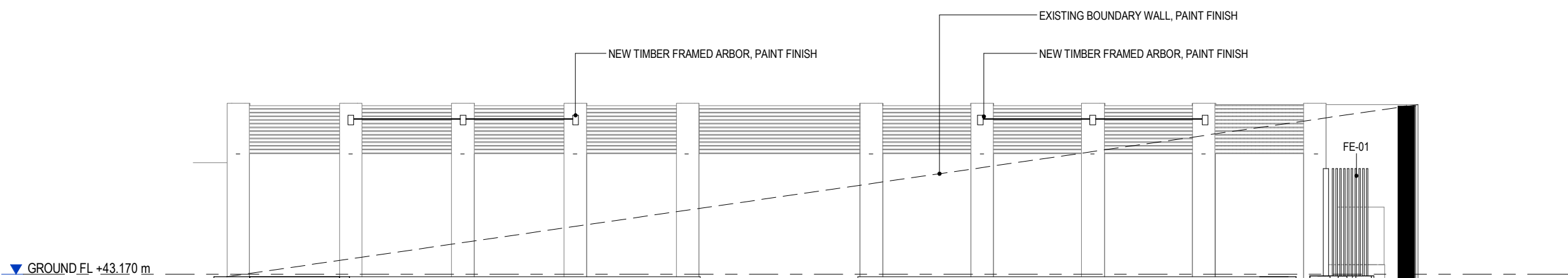
4 WEST ELEVATION
SCALE 1: 100



8 WEST ELEVATION - PART
SCALE 1: 100



5 WEST ELEVATION - BOUNDARY FENCE
SCALE 1: 100



6 EAST ELEVATION - BOUNDARY FENCE
SCALE 1: 100

-	For Approval	02.05.2023
A	For Approval	26.06.2023
B	For Approval	05.09.2023

For Approval

Client
Ken & Sharon Wong

Drawn
HS

Checked
AMZ

Date
05.09.2023

Scale
1: 100

Paper Size
A1

Copyright Reserved Proske Architects 2019

The Architect takes no responsibility for scaled dimensions scaled from drawings, contractors to use written dimensions only. Dimensions, Levels and all manufactured items to be verified by the Builder prior to commencement on site, any discrepancies to be reported to this office immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specification. Strictly not to be used for Construction unless specifically stamped otherwise.

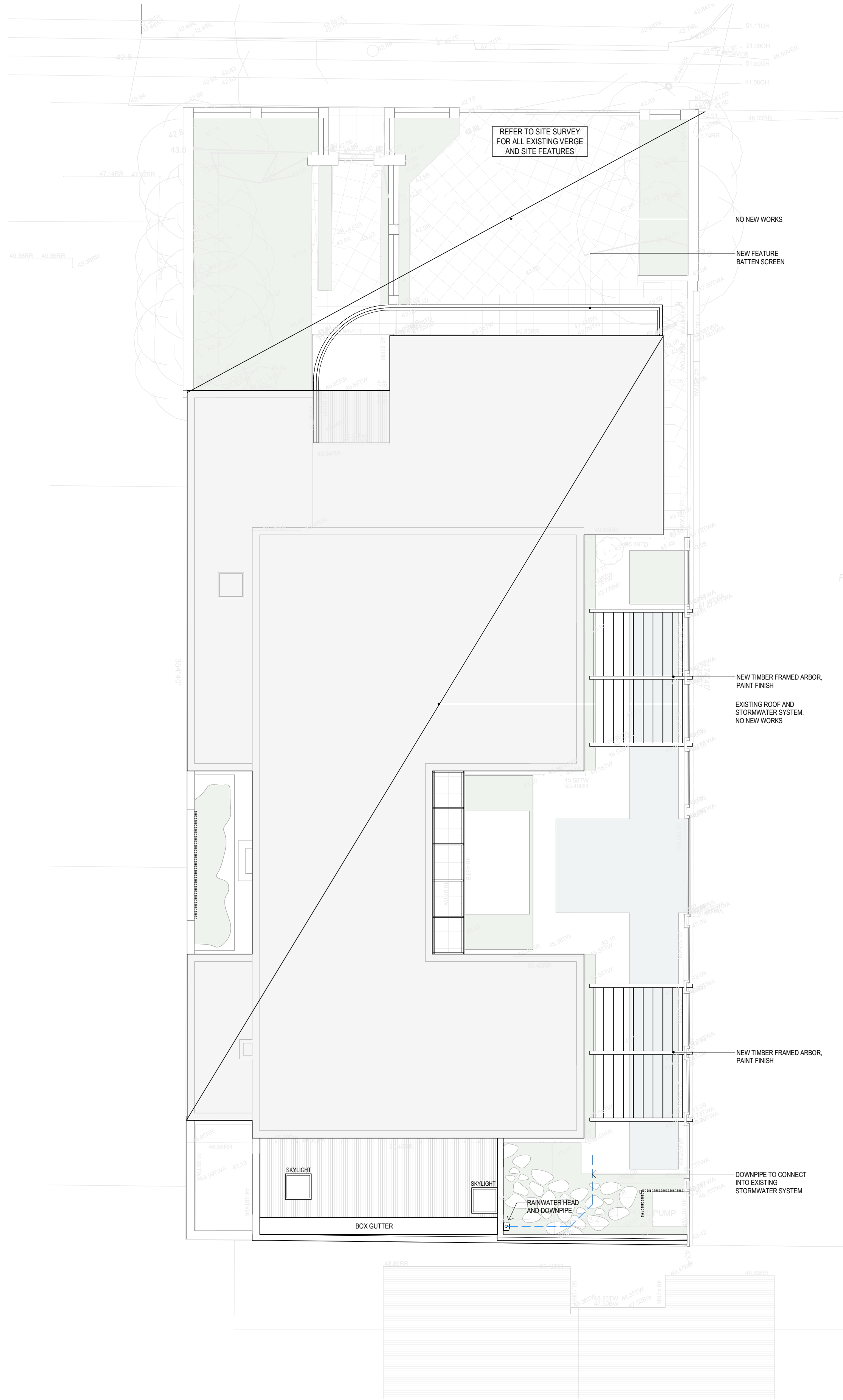
Drawing Title
Proposed Elevations

Project
Wong Residence

Project Address
3 Mitchell Street, Hyde Park

Project No.
22-051

Drawing No.
PL04₂P



ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23012676
Proposal	Alterations and additions to the existing dwelling and the installation of a fences maximum height of 3.6m
Location	3 MITCHELL ST HYDE PARK SA 5061

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	22/07/2023 11:20 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons Height	

Attached Documents

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	31/07/2023 08:08 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns
Reasons My concern is that the proposed 3.6 m fence height is excessive & not in keeping with the prevailing character of built homes and surrounding environment.	

Attached Documents

ATTACHMENT 3

6 September 2023

Amelia De Ruvo
Planning Officer
Development & Regulatory Services
City of Unley

Email: aderuvo@unley.sa.gov.au

Dear Amelia

Response to Representation – Application 23012676: 3 Mitchell St Hyde Park

URPS acts on behalf of [REDACTED], the applicant in this application and registered owner of the land.

We have been asked to review and provide a response to the representations the on their behalf.

Summary of Representations

Representor	Address	Summary of concerns	Request to be heard?
[REDACTED]	[REDACTED]	Height (oppose)	Yes
[REDACTED]	[REDACTED]	My concern is that the proposed 3.6 m fence height is excessive & not in keeping with the prevailing character of built homes and surrounding environment (support with concerns)	No

We have prepared this response following our assessment of the subject land, the locality, architectural drawings by Proske Architects and the Planning & Design Code.

Proske Architects has prepared an updated set of plans that addresses some minor queries raised by Council planning staff following the public notification period. For clarity, the updates reflected in the plans include:

- Amending the note on the southern elevation to reflect the proposed boundary wall.
- Clarification that the vertical infill battens along the western boundary will be fixed to steel supports and fixed to the existing masonry walls.
- Clarification that the vertical battens along the western elevation will replace the existing horizontal battens above the BBQ area.
- Confirmation that upper-level windows on the southern and western elevation are being retained.

The updated plans are attached to this letter.

Response to Concerns

[REDACTED]

The content of [REDACTED] submission is brief. It is therefore difficult for us to understand how the development will affect [REDACTED]. To better understand the concerns of [REDACTED], both URPS and Council planning staff attempted to contact him on several occasions. These efforts were to no avail.

Importantly, [REDACTED] does not live in the locality, in fact he lives 10km away from the subject land, and therefore, will not be impacted by the proposed development.

In any event, concerns of 'height' were raised in [REDACTED] representation.

It is our view that "height" is not a key planning issue with the proposed development because:

- The alterations and additions to the existing dwelling do not result in an increase to the total height of the building.
- The height of proposed boundary walls and fencing maintains the height of existing fencing on the site and established fencing in the locality.

[REDACTED]

[REDACTED] has raised concerns regarding the 3.6m high replacement fence. Specifically, her submission states "proposed fencing is excessive and not on keeping with the prevailing character of built homes and surrounding environment"

For the purposes of our response we have assumed that [REDACTED] is referring to fencing (or wall) that runs along the western boundary of the site as her property would have a line of sight to this section of the subject land.

An existing 3.6m high fence is located on the western boundary of the subject land for a length of 25m. The proposed development seeks to retain this fence and the only change to this structure involves the infilling of a small (3.8m) opening with vertical aluminium battens to screen the courtyard and living area.

The visual impact of created from this fence is no different to the existing conditions. Furthermore, the site that sits between the subject land and [REDACTED] land has recently been built upon with a two-storey dwelling. As a result, views into the subject land from [REDACTED] site will be almost entirely obscured by the new dwelling at 1A Oxford Street.

The proposed 3.6m high replacement fence on the southern boundary of the property is appropriate having considered:

- It replaces an existing fence that is approximately 1.8m metal fencing with a 2.1m high lattice in poor condition.
- The new structure will provide a buffer between the existing residential use and the adjoining commercial development. This fencing will ensure my clients are protected from potential interface impacts associated with the commercial use.
- There will be minimal visual impact of the southern boundary structure to any dwellings within the ENZ. This is because adjoining land to the south is in the Suburban Main Street Zone.



Figure 1 - Existing fencing along the western side of the allotment. The dashed yellow line illustrates the location of the proposed infill battens. (Reference - Google maps June 2022)

Conclusion

I have undertaken a review of the relevant provisions of the Planning and Design Code and detailed review of the locality. I consider that the proposal is a suitable response to

its context in the Established Neighbourhood Zone and locality which importantly includes commercial uses in the Suburban Main Street Zone.

The proposal is retaining existing fencing, with additional infill screening which will provide greater levels of privacy, whilst allowing access to light and ventilation for the adjoining properties.

The replacement structure along the southern boundary to a height of 3.6m abuts an existing commercial office building. The greater height will enable privacy and a sensitive transition between land uses.

The scale and external appearance of the proposal is sufficiently complementary of nearby development.

The addition will result in a high-quality finish and along with the retention and revitalisation of the existing dwelling which will assist in retaining local character and will make a positive contribution to the streetscape.

I confirm that I will appear at the CAP meeting where this application is to be determined to answer any questions of the CAP members, as necessary.

In the meantime, please let me know if you have any questions.

Yours sincerely

A solid black rectangular box used to redact the signature of Brigitte Williams.

Brigitte Williams
Consultant

ITEM 2**DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064**

DEVELOPMENT NO.:	21011428
APPLICANT:	Kirkbride Architects
ADDRESS:	5 GLENFERRIE AV MYRTLE BANK SA 5064 5A GLENFERRIE AV MYRTLE BANK SA 5064 9 GLENFERRIE AV MYRTLE BANK SA 5064 7A GLENFERRIE AV MYRTLE BANK SA 5064 30 CROSS RD MYRTLE BANK SA 5064 32 CROSS RD MYRTLE BANK SA 5064
NATURE OF DEVELOPMENT:	Demolition of three dwellings at 5, 5A & 7A, Glenferrie Avenue, construction of additions and alterations to an existing supported accommodation facility including fencing, retaining walls and landscaping.
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Suburban Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Airport Building Heights (Regulated) • Affordable Housing • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Airport Building Heights (Regulated) • Affordable Housing • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Airport Building Heights (Regulated) • Affordable Housing • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Airport Building Heights (Regulated) • Affordable Housing • Future Road Widening • Heritage Adjacency • Major Urban Transport Routes

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

- Prescribed Wells Area
 - Regulated and Significant Tree
 - Stormwater Management
 - Traffic Generating Development
 - Urban Tree Canopy
 - Airport Building Heights (Regulated)
 - Affordable Housing
 - Future Road Widening
 - Major Urban Transport Routes
 - Prescribed Wells Area
 - Regulated and Significant Tree
 - State Heritage Place
 - Stormwater Management
 - Traffic Generating Development
 - Urban Tree Canopy
- Technical Numeric Variations (TNVs):**
- Maximum Building Height (Metres) (Maximum building height is 9m)
 - Minimum Frontage (Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 15m; residential flat building is 22m)
 - Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 350 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm)
 - Maximum Building Height (Levels) (Maximum building height is 2 levels)
 - Maximum Building Height (Metres) (Maximum building height is 9m)
 - Minimum Frontage (Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 15m; residential flat building is 22m)
 - Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 350 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm)
 - Maximum Building Height (Levels) (Maximum building height is 2 levels)
 - Maximum Building Height (Metres) (Maximum building height is 9m)
 - Minimum Frontage (Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 15m; residential flat building is 22m)
 - Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 350 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm)
 - Maximum Building Height (Levels) (Maximum building height is 2 levels)
 - Maximum Building Height (Metres) (Maximum building height is 9m)

ITEM 2**DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064**

	<ul style="list-style-type: none"> • Minimum Frontage (Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 15m; residential flat building is 22m) • Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 350 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels) • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 15m; residential flat building is 22m) • Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 350 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels) • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 15m; residential flat building is 22m) • Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 350 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	28 Oct 2021
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	14 October 2021 – 2021.15
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Timothy Bourner Senior Planner
REFERRALS STATUTORY:	Minister responsible for the administration of the Heritage Places Act 1993
REFERRALS NON-STATUTORY:	Civil Assets Transport Engineer
RECOMMENDATION	Consent

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

CONTENTS:

ATTACHMENT 1:	Site Plans and Elevations	ATTACHMENT 9:	First Heritage Response
ATTACHMENT 2:	Stormwater Plan	ATTACHMENT 10:	Second Heritage Response
ATTACHMENT 3:	Colours and Materials	ATTACHMENT 11:	1st Round of Representations
ATTACHMENT 4:	Shadow Diagrams	ATTACHMENT 12:	1st Response to Representations
ATTACHMENT 5:	Landscaping Plan	ATTACHMENT 13:	2nd Round of Representations
ATTACHMENT 6:	Initial Planning Report	ATTACHMENT 14:	Invalid Representations
ATTACHMENT 7:	Traffic and Parking Assessment	ATTACHMENT 15:	2nd Response to Representations
ATTACHMENT 8:	Response to Council requests	ATTACHMENT 16:	Internal Traffic Advice
		ATTACHMENT 17:	Superseded Plan Set

DETAILED DESCRIPTION OF PROPOSAL:

This development proposes an expansion to an existing supported accommodation facility including the demolition of three dwellings and the construction of single and two storey additions and alterations to the existing building and the construction of fencing, retaining walls, and landscaping.

The subject site is to include 4 additional allotments over and above the current site. These allotments are currently residential allotments with three containing dwellings and ancillary structures and one being vacant. All three dwellings and associated structures are proposed to be demolished.

The proposed building additions consist of the following:

- 40 single bedroom accommodation rooms with ensuite bathrooms;
- Three (3) double bedroom apartments equipped with kitchen, lounge and ensuite bathrooms;
- Communal areas, including:
 - Two (2) shared balconies.
 - Dining area with servery.
 - Two (2) sitting areas.
 - Four (4) lounges.
 - An arts and craft studio.
 - Recreation and leisure room comprising of 'sports bar', pool room, and men's shed.
- Pergolas, verandahs and courtyards
- Communal circulation areas; and
- A storage and utility room.

The alterations to the existing building include the connection points and breezeways and the installation of a dome to the new connecting lobby area. This dome will sit atop the second story level and be a total height of 11m above ground level.

The building is to be finished in a mix of materials including face brick, rendered finishes and corrugated steel roofing. The full colour and material schedule can be found in Attachment 3.

Fencing and retaining is proposed consisting of rendered Hebel fencing between 1.8m and 2.4m high, retaining walls up to 1m high and 1.8m high pre-coloured steel fencing to outer boundaries.

ITEM 2**DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064**

Table 1 below, shows the quantitative details of the proposal:

	Code	Proposed
Site Area (Original)	NA	4939m ²
Site Area (New)	NA	7368m ²
Northern Setback (Glenferrie Avenue)	1m forward of average of adjoining	8.9m
Northern Setback (Boundary with 7 Glenferrie Avenue)	900mm/900mm plus 1/3 of wall height above 3m	3m (lower level), 8m (upper level)
Eastern Setback (Western wing)	900mm/900mm plus 1/3 of wall height above 3m	3m (upper and lower levels)
Western Setback (Western wing)	900mm/900mm plus 1/3 of wall height above 3m	3m (upper and lower level)
Southern Setback	NA	Unchanged (Cross Road)
Eastern Setback (Eastern wing)	900mm/900mm plus 1/3 of wall height above 3m	3m (upper and lower levels)
Western Setback (Eastern wing)	900mm/900mm plus 1/3 of wall height above 3m	3m (upper and lower level)
Building Height	9m	11m (Dome)
Site Coverage – Existing site	50%	68%
Site Coverage – Additional sites	50%	62%
Site Coverage – Total Site	50%	65.5%
Beds (Existing)	NA	76
Beds (Proposed Total)	NA	121

Table 1: Quantitative elements of the proposal

BACKGROUND:

The proposal was lodged in October 2021. This proposal was an entirely two-storey extension to the supported accommodation facility on the same additional allotments. The building was effectively a U-shaped two storey extension linked to the existing building at the northern elevation.

During the initial public notification period in April 2022, 11 representations were received. The application was subsequently placed on hold in June 2022 prior to the applicant providing a response to the representations.

The application assessment was recommenced in June 2023 with the amended plans as now presented being provided.

Due to the degree of amendments and the time that had passed since the initial public notification period, the application was renotified.

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

SUBJECT LAND & LOCALITY:

Location reference: 5 GLENFERRIE AV MYRTLE BANK SA 5064

Title ref.: CT 5062/751 **Plan Parcel:** D29176 AL2 **Council:** CITY OF UNLEY

Location reference: 5A GLENFERRIE AV MYRTLE BANK SA 5064

Title ref.: CT 5408/253 **Plan Parcel:** D29176 AL1 **Council:** CITY OF UNLEY

Location reference: 9 GLENFERRIE AV MYRTLE BANK SA 5064

Title ref.: CT 6158/577 **Plan Parcel:** D110253 AL431 **Council:** CITY OF UNLEY

Location reference: 7A GLENFERRIE AV MYRTLE BANK SA 5064

Title ref.: CT 6121/121 **Plan Parcel:** D92110 AL11 **Council:** CITY OF UNLEY

Location reference: 30 CROSS RD MYRTLE BANK SA 5064

Title ref.: CT 5091/446 **Plan Parcel:** F15594 AL40 **Council:** CITY OF UNLEY

Location reference: 32 CROSS RD MYRTLE BANK SA 5064

Title ref.: CT 6252/682 **Plan Parcel:** F13472 AL23 **Council:** CITY OF UNLEY

Site Description

The subject site is wholly located within the **Suburban Neighbourhood Zone**, is irregular in shape and has a total area of 7368m². The site has a frontage to Cross Road of 101m and a combined frontage to Glenferrie Avenue of 40m over two sections.

The subject site consists of 6 separate titles containing the existing supported accommodation facility on 30 and 32 Cross Road and three dwellings located on 5, 5A and 7A Glenferrie Avenue with 9 Glenferrie Avenue being vacant.

The site is currently accessed by two crossovers from Cross Road and four (4) crossovers from Glenferrie Avenue one from each of the allotments.

The site has a general fall from Cross Road down to Glenferrie with the low point being in the north western corner of 9 Glenferrie Avenue. The fall of the added allotments to the site is approximately 3m from the south east corner of 5 Glenferrie to the north west corner of 9 Glenferrie.

The subject site is abutted entirely by residential land containing a variety of detached dwellings to the east and west with a single residential allotment bounded by the site on the east, south and western internal boundaries at 7 Glenferrie Avenue.



Figure 1 and 2: Subject sites 5, 5A and 9 Glenferrie Avenue

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DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064



Figure 3: Existing facility as seen from the rear of 9 Glenferrie Avenue

Locality

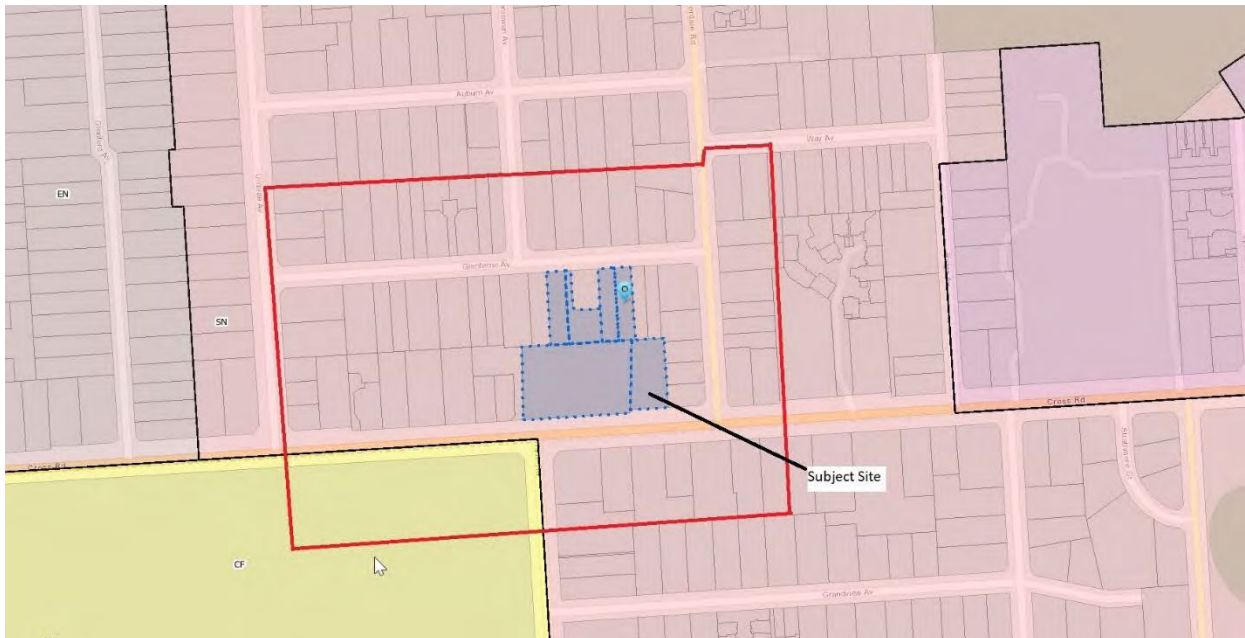


Figure 4: Subject site and locality.

The locality falls within two zones, the **Suburban Neighbourhood Zone** and the **Community Facilities Zone** to the south west.

The locality contains residential streets and is dissected by an arterial road, Cross Road, in the southern portion.

The locality is predominantly residential with the only non-residential uses being the subject site's supported accommodation facility and the Waite campus of the University of Adelaide on the southern side of Cross Road.

The built form in the locality is quite mixed with a wide range of dwellings styles constructed in a wide span of eras. The dwellings range from character dwellings constructed in the early part of the 20th century to post WWII dwellings of the 1960's and 70's with a large number of more modern dwellings constructed in the last 10-15 years. There are both single and two storey dwellings in the locality with neither being the predominant built form.

The locality includes numerous land divisions with a variety of allotment sizes ranging from larger sites in the realm of 1300m² down to smaller allotments of approximately 400m². Examples of recent divisions are 5 and 5A Glenferrie Avenue, which were once a single allotment, as were 7 and

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

7A and 9 and 9A. Other similar divisions have occurred throughout the locality. These division have generally resulted in an increase in density and gross site coverage.

Directly adjacent the subject site are numerous dwellings. The dwellings to the east at 3 and 3A Glenferrie Avenue are two-storey semi-detached dwellings likely constructed in the 1960's. To the west of the site at 9A Glenferrie Avenue is a new contemporary single storey detached dwelling. 7 Glenferrie Avenue, which has the subject site to its east, south and west, is a two-storey detached dwelling constructed in 2012.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
New housing
Supported accommodation: Code Assessed - Performance Assessed
Fencing: Code Assessed - Performance Assessed
Retaining Walls: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code;

PUBLIC NOTIFICATION

- **REASON**

Table 5 3 (p) – not exempt due to exception 1 which states:

exceeds the maximum building height specified in Suburban Neighbourhood Zone DTS/DPF 4.1

Suburban Neighbourhood DTS/DPF 4.1 states:

Building height (excluding garages, carports and outbuildings) is no greater than:

a) the following:

- *Maximum building height is 9m*
- *Maximum building height is 2 levels*

The proposed maximum building height is 11m and therefore requires public notification.

Two rounds of notification were undertaken, the first in April 2022 and the second in August 2023. The notification was repeated due to the degree of charges made and the time between the notification periods due to the extended time the application was on hold.

- **LIST OF REPRESENTATIONS**

Notification period 13 April 2022 to 6 May 2022

ITEM 2**DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064**

Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard. (Name speaking on behalf)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self) - same person and address listed three times following
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	No

Notification period 3 August 2023 to 23 August 2023

Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard. (Name speaking on behalf)
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No

ITEM 2**DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064**

[REDACTED]	Oppose	Yes [REDACTED]
[REDACTED]	Oppose	Yes [REDACTED]
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	No
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	No
[REDACTED]	Oppose	Yes (Self)
[REDACTED]	Oppose	No
[REDACTED]	Oppose	No

Invalid representation received after the closing date.		
Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard. (Name speaking on behalf)
[REDACTED]	Oppose	No - listed in the first round opposing the development and wishing to speak
[REDACTED]	Oppose	No - likewise as above

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

- **Summary**

In the initial period of notification 25 owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period. In the second period of notification 45 owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period. Details of the representations received for each period can be found in Attachment 11 and 13 respectively.

In total 31 Representations were received, 29 in the respective notification periods and 2 (two) outside the notification period. All of the representations oppose the proposal with a total of 15 Representations seeking to be heard. It should be noted however that there are numerous double ups with one representation submitting 4 (four) representations in the first notification period and numerous representors submitting a representation during both periods of notification. When these are taken into account there are a total of 10 representations to be heard.

The matters of concern raised by the representors are as follows:

- Land use
- Built form
- Visual impact
- Height
- Setbacks
- Site Coverage
- Car Parking and Traffic
- Access from Glenferrie Avenue
- Landscaping
- Overlooking
- Overshadowing
- Ambulance Noise
- Foundation Stability
- Land stability
- Amenity and Character
- Heritage Impact
- Overdevelopment
- Noise

Responses to the representations from both notification periods can be found in Attachment 12 and Attachment 15 respectively.

Subsequent to the initial notification period and hold time, the plans were amended to the set currently on assessment. The initial proposal, now superseded, has been included for reference in Attachment 17.

AGENCY REFERRALS

- Minister responsible for the administration of the Heritage Places Act 1993

First referral response – 22 June 2022

No objection with comments

Full comments can be found in Attachment 9

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

Second referral due to changes in the plans - response - 14 August 2023

No objection with comments

Full comments can be found in Attachment 10

INTERNAL REFERRALS

- Stormwater Management

During the assessment the proposal was referred to Council's Senior Assets & Engineering Lead. The response is below:

Response – 26 November 2021

The following additional information is required:

A stormwater management plan showing how the site will discharge to Glenferrie Ave at a rate of no greater than 20L/s. The stormwater management plan should include details for how a major storm event (AEP 1%) will be managed both from flows from the development but also overflows from the existing site behind that will be incorporated into this development to prevent inundation in a major storm or pit/pipe blockage.

Currently the stormwater plan shows the proposed pit and pipe network on site (including storage) but no supporting calculations to verify the sizing of the storage or the discharge rate to Glenferrie Ave via the 100mm pipes.

This information was subsequently provided.

- Crossovers

During the assessment the proposal was referred to Council's Assets Officer to assess the crossover changes on Glenferrie Avenue. The response is below:

Response – 24 November 2021

I have inspected site and proposed crossover alteration in Glenferrie Avenue. From an assets perspective the proposed crossover alterations would be supported, subject to traffic comments and Standard Crossover Comments below:

- Driveways Crossovers are Not to be constructed from concrete over the footpath area between the kerb to boundary.
- Driveways and boundary levels at fence line must be between 2% and 2.5% above kerb Height
- Crossover not to exceed 2.5% or 1:40 cross fall gradient from boundary to kerb invert.
- If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an existing crossover.

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- The redundant driveway crossover or part of, is required to be closed and returned back to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed.
- Traffic

During the assessment the proposal was referred to Council's Transport Engineer twice, once via the DAP and once via email. The initial response is below with the second response found in Attachment 16

Response – 23 November 2021

I have reviewed the development plans, in conjunction with the traffic and parking assessment, for the proposed expansion of the existing aged care facility at 5, 5A, 7A & 9 Glenferrie Avenue, Myrtle Bank. Please see my comments below:

- Table 1 – General Off-Street Car Parking requirements from the Planning and Design Code indicates that for supported accommodation, a parking generation rate of 0.3 spaces per bed is applicable. Based on this rate, the proposed 121 bed facility will generate a requirement for 36 off-street parking spaces. Given it is proposed to provide 41 off-street parking spaces within a basement car park, this meets the planning scheme requirements and is considered acceptable.
- Noting the above, as the proposed expansion will provide direct access to Glenferrie Avenue, where previously all vehicle and pedestrian access was only provided via Cross Road, there will likely be an increase in parking and traffic along Glenferrie Road with access to the site (from both residents, staff and their visitors). This will likely be due to ease of access to the site from a quite local road, as opposed to a busy arterial road in Cross Road.
- The traffic assessment provided by the applicant indicates that the proposed expansion will generate an addition 11 peak hour movements (utilising the previously adopted rate of 0.25 trips per bed). Given only one (1) parking space is provided via Glenferrie Road, the increase in traffic on Glenferrie Ave will only be one (1) peak hour traffic movement to/from the new space, with the additional 10 movements to/from the basement car park via Cross Road. This level of impact to Glenferrie Ave is considered acceptable.

RULES OF INTERPRETATION

The Planning and Design Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to assist a relevant authority to interpret the Performance Outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a Designated Performance Feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome. A DPF does not need to necessarily be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Planning and Design Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

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- the provisions of an overlay will prevail over all other policies applying in the particular case; and
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

LAND USE

This development proposes an expansion to an existing supported accommodation facility including the demolition of three dwellings and the construction of single and two storey additions and alterations to the existing building and the construction of retaining walls and fencing and landscaping.

The subject site is located within the **Suburban Neighbourhood Zone** where the **Desired Outcome (DO)** is:

***DO 1** - Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.*

Suburban Neighbourhood Zone Performance Outcomes (PO's) seek that:

***PO 1.1** - Predominantly low density residential development with complementary non-residential uses compatible with a low density residential character.*

***PO 1.2** - Commercial activities improve community access to services are of a scale and type to maintain residential amenity.*

***PO 1.3** - Non-residential development located and designed to improve community accessibility to services, primarily in the form of:*

1. *small-scale commercial uses such as offices, shops and consulting rooms*
2. *community services such as educational establishments, community centres, places of worship, pre-schools, childcare and other health and welfare services*
3. *services and facilities ancillary to the function or operation of supported accommodation or retirement facilities*
4. *open space and recreation facilities.*

The proposed supported accommodation is an envisaged use as demonstrated in **DPF 1.1 (k)**.

***DPF 1.1** - Development comprises one or more of the following:*

- a) *Ancillary accommodation*
- b) *Community facility*
- c) *Consulting room*
- d) *Dwelling*
- e) *Educational establishment*
- f) *Office*
- g) *Place of Worship*
- h) *Pre-school*
- i) *Recreation area*
- j) *Shop*
- k) *Supported accommodation.*

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The proposed use is located within a predominately residential area within a zone that seeks supported accommodation as a land use. As discussed in the following sections of this report, the proposed use is not considered to materially impact residential amenity.

BUILT FORM

The primary element of the proposed built form consists of an extension to the existing supported accommodation facility in both single and double storey forms. The building extensions incorporate numerous materials and colours as well as articulation to all elevations by way of setback changes, windows, and material changes.

The following **Suburban Neighbourhood Zone PO's** provide guidance regarding setbacks, site coverage and interaction with the locality:

***PO 1.5** - Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.*

***PO 3.1** - Building footprints consistent with the character and pattern of a low density suburban neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.*

***PO 4.1** - Buildings contribute to a low-rise suburban character and complement the height of nearby buildings.*

***PO 5.1** - Buildings are setback from primary street boundaries consistent with the existing streetscape.*

***PO 8.1** - Buildings are set back from side boundaries to provide:*

- a) separation between dwellings in a way that complements the character of the locality*
- b) access to natural light and ventilation for neighbours.*

***PO 9.1** - Buildings are set back from rear boundaries to provide:*

- a) separation between dwellings in a way that complements the established character of the locality*
- b) access to natural light and ventilation for neighbours*
- c) private open space*
- d) space for landscaping and vegetation.*

Further to the above, **Design in Urban Areas DO** and **PO's** states:

***DO 1** - Development is:*

- a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality*
- b) durable - fit for purpose, adaptable and long lasting*
- c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors*
- d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.*

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Table 1 in the Detailed Description of Proposal section of this report shows the quantitative details of the proposal in relation to setbacks, site coverage and building height.

Setbacks

The proposed addition to the primary building consists of three distinct sections. One section is directly adjacent the northern elevation of the existing building and is to be two levels linked by two walkways marked lobby and sitting with a courtyard between the two buildings. This building is sited on the rear of 5, 5A and 9 Glenferrie Avenue and the entirety of 7A Glenferrie Avenue.

The second and third parts of the additions are two wings. The eastern wing is to be two storey and sited on 5 and 5A Glenferrie Avenue extending to 8.9m from this street boundary. The western wing is to be single story sited on 9 Glenferrie Avenue also extending to 8.9m from this street boundary.

The existing dwellings on Glenferrie Avenue have a range of setback as shown below:

3 Glenferrie Avenue	14m
5 Glenferrie Avenue (subject site)	9.2
5A Glenferrie Avenue (subject site)	9.2
7 Glenferrie Avenue	8.9m
9 Glenferrie Avenue (subject site)	Vacant
9A Glenferrie Avenue	7.1m
11 Glenferrie Avenue	14m
13 Glenferrie Avenue	10.5m

Table 2 – Existing dwelling setbacks

DPF 5.1 seeks the primary street setback to be no more than 1m in front of the average setback to the building line of existing buildings on adjoining sites which face the same primary street. Whilst the Glenferrie Avenue frontage is not technically the primary street setback for the facility, the setbacks proposed satisfy the DPF for the western wing by being greater than the average of 7 and 9A Glenferrie (8m).

The eastern wing should achieve the average plus 1 metre between 7 and 3 Glenferrie Avenue. This average is 11.45m with the desired setback being 10.45. The proposed setback is 1.55m forward of this setback. This proposed setback is not considered to be detrimental to the locality. As can be seen in Table 2 above, the proposed setbacks are consistent with many of the setbacks on the southern side of Glenferrie Avenue and are similar to the setback of the existing dwellings on this section of the subject site.

Site Coverage

Suburban Neighbourhood Zone PO 3.1 states:

***PO 3.1** - Building footprints consistent with the character and pattern of a low density suburban neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.*

The corresponding **DPF 3.1** seeks a maximum site coverage of 50%.

Site coverage is calculated by measuring the roofed area of a building excluding any eaves and dividing this area by the site area.

The existing site is approximately 4939m² with the current building having a site coverage of 68%. The additional allotments represent an added 2429m² to the overall site. The new buildings located

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on the additional site area have a site coverage of approximately 62%. Overall, the new site of 7368m² has a site coverage of 65.5%. DPF 3.1 seeks a maximum site coverage of 50%. The additions exceed this by approximately 300m².

The locality has a mixed built form and allotment pattern with site coverages exceeding the desired maximum. For example, 7, 13, 15, 18, 18A, 18b and 18 C Glenferrie all exceed 50% site coverage.

The proposed buildings provide setbacks which exceed the minimums desired by the zone allowing for adequate access to light and ventilation to surrounding buildings and include numerous articulations and material changes limiting visual impact.

Given this, the proposed site coverage, whilst a departure from DPF 3.1, is consistent with the prevailing and developing pattern of development and is considered to satisfy PO 3.1.

Bulk and Scale

The proposed building additions satisfy the setback requirements of the zone and provide a setback to the Glenferrie Avenue frontage which is consistent with the locality. With the building being directly connected to the existing building in order to allow full connectivity is the primary reason the site coverage exceeds the desired maximum. This connection provides built form where there may otherwise be rear yards for residential development. This additional built form will be visible to the surrounding residential allotments.

The building provides a great degree of articulation with hipped roof forms, a variety of windows, external materials and setbacks. The presentation to Glenferrie Avenue is not dissimilar to the expected form of residential dwellings in the locality with each wing having a distinctly different built form.

Further to this the eastern wing is set down in cut with the finished floor level being approximately 900mm below that of 7 Glenferrie Avenue and 2m below 3A Glenferrie Avenue. This reduces the effective building height when viewed from these adjoining allotments. Similarly, the western wing matches this finished floor level, again 900mm below 7 Glenferrie Avenue.

The mixture of built form and articulation ensures the wings of the proposed building present to the locality consistently with the existing built form. The finished floor levels reduce the effective building height and larger elements of the building are located away from boundaries and as such it is considered that the resulting bulk and scale is consistent with that of Glenferrie Avenue, the wider locality, and of the existing development on the land.

Fencing and Retaining Walls

The proposal includes fencing to all boundaries of the additional sites of varying heights and materials. Retaining walls are also included with heights determined by the fall of the land.

Design in Urban Areas PO9.1 states:

***PO 9.1** - Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.*

To the Glenferrie Avenue frontage the fencing is to be a masonry fence with powder coated steel inserts. The pillars of the fence will be a maximum of 2.1m high with the joining plinths being approximately 700mm high. This will allow the building to be visible to the street. The fence will also include pedestrian access gates and a single vehicle access gate.

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The locality has a wide variety of fencing including high opaque solid fencing in a variety of materials, open styles of fencing, and pillar and infill style fencing similar to the proposed fencing.

The proposed Glenferrie Avenue frontage fencing is consistent with the fencing in the street and locality, and will add to the already high level of amenity in the locality.

To the other boundaries of the site there will be either rendered Hebel fencing or pre-coloured steel fencing. The boundaries shared with 7 Glenferrie Avenue will all be rendered Hebel to a height of 1.8m bar the southern boundary and the rear section of the side boundaries which will be 2.4m high. This additional height is to ensure privacy is maintained for this dwelling.

To the outer boundaries of the site will be pre-coloured steel fencing at 1.8m.

The proposed retaining walls are to be located on the outer boundaries of the site on the shared boundaries with 3 and 9A Glenferrie Avenue as well as inside the subject site to manage finished levels and provide areas for landscaping around the boundaries shared with 7 Glenferrie Avenue.

The proposed fencing and retaining walls are consistent with the fencing of the locality, will maintain the desired degree of privacy and are appropriate to the fall of the land. The fencing and retaining walls are considered to satisfy the above **PO**.

TRAFFIC IMPACT, ACCESS AND PARKING

The subject site is located with frontages to both Glenferrie Avenue and Cross Road, a State maintained arterial road. As such the site is subject to the **Traffic Generating Development Overlay** and **Urban Transport Routes Overlay**, as well as **Transport, Access and Parking General Policies**.

The current supported accommodation facility contains a basement carpark with a capacity of 40 car parks. This car park is accessed via a two-way crossover from Cross Road adjacent the western boundary of the site. There is a second crossover with a delivery area and turning bay also accessed via Cross Road adjacent the Eastern boundary.

The proposal includes a single vehicle park to be accessed from the Glenferrie Avenue frontage. The park is to be located in front of the western wing and the applicant has stated this access and single park will be for the sole use of emergency vehicles.

The proposal was accompanied by a Traffic and Parking Assessment prepared by Phil Weaver and Associates. This report can be found in Attachment 7.

The **Traffic Generating Development Overlay DO's** state:

DO 1 - *Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.*

DO 2 - *Provision of safe and efficient access to and from urban transport routes and major urban transport routes.*

The relevant **PO's** within this overlay are:

PO 1.1 - *Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.*

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***PO 1.2** - Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.*

***PO 1.3** - Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network*

Similarly, **Major Urban Transport Routes Overlay DO's and PO's** seek:

***DO 1** - Safe and efficient operation of Urban Transport Routes for all road users.*

***DO 2** - Provision of safe and efficient access to and from urban transport routes.*

***PO 1.1** - Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State maintained roads.*

***PO 2.1** - Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and maintain safe vehicle movements.*

***PO 4.1** - New access points are spaced apart from any existing access point or public road junction to manage impediments to traffic flow and maintain safe and efficient operating conditions on the road.*

Further to the above, **Transport, Access and Parking General Policies** seek:

***DO 1** - A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.*

***PO 1.4** - Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.*

***PO 3.1** - Safe and convenient access minimises impact or interruption on the operation of public roads.*

***PO 3.3** - Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.*

***PO 3.5** - Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.*

***PO 3.8** - Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.*

***PO 4.1** - Development is sited and designed to provide safe, dignified and convenient access for people with a disability.*

***PO 5.1** - Sufficient on-site vehicle parking and specifically marked*

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accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- (a) availability of on-street car parking*
- (b) shared use of other parking areas*
- (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared*
- (d) the adaptive reuse of a State or Local Heritage Place.*

PO 6.1 - *Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.*

PO 6.2 - *Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.*

PO 6.6 - *Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.*

PO 9.1 - *The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.*

PO 9.2 - *Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.*

PO 10.1 - *Development is located and designed to ensure drivers can safely turn into and out of public road junctions.*

The subject site will continue to be accessed by the two Cross Road access points with a new Glenferrie Avenue access point. All redundant crossovers on Glenferrie Avenue are to be returned to standard kerbing. Neither the basement car park nor the access points to Cross Road are proposed to be altered.

Table 1 within **Transport, Access and Parking** states that supported accommodation should provide 0.3 spaces per bed. The site currently accommodates 76 beds with a parking requirement of 23 space (rounded up). The site provides 40 off-street parks. With the addition of 45 beds (39 singles and 3 doubles) the parking requirement increases to 37 (rounded up). The current basement carpark containing 40 car parks and the proposed single park on Glenferrie Avenue provides a total of 41 off-street parks. This total exceeds the minimum requirements and is therefore acceptable.

The Traffic and Parking Assessment Report provided by the applicant, considered the likely trip generation of the increased bed numbers and how each access point may be impacted. As the majority of car parking is to be accessed from Cross Road it was determined that there would be minimal impact on Glenferrie Avenue and the movements via the existing access points would have limited impact on the arterial road.

Council's Transport Engineer has assessed this provided Traffic and Parking Assessment Report, including the revised plans, and has provided support for the parking and traffic arrangements. This can be found in Attachment 16.

A Traffic assessment by MFY was submitted by a representor. This report raised concerns regarding the existing two access points to Cross Road and the proposed access to Glenferrie Avenue. The report identifies that the Cross Road access points do not comply with current requirements and the Glenferrie

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Avenue access should be restricted to emergency access only. Further, the report notes there will be an increase in vehicle movements via Cross Road, but this will not be significant.

The response by the applicant's consultant planner noted that the applicant has agreed to make the Glenferrie Avenue access a controlled vehicle and pedestrian access point to ensure it is only used for emergency purposes. Further, the change in vehicle movements is not significant and no changes to these access points are proposed.

With the applicant committing to the Glenferrie Avenue access being for emergency access only and no changes proposed to the Cross Road access points, the vehicle access and parking arrangements satisfy the relevant performance outcomes and are acceptable.

INTERFACE BETWEEN LAND USES

Overlooking

Design in Urban Areas seeks to mitigate overlooking via the following PO's:

***PO 10.1** - Development mitigates direct overlooking from upper-level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.*

***PO 10.2** - Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.*

The proposal demonstrates all upper-level windows which directly face adjoining residential allotments windows and private open space are to be obscured to a minimum of 1.5m above the finished floor levels of the upper level or have sill heights above 1.5m.

The proposal will mitigate direct overlooking and satisfies the above **PO's**.

Overshadowing

Numerous representors raised concerns regarding the potential for overshadowing of the private open space of 7 Glenferrie Avenue. Shadow diagrams were submitted by the representor from 7 Glenferrie Avenue.

Interface between Land Uses overshadowing **PO's** state:

***PO 3.1** - Overshadowing of habitable room windows of adjacent residential land uses in:*

- a) a neighbourhood-type zone is minimised to maintain access to direct winter sunlight*
- b) other zones is managed to enable access to direct winter sunlight.*

***PO 3.2** - Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:*

- a) a neighbourhood type zone is minimised to maintain access to direct winter sunlight*
- b) other zones is managed to enable access to direct winter sunlight.*

Whilst the submitted shadow diagrams show the rear yard of 7 Glenferrie Avenue is the subject of overshadowing, this shadowing is the product of the existing dwelling and verandah on this site for the majority of the day. Shadowing from the west is only caused by the 1.8m high fencing which is similar to the fencing currently on this western boundary and

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is to be expected in a residential area. The shadowing from the east for a portion of the day is caused by the new 2 storey building, however this will be relatively short lived with the 12pm diagram clearly showing all the shadow is caused by the dwelling itself and not the proposed development.

The applicant has provided shadow diagrams that equally show that the dwelling at 7 Glenferrie Avenue casts a notable shadow over its own private open space and the shadow cast by the development has limited impact on this.

The dwelling at 7 Glenferrie Avenue currently overshadows its own private open space significantly and the proposed development will not exacerbate this to any notable degree.

Interface between Land Uses PO 3.3 states:

***PO 3.3** - Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:*

- a) the form of development contemplated in the zone*
- b) the orientation of the solar energy facilities*
- c) the extent to which the solar energy facilities are already overshadowed.*

The roof top solar panels of this dwelling are located on the eastern and western sides of the roof. As can be seen in the shadow diagrams these panels will not be overshadowed due to the proposed buildings.

Given the above, the proposed buildings are will not cause any unreasonable overshadowing to the dwelling at 7 Glenferrie Avenue.

Regardless, the proposed building satisfies the required setbacks as sought by the **Suburban Neighbourhood Zone PO's**. The proposed built form to both the east and west is a built form that is expected in the locality, being 2 storeys with side setbacks greater than the minimums sought. When the hierarchy of assessment controls as contained in the **Code** are considered, the satisfaction of the zonal performance outcomes take priority over the overshadowing provisions of the general policy section of the Code.

Noise Emissions

Noise was raised as a concern by the representors. Specifically, the location of plant and air-conditioning units.

Design in Urban Areas PO 1.4 states:

***PO 1.4** - Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:*

- a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces*
- b) screening rooftop plant and equipment from view*
- c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.*

Interface between Land Uses PO 4.1 states:

***PO 4.1** -Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).*

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During the course of the assessment the proposal was altered to remove roof top plant and the plant from the ground floor eastern wing, now a utility and storeroom. The applicant provided the following response to a request to address the plant and air-condition unit noise concerns:

We have reviewed plant requirements for the extension to the facility and has redesigned the requirements to split the plant throughout the facility into residential scale mechanical units within the proposed courtyards thus alleviating the need for a centralised roof top plant enclosure.

With the plant and air-conditioning locations changed, the proposal will not cause any unreasonable noise issues to the surrounding residential allotments and is considered to satisfy the above PO's.

WASTE AND DOMESTIC ACTIVITIES MANAGEMENT

Design in Urban Areas PO's state:

***PO 11.1** - Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.*

***PO 40.3** - Provision is made for suitable external clothes drying facilities.*

The applicant has confirmed that the waste, recyclables, and clothes washing and drying are to be managed within the existing facility. The facility has sufficient capacity to manage the additional residents. There is a fully operational commercial laundry within the facility and waste and recycling will be managed by the facility from the Cross Road delivery and loading bay.

The proposal satisfies the above two specific **PO's** as well as all other relevant **PO's** relating to waste and domestic activities on the site.

HERITAGE

The subject site contains a State Heritage Place on 32 Cross Road Myrtle Bank listed as Ridge Park Nursing Home (Former Dwelling).

State Heritage Place Overlay DO 1 and PO 1.1 seek:

***DO 1** - Development maintains the heritage and cultural values of State Heritage Places through conservation, ongoing use and adaptive reuse consistent with Statements of Significance and other relevant documents prepared and published by the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the Heritage Places Act 1993.*

***PO 1.1** - The form of new buildings and structures maintains the heritage values of the State Heritage Place.*

A mandatory referral to Heritage South Australia was undertaken both for the initial proposal and the revised proposal, their responses can be found in Attachment 9 and Attachment 10 respectively.

In summary, Heritage South Australia assessed the proposal against the relevant provision of the Code and provided the following conclusion:

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The proposed development would have no adverse impact upon the recognised heritage values of the State Heritage Place, as it is to be located some distance away and will not impact on the setting of the place.

The proposal is not considered to impact the setting of the State Heritage Place and is therefore acceptable in this regard.

LANDSCAPING AND OPEN SPACE

Design in Urban Areas Performance Outcomes seek:

PO 3.1 - *Soft landscaping and tree planting are incorporated to:*

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

PO 39.1 - *Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.*

PO 39.2 - *Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.*

PO 39.5 - *Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.*

The proposal includes areas of soft landscaping primarily to the Glenferrie Avenue frontage with a landscaping plan showing a range of plantings including trees, shrubs and ground covers. The landscaping extends along the site boundaries with larger areas adjacent the internal courtyard.

The open space available for the residents is located throughout the facility in the form of courtyards and pergola areas. These areas are easily accessible from within the facility and are sufficient in size to allow for a range of activities. The landscaping and pergolas will provide shade and amenity for the residents. The proposed landscaping and open space is considered to satisfy the above PO's and is acceptable.

STORMWATER MANAGEMENT

Design in Urban Areas Performance Outcomes PO 42.3 states:

PO 42.3 - *Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.*

The proposal includes a stormwater management plan which demonstrates two retention/detention tanks with a total capacity of 19,000L and a discharge rate of 7L/min for two outlets. Council's stormwater engineer sought a maximum of 20L/min with the proposed outflow substantially under this. The stormwater management plan has been designed pursuant to Council's Stormwater Detention and Retention Guidelines for commercial development.

Given this, the proposal is considered to satisfy the above PO.

CONCLUSION

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

On balance the proposal is a suitable use for the locality and has been designed to minimise any negative impacts on the amenity of the locality by way of built form, overshadowing or parking.

The matters raised by the representors have been considered in the course of this assessment. The applicant has also amended or clarified a number of aspects of the proposal in response to those representations. Some of the concerns raised relate to the merits of the proposal while others are beyond the consideration of a planning assessment. The applicant's response addressed these issues.

Having considered all the relevant assessment provisions, the proposal is not considered to be seriously at variance with the Planning and Design Code and is considered to satisfy the desired and performance outcomes sought by the Code for the following reasons:

- The proposed development is considered to satisfy the relevant Performance Outcomes of the Suburban Neighbourhood Zone, Overlays and General Development Policies.
- The nature of the proposed additions to the existing supported accommodation facility will not unreasonably impact upon the adjacent properties.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21011428, by Kirkbride Architects is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation as listed below, except where varied by conditions below (if any).

- Plans and Elevations prepared by Kirkbride Architects Drawings SK02 (Issue 2 dated 4 September 2023), SK03 (Issue 2 dated 4 September 2023), SK04 (Issue 5 dated 7 June 2023), SK05 (Issue 5 dated 7 June 2023), SK06 (Issue 5 dated 7 June 2023), SK06A (Issue 5 dated 7 June 2023), SK07 (Issue 5 dated 7 June 2023), SK08 (Issue 5 dated 7 June 2023), SK09 (Issue 6 dated 4 September 2023), SK10 (Issue 5 dated 4 September 2023), SK11 (Issue 5 dated 7 June 2023), SK14 (Issue 6 dated 5 September 2023)
- Stormwater Management Civil Works plan, Issue B prepared by Anson dated 19 May 2023.

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

The obscure glazing as shown on the approved plans and elevation drawings forming part of this consent, must be installed prior to the commencement of use of the supported accommodation additions. The permanently fixed obscure glazing must be maintained in good condition and must be maintained as effective privacy control thereafter.

Condition 4

The Glenferrie Avenue access point and vehicle park shall only be utilised for emergency services. No general parking or access shall be permitted at any time.

Condition 5

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the Environmental (Noise) Policy 2007.

Condition 6

The planting and landscaping identified on the Landscape Plan submitted with the application must be completed in the first planting season concurrent with or following commencement of the use of the shop. Such planting and landscaping must not be removed and any plants which die must be replaced by the same species or other species to Council's satisfaction.

Condition 7

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

Condition 8

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

ADVISORY NOTES

Planning Consent

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

The applicant/developer is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure the activities on the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.

Advisory Note 6

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

Advisory Note 7

Please be advised that your application involves work that may impact on the stability of neighbouring land. Pursuant to section 139 of the Planning, Development and Infrastructure Act 2016, you are reminded of your obligations to:

- 20 business days before the building is commenced, caused to be served on the owner of the affected land a notice of intention to perform the building work and the nature of that work; and
- Take precautions as may be prescribed to protect the affected land or premises, carry out such other building work in relation to that land or premises as that adjoining owner is authorised by the Planning, Development and Infrastructure (General) *Regulations 2017* to require.

Advisory Note 8

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

Advisory Note 9

That the existing crossovers shall be closed and reinstated back to kerb and gutter in accordance with Council requirements and at the applicant's expense, prior to occupation of the development. Refer to the City of Unley website Forms & Applications – Application to Alter Public Roads and Driveway Crossover Specifications.

<https://www.unley.sa.gov.au/Page/Forms-Applications>

ITEM 2

DEVELOPMENT APPLICATION - 21011428 – 5 GLENFERRIE AVENUE, MYRTLE BANK SA 5064

Advisory Note 10

The construction of the crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to the City of Unley website Forms & Applications – Driveway Crossover Specifications.

<https://www.unley.sa.gov.au/Page/Forms-Applications>

Advisory Note 11

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

Advisory Note 12

The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

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

Advisory Note 1

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

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

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

Advisory Note 2

Please note the following requirements of the *Aboriginal Heritage Act 1988*.

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

OFFICER MAKING RECOMMENDATION

Name: Timothy Bournier
Title: Senior Planner
Date: 19 September 2023

ATTACHMENT 1



LOCATION PLAN N.T.S.

AREAS:					
SITE (EXISTING)		4,939 SQ M	SITE (NEW)		2,429 SQ M
BUILDING:			NEW BUILDING AREA:		
GROUND FLOOR (EXISTING)		2,828 SQ M	GROUND FLOOR (NEW)		1,546 SQ M
FIRST FLOOR (EXISTING)		2,200 SQ M	FIRST FLOOR (NEW)		1,205 SQ M
BASEMENT (EXISTING)		1,733 SQ M	BASEMENT (NEW)		0 SQ M
TOTAL EXSITING		6,761 SQ M	TOTAL NEW		3108 SQ M
			SITE (TOTAL)		7,368 SQ M
			TOTAL BUILDING AREA:		
			GROUND FLOOR (TOTAL)		4,374 SQ M
			FIRST FLOOR (TOTAL)		3,405 SQ M
			TOTAL (Exluding Basement)		7,779 SQ M

PARKING (ORIGINAL SCHEME):	
CAR PARK	40 SPACES
BEDROOMS (ORIGINAL SCHEME):	
GROUND FLOOR - BEDROOMS	34 BEDS
GROUND FLOOR - APARTMENTS	1 BEDS
FIRST FLOOR - BEDROOMS	41 BEDS
TOTAL	76 BEDS

PARKING (NEW SCHEME):	
CAR PARK	(40+0) 40 SPACES
BEDROOMS (NEW SCHEME):	
GROUND FLOOR - BEDROOMS	(34+25) 59 BEDS
GROUND FLOOR - APARTMENTS	(1+0) 1 BEDS
FIRST FLOOR - BEDROOMS	(41+14) 55 BEDS
FIRST FLOOR - APARTMENTS	(0+3) 3 BEDS
TOTAL	(76+39) 118 BEDS



JOB No. 21-002 Issue 4

DRAWING LIST

- SK00 - COVER SHEET
- SK01 - EXISTING BASEMENT PLAN
- SK02 - EXISTING GROUND FLOOR SITE & DEMOLITION PLAN
- SK03 - EXISTING FIRST FLOOR SITE & DEMOLITION PLAN
- SK04 - PROPOSED SITE PLAN - GROUND FLOOR
- SK05 - PROPOSED SITE PLAN - FIRST FLOOR
- SK06 - PROPOSED GROUND FLOOR PLAN
- SK07 - PROPOSED FIRST FLOOR PLAN
- SK08 - PROPOSED ROOF PLAN
- SK09 - ELEVATIONS 1
- SK10 - ELEVATIONS 2
- SK11 - RETAINING WALL DETAILS
- SK12 - PERSPECTIVES
- SK13 - SHADOW DIAGRAM
- SK100 - SURVEY



21-002

PREMIER 'CARLYLE ON CROSS' ALTERATIONS AND ADDITIONS
TO EXISTING AGED CARE FACILITY

5,7a & 9 GLENFERRIE AVE, MYRTLE BANK, SA 5064

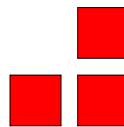
FOR INFORMATION

PLOT DATE: Wednesday, 7 June 2023

74 FULLARTON ROAD
NORWOOD SA 5067

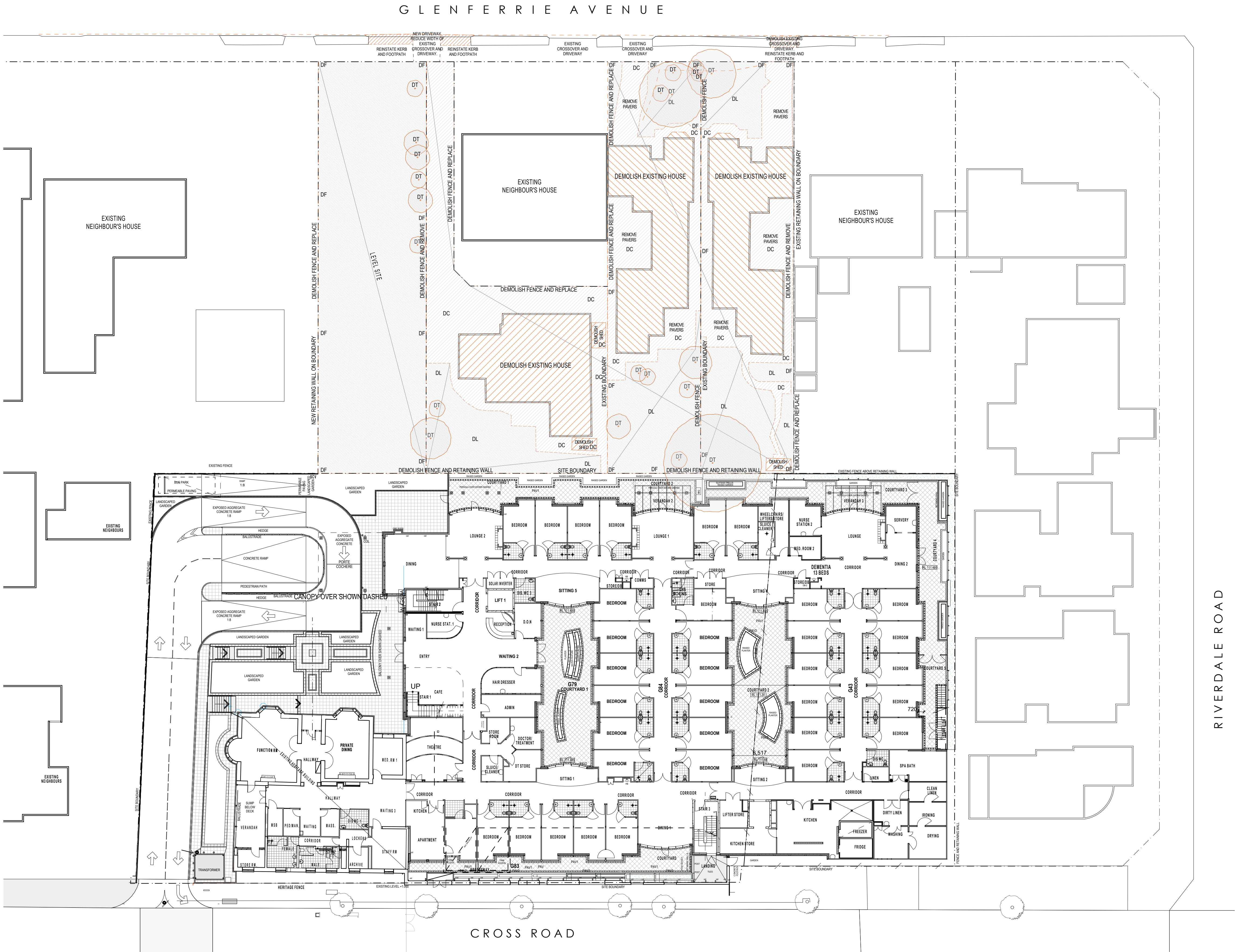
TEL: (08) 8362 6633
FAX: (08) 8363 0211

Kirkbride Architects



NOTES:
Demolish and remove the following items from site:
- All redundant structures.
- All gardens, trees, shrubs, and other associated landscaping items.
- All concrete surfaces, slabs & paving
- Remove all grates, sumps and cover plates.
- Site stormwater shall be removed to boundary. Footpath crossovers shall be retained.
- Terminate and seal services at site boundaries, meters or in locations to best suit future site service installation.
- Site fences. Make good/ repair all fences to be retained.
- Seal site with temporary fences or similar with lockable gate to ensure access to the site is restricted.
- Stockpile topsoil for future use.
- Remove all spoil, soil and other fill not required to carry out the work.
- Remove all waste to local Council and EPA Guidelines.
- Make good upon completion and leave the site level and clear of debris ready for commencement of the works.

LEGEND:
DC - Demolish slabs, plinths, paving, pavers, paths and kerbs
DF - Demolish Fence
DL - Demolish Landscaping, Lawns, Planters and Gardens
DT - Demolish Tree/Shrub
DW - Demolish Wall



Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
EXISTING GROUND FLOOR SITE AND DEMOLITION PLAN

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
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Date:
4/09/2023
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PRE
Drawing No.:
SK02

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Job No:
21-002

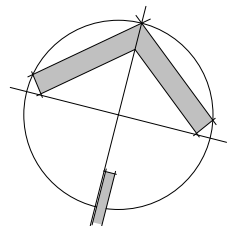
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Issue:	Date:	Detail:	Drawn:
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2	04/09/2023	DA Resubmission	PRE

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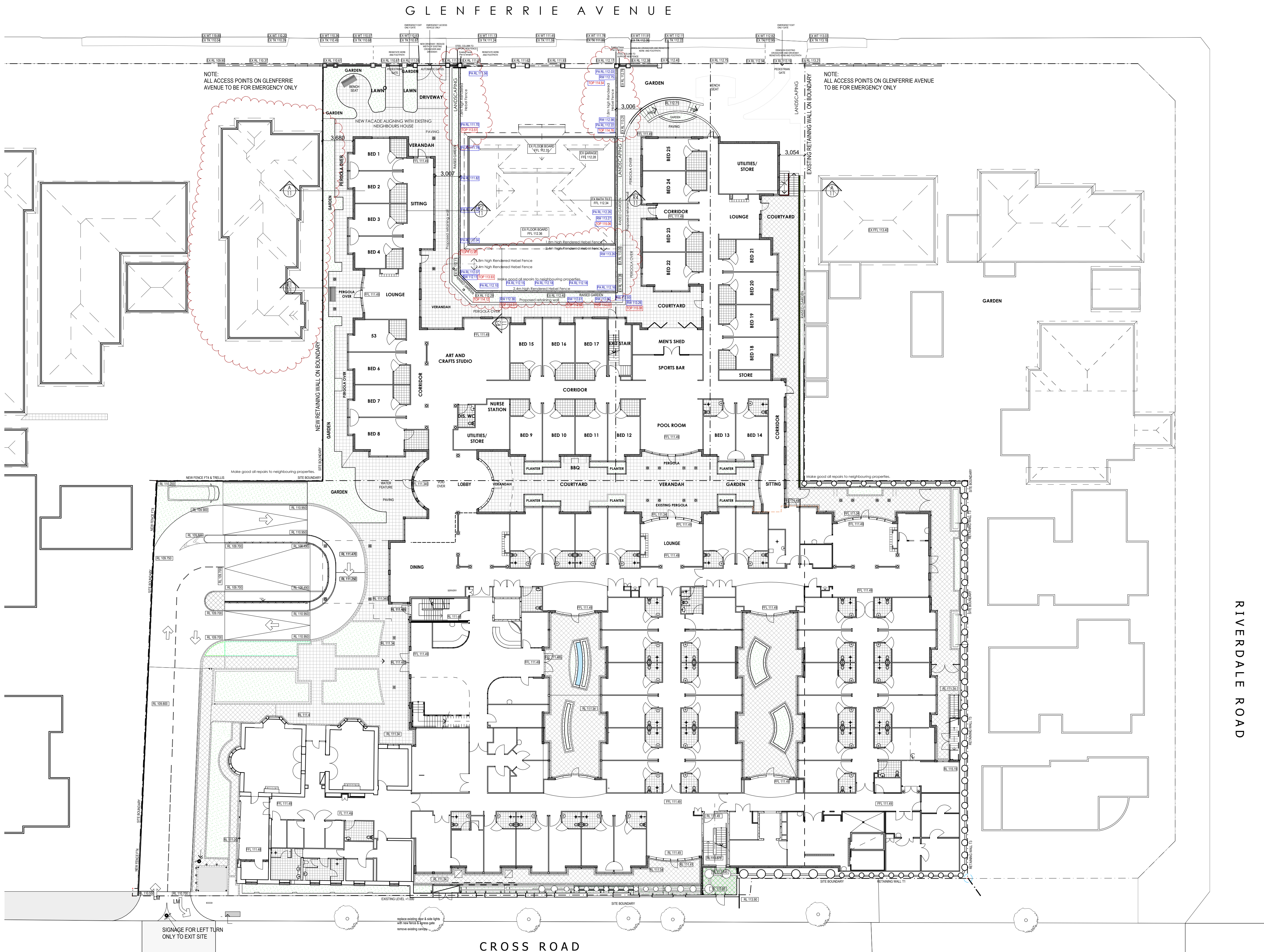
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NORWOOD SA 5067
TEL: (08) 8362 6633
FAX: (08) 8363 0211
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- Demolish and remove the following items from site:
 - All redundant structures.
 - All gardens, trees, shrubs, and other associated landscaping items.
 - All concrete surfaces, slabs & paving
 - Remove all grates, sumps and cover plates.
- Site stormwater shall be removed to boundary. Footpath crossovers shall be retained.
- Terminate and seal services at site boundaries, meters or in locations to best suit future site service installation.
- Site fences, Maytag/ repair all fences to be retained.
- Seal site with temporary fences or similar with lockable gate to ensure access to the site is restricted.
- Stockpile topsoil for future use.
- Remove all spoil, soil and other fill not required to carry out the work.
- Remove all waste to local Council and EPA Guidelines.
- Make good upon completion and leave the site level and clear of debris ready for commencement of the works.

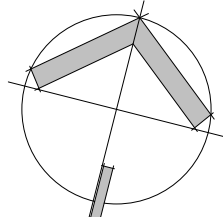
DC - Demolish slabs, plinths, paving, pavers, paths and kerbs
DF - Demolish Fence
DL - Demolish Landscaping, Lawns, Planters and Gardens
DT - Demolish Tree/Shrub
DW- Demolish Wall





Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PROPOSED SITE PLAN - GROUND FLOOR



Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
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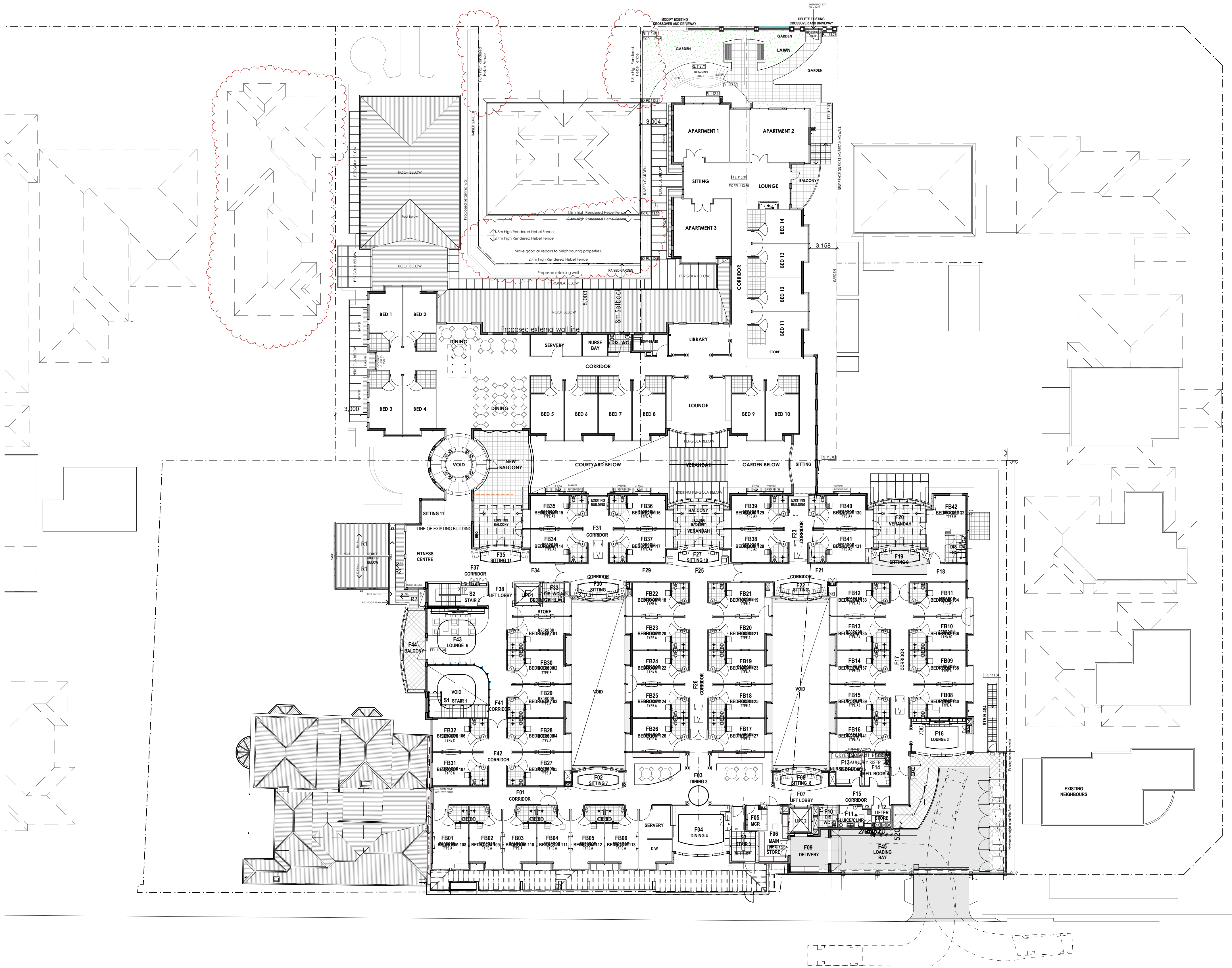
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5	06/06/2023	Amendments for DA	PRE

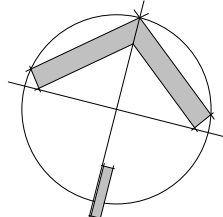
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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PROPOSED SITE PLAN - FIRST FLOOR



Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
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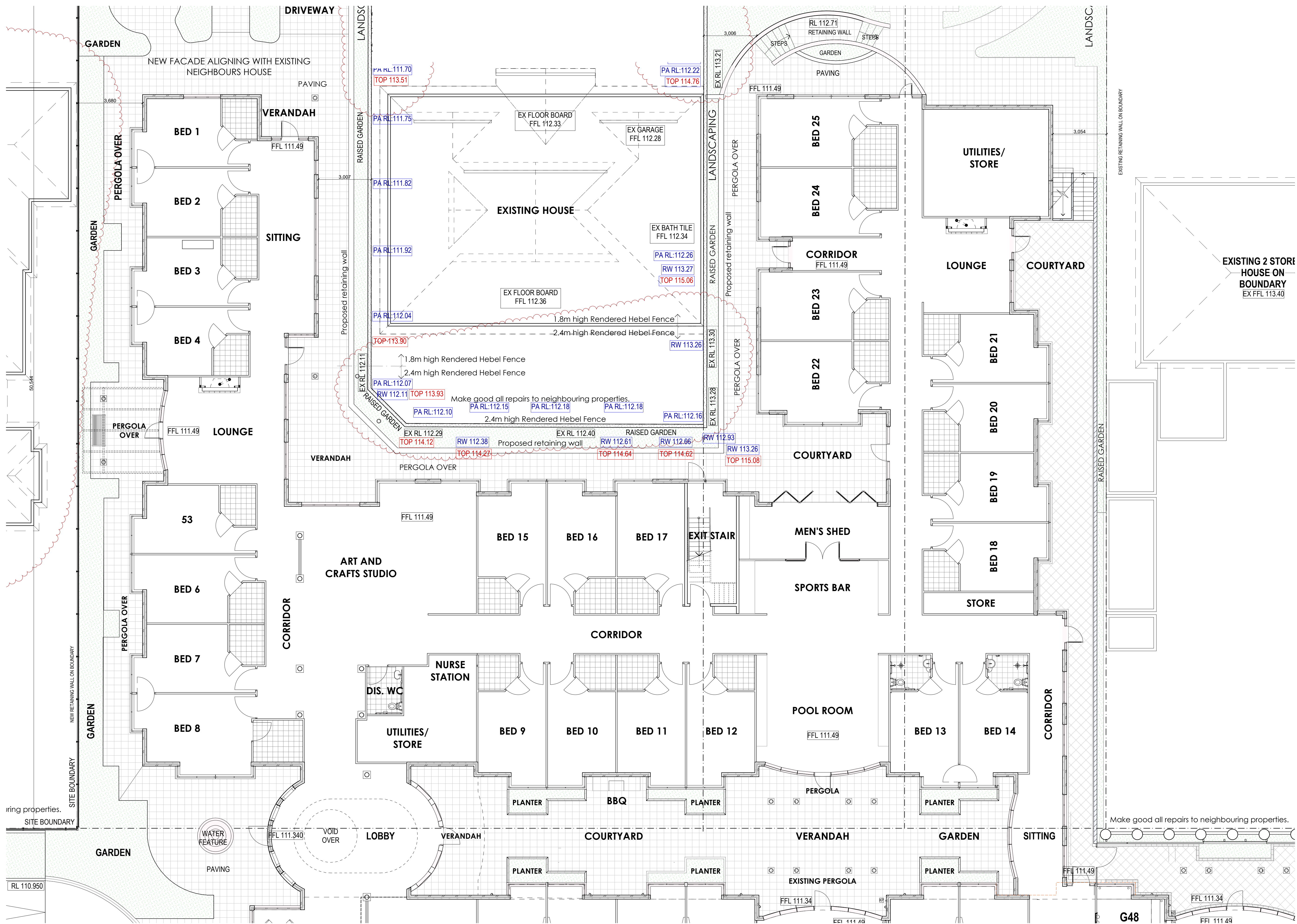
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5	06/06/2023	Amendments for DA	PRE

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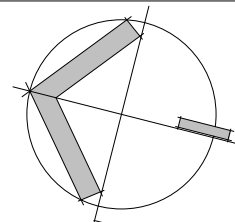
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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PROPOSED GROUND FLOOR PLAN



Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



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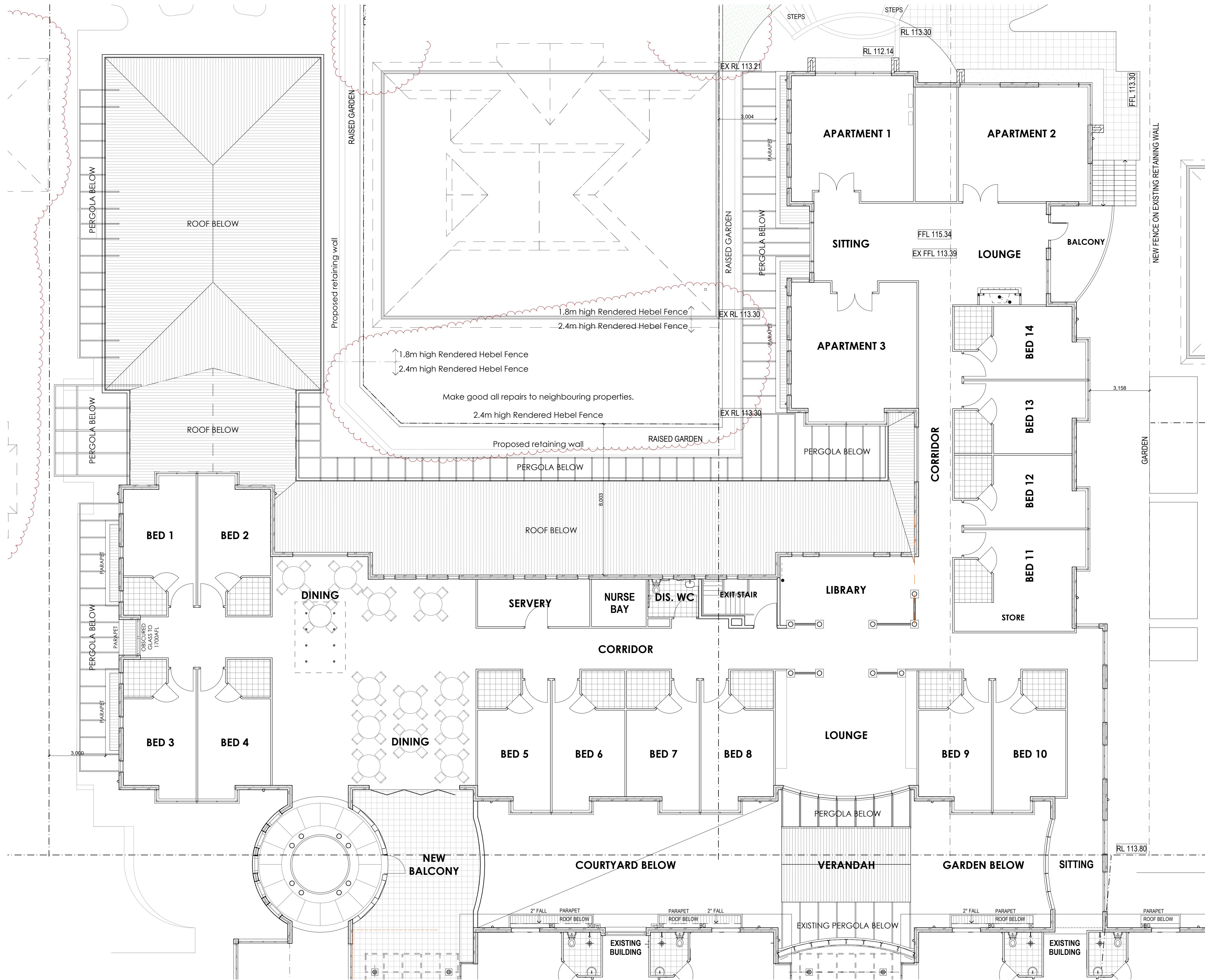
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5	06/06/2023	Amendments for DA	PRE

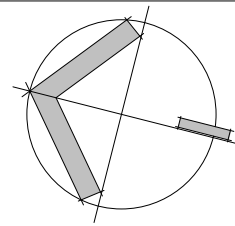
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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PROPOSED FIRST FLOOR PLAN



Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
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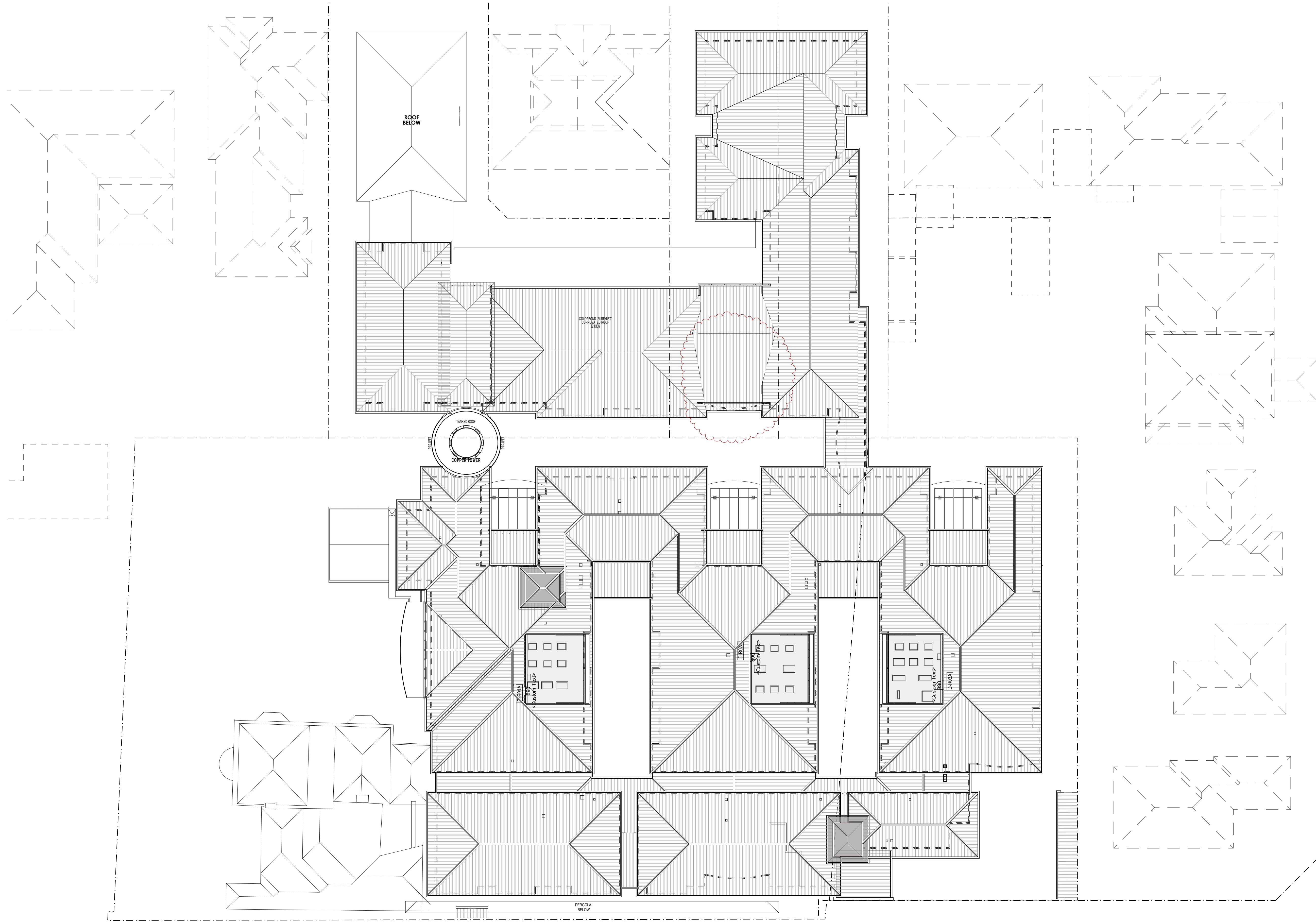
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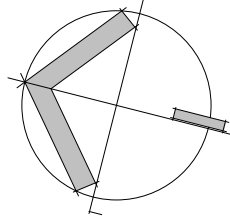
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FAX: (08) 8363 0211
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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PROPOSED ROOF PLAN



Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
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21-002

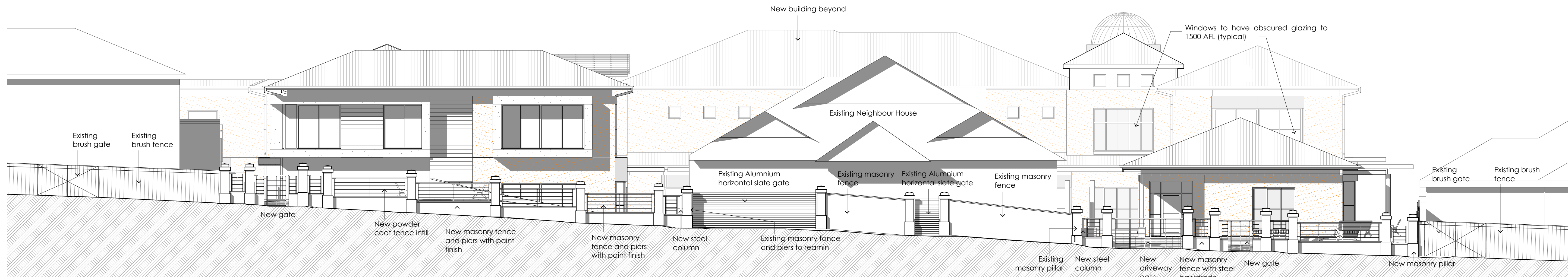
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All dimensions must be verified on site prior to construction.
Notify Kirkbride Architects of any issues or discrepancies
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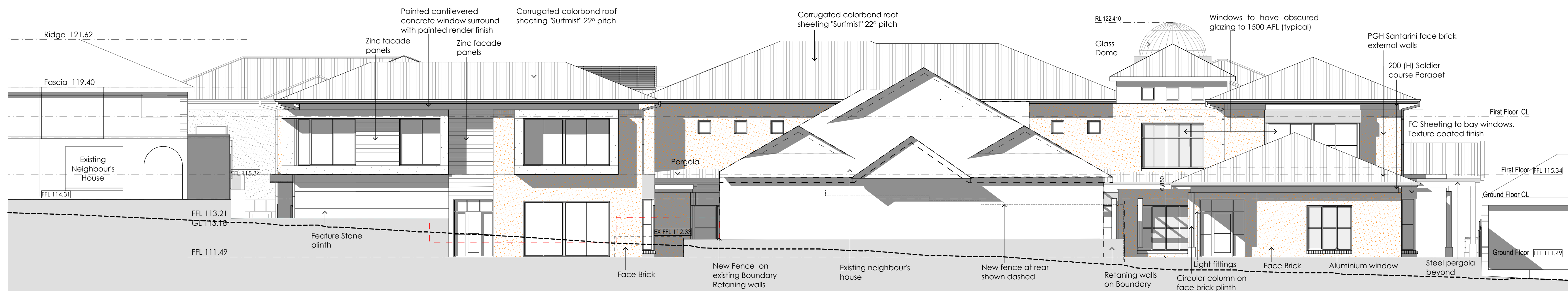
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0	24/05/2021	DA Submission	PRE
5	06/06/2023	Amendments for DA	PRE

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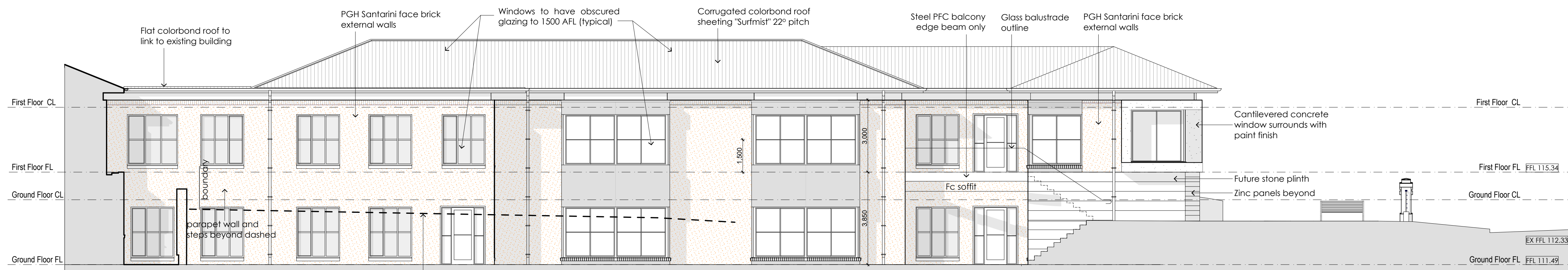
74 FULLARTON ROAD
NORWOOD SA 5067
TEL: (08) 8362 6633
FAX: (08) 8363 0211
Kirkbride Architects



NORTH ELEVATION (FRONT FENCE)
SCALE 1:100



NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100

Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
ELEVATIONS 1

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
1:100
Date:
4/09/2023
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Drawn By:
PRE
Drawing No.:
SK09

Checked By:
-
Job No:
21-002

Dwg Size:
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Issue:
6

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Issue:	Date:	Detail:	Drawn:
0	24/05/2021	DA Submission	PRE
6	04/09/2023	Amendments for DA	PRE

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
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74 FULLARTON ROAD
NORWOOD SA 5067
TEL: (08) 8362 6633
FAX: (08) 8363 0211

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 NORTH ELEVATION
SCALE NTS

Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PERSPECTIVE 01

Client:
PREMIER HEALTH CARE

78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
1:100

Date:
7/06/2023
11:22 AM

Drawn By:
PRE

Drawing No. :
SK09

Checked By:
-

Job No:
21-002

Dwg Size:
A1

Issue:
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5	06/06/2023	Amendments for DA	PRE

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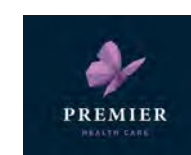
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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
ELEVATIONS 2

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
1:100
Date:
4/09/2023
2:42 PM

Drawn By:
PRE
Drawing No.:
SK10

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Job No.:
21-002

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Issue:
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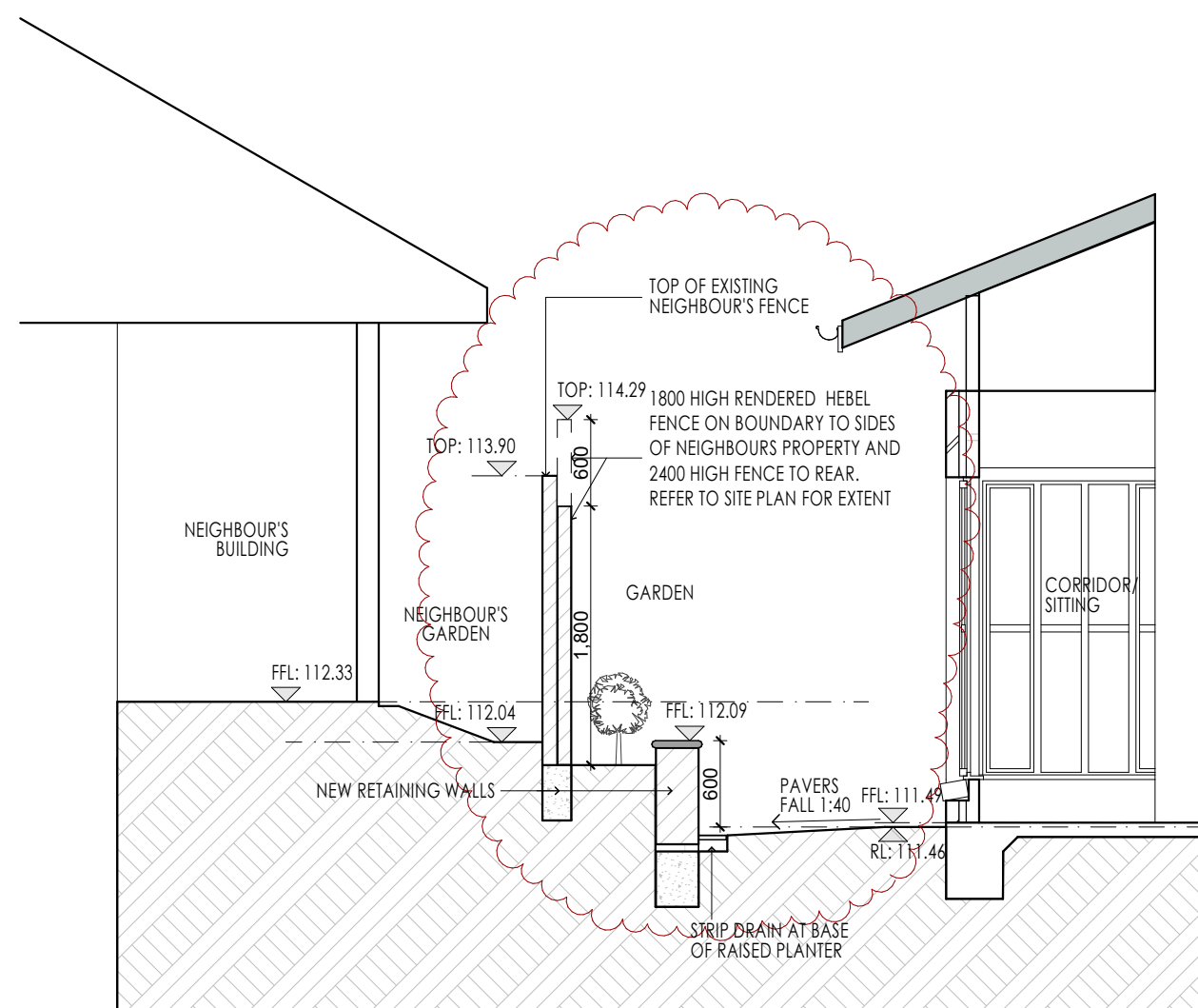
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6	04/09/2023	Amendments for DA	PRE

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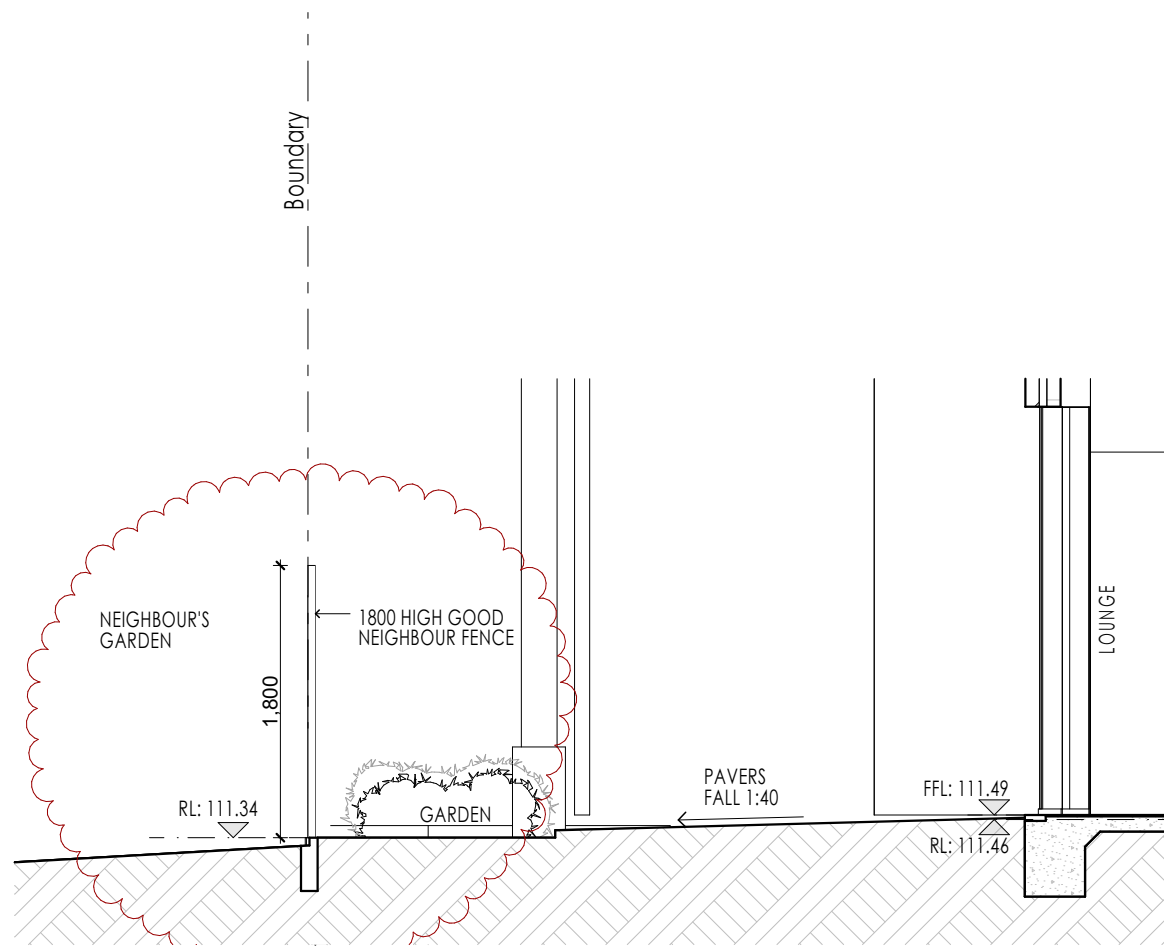
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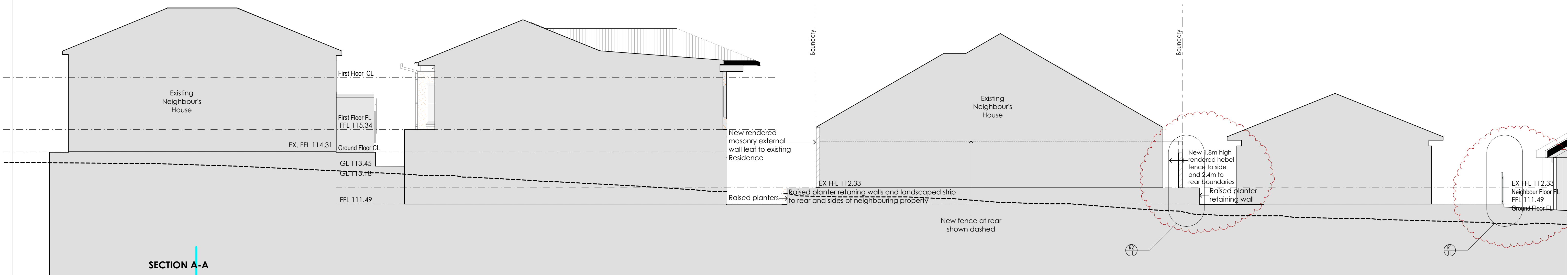
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SECTION R2



SECTION R1



SECTION A-A

Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
SECTION AND RETAINING WALL DETAILS

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:

Date:
7/06/2023
11:23 AM

Drawn By:
PRE
Drawing No.:
SK11

Checked By:
-
Job No.:
21-002

Dwg Size:
A1
Issue:
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Issue:	Date:	Detail:	Drawn:
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5	06/06/2023	Amendments for DA	PRE

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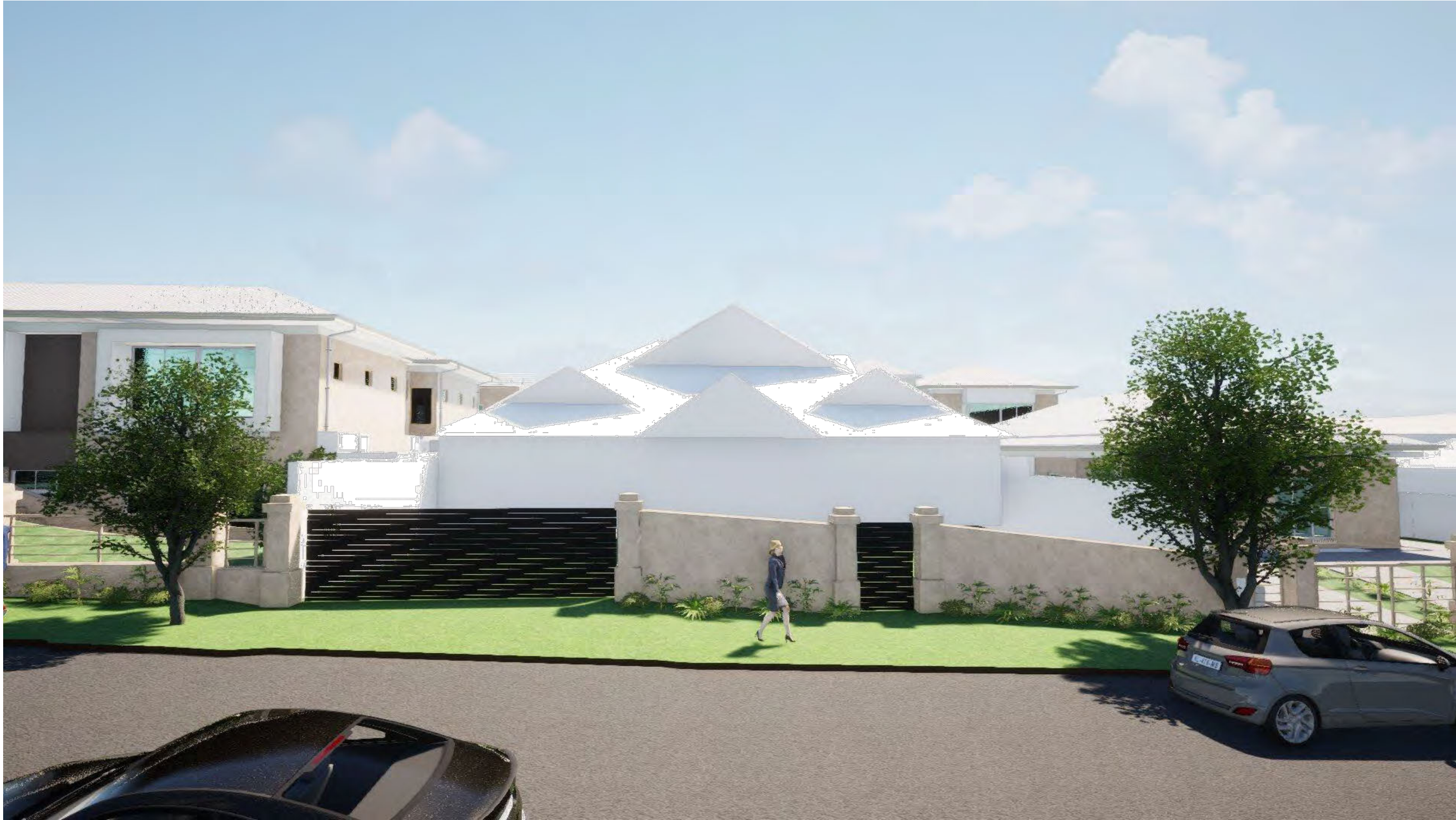
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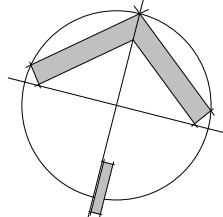
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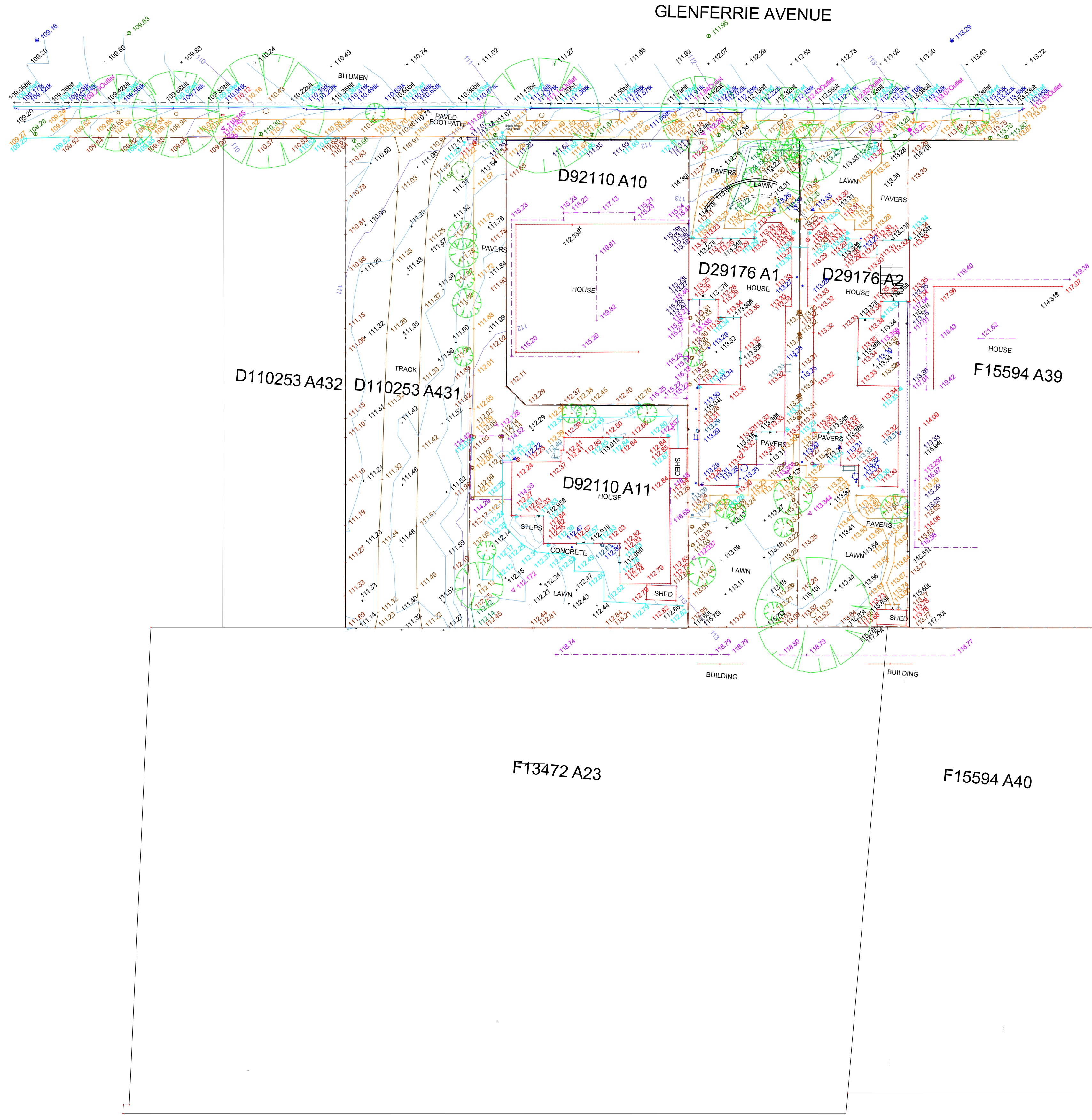


5 - 9 GLENFERRIE AVENUE



9 GLENFERRIE AVENUE

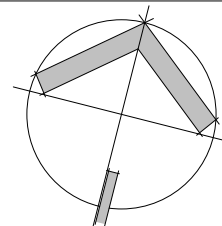




301
PSM 6628/1990
SURVEY DAT

Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
SURVEY



Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
1:250
Date:
7/06/2023
11:23 AM

Drawn By:
PRE
Drawing No.:
SK100

Checked By:
-
Job No:
21-002

Dwg Size:
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Issue:
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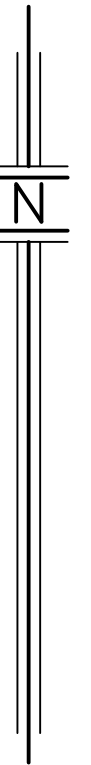
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Issue:	Date:	Detail:	Drawn:
0	24/05/2021	DA Submission	PRE
5	06/06/2023	Amendments for DA	PRE

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NORWOOD SA 5067
Kirkbride Architects
TEL: (08) 8362 6633
FAX: (08) 8363 0211

ATTACHMENT 2



LINETYPE LEGEND	
	KERB
	GUTTER
	EDGE OF BITUMEN
	FENCE
	GATE
	BUILDING
	VERANDAH
	WALL
	EDGE OF CONCRETE
	EDGE PAVERS
	CONC BORDER
	BANK TOP
	BANK BOTTOM
	EDGE TRACK
	RETAINING WALL
	NATURAL STRING
	SPOON DRAIN
	EDGE WATER
	SUMP
	UNKNOWN JB
	TELSTRA JB
	SEWER JB
	WATER JB
	GUARD RAIL
	CENTRE OF DRAIN
	EDGE OF VEGETATION
	O/H WIRES
	TANK
	BENCH SEAT
	AIR CONDITIONER
	ROAD SIGN

SYMBOL LEGEND											
	SURVEY CONTROL		TREE TRUNK		SPOT HEIGHT		STEEL POLE		HYDRANT		TELSTRA
	PSM		GRATING		IRRIGATION		WATER METER		SIGN POST		ETSA
	DOWN PIPE		SUMP INVERT		LIGHT POLE		GAS METER		TIMBER POST		COLUMN
	TREE CANOPY		FLOOR LEVEL		SEWER		MAIL BOX		STORMWATER		VENT
											UNKNOWN COVER
											STOBIE
											INV 375 PIPE
											INV 300 PIPE
											VERANDAH POST
											WATER
											LITTER BIN
											DRAIN
											VERANDAH POST
											STOBIE WITH LIGHT
											CABLE MARKER
											METAL PIN
											SUMP
											GAS
											TAP
											PEG

ANDREW & ASSOCIATES
SURVEYORS & DEVELOPMENT CONSULTANTS
190 Flinders Street Adelaide SA 5000
Telephone: 8232 1954 Facsimile: 8232 7678
34 Victoria Street Victor Harbor SA 5211
Telephone: 8552 4480

PROJECT CROSS ROAD
MYRTLE BANK
CLIENT KIRKBRIDE BOYCE
DRAWING TITLE DETAIL & LEVEL PLAN

HORIZONTAL DATUM: MGA 94 ZONE 54
VERTICAL DATUM: PSM 6628/19903
EL 116.090m AHD
SCALE 1:200 ON A1 SHEET
METRES 0 2 4 8 12 16 20

DRAWN RVD/SMS	SCALE AS SHOWN	DATE 09-07-20
COMP FILE GLENFERRIE-see	FIELD RVD/PDG	CHECKED RVD
DRAWING NUMBER 220224-I		ISSUE

1. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL AND AND OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS AND SUCH OTHER WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCY SHALL BE REFERRED TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK.
2. MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE RELEVANT S.A.A. CODES AND AUTHORITY.
3. THE CONTRACTOR SHALL COMPLY WITH ALL REGULATIONS OF AUTHORITIES HAVING JURISDICTION OVER THE WORKS.
4. THESE DRAWINGS MUST NOT BE SCALED.
5. ALL DIMENSIONS AND REDUCED LEVELS MUST BE VERIFIED ON SITE BEFORE THE COMMENCEMENT OF ANY WORK.
6. SUBSTITUTIONS MUST BE APPROVED BY THE ENGINEER.
7. ALL LEVELS SHOWN ARE TO THE AUSTRALIAN HEIGHT DATUM.
8. SERVICE INFORMATION SHOWN IS BASED ON PLANS SUPPLIED BY AUTHORITIES AND IS APPROXIMATE ONLY. PRIOR TO COMMENCEMENT OF ANY WORKS, THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND SERVICES AND COMPLY WITH ALL REQUIREMENTS OF THOSE AUTHORITIES.
9. EXISTING SURFACE CONTOURS, WHERE SHOWN, ARE INTERPOLATED AND MAY NOT BE ACCURATE.
10. UNLESS NOTED OTHERWISE, ALL VEGETATION SHALL BE STRIPPED TO A MINIMUM DEPTH OF 150mm UNDER ALL PROPOSED PAVEMENT AND BUILDING AREAS.
11. PRIOR TO THE PLACEMENT OF ANY PAVEMENTS, BUILDINGS OR DRAINS THE EXPOSED SUBGRADE SHALL BE COMPACTED TO A MINIMUM OF 100% STANDARD COMPACTION IN ACCORDANCE WITH TEST '11' OF A.S. 1289 FOR THE TOP 300mm. ANY SOFT SPOTS SHALL BE REMOVED AND REPLACED WITH GRANULAR FILL TO THE ENGINEERS APPROVAL AND COMPACTED IN ACCORDANCE WITH THE COMPACTION REQUIREMENTS SET OUT BELOW. ON HIGHLY REACTIVE CLAY AREAS SITE EXCAVATED MATERIAL MAY BE USED WITH THE PRIOR AUTHORISATION OF THE ENGINEER.
12. ALL FILL AND PAVEMENT MATERIALS SHALL BE COMPACTED IN 200mm MAXIMUM LOOSE THICKNESS LAYERS TO THE DENSITIES SPECIFIED BELOW:

13. GRADE EVENLY BETWEEN FINISHED SURFACE SPOT LEVELS. FINISHED SURFACE CONTOURS ARE SHOWN FOR CLARITY. WHERE FINISHED SURFACE LEVELS ARE NOT SHOWN, THE SURFACE SHALL BE GRADED SMOOTHLY SO THAT IT WILL DRAIN AND MATCH ADJACENT SURFACES OR STRUCTURES.
14. UNLESS NOTED OTHERWISE, ALL DOWNPIPES & GRATED INLETS SHALL BE CONNECTED TO PITS OR MAIN STORMWATER DRAINS WITH UPVC OR EARTHENWARE PIPES OF THE OF THE FOLLOWING SIZES LAID AT A MINIMUM GRADE OF 1 IN 100:
 - 100 DIA. FOR DOMESTIC CONSTRUCTION
 - 150 DIA. FOR COMMERCIAL/INDUSTRIAL CONSTRUCTION
 - 100 DIA. FOR BASEMENT GRATED INLETSFOR SYPHONIC ROOF DRAINAGE SYSTEMS ALL DOWNPIPES CONNECTION DRAIN SIZES TO BE CONNECTED INTO MAIN STORMWATER DRAINS SHALL BE IN ACCORDANCE WITH HYDRAULIC ENGINEERS DRAWINGS.
15. ALL MAIN STORMWATER DRAINS SHALL BE CONSTRUCTED USING ONE OF THE FOLLOWING TYPES OF PIPES WITH RUBBER RING JOINTS:
 - CLASS 2 RCP IN ACCORDANCE WITH A.S. 4058
 - SEWER CLASS SEH UP.V.C. IN ACCORDANCE WITH A.S. 1260
 - CLASS 2 F.R.C. TO A.S. 4139ANY OTHER TYPES OF PIPE MUST BE REFERRED TO THE ENGINEER FOR APPROVAL PRIOR TO USE.
IF UP.V.C. OR OTHER PIPES ARE TO BE USED APPROVAL MUST BE GIVEN BY THE ENGINEER FOR CLASS, BEDDING AND BACKFILL REQUIREMENTS.
GENERALLY FOR TRENCHING WORKS THE CONTRACTOR MUST:
 - COMPLY WITH THE GENERAL PROVISIONS OF SECTION 21 OF THE 'OCCUPATIONAL HEALTH AND SAFETY ACT'
 - COMPLY WITH WITH THE 'OCCUPATIONAL HEALTH AND SAFETY CODE OF PRACTISE FOR SAFETY PRECAUTIONS IN TRENCHING OPERATIONS'.
17. PRIOR TO THE EXCAVATION OF ANY TRENCH DEEPER THAN 1.5 METRES THE CONTRACTOR MUST:
 - NOTIFY THE OCCUPATIONAL HEALTH AND SAFETY AUTHORITY ON THE APPROPRIATE FORM
 - NOMINATE THE MINE MANAGER FOR THE PROJECT.
 - CARRY OUT ALL EXCAVATION WORKS IN ACCORDANCE WITH THE REQUIREMENTS OF THE 'MINES ACT 1958 REGULATIONS AND STATUTORY RULES'
18. ALL DIMENSIONS GIVEN ARE TO FACE OF KERB, CENTRE OF PIPE OR EXTERIOR FACE OF BUILDING UNLESS NOTED OTHERWISE.
19. ANY STRUCTURES, PAVEMENTS OR SURFACES DAMAGED, DIRTIED OR MADE UNSERVICABLE DUE TO CONSTRUCTION WORK SHALL BE REINSTATED TO THE SATISFACTION OF THE ENGINEER.
20. REFER TO STRUCTURAL DRAWINGS FOR FOOTING AND FOUNDATION DETAILS.
21. ANY FILL REQUIRED SHALL BE APPROVED BY THE ENGINEER
22. CONTRACTOR IS TO ENSURE THAT ALL EXCAVATIONS ARE MAINTAINED IN A DRY CONDITION WITH NO WATER ALLOWED TO REMAIN IN THE EXCAVATIONS.
23. DISCHARGE STORMWATER DRAINS AS DOCUMENTED, AND TO COUNCIL REQUIREMENT.
24. CONCRETE JOINTS TO BE PROVIDED AS PER TYPICAL DETAILS.



DRAWING NUMBER	DESCRIPTION	SHEET
001-1003-101	Locality Plan, Drawing Index and General Notes	1 OF 6
001-1003-102	Layout Plan	2 OF 6
001-1003-103	Drainage Longitudinal Section - 1	3 OF 6
001-1003-104	Drainage Longitudinal Section - 2	4 OF 6
001-1003-105	Drainage Longitudinal Section - 3 And Pit Schedule	5 OF 6
001-1003-106	Refention/Defention Tank Typical Details	6 OF 6

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CLIENT

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Norwood SA 5067



ANSON
ENGINEERING | PROJECT MANAGEMENT | BUILDING

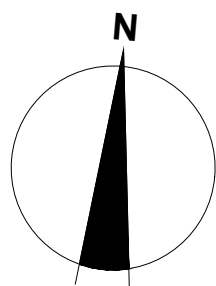
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STORMWATER MANAGEMENT
CIVIL WORKS

Locality Plan, Drawing Index and General Notes

PRELIMINARY	
SIGNED	SHEET 1 OF 6

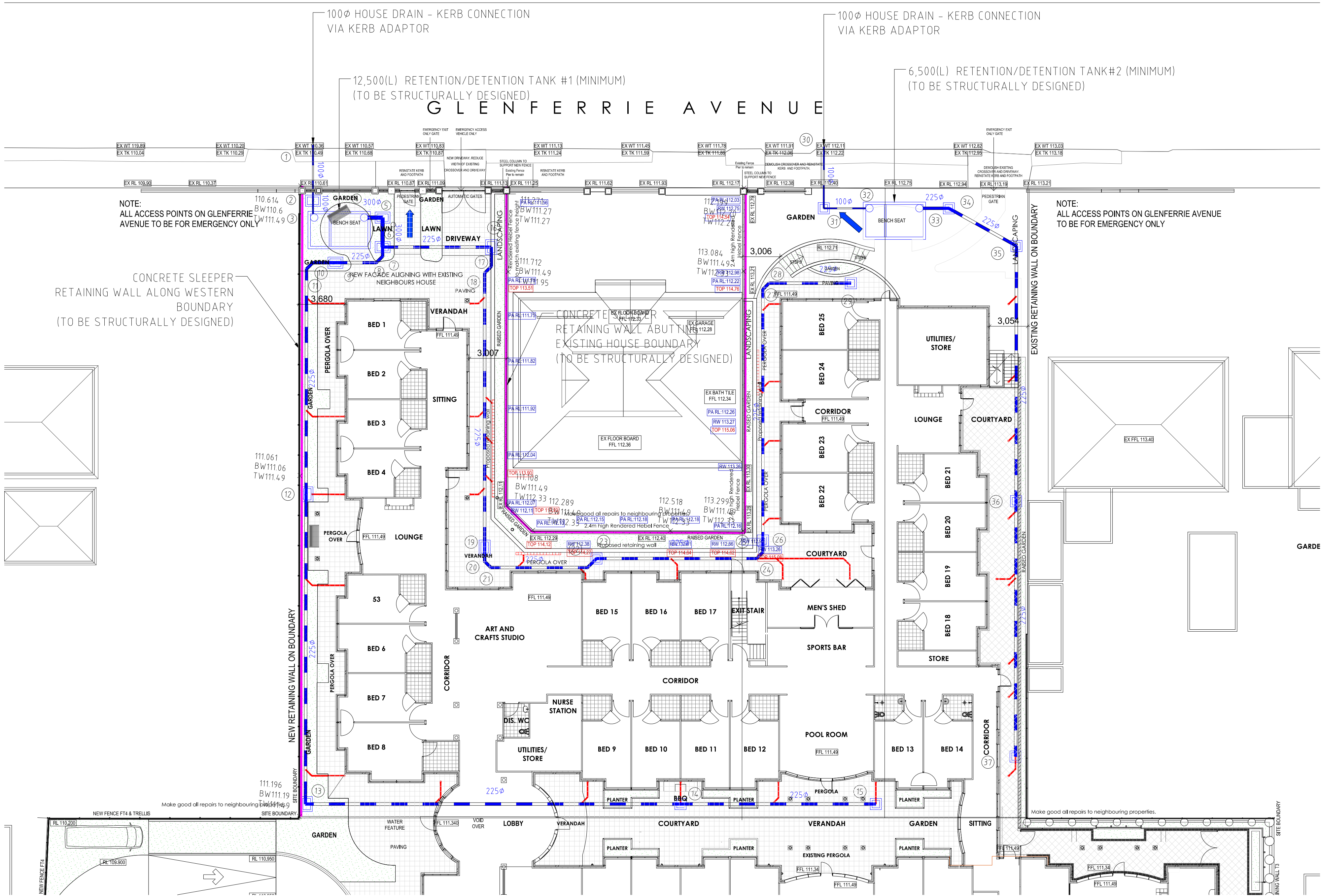
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001-1003-001	P1



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- EXISTING SURFACE LEVEL
TOP OF RETAINING WALL
BOTTOM OF RETAINING WALL
PROPOSED STORMWATER DRAIN
PROPOSED STORMWATER PIT
PIT/BEND NUMBER
DOWNPIPE (PLAN LOCATION)
GRATED TRENCH

- RETENTION/DETENTION TANK
CONCRETE SLEEPER RETAINING WALL
OVERLAND FLOW PATH



B	19/05/2023	ISSUED FOR APPROVAL
A	09/12/2021	ISSUED FOR APPROVAL
P1	06/08/2021	PRELIMINARY ISSUE
	DATE	COMMENTS

CLIENT
PREMIER HEALTH CARE
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Norwood SA 5067

PROJECT
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 Glenferrie Ave, Myrtle Bank, 5064



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Level 2, 135 Fullarton Road
Rose Park SA 5067
T 1300 326 766

TITLE
STORMWATER MANAGEMENT
CIVIL WORKS
LAYOUT PLAN

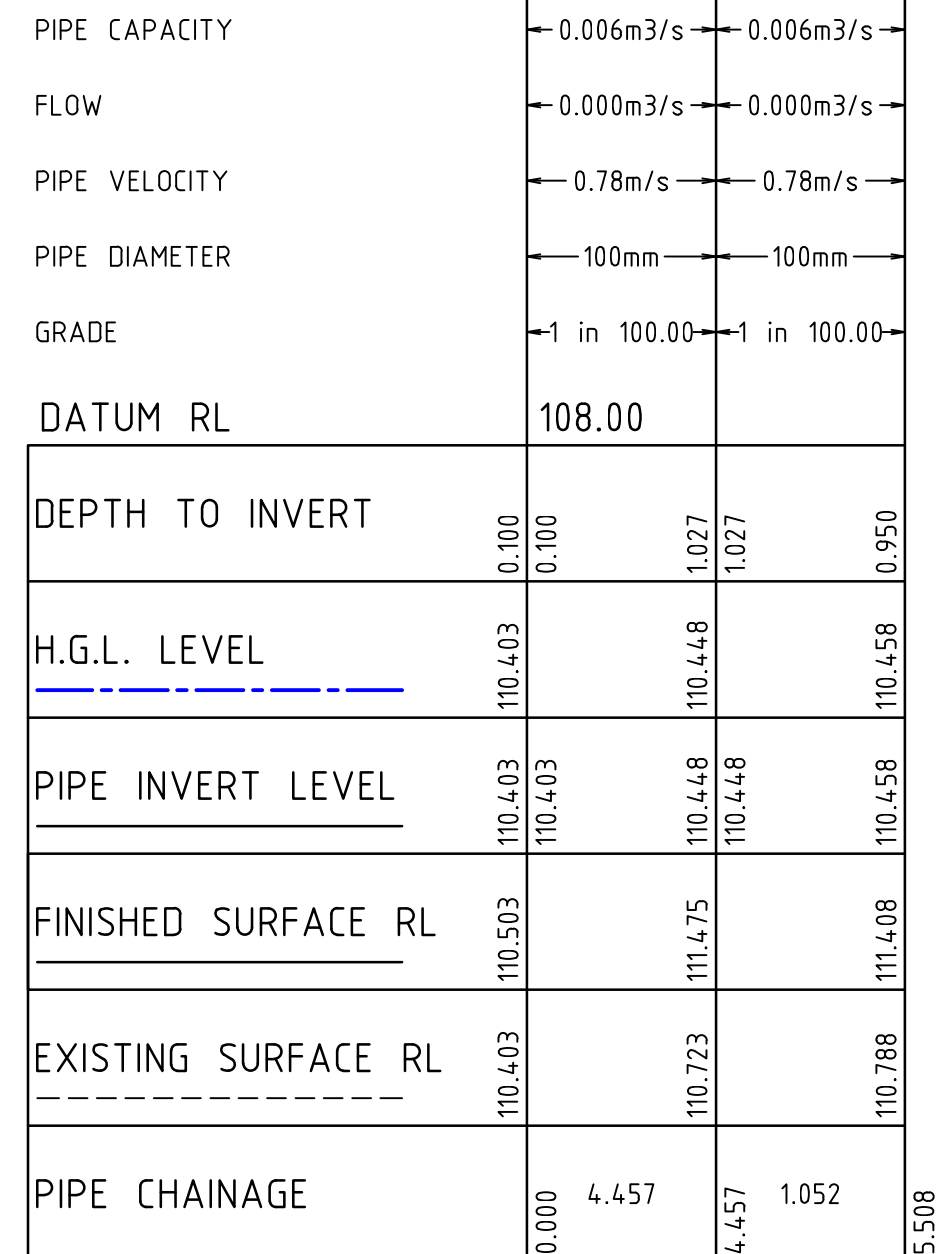
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PROJECT ENGINEER P. TRAINOR	PROJECT MANAGER P. TRAINOR	DATE FIRST ISSUE 06/08/2021

ISSUED FOR APPROVAL

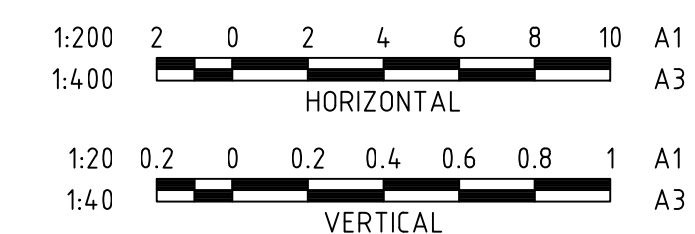
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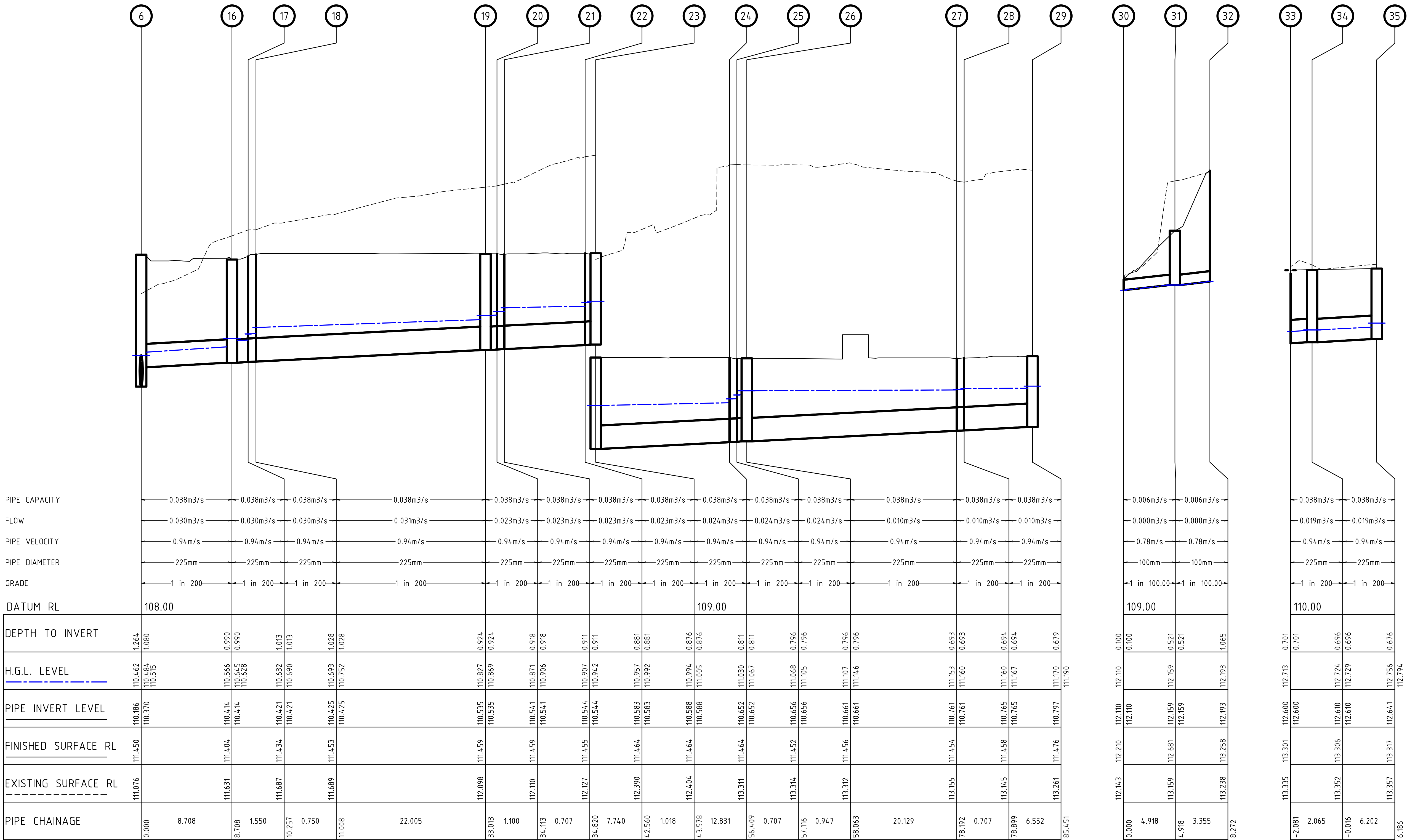
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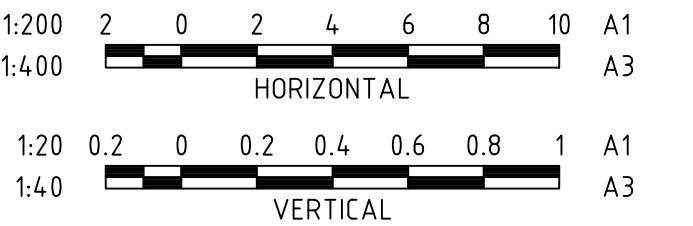
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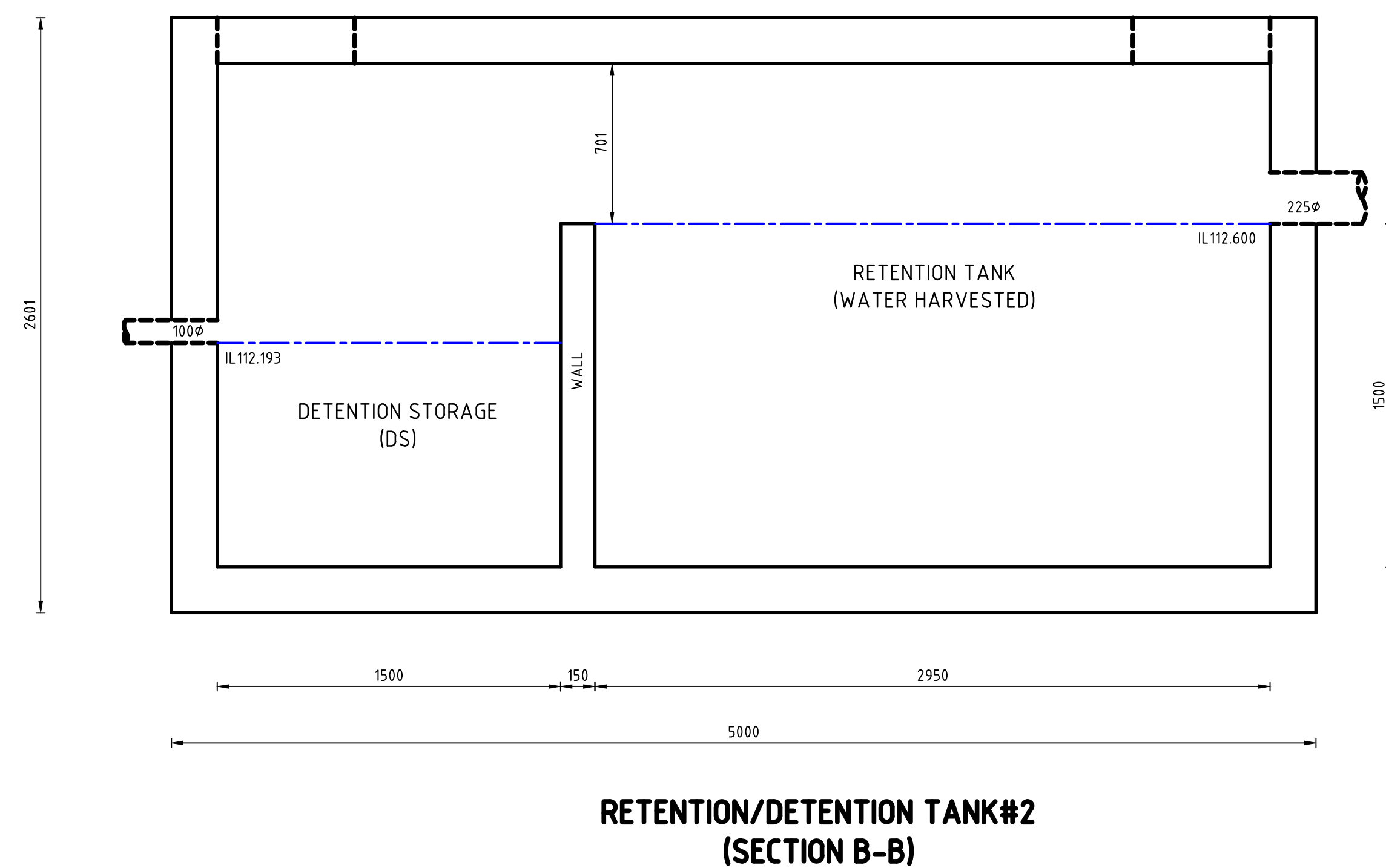
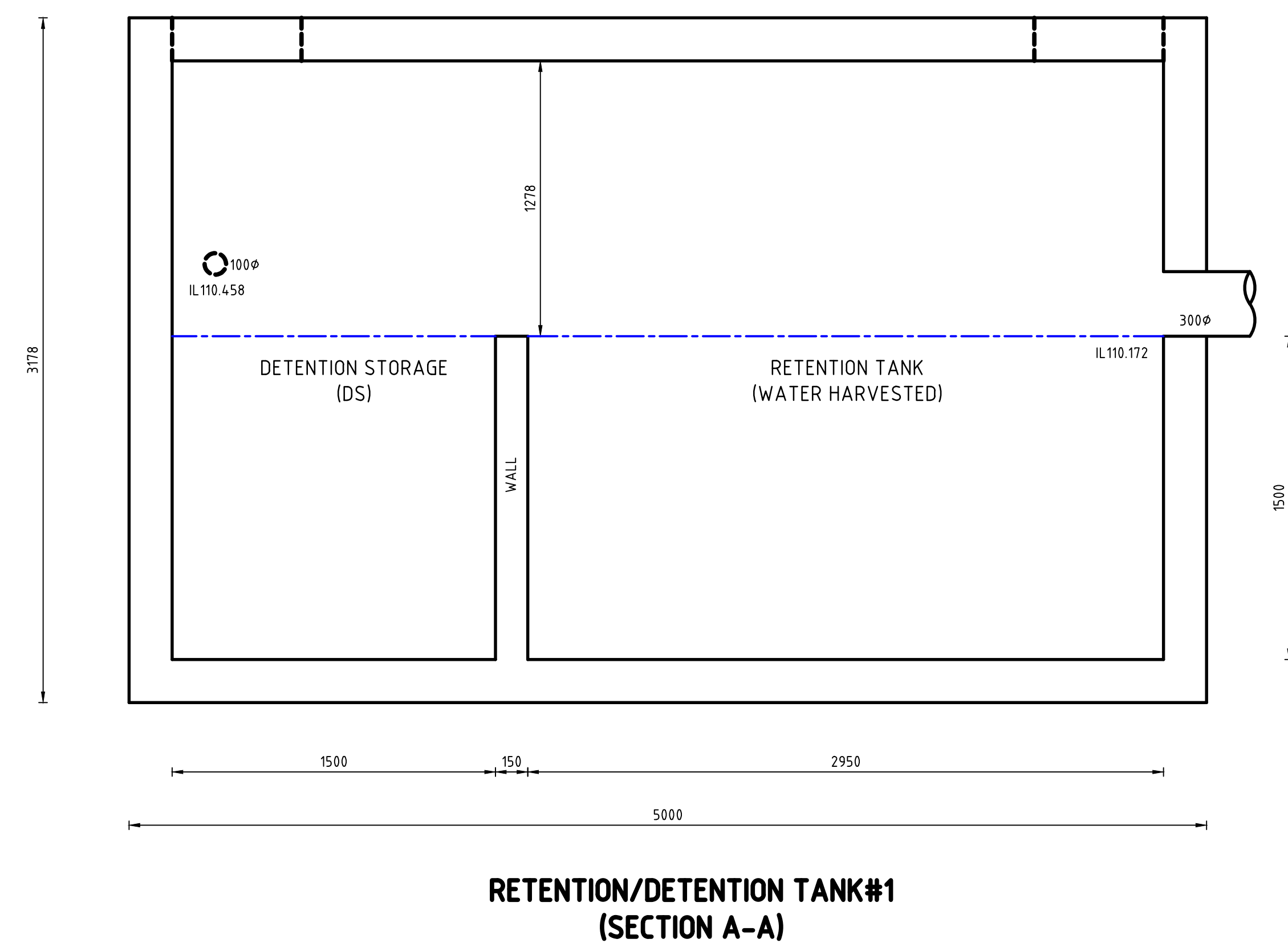
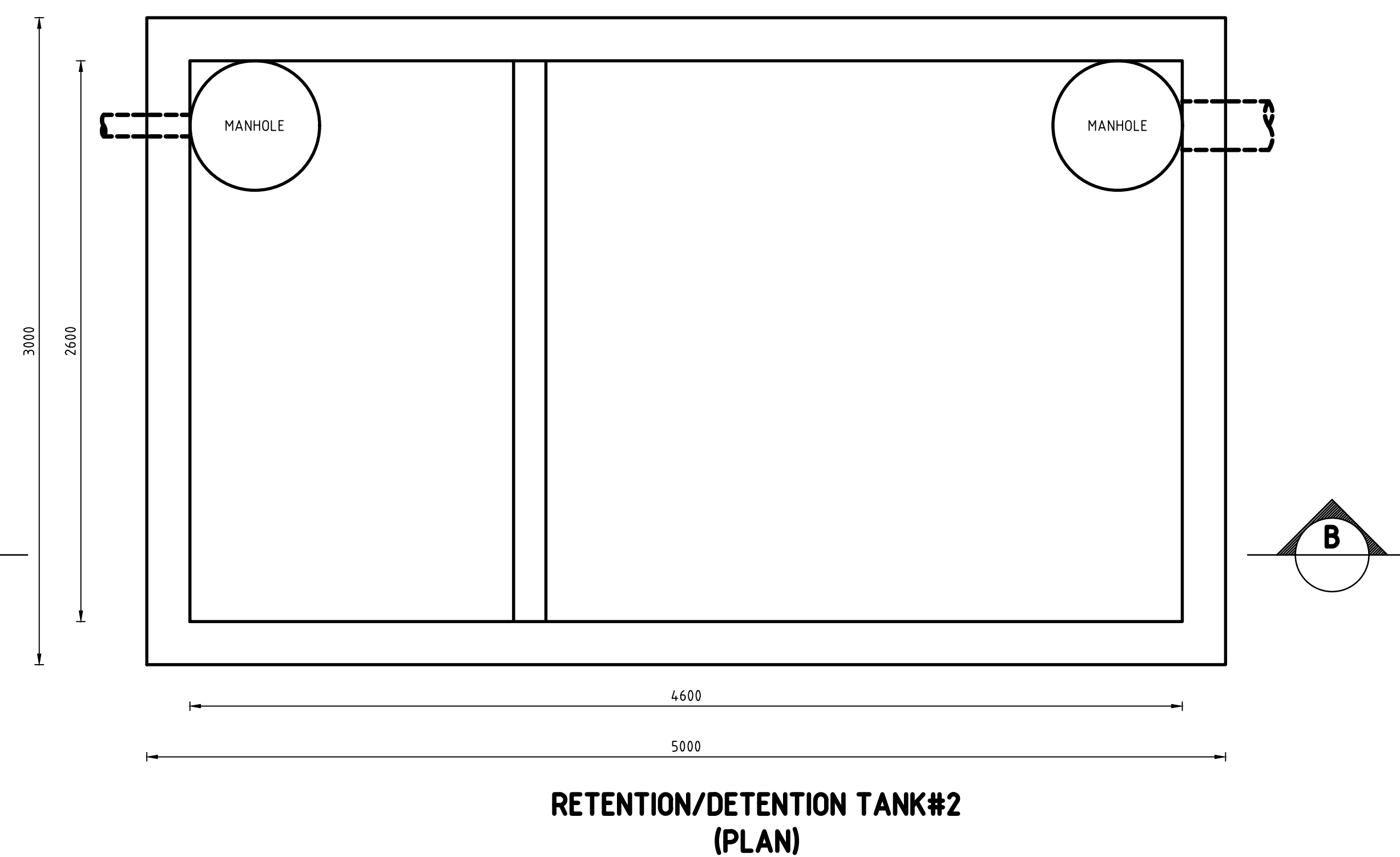
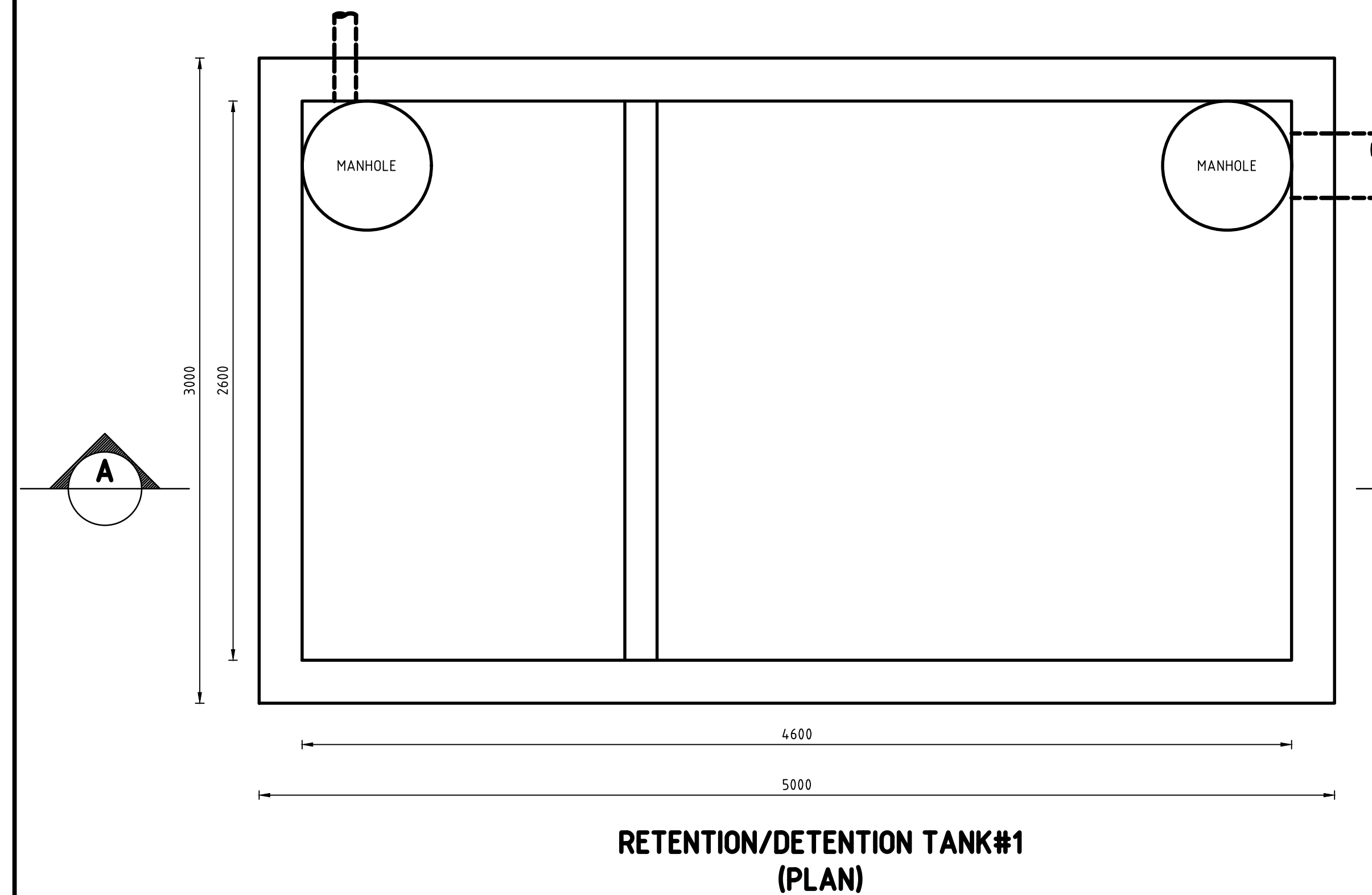
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DRAINAGE LONGITUDINAL SECTION - 2



06/08/2021 PRELIMINARY ISSUE		
DATE	COMMENTS	
CLIENT		
PREMIER HEALTH CARE 78 Fullarton Road Norwood SA 5067		
PROJECT		
CARLYLE ON CROSS ALTERATIONS AND ADDITIONS 5, 7a & 9 Glenferrie Ave, Myrtle Bank, 5064		
 ANSON Engineering Project Management Building Level 2, 135 Fullarton Road Rose Park SA 5067 T 1300 326 766 www.anson.co		
TITLE		
STORMWATER MANAGEMENT CIVIL WORKS DRAINAGE LONGITUDINAL SECTION - 2		
SCALE @ A1 AS SHOWN	DRAWN S. BARAL	DESIGNED S. BARAL
PROJECT ENGINEER P. TRAINOR	PROJECT MANAGER P. TRAINOR	DATE FIRST ISSUE 06/08/2021
PRELIMINARY		
SIGNED		SHEET 4 OF 6
DRAWING NUMBER 001-1003-004		REVISION P1



UNDERGROUND RETENTION/DETENTION NOTES:

ORDER/RECORD RETENTION/RETENTION NOTES:
1. TO BE STRUCTURALLY DESIGNED, CONSTRUCTED AND INSTALLED IN ACCORDANCE WITH AS3735-2001, "CONCRETE STRUCTURES RETAINING LIQUIDS".

LEGEND

[illegible]

	06/08/2021	PRELIMINARY ISSUE
	DATE	COMMENTS

PREMIER HEALTH CARE
78 Fullarton Road
Norwood SA 5067

PROJECT

CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 Glenferrie Ave, Myrtle Bank, 5064



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STORMWATER MANAGEMENT
CIVIL WORKS
RETENTION/DETENTION TANK (TYPICAL)

SCALE @ A1 AS SHOWN	DRAWN S. BARAL	DESIGNED S. BARAL
PROJECT ENGINEER P. TRAINOR	PROJECT MANAGER P. TRAINOR	DATE FIRST ISSUE 06/08/2021

PRELIMINARY

SIGNED	SHEET 6 OF 6
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DRAWING NUMBER	001-1003-006	REVISION	P1
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ATTACHMENT 3

21-002 5 Glenferrie Avenue Myrtle Bank SA 5064

Development application – 21011428

External Finishes Schedule

Face Brick - PGH "Santorini" Brick and Blocks, Mediterranean collection



Roof Sheet - Corrugated Custom Orb, "Surfmist" colorbond Colour



Gutters/Downpipes - "Ironstone" Colorbond Colour

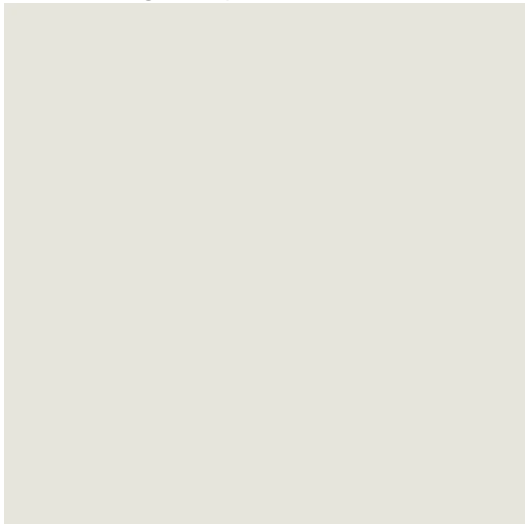


Apartment Side – Glenferrie Avenue

Face Brick to Apartment Side - PGH Dry Pressed Architectural "Silver Shadow"



FC Sheeting to bay windows - Texture coated finish - Dulux "Natural White"



Rendered Feature Window Surrounds - Dulux "Winter Fog"

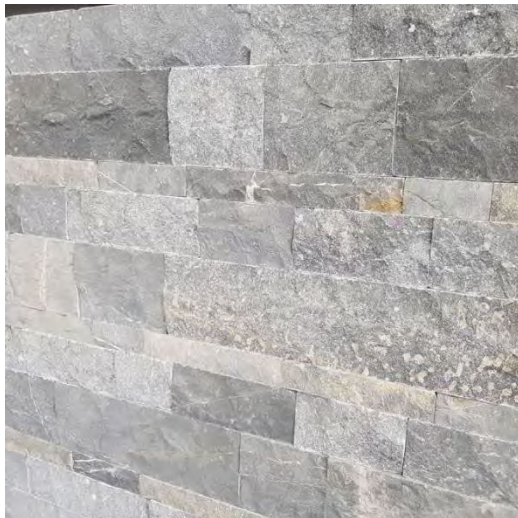




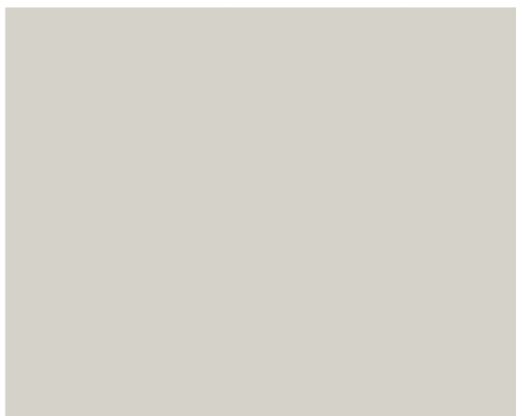
Zinc Panels - "Ironstone" Colorbond Colour



Feature Stone Plinth Wall - Stonecraft "Grey Marble Split Face"



Timber balustrades and Pergolas - Dulux "Feather Soft"



Feather Soft

SN3A1

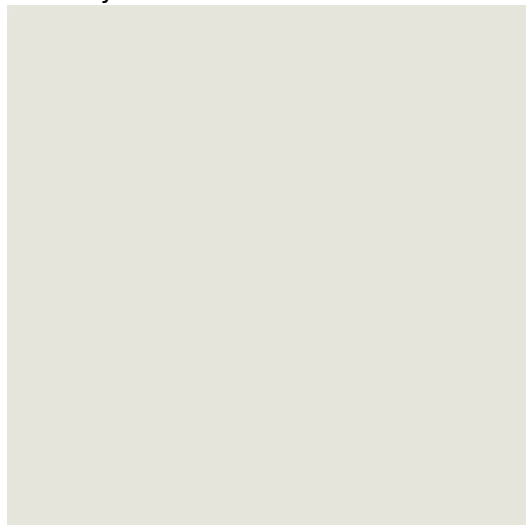


Fences:

Powdercoat Steel Fence Slats, Spears and Panels - "Ironstone" Colorbond Colour

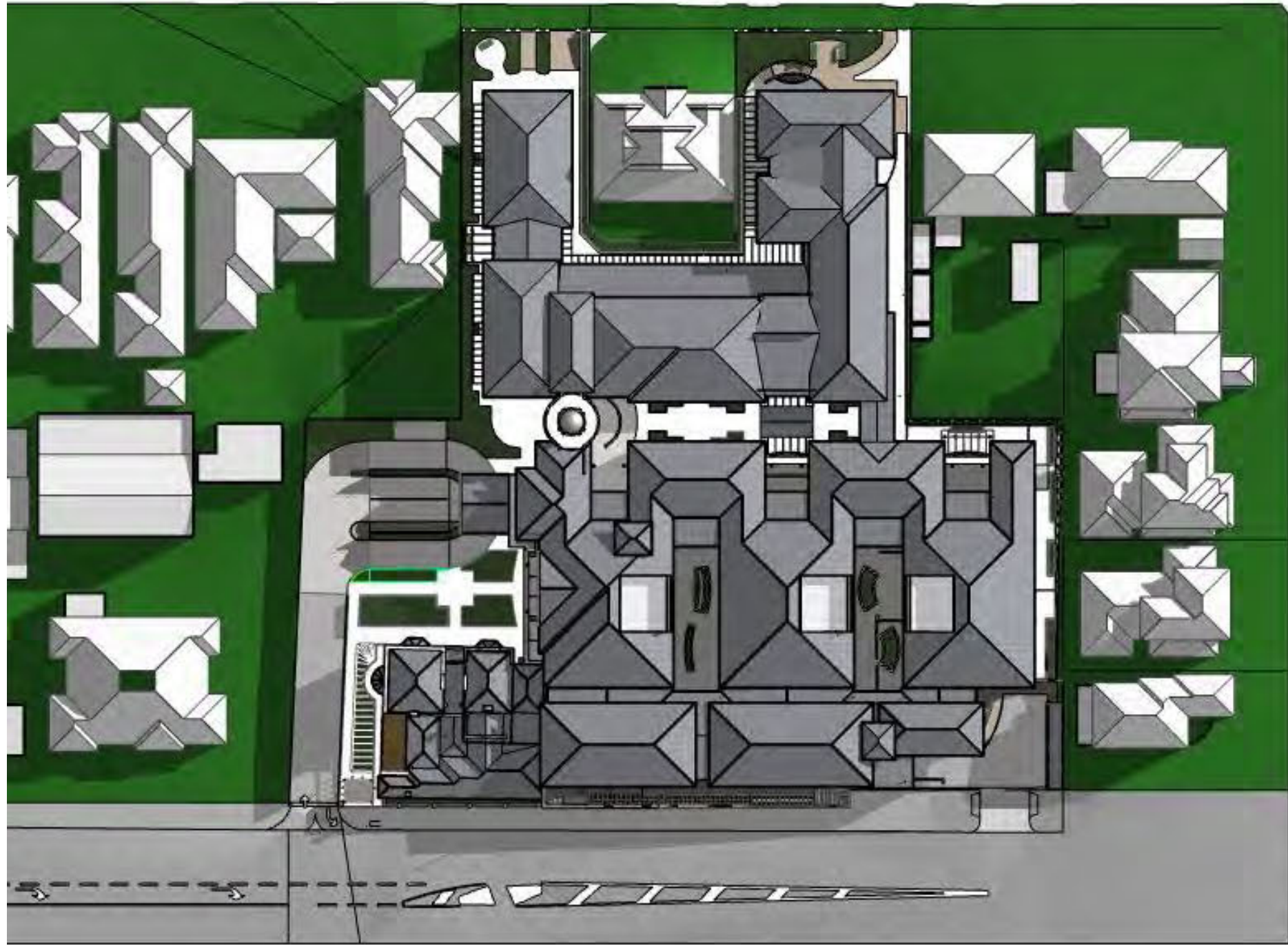


Masonry Fence & Piers - Render Finish - Dulux "Natural White"

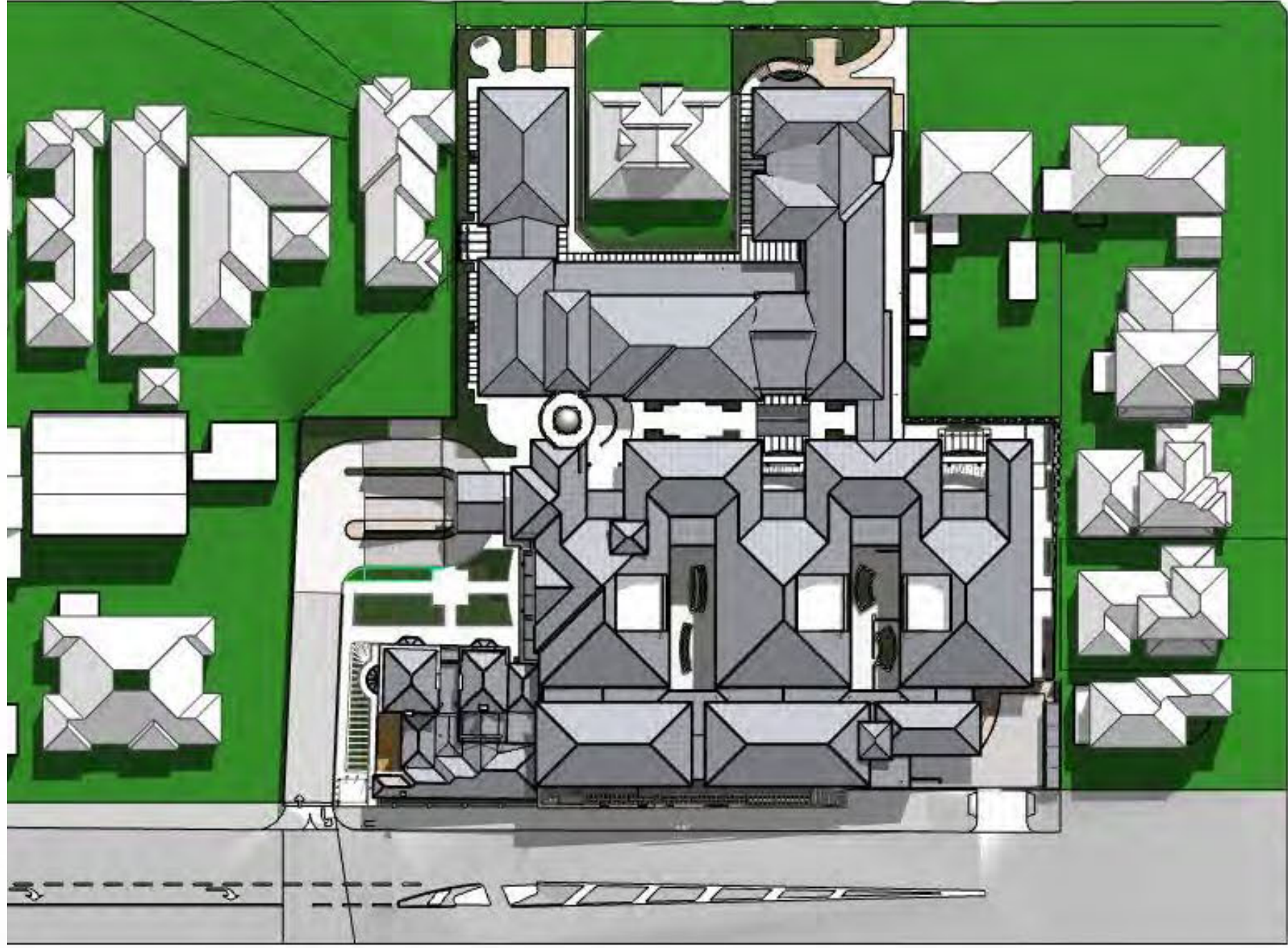


ATTACHMENT 4

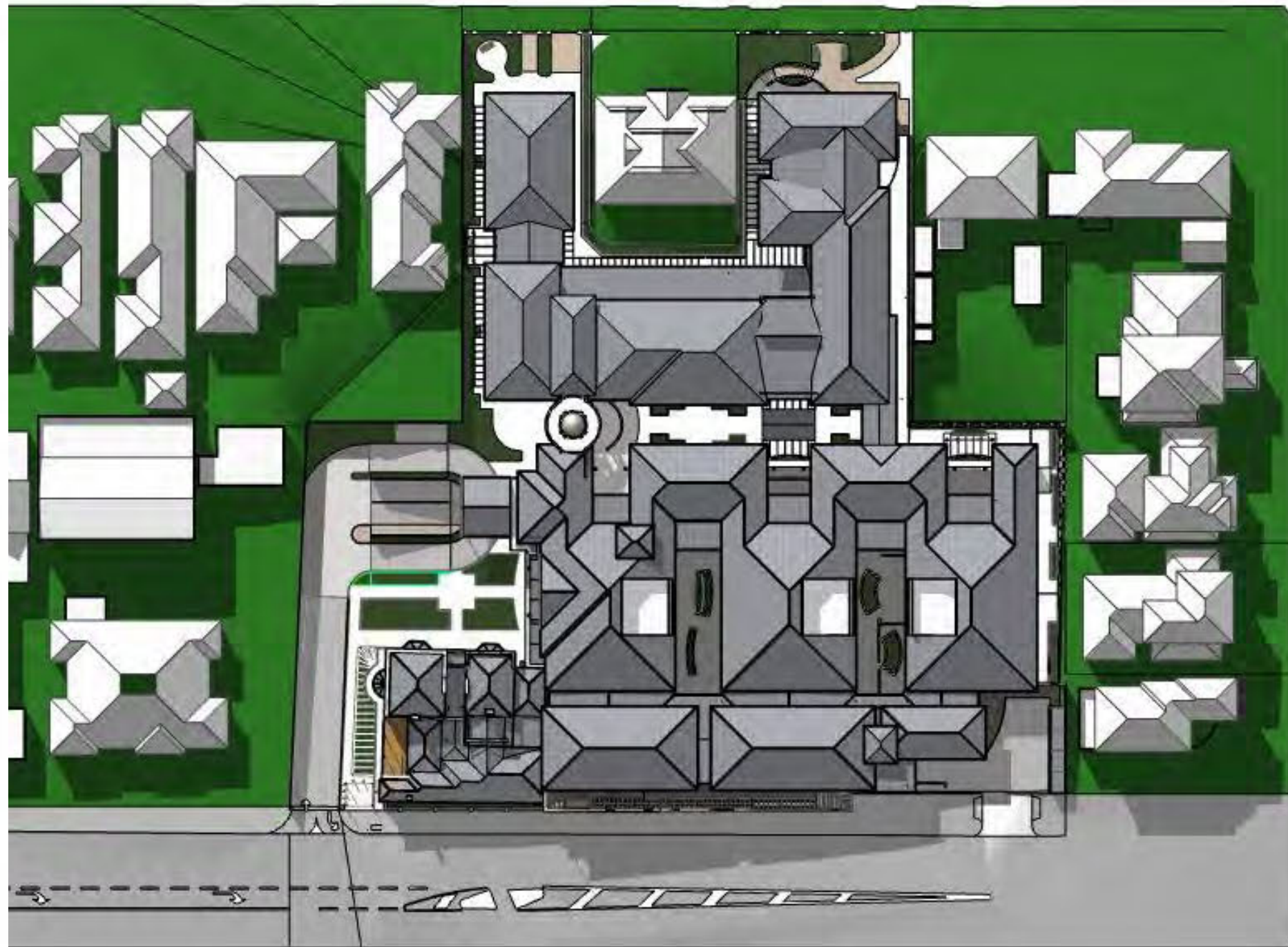
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JUNE 21ST - 09:00 AM

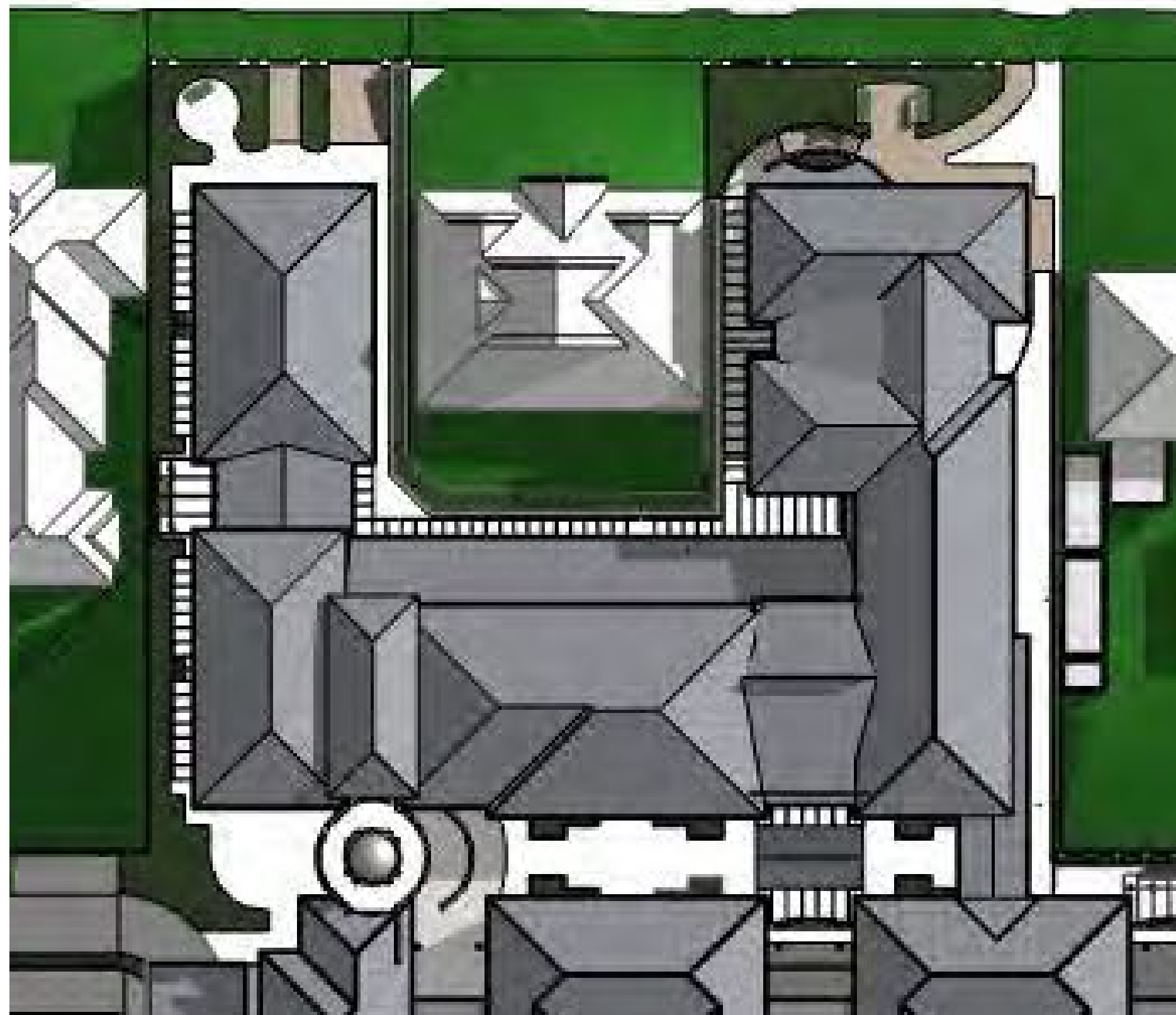


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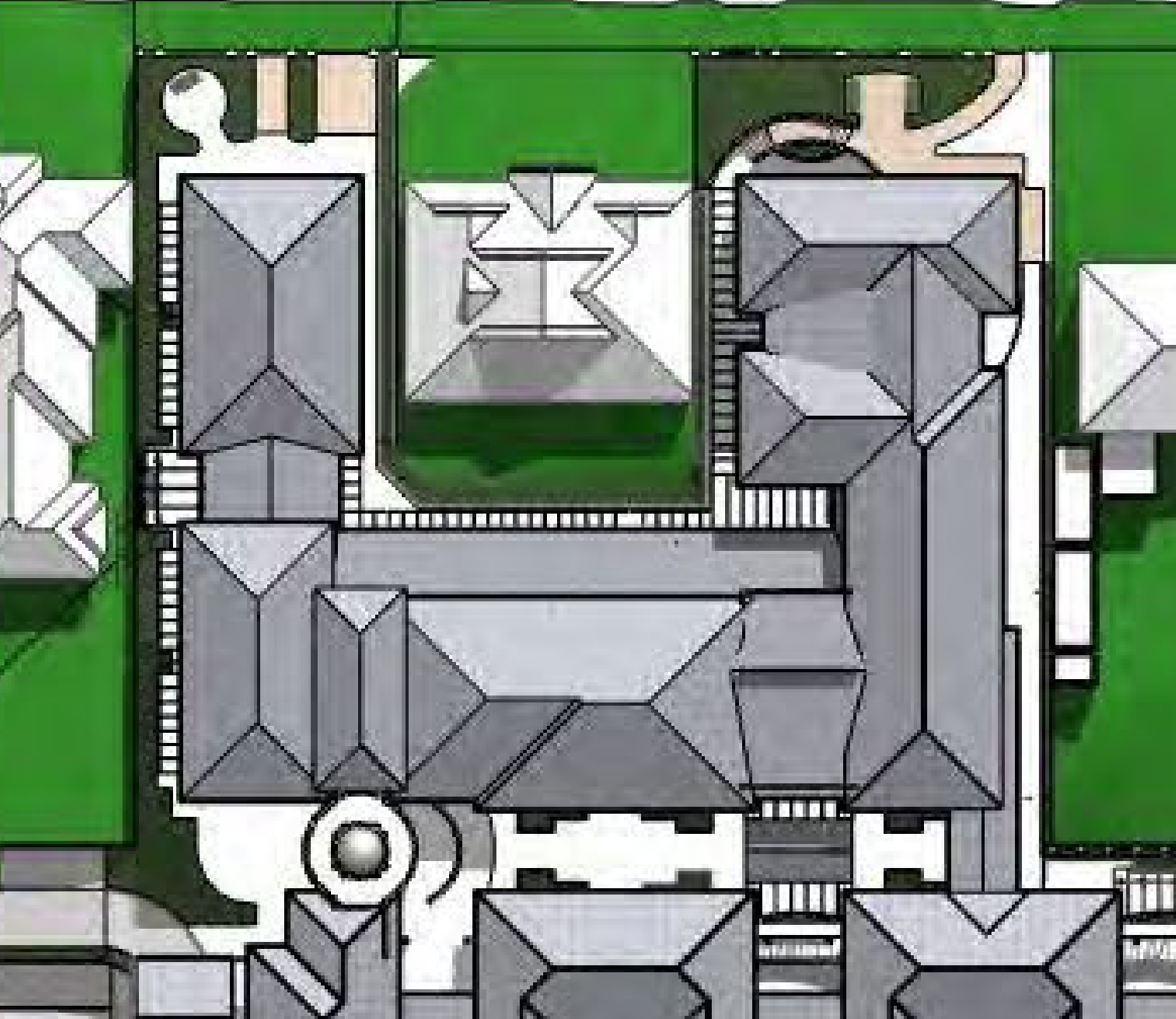


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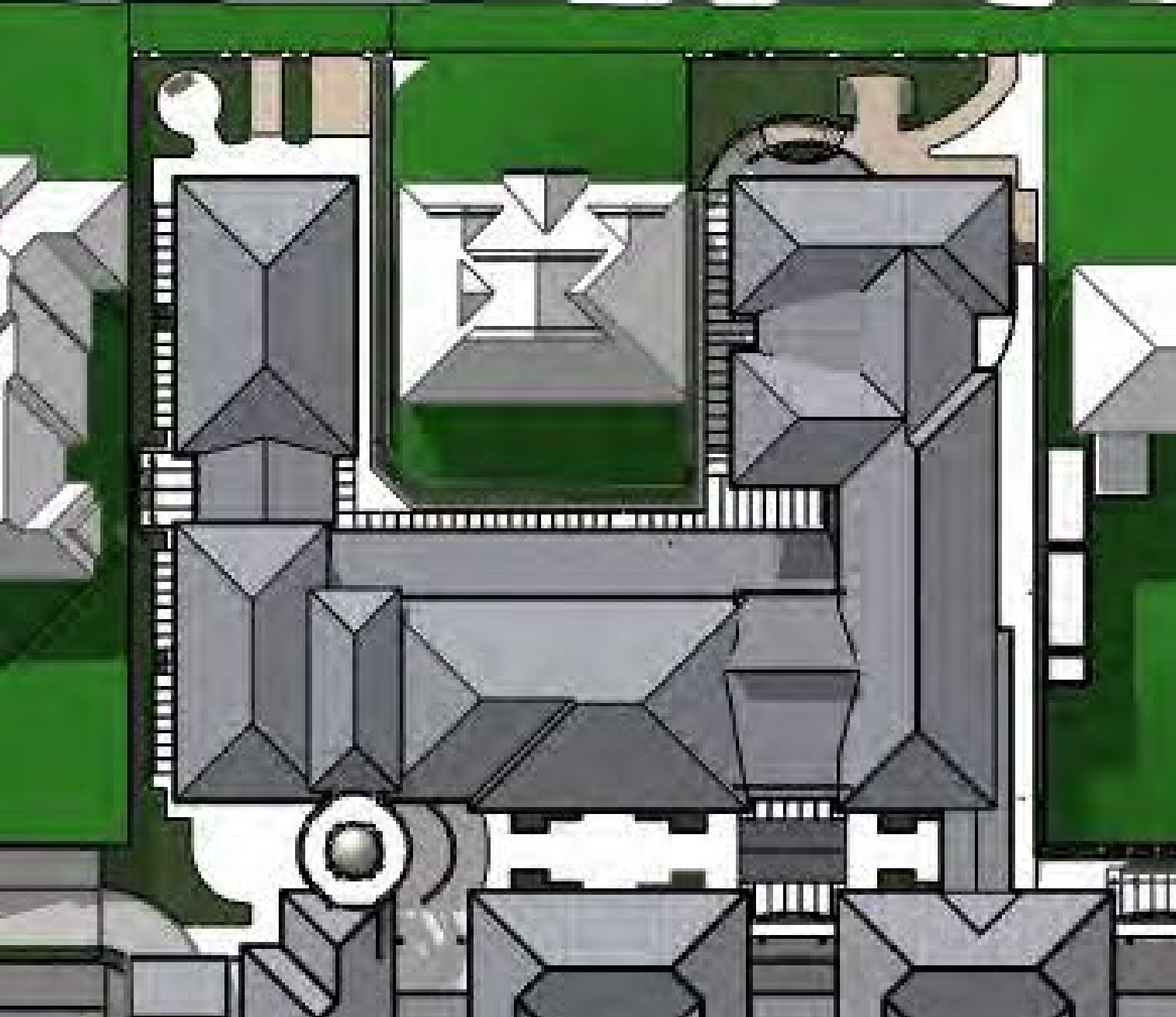
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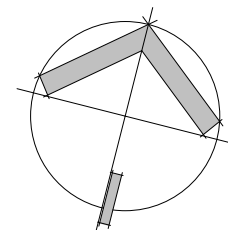
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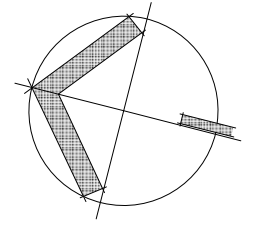
JUNE 21ST - 12:00 PM



JUNE 21ST - 03:00 PM



ATTACHMENT 5



ATTACHMENT 6

PLANNING REPORT

Carlyle on Cross Expansion

**At 9, 7A & 5 Glenferrie Avenue, Myrtle Bank
For Premier Healthcare C/- Kirkbride Architects**



Prepared by
MasterPlan SA Pty Ltd
ABN 30 007 755 277, ISO 9001:2015 Certified

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Telephone: 8193 5600, masterplan.com.au

August 2021

1.0 INTRODUCTION

MasterPlan (SA) Pty Ltd (MasterPlan) has been engaged by the proponent, Premier Healthcare, to provide planning advice and assistance to the applicant, Kirkbride Architects in respect to the Development Application described herein. The application is for the expansion of the existing aged care facility, known as Carlyle on Cross located at postal address 32 Cross Road, Myrtle Bank.

This report has been prepared in collaboration with the project team and contains a brief discussion on the background of the operation and the proposal, a description of the subject land and locality, a detailed description of the proposed development, a discussion of the applicable procedural matters relevant to the assessment, and an assessment of the proposal against the relevant provisions of the Planning and Design Code.

In preparing this report we have had regard to the Planning and Design Code Version 2021.10, dated [29 July 2021] (the P&D Code), the *Planning, Development and Infrastructure Act 2016* (PDI Act 2016), and the Planning, Development and Infrastructure Regulations 2017 (PDI Regulations 2017). The content of this report has been informed by and should be read in conjunction with the following documentation:

- Architectural plan set, prepared by Kirkbride Architects;
- Stormwater management plan, prepared by Anson; and
- Traffic and Parking Assessment, prepared by Phil Weaver & Associates.

We understand that a Landscape Concept Plan is currently under preparation and will be lodged imminently with the Council.

2.0 BACKGROUND

2.1 Carlyle on Cross

Carlyle on Cross is an existing nursing home, presently utilising two (2) allotments fronting Cross Road, at 30 – 32 Cross Road, Myrtle Bank. Historically the land was first developed as large manor house on a substantial land holding. The original dwelling remains on the land and is a listed State Heritage Item. At some point in the intervening years much of the land was subdivided and sold and the residential use of the land ceased. Circa 1950 a nursing home use was initiated on the land and operated as the Ridge Park Nursing Home.

In 2019, following a substantial refurbishment and expansion of the built improvements of the land, the Carlyle on Cross Nursing Home established operations on the site under the auspices of Premier Healthcare.

2.2 Expansion of the Operation

Following the purchase of a number of allotments along the rear boundary of the existing site in recent years, Premier Healthcare have sought to undertake a logical expansion of the facility northwards towards Glenferrie Avenue.

In November 2019 an application for the construction of two-storey nursing home additions at 7A, 9 and 9A Glenferrie Avenue (DA 090/584/2018/C3). The application was approved by the City of Unley Council Assessment Panel.

The approved development was subject to a third-party appeal to the Environment Resources and Development Court. This matter did not progress to a hearing. The approved development did not progress to construction and the approval has subsequently lapsed. Land at 5A and 5 Glenferrie Avenue has recently been purchased by the operator. The development application herein seeks to utilise this additional land in the expansion of the facility.

3.0 SUBJECT LAND AND LOCALITY

3.1 The Subject Land

The land subject to this development application comprises of six (6) contiguous allotments with frontage to Cross Road and Glenferrie Avenue in the suburb of Myrtle Bank. These six (6) allotments are formally described as follows:

- Allotment 431 in Deposited Plan 110253 (CT 6158/577), commonly known as 9 Glenferrie Avenue, Myrtle Bank;
- Allotment 11 in Deposited Plan 92110 (CT 6121/121), commonly known as 7A Glenferrie Avenue, Myrtle Bank;
- Allotment 1 in Deposited Plan 29176 (CT 5408/253), commonly known as 5A Glenferrie Avenue, Myrtle Bank;
- Allotment 2 in Deposited Plan 29176 (CT 5062/751), commonly known as 5 Glenferrie Avenue, Myrtle Bank;
- Allotment 23 in Filed Plan 13472 (CT 6252/682), commonly known as 32 Cross Road, Myrtle Bank; and
- Allotment 40 in Filed Plan 15594 (CT 5091/446), commonly known as 30 Cross Road, Myrtle Bank.

The established Carlyle on Cross nursing home facility is located in the southern allotments fronting Cross Road. The allotments subject to the proposed extension are those to the north fronting Glenferrie Avenue. The subject land is depicted in Figure 1 with the allotments accommodating the extension shaded in blue.



Figure 1: The subject land and existing Carlyle on Cross site

Together the subject site comprises an overall area of 7,520 square metres, with a combined frontage to Glenferrie Avenue of 40 metres and a frontage to Cross Road of 101 metres.

The Carlyle on Cross nursing home operation consists of a series of integrated two storey buildings on 30 and 32 Cross Roads. Access to the facility is obtained via a two-way crossover in the south-western corner of the site to Cross Road. A driveway along the western boundary connects to a basement level car park which provides parking and servicing for the nursing home.

As discussed, the land fronting Cross Road contains a State Heritage Place (former dwelling), which has been refurbished and utilised as part of the nursing home operation. The development proposed herein is considered to be distinct and separate from this heritage item and not deemed to affect its setting.

The land fronting Glenferrie Avenue contains three (3) single storey detached dwellings in each of the respective eastern allotments (7A, 5A, and 5 Glenferrie Avenue) and vacant land in the western allotment (9 Glenferrie Avenue). The existing dwellings are proposed to be demolished.

7A Glenferrie is a battle axe allotment, separated from 7 Glenferrie by way of a land division in 2012. The land and dwelling at 7 Glenferrie Avenue does not comprise a part of the development proposal herein.

3.2 The Locality

The locality comprises an established residential area. Existing development includes predominantly detached and semi-detached dwellings at relatively low densities. Glenferrie Avenue has a prevailing character of single storey and two-storey residential development comprising, in the main, of older detached dwelling housing stock with newer infill development dispersed throughout the locality.

The area is considered to be undergoing a moderate uplift in its form and character with more recent residential developments exhibiting building forms with an increased vertical scale and massing, but designed in a manner sensitive to the established pattern of development.

The pattern of division in the area comprises of predominately uniform rectangular allotments interspersed and fragmented by smaller allotments resulting from infill development. The size and configuration of allotments varies, with older houses generally sited on large rectangular allotments, and newer development utilising battle-axe and narrow fronted allotments. The front boundary setbacks of buildings vary significantly throughout the locality.

Most dwellings fronting Glenferrie Avenue maintain landscaped front gardens and visually permeable front boundary fencing of varying styles and heights typically comprising of masonry pillars, and metallic post and rail. Some examples of front boundary hedging and brush fences are evident.

There is a mix of dwelling types and styles along Cross Road. Most properties exhibit high masonry front boundary fencing, presumably to protect occupants from traffic noise and impacts on Cross Road. The University of Adelaide Waite Campus is located diagonally opposite the subject land on Cross Road. Other key uses in the locality comprise of the Southern Cross Care Carmelite site to the east and the RSL Care Myrtle Bank site to the north.

Glenferrie Avenue is a two-way local roadway with a kerb-to-kerb width of approximately 8.7 metres. There are no parking restrictions on Glenferrie Avenue in the vicinity of the subject site. There are three (3) existing crossovers servicing the subject land from Glenferrie Avenue.

Cross Road is a primary arterial road under the care and control of the Department of Infrastructure and Transport. Roadway comprises of two (2) lanes in each direction and a kerb-to-kerb width of approximately 16.0 metres. There are two (2) existing crossovers servicing the subject land from Cross Road.

4.0 THE PROPOSED DEVELOPMENT

The proposed development seeks Planning Consent for an expansion to an existing nursing home, providing an additional 28 single rooms, five (5) apartments, and a number of ancillary communal spaces. The development builds upon the existing nursing home facility on the subject land.

A detail description of the proposed development is outlined in the following sections and more fully illustrated in the compendium of architectural drawings accompanying the application, prepared by Kirkbride Architects, as identified in the Drawing Schedule in **Table 1**.

Table 1: Drawing Schedule

NO.	SHEET TITLE	REVISION	STATUS	DATE
SK00	Cover Sheet	-	Planning Consent	19/8/21
SK01	Existing Basement Plan	A	Planning Consent	19/8/21
SK02	Existing Ground Floor Site & Demolition Plan	A	Planning Consent	19/8/21
SK03	Existing First Floor Site & Demolition Plan	A	Planning Consent	19/8/21
SK04	Proposed Site Plan – Ground Floor	Aa	Planning Consent	19/8/21
SK05	Proposed Site Plan – First Floor	Aa	Planning Consent	19/8/21
SK06	Proposed Ground Floor Plan	Aa	Planning Consent	19/8/21
SK07	Proposed First Floor Plan	Aa	Planning Consent	19/8/21
SK08	Proposed Roof Plan	Aa	Planning Consent	19/8/21
SK09	Elevations 1	Aa	Planning Consent	19/8/21
SK10	Elevations 2	Aa	Planning Consent	19/8/21
SK11	Retaining Wall Details	Aa	Planning Consent	19/8/21
SK12	Perspectives	Aa	Planning Consent	19/8/21
SK13	Shadow Diagram	Aa	Planning Consent	19/8/21
SK100	Survey	Aa	Planning Consent	19/8/21

4.1 Land Use

The proposed development will comprise of an expansion to an existing nursing home operation in the form of a two-storey building extension, which internally will accommodate a number of key features including:

- A mixture of single accommodation rooms and apartment style options;
- Communal recreation and leisure areas;
- Service areas and communal circulation areas; and
- Private and communal outdoor space (balconies and ground level external space).

4.2 Internal Building Configuration

Internally, the proposed two-storey building extension will comprise of the following components:

- 40 single bedroom accommodation rooms with ensuite bathrooms;
- Five (5) single bedroom apartments equipped with kitchen, lounge and ensuite bathrooms;
- Communal areas, including:
 - Five (5) shared balconies.
 - Dining area with servery.
 - Four (4) sitting areas.
 - Four (4) lounges.
 - An arts and craft studio.
 - Recreation and leisure room comprising of 'sports bar', pool room, and men's shed.
- Communal circulation areas; and
- A storage and services room.

The administration components of the use will continue to be located within the existing components of the nursing home. Parking for the facility will continue to be provided within the basement parking area. Extensive landscaping will be delivered available open areas along site boundaries and the Glenferrie Avenue frontage.

4.3 Operational Changes

The number of staff servicing the development will increase from the existing level of 16, by seven (7) additional staff members to total of 23.

The total resident capacity for the existing Carlyle on Cross facility is 76 beds. The development will increase the total resident capacity for the operation by an additional 45 – 50 (Noting the apartments have been designed to accommodate the option for couples to occupy these units), resulting in a net capacity for the facility of 121 beds.

There will be no change to the delivery and servicing arrangements in the post development scenario. All servicing and deliveries will continue to occur via the Cross Road access point. Delivery vehicles will park within the available drop off and loading area.

4.3 Site Preparation Works

In order to prepare the subject land for the proposed development, the existing buildings and associated structures presently located on the allotments fronting Glenferrie Avenue to the north are to be demolished. The demolition is to include all structures, paving and foundations evident on the site. Existing landscaping is also to be removed. As per advice from Kirkbride Architects, no existing trees to be removed are regulated or significant trees.

4.4 Built Form

The proposed expansion of the nursing home will adopt a consistent architectural theme as the existing nursing home. The proposed building is of two (2) storeys with an intersecting hipped and gable roof form. The building will be articulated with variations in materiality, colours, and varied setbacks and projecting design elements. Fenestration of various shapes and forms on each façade will also serve to articulate the design.

The development presents to Glenferrie Avenue as two (2) two-storey dwellings with landscaped front yards set behind pillar and rail fencing with pedestrian entry gates and one (1) driveway access on the western side of the site.

The colour and materiality will also mirror that of the existing buildings, with face brick walls with a primarily “Santorini” (cream) colouring. Fibre cement sheeting with a texture coated finish of a white colour will be provided to the bay windows and to the gable ends. Corrugated Colorbond sheeting of a “Surfmist” (white) colour will be utilised for the roof.

There will be two (2) internal connection points between the proposed expansion and the existing development, one located on the eastern side of the site and the other on the western. An internal courtyard will be created between these connection points. The western connection will comprise of a unique design feature, exhibiting a white fibre cement materiality with stained glass windows and a copper spire reaching a height of approximately 18.0 metres.

4.5 Parking and Access

The existing 76-bed aged care facility located at 30-32 Cross Road borders the subject land to the south. An undercroft car parking area accommodating 40 car parking spaces, including two accessible spaces, is provided as part of this facility. A ground-level bus parking area is also provided in the locality of the drop-off area.

A dedicated loading area is provided in the south-eastern corner of this site, accessed via Cross Road. This will continue to be utilised in the post development scenario for the dropping off and collection of residents of the facility.

The only proposed alteration to the parking and access arrangements for site is in the form of the retention of an existing crossover on the western side of the Glenferrie Avenue frontage. All other crossovers on Glenferrie Avenue servicing the proposed development will be closed and the kerb and footpath reinstated. The western crossover will provide access to one (1) additional parking space on the site, bringing the total parking supply to 41. This parking space is expected to be used for the parking of vehicles primarily associated with the maintenance of landscaped areas along the Glenferrie Road frontage and for other ancillary functions as needed.

4.6 Stormwater Management

The proposed stormwater management system for the development has been designed by Anson. The proposed system will divert stormwater captured on the roof space to various stormwater pits around the site. Stormwater will be diverted via underground stormwater drains to either of two (2) proposed retention/detention tanks, located on either the eastern or western side of the Glenferrie Avenue frontage.

A total retention/detention tank capacity of 19,000 litres is proposed, comprising of a 12,500-litre tank (eastern) and a 6,500-litre tank (western) tank. These tanks will suitably control the rate of stormwater discharge from the site to the Council infrastructure on Glenferrie Avenue.

5.0 PROCEDURAL MATTERS

5.1 Policy Context

Under the relevant version of the Planning and Design Code (the P&D Code) the site is located wholly within the Suburban Neighbourhood Zone. No Sub Zone applies to the land. The land is adjacent the Community Facilities Zone to the south-west.

A series of Overlays apply to the subject land. These Overlays provide additional policy guidance relevant to the site and comprise of the following:

- Airport Building Heights (Regulated) (All structures over 30 metres) Overlay;
- Affordable Housing Overlay;
- Heritage Adjacency Overlay;

- Prescribed Wells Area Overlay;
- Regulated and Significant Tree Overlay;
- Stormwater Management Overlay;
- Traffic Generating Development Overlay; and
- Urban Tree Canopy Overlay.

5.2 Land Use Definition

The proposed development is considered to comprise of supported accommodation, in accordance with the following definition from Part 7 of the P&D Code:

"Supported accommodation...Means premises in which residential accommodation is provided to persons requiring/together with regular medical and/or personal care assistance, but does not include home care."

5.3 Assessment Pathway

The proposed development should be processed as a Code Assessed – Performance Assessed class of development, as it does not fall within any defined assessment pathway.

5.5 Public Notification

In determining whether public notification applies to the proposed development we have had consideration for Table 5 – Procedural Matters (PM) – Notification within the Suburban Neighbourhood Zone provisions of the P&D Code (Table 5). Table 5 lists various classes of development that are excluded from public notification. **Table 2** below depicts those excluded classes of development relevant to the application herein.

Table 2: Classes of Development Exempt from Public Notification

CLASS OF DEVELOPMENT	EXCEPTIONS	RELEVANT EXCEPTION CRITERIA
A kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.	-

CLASS OF DEVELOPMENT	EXCEPTIONS	RELEVANT EXCEPTION CRITERIA
<p>Any development involving any of the following (or of any combination of any of the following):</p> <p>...</p> <p>(p) supported accommodation</p> <p>...</p>	<p>Except development that:</p> <ol style="list-style-type: none"> 1. exceeds the maximum building height specified in Suburban Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) and: <ol style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment). 	<p>DTS/DPF 4.1</p> <p>Building height (excluding garages, carports and outbuildings) is no greater than:</p> <ul style="list-style-type: none"> - Maximum building height is 9m - Maximum building height is 2 levels

The proposed development is not exempt from public notification due to the fact that the proposed two-storey building extension has a total building height in excess of the maximum building height specified in Suburban Neighbourhood Zone DTS/DPF 4.1 (9 metres).

5.6 Agency Referrals

We have reviewed the various Overlays applicable to the site to determine whether any referral or concurrence from relevant agency is applicable to the assessment.

It is noted that the existing operation, which also forms a part of the defined subject land, contains a State Heritage building and takes access from a major arterial road (Cross Road) under the care and control of DIT. As such, the subject land is located within two (2) Overlays which specify specific referral requirements as follows:

- State Heritage Place Overlay
- Major Urban Transport Routes Overlay

The corresponding referral requirements which apply under these Overlays are considered **below**.

5.6.1 State Heritage Place Overlay

The procedural matters table indicates that a referral to the Minister responsible for the administration of the *Heritage Places Act 1993* is required for various classes of development. The classes of development relevant to this proposal are outlined **below**:

- ...
- (a) *new buildings that:*
 - (i) *are visible from a public street, road or thoroughfare that abuts the State Heritage Place*
 - or*
 - (ii) *may materially affect the context of the State Heritage Place*
- ...

The heritage building on the subject land is separated from the portion of the site to which this development applies. The context of the heritage building has been development are part of the original development of the Carlyle on Cross facility. We do not consider that the development proposed herein materially affects the context of this heritage place noting the proposed building works are located on adjacent land parcels separated from the heritage fabric by the previous building works.

We note that the relevant authority took the same position in respect to a similar application on the subject land in 2019.

5.6.2 Major Urban Transport Routes

The procedural matters table indicates that a referral to the Commissioner of Highways is required for development on a State Maintained Road, which involves any of the following circumstances:

- (a) *creation of a new access of junction*
- (b) *alteration to an existing access or public road junction (except where deemed to be minor in the opinion of the relevant authority)*
- (c) *development that changes the nature of vehicular movements or increase the number or frequency of movements through an existing access (except where deemed to be minor in the opinion of the relevant authority).*

Item (a) and (b) are not considered relevant in this circumstance. Item (c) is considered relevant, however is not considered to apply in these circumstances. The existing access point from Cross Road servicing the land was originally designed to suitably accommodate the nature and frequency of vehicle movements anticipated under the post development scenario. The access point for the facility was considered by the Commissioner of Highways during the original approval for the and deemed acceptable. We would not anticipate that the additional movements through the access point generated by the expansion of the facility would position on the arrangement of the access will have changed.

We have also reviewed the referral requirements outlined in Schedule 9 of the PDI Regulations and Part 9 of the P&D Code. Based on the above we do not consider that any referrals or concurrence to any State agencies are applicable to the assessment of the subject application.

6.0 DEVELOPMENT ASSESSMENT

Based on our review of the relevant policies of the P&D Code contained within the Suburban Neighbourhood (SN) Zone, relevant Overlays, and the General Development Policies section, we consider the following topics to be the key planning matters to be addressed in the assessment:

- Land use;
- Built form and Visual Impact;
- Siting and Configuration;
- Amenity Impact;
- Traffic and Parking; and
- Stormwater Management.

Policies of the P&D Code relevant to these issues and an assessment of the developments compliance with these policies is provided under the following headings **below**.

6.1 Land Use

The following provisions of the P&D Code are considered relevant to this issue:

Suburban Neighbourhood Zone

DO 1 Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

PO 1.1 Predominantly low density residential development with complementary non-residential uses compatible with a low density residential character.

PO 1.4 Expansion of existing community services such as educational establishments, community facilities and pre-schools in a manner which complements the scale of development envisaged by the desired outcome for the neighbourhood.

As previously discussed, the proposed development comprises of an expansion to an existing nursing home, increasing the number of beds from 76 to 121. The expansion will maintain the prevailing use of the southern portion of the defined subject land as supported accommodation (in accordance with the P&D Code definition) for elderly people.

DPF 1.1 Development comprises one or more of the following:

...

Supported accommodation.

Supported accommodation is considered a land use which is complementary to the low-density residential character of the area within the SN Zone, in accordance with Performance Outcome (PO) 1.1. The corresponding Designated Performance Feature (DPF) 1.1 specifically lists supported accommodation as an envisaged use and as such is considered to satisfy the corresponding PO 1.1 in this regard.

Within the SN Zone there is limited policy guidance on land use considered relevant to the proposed development beyond the provisions outlined above. Other land use policies within the SN Zone relate to community services, commercial uses, and non-residential development. These are not considered relevant to the proposal herein as the proposed land use is not considered to provide a community service, in that its primary function is residential accommodation with some supportive care for elderly people operated as private business for profit.

6.2 Built Form and Visual Impact

The following provisions of the P&D Code are considered relevant to this issue:

Suburban Neighbourhood Zone

PO 4.1 Buildings contribute to a low-rise suburban character and complement the height of nearby buildings.

DPF 4.1 Building height (excluding garages, carports and outbuildings) is no greater than:

- (a) the following – 9m or 2 levels**

General Development Policies

Design in Urban Areas

DO 1 Development is:

- (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality**
- (b) durable - fit for purpose, adaptable and long lasting**
- (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors**
- (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.**

PO 1.3 Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.

6.2.1 Streetscape Character

The key consideration in respect to built form for this proposal is in respect to the proposed buildings relationship with the prevailing streetscape character of Glenferrie Avenue and the pattern of development more generally within the Suburban Neighbourhood Zone.

Glenferrie Avenue has a prevailing character comprising of predominately single storey and two-storey residential development comprising predominately of older housing stock sited on relatively uniform larger allotments. Some more recent infill development within the streetscape has delivered smaller lots with dwellings that exhibit an increased vertical scale and massing.

The proposed development responds to this prevailing character with a two-storey design that is designed and sited to maintain a residential scale and form coherent element within the Glenferrie Avenue streetscape. Whilst one building, the design will present as two (2) individual buildings separated by the dwelling at 7 Glenferrie Avenue.

The proposed building maintains the prevailing primary street setback evident along the southern alignment of Glenferrie Avenue. This space will be utilised as a landscaped front yard, which contributes to the residential appearance of the site.

The design has utilised various techniques to create a visually interesting and to alleviate its vertical scale and mass. The building is articulated through the use of horizontal and vertical design elements, balconies, regular fenestration, wall indentations and projections, and variation in materials and colours.

Landscaping is proposed to be provided to the Glenferrie Avenue frontage and key side boundaries which will assist in softening the visual appearance of the building at key interfaces. A landscaping concept plan is presently under preparation and will be provided for consideration in the assessment.

6.2.2 Building Height

SN Zone PO 4.1 seeks buildings of a low rise (2 storey) suburban character. The proposed two-storey height is consistent with this qualitative provision and is comparative with the emerging residential form in the locality associated with recent infill developments.

We note that a Technical Numerical Variation (TNV) applies to the local area in respect to building height and seeks a maximum building height of 2 levels and/or 9.0 metres. It is noted that the building height varies across the development as a result of the existing gradient of the land which falls from east to west across the Glenferrie Street frontage. On the eastern side of the development the building height ranges from 7.0 – 8.0 metres in height, whilst on the western portion of the development the building height reaches 10.0 metres. The tallest element of the proposal is the spire with a height of approximately 19.0 metres.

Putting the spire element to one side, we consider that the proposed building heights across the development are acceptable when viewed in the streetscape context of Glenferrie Street. The exceedance of the 9.0 metre TNV requirement is not significant (approximately 1.0 metre) and is largely as a result of the change in site levels in the order of 2.0 metres across the site from east to west. We also note that much of the newer housing stock in the locality exhibits two-storey building forms of a similar scale. The number of taller two-storey building forms in the locality is likely to continue to increase as a result of the greater flexibility on building height now evident within the policy when compared to the previous policy regime in place under the *Development Act 1993*.

We note that the proposed spire element significantly exceeds the quantitative TNV requirement. This element is set deep within the subject land in a position that is separated from public vantage points. In this internal position and setback behind the northern portions of the proposed building, the spire is not anticipated to present as a key element within the Glenferrie Road streetscape. The 3D visual perspective in **Figure 2** below provides some useful context on this issue.



Figure 2: 3D Perspective from Glenferrie Avenue looking south towards the development

Even at the elevated position of this perspective, only a small portion of the spire is evident above the proposed and existing built form when viewed from Glenferrie Avenue. Standing at street level we would expect that the proposed spire would be largely obscured from view. In respect to impact on adjoining residences, we note that the position of the spire is some 38 metres from the adjoining dwelling at 11 Glenferrie Avenue and largely obscured from view by the proposed built form when considering the impact this element presents on 7 Glenferrie Avenue.

6.3 Siting and Configuration

The following provisions of the P&D Code are considered relevant to this issue:

Suburban Neighbourhood Zone

PO 5.1 Buildings are setback from primary street boundaries consistent with the existing streetscape.

PO 8.1 Buildings are set back from side boundaries to provide:

- (a) separation between dwellings in a way that complements the character of the locality**
- (b) access to natural light and ventilation for neighbours.**

As previously discussed, the proposed 8.0 metre setback from the primary street frontage is considered consistent with the prevailing setbacks evident on adjoining land on Glenferrie Avenue. The proposed setback is considered to meet the intent of SN Zone PO 5.1, for building setbacks from primary street boundaries to be consistent with the existing streetscape.

PO 8.1 of the SN Zone seeks, that dwellings are setback from boundaries to maintain space between buildings consistent with the suburban character and to provide for natural light and ventilation for neighbours. The corresponding DPF 8.1 states that buildings should be setback at least 900 millimetres from side boundaries plus an additional distance for buildings with a wall height in excess of 3.0 metres, as follows:

DPF 8.1 Other than walls located on a side boundaries, building walls are set back from side boundaries:

- (a) at least 900mm where the wall is up to 3m measured from the top of the footings**
- (b) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m**
- (c) at least 1.9m plus 1/3 of the wall height above 3m for walls facing a southern side boundary.**

For the proposed development there are four (4) side boundaries for consideration as depicted in **Figure 3** below. For the purpose of this discussion these four (4) boundaries have been provided a numerical identifier and are discussed within the subsequent subheadings.

Figure 1: Site plan with numerically identified side boundaries

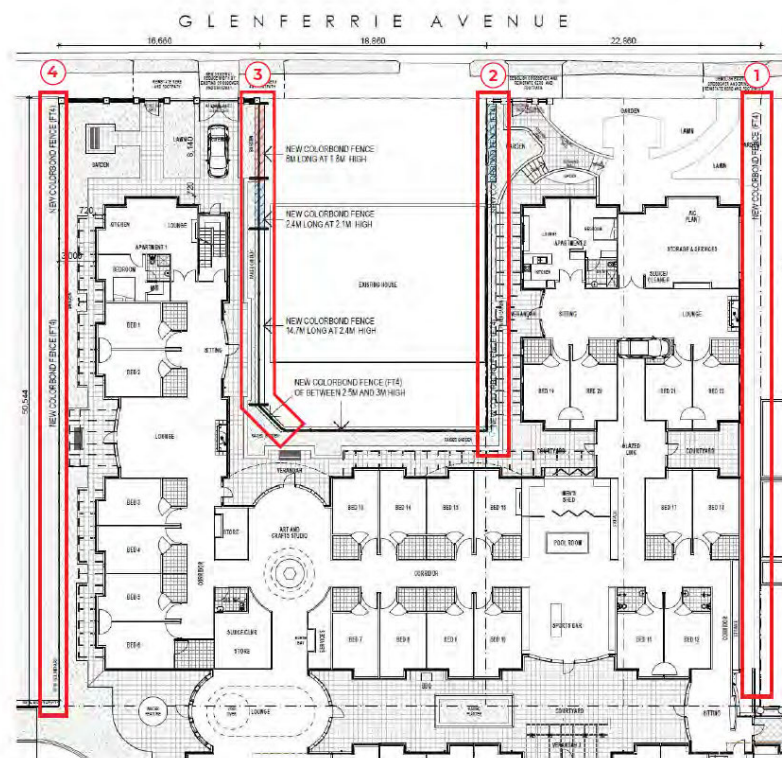


Figure 3: Site plan with numerically identified side boundaries

6.3.1 Side Boundary 1

Side boundary 1 is the eastern most boundary of 5 Glenferrie Avenue (subject land). The boundary abuts 3B Glenferrie Avenue, an allotment containing a semi-detached dwelling. At this interface the wall height of the proposed building varies between 4.5 metres and 5.2 metres due to the topography of the land. A setback from the side boundary of 1.5 metres at the closest point is proposed.

In accordance with the criteria set out in DPF 8.1 (b), a setback of 1.6 metres is sought at this point. The proposed setback of 1.5 metres is considered acceptable, despite the negligible 100 millimetre shortfall, and to satisfy PO 8.1. The change in level is of important consideration at this interface, with the ground level of the adjoining property sitting higher than the subject land (as depicted in **Figure 4** overleaf) reducing the visual impact and scale of the development on the adjoining land.

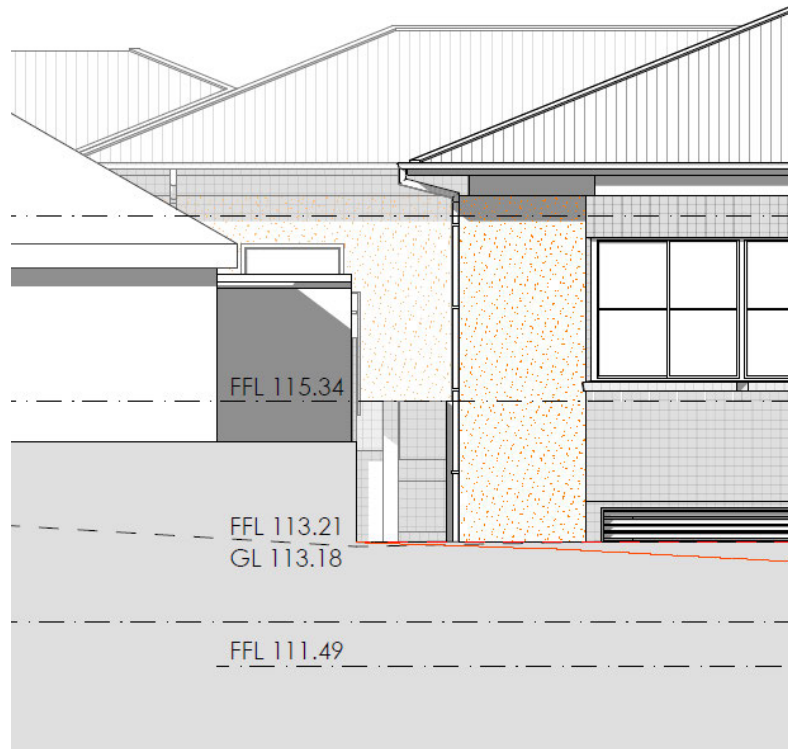


Figure 4: Change in ground levels between 5 and 3B Glenferrie Avenue

6.3.2 Side Boundary 2

Side boundary 2 is the western boundary of 5A Glenferrie Avenue (subject land) which abuts 7 Glenferrie Avenue, containing a detached two-storey dwelling. At this interface a wall height of 7.0 metres is proposed. A setback from the side boundary of 3.0 metres at both ground and upper levels is proposed.

In accordance with the criteria set out in DPF 8.1 (b), a setback of 2.2 metres is sought at this point. The proposed setback of 3.0 metres is therefore significantly in excess of this requirement and considered to satisfy PO 8.1.

6.3.3 Side Boundary 3

Side boundary 3 is the southern boundary of 9/7A Glenferrie Avenue (subject land) which abuts 7 Glenferrie Avenue, containing a detached two-storey dwelling. At this interface a wall height of 6.9 metres is proposed. A setback from the side boundary of 2.4 metres at both ground and upper levels is proposed.

In accordance with the criteria set out in DPF 8.1 (b), a setback of 2.2 metres is sought at this point. The proposed setback of 2.4 metres is therefore consistent with this requirement and considered to satisfy the corresponding PO 8.1.

6.3.4 Side Boundary 4

Side boundary 4 is the southern boundary of 9 Glenferrie Avenue (subject land) which abuts 9A Glenferrie Avenue, which contains private recreational space used in association with the dwelling to the west at 11 Glenferrie Avenue. At this interface a wall height of 7.0 metres is proposed. A setback from the side boundary of 3.0 metres at both ground and upper levels is proposed.

In accordance with the criteria set out in DPF 8.1 (b), a setback of 2.2 metres is sought at this point. The proposed setback of 3.0 metres is therefore consistent with this requirement and considered to satisfy the corresponding PO 8.1.

6.4 Amenity Impact

The following provisions of the P&D Code are considered relevant to this issue:

General Development Policies

Design in Urban Areas

PO 1.4 Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:

- (a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces**
- (b) screening rooftop plant and equipment from view**
- (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.**

PO 10.1 Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.

Interface between Land Uses

DO 1 Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

PO 1.2 Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

PO 2.1 Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses in:

- a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight**
- b. other zones is managed to enable access to direct winter sunlight.**

PO 3.2 Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:

- a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight
- b. other zones is managed to enable access to direct winter sunlight.

PO 3.3 Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:

- (a) the form of development contemplated in the zone
- (b) the orientation of the solar energy facilities
- (c) the extent to which the solar energy facilities are already overshadowed.

PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

PO 4.4 External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.

6.4.1 Overshadowing

PO 3.1 and 3.2 of the Interface between Land Uses module seek to ensure that new development maintains solar access to windows of habitable rooms and private open space on adjoining land containing sensitive residential development.

Further guidance on one (1) potential way to satisfy these PO's is provided by the corresponding DPF policies. DPF 3.1 and 3.2 state the following in respect to overshadowing:

DPF 3.1 North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.

DPF 3.2 Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:

- a. for ground level private open space, the smaller of the following:
 - i. half the existing ground level open space
 - or
 - ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)
- b. for ground level communal open space, at least half of the existing ground level open space.

An overshadowing diagram has been prepared and comprises part of the architectural documentation (SK13). This diagram demonstrates the shadow created by the proposed development on the shortest day of the year, the 21 June.

In respect to DPF 3.1, due to the orientation and configuration of the subject land and existing development, the proposed buildings will not result in overshadowing of any north-facing windows of adjoining residential buildings.

In respect to DPF 3.2, as identified in the overshadowing diagram some shadow over adjoining properties to the east and west will be cast at certain hours of the day, however these private open space areas will still receive over two (2) hours of direct winter sunlight between 9:00 AM and 3:00 PM in accordance with the DPF requirements.

In respect to the adjoining dwelling at 7 Glenferrie Avenue, it is noted that the rear yard private open space of this residence is already subject to shadow for most of the day as a result of the existing dwelling itself. Furthermore, approximately half of the rear open space of this dwelling is roofed beneath what is presumed to be a pergola structure. The shadow diagram demonstrates that the existing level of solar access for the private open space of this property will not be exacerbated by the proposed building.

Roof mounted solar panels are evident on the adjoining dwellings at 7 Glenferrie Avenue and 3B Glenferrie Avenue. Some shadow will be cast over these panels at different times of the day, however it is noted that both properties have two (2) separate configurations of solar panels, so at all times some panels will maintain solar access. It is not considered that the level of shadow created would unduly reduce the generating capacity of these solar energy facilities.

6.4.2 Overlooking

PO 10.1 and 10.2 seek that new development mitigates direct overlooking from upper level windows and balconies to habitable rooms and private open spaces of adjoining residential uses. Further guidance outline one way in which these performance outcomes can be satisfied is provided within the corresponding DPF policies. DPF 10.1 and 10.2 state the following:

DPF 10.1 Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone:

- (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm
- (b) have sill heights greater than or equal to 1.5m above finished floor level
- (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.

DPF 10.2 One of the following is satisfied:

- (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace

or

- (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of:

- (i) **1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land**
- or**
- (ii) **1.7m above finished floor level in all other cases**

Privacy will be maintained for adjoining dwellings through a mixture of obscured glazing, raised sill heights, and obscured balcony screening. All windows or balconies with the potential to allow for direct views into sensitive areas of adjoining properties are largely treated with one of these mitigation methods. Where applied, obscured glazing will be provided to a height of 1.7 metres above floor level. This approach is consistent with the above DPF criteria and therefore considered to satisfy the corresponding PO's.

6.4.3 Noise

PO 4.1 and 4.4 of the Interface between Land Uses module seeks to ensure that new development does not unreasonably impact the amenity of adjoining residential development through noise generation, either as a result of the human activity on the site or through fixed plant and equipment.

PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

PO 4.4 External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.

In respect to human activity, noise generated by the nursing home is considered to likely be of a nature that can reasonably be expected in a residential environment. The activity on the site is residential in nature and the noise generated is likely to be indistinguishable from that produced from a standard dwelling. Associated noise could occur through external conversations of residents/guests, domestic activities, and occasionally noise from gardening and maintenance work, all of which are common to an environment such as this. It is noted that the most active areas of the site in respect to comings and goings of guests, vehicles, servicing and staff remain contained in the southern (existing) portion of the land and will not be altered as a result of the proposal.

Rooftop plant platforms will be equipped with louvred acoustic screening in order to mitigate machine noise generated by the plant and equipment and limit the noise impact on adjoining sensitive uses as well as the internal residents.

6.5 Traffic and Parking

The following provisions of the P&D Code are considered relevant to this issue:

Transport, Access and Parking

PO 1.2 Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.

PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.

DPF 3.1 The access is:

- (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land**
- or**
- (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.**

PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- (a) availability of on-street car parking**
- (b) shared use of other parking areas**
- (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared**
- (d) the adaptive reuse of a State or Local Heritage Place.**

DPF 5.1 Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:

- (a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements**
- (b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas**
- (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.**

A traffic and parking impact assessment has been prepared by Phil Weaver & Associates and accompanies the application.

The proposed development does not significantly alter the vehicle access or parking arrangements which presently occur on the subject land and service the existing nursing home development. The only change in this regard is the proposed single vehicle park and associated crossover access point what is currently 9 Glenferrie Avenue. This utilises a lawfully existing authorised driveway. The additional parking space proposed increases the on-site parking supply available to service the development.

The proposed development will result in a net increase in the availability of on-street parking along the southern alignment of Glenferrie Avenue. Approximately four (4) on-street parking spaces will be returned as a result of the closure of existing crossovers and the reinstatement of kerbside along the Glenferrie Avenue frontage.

As indicated in the traffic and parking assessment, the P&D Code parking requirements dictate that the proposed 121 bed facility provides 36.3 on-site parking spaces. The site will accommodate 40 on-site parking spaces within the basement carpark and an additional proposed car park discussed **above**, in excess of the P&D Code parking requirements. These parking spaces will sufficiently serve both the existing and proposed portions of the nursing home in the post development scenario.

6.6 Stormwater Management

The following provisions of the P&D Code are considered relevant to this issue:

Design in Urban Areas

PO 42.1 Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.

PO 42.3 Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.

A stormwater management plan been prepared by Anson and accompanies the application. The proposed system will divert stormwater captured on the roof space to various stormwater pits around the site. In turn, stormwater will be diverted to two (2) proposed retention/detention tanks with a total retention/detention tank capacity of 19,000 litres. These tanks will suitably control the rate of stormwater discharge from the site to the Council infrastructure on Glenferrie Avenue.

7.0 CONCLUSION

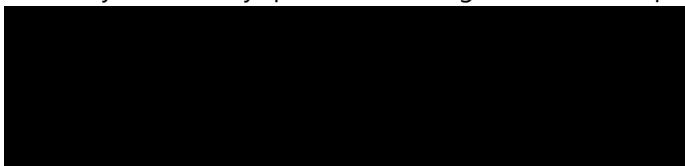
In summary, the proposed development presents sufficient merit when assessed against the relevant provisions of the Suburban Neighbourhood Zone, Overlays and the General Development Policies sections of the Planning and Design Code, version 2021.10 (dated 29 July 2021), to warrant Planning Consent. We note the following in this regard:

- supported accommodation is an envisaged use for SN Zone;
- the proposed design maintains the proportions and layout of the prevailing and emerging pattern of residential development on Glenferrie Avenue;
- the proposed building height is largely consistent with the quantitative requirements of the P&D Code;
- the proposed over height spire is acceptable due to its positioning internal of the development site and separation from adjoining sensitive uses;
- the proposed boundary setbacks are largely consistent with the quantitative requirements of the P&D Code and the character of the locality;
- overshadowing is constrained and the proposed development does not unreasonably limit solar access for adjoining residences;

- overlooking from upper levels is appropriately mitigated through raised sill heights and obscured glazing;
- traffic and parking impacts are minor and acceptable; and
- the proposed stormwater management system suitably controls the rate of discharge from the site into the Council infrastructure on Glenferrie Avenue.

For these reasons and with consideration of the assessment provided herein, it is our position that the proposed development warrants the granting of Planning Consent.

If you have any questions relating to this matter, please do not hesitate to contact the undersigned.



Nick Wilson MPIA

B/A in Planning

27 August 2021

ATTACHMENT 7

Consultant Traffic Engineers

ABN 67 093 665 680

204 Young Street
Unley SA 5061**P: 08 8271 5999****F: 08 8271 5666****E: mail@philweaver.com.au**

File: 21-144

19 July 2021

[REDACTED]
[REDACTED]
[REDACTED]

By email: [REDACTED]

Dear [REDACTED]

PROPOSED ALTERATIONS AND ADDITIONS TO EXISTING AGED CARE FACILITY – THE CARLYLE – 5, 5A, 7A & 9 GLENFERRIE AVENUE, MYRTLE BANK – TRAFFIC AND PARKING ASSESSMENT

I refer to our recent discussions with respect to the proposed alterations and additions on the above site. I understand that it is proposed to construct an additional 45 bedrooms on the subject land, associated with the existing aged care facility (The Carlyle) located at 30-32 Cross Road, Myrtle Bank.

In relation to the proposed alterations and additions, Council staff have requested (amongst other matters) the following documentation:

"A traffic and parking report that assesses the impact of the proposed development on the surrounding road network, the provision of on-site car parking and any changes to delivery and servicing requirements"

As requested, we have therefore undertaken the following review of the traffic and parking related aspects of the subject alterations and additions.

EXISTING SITUATION

The subject land is located on the southern side of Glenferrie Avenue, Myrtle Bank, within a *Suburban Neighbourhood Zone*.

The existing 76-bed aged care facility located at 30-32 Cross Road, Myrtle Bank borders the subject land to the south. An undercroft car parking area accommodating 40 car parking spaces, including two accessible spaces, is provided as part of this facility. A ground-level bus parking area is also provided in the locality of the drop-off area.

A dedicated loading area is provided in the south-eastern corner of this site, accessed via Cross Road.

The subject land currently accommodates residential dwellings at No. 5, 5a, and 7A Glenferrie Avenue, and vacant land at 9 Glenferrie Avenue.

Glenferrie Avenue is a two-way local roadway with a kerb to kerb width of approximately 8.7m. There are no parking restrictions on Glenferrie Avenue in the vicinity of the subject site. There are three existing crossover inverters associated with the subject land to / from Glenferrie Avenue.

Aerial imagery of the subject and the adjoining locality is identified in *Figure 1* below.



Figure 1: 5-9 Glenferrie Avenue and 30-32 Cross Road, Myrtlebank, in relation to the adjoining locality

PROPOSED ALTERATIONS AND ADDITIONS

The proposed alterations and additions are identified on a series of plans prepared by your office (Kirkbride Architects) including SK00 to SK11 dated 6th July 2021 (Job No. 21-002). The proposed alterations and additions will provide:

- An additional 3,108m² of building area, i.e., an increase from 5,028m² to 8,136m² (excluding basement);
- An additional 45 beds, i.e., an increase from 76 beds to a total of 121 beds. This will include 5 additional 1-bed apartments and 40 additional standard aged care beds;
- Additional ancillary communal areas including lounges, sitting area, courtyards, etc.; and
- One (1) additional on-site car parking space, i.e., an increase from 40 spaces to 41 spaces. This space will be provided behind automatic gates via a typical driveway in the location of the existing crossover invert (to be reduced) associated with 7A / 9 Glenferrie Avenue.

Alterations to the existing aged care facility at 30-32 Cross Road will typically only relate to providing a continuous built form between the existing and proposed development areas. There are no proposed alterations to the existing vehicular access, bus or car parking, or loading areas associated with the subject aged care facility.

TRAFFIC ASSESSMENT

Our original traffic and parking report in relation to the now operational development at 30-32 Cross Road, Myrtle Bank, identified peak hour trip generation rates of 0.25 trips per bed. On the basis of an increase of 45 beds, this would result in an anticipated peak hour trip generation associated with the aged care facility increasing by 11 trips from 19 to 30 peak hour vehicle trips.

The provision of one on-site car parking space on Glenferrie Avenue would indicate at most only 1 peak hour vehicle trip would typically occur directly to and from the site via Glenferrie Avenue. Such a volume is less than would have historically been generated via the various residential developments on the subject land and is anticipated to have minimal impact on the adjoining local road network.

The 10 remaining additional peak hour vehicle trips associated with the subject aged care facility would continue to occur to and from the existing on-site car parking area. The two-way access point on Cross Road providing access to the on-site car parking and drop-off areas allows left turn entry and exit movements only. As such, the additional vehicle trips to be generated by the subject development are not anticipated to have an adverse impact on the adjoining arterial road network.

It is anticipated that the additional beds would have minimal impact on the frequency of delivery and servicing movements associated with the approved loading bay near the eastern boundary of the site access via Cross Road, i.e., the delivery / service movements that are already occurring would simply provide more goods / collect more waste when already on-site.

On the above basis, the proposed alterations and additions are not anticipated to result in adverse traffic impacts on the adjoining road network.

PARKING ASSESSMENT

Table 1 - General Off Street Car Parking Requirements within the *Planning and Design Code* identifies car parking provisions relevant to the proposed development (supported accommodation) of 0.3 spaces per bed.

On the above basis, the proposed 121-bed aged care facility would require 36.3 on-site car parking spaces. Such a requirement will be fully satisfied by the provision of 41 on-site car parking spaces (plus one mini-bus parking space).

An appropriate quantity of two accessible on-site car parking spaces will continue to be provided within the basement car parking area.

As such, the proposed alterations and additions associated with the subject aged care facility will continue to satisfy the relevant off-street car parking requirements.

Furthermore, the publicly available on-street parking capacity on Glenferrie Avenue will increase as a result of closure of three of the four crossovers associated with the subject land, and reduction in width of the remaining crossover.

SUMMARY AND CONCLUSIONS

In summary, I consider that the proposed alterations and additions will:

- Not result in adverse traffic impacts on the adjacent road network; and
- Continue to satisfy the relevant off-street car parking requirements.

I therefore consider that the proposed alterations and additions warrant favourable consideration in relation to traffic and parking impacts.

Yours sincerely,



Phil Weaver
Phil Weaver and Associates Pty Ltd

ATTACHMENT 8



10 June 2023

**Timothy Bourner****Senior Planner**

Development & Regulatory Services

City of Unley

Karna Country

P: (08) 8372 5433

unley.sa.gov.au**RE: Development Application 21011428: 5 Glenferrie Ave; MYRTLE BANK SA 5064**

Dear Timothy

Regarding your request for further information and clarification please refer to this letter and the associated amended documents. For clarity we will address each point below in red.

- Inconsistencies in the plans

Drawing SK11 shows a 2.4 high Hebel fence on the western boundary of 7 Glenferrie Avenue however the site plan (no number) shows wall/fence to match existing which would be approx. 1.8m. This is not the only isolated inconsistency regarding the walls and fencing. As such elevation and cross section drawings of all boundary fencing and retaining walls are required to enable a full understanding of what is proposed in relation to existing and proposed levels and how they may impact the adjoining residential land uses.

Notwithstanding this, a 2.4m high boundary fence extending to the Glenferrie Avenue street boundary is not desirable and inconsistent with the existing pattern of development in the locality.

- All inconsistency's have been addressed in the attached documents with respect to fencing. The 2.4m high boundary fence is no longer extending to the Glenferrie Avenue street in line with the council requirements.
- The dwelling at 9a Glenferrie Avenue is not shown on plans. This is required to consider the impact the proposal may have on this dwelling.
 - The dwelling at 9a has been built since this application was first lodged. As such was omitted from the initial application. The new dwelling has now been added to the documents so impact assessment may be considered as requested.
- The vehicle park accessed from Glenferrie Avenue should be removed as it is not specifically required to satisfy off-street parking requirements and may create unnecessary vehicle traffic in a local street. The removal of this car park will also allow for an increase in soft landscaping area and improve the appearance of the development to Glenferrie Avenue and the locality in general.





- We have reviewed omitting the off-street parking accessed from Glenferrie Avenue as suggested. There were two factors to be considered with respect to this parking space. The first one was to provide suitable access for emergency services vehicles particularly fire access to the facility. Having this access available was considered prudent so as to be able to safely protect the building from fire. This being the case having a single parking space that reflects a typical residential drive would also help to integrate the facility into the residential street by designing the access to appear like with a residential park in line with the surrounding properties. The drive way and "front" garden will be designed enhanced the existing streetscape. This is the second factor that was considered. As such we would prefer to retain the carparking space as shown on the attached documents for emergency use only.

- Rooftop plant

The initial proposal did not include rooftop plant. Given the proximity of the plant to the nearby residential properties, an acoustic report will be required to demonstrate that the plant will not adversely impact the nearby residential allotments.

- We have reviewed plant requirements for the extension to the facility and has redesigned the requirements to split the plant throughout the facility into residential scale mechanical units within the proposed courtyards thus alleviating the need for a centralised roof top plant enclosure. This is reflected with the amended documents attached.
- Men's shed

What activities will occur within the shed and will these activities cause any unreasonable noise? Given the proximity to the dwelling at 7 Glenferrie Avenue, this should be addressed in the above requested acoustic report.

- The men's shed will contain non-mechanical hand-held tools only. It will be used as an alternative gathering place for residents within an environment that reflects their own homes for visiting and sharing ideas rather than an actual place of work.
- The proposal states there is to be an increase in beds of 45 to 121, including 5 single bed apartments. The initial planning report notes that these apartments have been designed to accommodate couples increasing the residential capacity by an additional 5 persons. Clarity regarding the proposed bed and resident capacity is required and whether the double rooms are in fact considered to have 2 beds. Whilst this will not impact the required parking numbers, it is vital to be clear what is being assessed.
 - The apartments will have the capacity to accommodate couples and as such at various times the number of residents may increase by up to 5 persons as you rightly state. This will not be the norm but may occur. As such it may be best to assess the development as having 126 residents for your consideration.
- A comprehensive landscaping plan should be provided listing the proposed species of plants. This is required in order to satisfy the landscaping provisions of the Code and ensure the proposal positively contributes to the amenity of the locality.
 - A landscaping plan is attached.



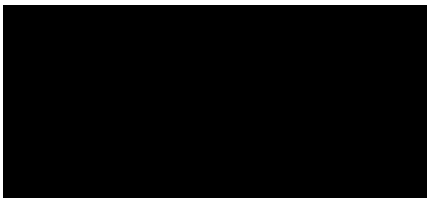
- Further detail should be provided regarding the communal open space and how it meets the needs of the residents given the limited provision in both area and dimensions of these spaces.
 - **Additional communal open space information is now provided in the attached documents.**
- Further detail in regards to how the residents needs such as waste and clothes washing and drying are managed. The Code seeks the provision of areas for household waste and recyclables as well as clothes drying facilities. If this is to be managed by the facility itself, please provide details and confirmation of this.
 - **The residents needs with respect to waste, recyclable, clothes washing and drying are to be managed within the existing facility. There is ample capacity for the existing infrastructure to manage the additional residents. There is a fully operational commercial laundry within the facility and waste and recycling will be managed by the facility from the Cross Road delivery and loading bay as shown on the documents provided.**

This letter along with the attached documents should provide you with all the required information to now complete your assessment. If there is any further clarification required please contact this office immediately so that it may be addressed in a timely manner.

Thank you for your attention to this important development proposal to provide the highest quality residential care to those persons who reside in your council.

Please contact me on **0421 964 453** if you would like to discuss any aspect of this offer.

Yours Sincerely



Andrew Kirkbride
Director,

Attachments:

- 01 This covering letter.pdf
- 02 KBA Methodology.pdf
- 03 KBA Company Profile Aged Care
- 04 KBA QMS Certificate 2022
- 05 Estia Health Consultancy Agreement V3: 28 January 2022 –

ATTACHMENT 9



Heritage South Australia

Environment, Heritage and
Sustainability Division

81-95 Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001
Australia
DX138

Ph: +61 8 8124 4922

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www.environment.sa.gov.au

Ref: SH/14273D
Date: 22 June 2022

City of Unley
PO Box 1
Unley 5061

Attention: Matthew Falconer

Dear Mr Falconer

DESCRIPTION: DEMOLISH DWELLINGS AT 5, 5A & 7A, GLENFERRIE AVENUE, CONSTRUCT TWO STOREY BUILDING COMPRISING 45 BEDS IN ASSOCIATION WITH EXISTING AGED CARE FACILITY AT 30-32 CROSS ROAD AND ASSOCIATED RETAINING AND FENCING (MAXIMUM 121 BED NUMBERS ACROSS FACILITY).

Application number:	21011428
Referral received:	14/06/2022
Adjacent State Heritage Place	Ridge Park Nursing Home (former Dwelling)
Documentation:	As referred to date of response
<input checked="" type="checkbox"/>	Support the application

In accordance with Section 122(1) of the Planning, Development and infrastructure Act 2016 and Regulation 41(1) of the Planning, Development and Infrastructure (General) Regulations 2017, the above application has been referred to the Minister for Climate, Environment and Water as the prescribed body listed in Schedule 9 Clause 3 Item 17 of the Regulations.

The subject land is affected by the Heritage Adjacency Overlay of the Planning and Design Code, because of the adjacent location of a State Heritage Place.

The proposed development is considered to be acceptable in relation to the above State Heritage Place for the following reason/s.

- The proposed development would have no adverse impact upon the recognised heritage values of the State Heritage Place, as it is to be located some distance away and will not impact on the setting of the place.

General notes

1. Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Climate, Environment and Water. Such changes would include for example (a) an application to vary the Planning Consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the development application.
2. Please note the following requirements of the *Heritage Places Act 1993*.
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.

- (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department for Environment and Water.

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

Any enquiries in relation to this application should be directed to telephone (08) 8124 4922 or e-mail DEW.StateHeritageDA@sa.gov.au.

Yours sincerely



Michael Quede
Principal Heritage Conservation Architect
Department for Environment and Water
as delegate of the
MINISTER FOR CLIMATE, ENVIRONMENT AND WATER

ATTACHMENT 10



Heritage South Australia

Environment, Heritage and
Sustainability Division

81-95 Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001
Australia
DX138

Ph: +61 8 8124 4922

Fax: +61 8 8124 4980

www.environment.sa.gov.au

Ref: SH/14273D
Date: 14 August 2023

City of Unley
PO Box 1
Unley 5061

Attention: Matthew Falconer

Dear Mr Falconer

DESCRIPTION: DEMOLISH DWELLINGS AT 5, 5A & 7A, GLENFERRIE AVENUE, CONSTRUCT TWO STOREY BUILDING COMPRISING 45 BEDS IN ASSOCIATION WITH EXISTING AGED CARE FACILITY AT 30-32 CROSS ROAD AND ASSOCIATED RETAINING AND FENCING (MAXIMUM 121 BED NUMBERS ACROSS FACILITY).

Application number:	21011428 V1
Referral received:	18/07/2023
Adjacent State Heritage Place	Ridge Park Nursing Home (former Dwelling)
Documentation:	As referred to date of response, 'Revised plan set June 2023 6026066'
<input checked="" type="checkbox"/>	Support the application

In accordance with Section 122(1) of the Planning, Development and infrastructure Act 2016 and Regulation 41(1) of the Planning, Development and Infrastructure (General) Regulations 2017, the above application has been referred to the Minister for Climate, Environment and Water as the prescribed body listed in Schedule 9 Clause 3 Item 17 of the Regulations.

The subject land is affected by the Heritage Adjacency Overlay of the Planning and Design Code, because of the adjacent location of a State Heritage Place.

The proposed development is considered to be acceptable in relation to the above State Heritage Place for the following reason/s.

- The proposed revised development has no additional adverse impact upon the recognised heritage values of the State Heritage Place. It is located some distance away from the heritage place and will not impact on the heritage setting of the place.

General notes

1. Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Climate, Environment and Water. Such changes would include for example (a) an application to vary the Planning Consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the development application.
2. Please note the following requirements of the *Heritage Places Act 1993*.
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.

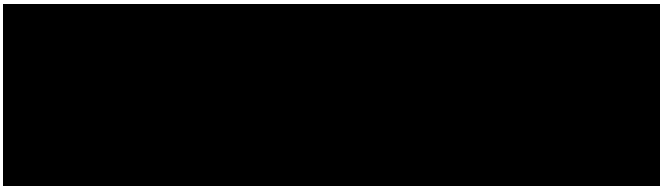
- (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department for Environment and Water.

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

Any enquiries in relation to this application should be directed to telephone (08) 8124 4922 or e-mail DEW.StateHeritageDA@sa.gov.au.

Yours sincerely



Michael Queale
Principal Heritage Conservation Architect
Department for Environment and Water
as delegate of the
MINISTER FOR CLIMATE, ENVIRONMENT AND WATER

ATTACHMENT 11

Details of Representations

Application Summary

Application ID	21011428
Proposal	Demolish dwellings at 5, 5A & 7A, Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross Road and associated retaining and fencing (maximum 121 bed numbers across facility).
Location	5 GLENFERRIE AV MYRTLE BANK SA 5064, 5A GLENFERRIE AV MYRTLE BANK SA 5064, 9 GLENFERRIE AV MYRTLE ..

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	15/04/2022 04:56 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	<p>We are the residents that living on [REDACTED] Avenue, and we have been having concerns about the age care that will be constructed in our neighbourhood. From what we know, the site is only 1.5 meters away and 4 meters deep, we believe it is too close to our house as we worried that when the digging starts for the foundation, they will cause structural damage to our house. This may include but is not limited to cracks or displacement of the foundation and building. We hope that the aged care will take responsibility for any damages to our building due to the construction and any damages as a result of the building in the future. In addition to this, we also have concerns about traffic that would clog up the street causing a potential hazard for the residents, cars backing out of the driveway and children. We hope that you will enforce rules that prevent a lot of people from parking on our street. We also have concerns about ambulances that may drive on our street, we are worried that constant siren</p>

sounds may cause mental harm to residents on this street. Thus, we wish for ambulances to access the house from Cross Road. We believe that this street is a street for residents and not for business. We also hope that the house is restricted to a single story building to avoid violating our privacy. The design plan shows the air-conditioner system is extremely close to our house, as we know, the noise of the air-conditioner will affect our normal rest, resulting in our inability to study and work, and even affects the growth and mental development of children. We strongly request for the location of the air conditioner to change.

Attached Documents

Representation12011428-2780809.pdf

Council Assessment Panel
City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation

Application ID: 21011428
Description: Demolish dwellings at 5, 5A & 7A Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross road and associated retaining and fencing (maximum 121 bed numbers across facility)
Properties: 5, 5A, 7A and 9 Glenferrie Avenue, Myrtle Bank
30-32 Cross Road, Myrtle Bank

Expansion of Aged Care Facility

I am the owner of [REDACTED].

I am writing to you as I wish to oppose to the above development.

Previous application

I am familiar with the previous application to expand the existing facility onto **Glenferrie Avenue, Myrtle Bank**. That application differed from the current application in that it only involved the land at 7A and 9 Glenferrie Avenue, Myrtle Bank and was presented a single storey wing onto Glenferrie Avenue.

This proposal involves **5, 5A, 7A and 9 Glenferrie Avenue** in a two storey format. Further the previous application had very limited access to Glenferrie Avenue.

Concerns

Our concerns generally relate to the:

- land use proposed
- bulk and scale of the 'additions'
- proximity of the building to the land boundaries
- intensity of the use, with a very high building site coverage
- lack of open space areas for the 'residents'
- use of Glenferrie Avenue for both pedestrian and vehicular access

Objection

In support of my objection I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Desired Outcome 1 for the Zone seeks

*Low density housing is consistent with the **existing local context** and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character**.*

Land Use

I do not consider it is appropriate for the expansion of an existing aged care facility presenting to Glenferrie Avenue. The area is entirely residential in nature with private dwellings and has a very high level of amenity. The form of the proposal with its two substantial two storey wings will adversely impact on the visual amenity and the amenity of the area more generally.

Height Setbacks and Site Coverage

Whilst it is understood the Code contemplates two storey dwellings within the Zone that is for *normal dwellings*, not very large wings which are disproportionate to the form and scale of existing development in Glenferrie Avenue.

The lack of setbacks adds to these concerns.

The form and scale is overbearing. This concern is added to by reason of the very high site coverage as is apparent from looking at the plans and the lack of meaningful open space areas for the *residents*. Further that means there is very little proper landscaping on site for the benefit of the *residents* of the facility and for the benefit of the immediate neighbours to the land.

Noise

Given the location and two storey form there will be some increase in noise levels in what is otherwise a very quiet and pleasant environment.

Car parking

A number of new 'rooms' are provided yet there is no corresponding increase in car parking.

With the vehicle access and a gate facing Glenferrie Avenue I am greatly concerned about parking on Glenferrie Ave by both staff and visitors noting that the new Commonwealth Government rules require more caring for residents that will lead to increase staffing.

Overshadowing and Overlooking

Although I am not directly impacted by these issues they should be properly addressed so to maintain the amenity of the area and the very pleasant conditions in Glenferrie Ave.

Very much optional

Request to be heard

I wish to be heard in person when the matter is considered by the Council Assessment Panel.

Yours faithfully

[REDACTED]

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	22/04/2022 10:58 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	Inconsistent with the provisions of the Planning and Design Code. Please refer attached Supporting Documents.

Attached Documents

Representation_on_Application_-_Performance_Assessed_Development_-_5,_5A_and_7A_Glenferrie_Avenue_DA_21011428.pdf

Representation_on_application_-_performance_assessed_development-55aAnd7aGlenferrieAvenue_da21011428-2744090.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Kirkbride Architects
Development Number:	21011428
Nature of Development:	Demolish dwellings and construct two storey building in association with existing aged care facility
Zone/Sub-zone/Overlay:	Suburban Neighbourhood
Subject Land:	5, 5A, &A Glenferrie Avenue, Myrtle Bank
Contact Officer:	City of Unley
Phone Number:	8372 5111
Close Date:	06.05.2022

* Indicates mandatory information

My position is: ☐ I support the development
☐ I support the development with some concerns (detail below)
☒ I oppose the development

The specific reasons I believe that planning consent should be ~~granted~~/refused are:

*As nearby residents located at the western corner of Glenferrie Avenue, we strongly oppose the proposed development as it is at odds with the Assessment Provisions of the Suburban Neighbourhood Zone, particularly the overarching Desired Outcome, DO1: ‘...Services and community facilities contribute to making the neighbourhood a convenient place to **live without compromising residential amenity and character**’. While the Planning Report provided states that this is an extension to an existing land use for the site, and that supported accommodation is complementary to the low-density residential character of the locality, we argue that the proposed development extends that use over a number of sites NOT previously used as such (previously small detached dwellings) with a large institutional scale inconsistent with a quiet secondary suburban streetscape.*

Thus:

PO 1.1 seeks a low-density residential character. The scale, bulk, massing and visual character of the proposed development is NOT considered to be of a low density NOR compatible with the existing low density residential character of the surrounding neighbourhood of suburban streetscapes which comprise predominantly single storey, detached, semi-detached and small group dwellings. It is acknowledged that a small number of recent infill developments have a two-storey form, these remain small in overall massing. We fail to see how the argument provided that there is an ‘emerging’ increase in scale/height of residential pattern of development can be considered to justify the proposed institutional scale. The development must be assessed on the impact on the existing conditions. While it is argued by the applicant that the design presents as two individual buildings of reduced massing by virtue of the U-



shaped plan wrapping around the remaining single-storey dwelling at 7 Glenferrie Avenue, the proposed use of consistent forms, materiality and two storey form with expansive hipped roofscape across the whole development will result in a large monolithic massing and little reduced by the small single-story dwelling which sits in front.

PO 1.5 The siting and design of the proposed non-residential development is NOT considered to complement the residential character and amenity of the neighbourhood, for the reasons stated above. The use of monolithic building envelopes, roofed by expansive roofscapes devoid of any architectural modulation creates a scale which is totally at odds. This is amplified when combined with the institutional scale and density of the site's building mass already developed across the site and currently accessed by Cross Road.

The proposed colour palette including a combination of all white and cream, including the expansive roofscape in Surfmist (also white) will further increase the overwhelming scale of the development. A colour palette of all white which is not varied or broken down with more visually recessive, deeper colours will create a monolithic scale and the visual impact of the development on the existing streetscape and building stock will be unacceptable. Again, this is at odds with the surrounding neighbourhood character which includes a vast number of building materials and neutral colours in a finely-grained manner.

Further, the inclusion of a glazed commercial shopfront style of fenestration to Apartment 1 and commercial building signage to the large gable above is NOT characteristic of the suburban neighbourhood. While the proposed front setback is aligned with a neighbouring dwelling to the west, the small scale of the proposed landscaped treatment of the minimal front and side setbacks does little to balance or counteract the visual impact of the large-scale development.

We fail to see how the proposed copper 'spire' relates in any way in materiality, form or height to the surrounding character of the site. It will also have a considerable visual impact on the setting/appearance of the State Heritage Place located within the existing Carlisle on Cross development. It is argued that the location of this element is too far from the Glenferrie Road boundary to have any visual impact, however it far exceeds (doubles) the height envisaged for the location (9.0 metres) and will be seen in more distant views throughout the neighbourhood, particularly from the Glenrowan Avenue approach to the north, opposite the site. This is demonstrated very clearly by the perspective render provided on the architectural plan cover page (SK00). While that perspective is illustrated in a view taken from Cross Road, the view will be similar from other views in Glenferrie and Glenrowan Avenues, particularly as the spire is located equidistant from Glenferrie Avenue and Cross Road. Very selective perspective views have been generated to illustrate the spire on the Glenferrie Avenue streetscape (SK12) which do not take into account other vantage points.

PO 3.1 The proposed building footprint is NOT consistent with the character and pattern of a low-density suburban neighbourhood and does NOT provide sufficient space around the buildings to limit visual impact or provide an attractive outlook in a garden setting. The proposed development far exceeds the Deemed to Satisfy site coverage of 50%. The proposed side setback on the eastern side boundary (not labelled but appears to be around 1200mm) is barely sufficient for a single (let alone double) storey building to maintain the existing neighbourhood garden character, let alone have any permeable landscaping as shown on the landscape plan.

PO 4.1 Seeks a low-rise suburban character which complements the height of nearby buildings. While two-storey buildings are envisioned within the zone, we fail to see how the excessive scale of the proposal takes into account the nearly 2.0 metre fall across the existing site. The consistent FFL throughout the complex may satisfy operational requirements of the facility, but it takes no account of the impact of the development on surrounding streetscape and neighbouring properties. Section R3 demonstrates that the proposed building ridgeline height is approximately 650mm above the adjoining dwelling located in front of the development, even despite being set down 450mm lower than that floor level. [The comparative RL noted at each ridge does not take into account the additional 450mm difference in floor levels?]. The elevations provided take no account of the building height of the adjoining dwellings to the west, which are single storey and have a much lower FFL due to the sloping contour of the land in a westerly direction away from the proposed development.

PO 12.1 seeks for advertisements which do not detract from the residential character at a size smaller than 0.3m². Little information is given on the elevation other than 'stainless steel... logo to gable'. While appropriate signage is envisioned within the zone, we argue that this should be considered in relation to

commercial or institutional development where it is located on main roads or local neighbourhood shops and services. We argue that if this development is not intended to have a main public address/access to Glenferrie Avenue, as it claims to, then there is no requirement for signage in that façade location. We note that the nearby RSL aged care facility and its various associated independent living units do not include signage of that scale on any of their secondary frontages. We request that the proposed signage is refused or deleted from the application, or conditioned to be included at a smaller scale and in a location which cannot be viewed from distant site lines.

Other comments

Parking, Traffic and Services

- The applicant's Planning Report states that the required carparking will be provided on site via the existing underground carpark. We request that Council's assessment of such ensures that this is met and no additional carparking on Glenferrie Avenue. This is particularly concerning in relation to the increase in staffing which is stated as nearly 50% (to total 23 staff).
- The potential for resident, visitor and staff carparking to have a significant impact on the existing amenity of surrounding residences is huge. Particularly if that involves shift work nursing staff, deliveries, waste removal etc. We have already witnessed increased traffic in the street since the first stage of this development was completed, particularly of commercial vehicles choosing to take a route around the block into Urrbrae Avenue after being forced into a left hand turn only out of the existing Cross Road driveway.
- Further, the provision of multiple pedestrian gates and signage to the proposed Glenferrie Avenue frontage indicates that this frontage will be promoted as a public access to the site. We fail to see any benefit to the local neighbouring properties in this scenario and believe that a development such as this MUST be serviced from Cross Road only. We observe that carparking has a considerable impact on neighbouring streets adjacent to other, much smaller aged care facilities nearby in the suburb.
- Any increased number of beds on this site should sacrifice habitable floor area for onsite carparking to avoid further impact on the local neighbourhood.
- The set of plans provided for comment does not indicate how waste or service deliveries for these additional residential numbers will be handled other than a room labelled 'Storage and Services' at the northeast corner of the development and what appears to be a potential/future circular driveway in front of that portion of the site. Again, this scenario will pose unacceptable impact on the local suburban neighbourhood amenity with the introduction of institutional-scaled services or, worse still, by introducing excessive kerbside collection to the street, as per the RSL in Ferguson Avenue.
- Is this suggested circular driveway a disguised future resident pickup/drop off point or ambulance access point?

I: ☐ wish to be heard in support of my submission*
☒ do not wish to be heard in support of my submission

By: ☐ appearing personally
☐ being represented by the following person: [Click here to enter text.](#)

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:



Date: 22.04.22

Return Address: 181 Unley Road, Unley [relevant authority postal address] or

Email: pobox1@unley.sa.gov.au [relevant authority email address] or

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Kirkbride Architects
Development Number:	21011428
Nature of Development:	Demolish dwellings and construct two storey building in association with existing aged care facility
Zone/Sub-zone/Overlay:	Suburban Neighbourhood
Subject Land:	5, 5A, &A Glenferrie Avenue, Myrtle Bank
Contact Officer:	City of Unley
Phone Number:	8372 5111
Close Date:	06.05.2022

* Indicates mandatory information

My position is: ☐ I support the development
☐ I support the development with some concerns (detail below)
☒ I oppose the development

The specific reasons I believe that planning consent should be ~~granted~~/refused are:

*As nearby residents located at the western corner of Glenferrie Avenue, we strongly oppose the proposed development as it is at odds with the Assessment Provisions of the Suburban Neighbourhood Zone, particularly the overarching Desired Outcome, DO1: ‘...Services and community facilities contribute to making the neighbourhood a convenient place to **live without compromising residential amenity and character**’. While the Planning Report provided states that this is an extension to an existing land use for the site, and that supported accommodation is complementary to the low-density residential character of the locality, we argue that the proposed development extends that use over a number of sites NOT previously used as such (previously small detached dwellings) with a large institutional scale inconsistent with a quiet secondary suburban streetscape.*

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commercial or institutional development where it is located on main roads or local neighbourhood shops and services. We argue that if this development is not intended to have a main public address/access to Glenferrie Avenue, as it claims to, then there is no requirement for signage in that façade location. We note that the nearby RSL aged care facility and its various associated independent living units do not include signage of that scale on any of their secondary frontages. We request that the proposed signage is refused or deleted from the application, or conditioned to be included at a smaller scale and in a location which cannot be viewed from distant site lines.

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- The potential for resident, visitor and staff carparking to have a significant impact on the existing amenity of surrounding residences is huge. Particularly if that involves shift work nursing staff, deliveries, waste removal etc. We have already witnessed increased traffic in the street since the first stage of this development was completed, particularly of commercial vehicles choosing to take a route around the block into Urrbrae Avenue after being forced into a left hand turn only out of the existing Cross Road driveway.
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- Any increased number of beds on this site should sacrifice habitable floor area for onsite carparking to avoid further impact on the local neighbourhood.
- The set of plans provided for comment does not indicate how waste or service deliveries for these additional residential numbers will be handled other than a room labelled 'Storage and Services' at the northeast corner of the development and what appears to be a potential/future circular driveway in front of that portion of the site. Again, this scenario will pose unacceptable impact on the local suburban neighbourhood amenity with the introduction of institutional-scaled services or, worse still, by introducing excessive kerbside collection to the street, as per the RSL in Ferguson Avenue.
- Is this suggested circular driveway a disguised future resident pickup/drop off point or ambulance access point?

I: ☐ wish to be heard in support of my submission*
☒ do not wish to be heard in support of my submission

By: ☐ appearing personally
☐ being represented by the following person: [Click here to enter text.](#)

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:



Date: 22.04.22

Return Address: 181 Unley Road, Unley [relevant authority postal address] or

Email: pobox1@unley.sa.gov.au [relevant authority email address] or

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	05/05/2022 10:53 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	<ul style="list-style-type: none">• land use proposed• bulk and scale of the 'additions'• proximity of the building to the land boundaries• intensity of the use, with a very high building site coverage• lack of open space areas for the 'residents'• use of Glenferrie Avenue for both pedestrian and vehicular access• overshadowing• overlooking and loss of privacy

Attached Documents

Representation12011428-2780354.docx

Representations

Representor 4 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	05/05/2022 11:20 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	Our concerns generally relate to the: • land use proposed for commercial business in a suburban environment • bulk and scale of the 'additions' • proximity of the buildings to the street front and adjoining property boundaries • intensity of the use, with a very high building site coverage • lack of green landscaping and open space areas on the site • use of Glenferrie Avenue for both pedestrian and vehicular access to facility

Attached Documents

Representation12011428-edit-2780855.docx

Representation_on_application_-_performance_assessed_development1-2780856.docx

Representations

Representor 5 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	05/05/2022 03:55 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
	<p>We do not support the Development in its current form as it will in our professional judgement have significant impact in changing the historically quiet residential character of the immediate locality, something we as a family have enjoyed for some 35 years. As a retired commercial architect I acknowledge that there has been infill development in more recent years but it has largely been done with sensitivity preserving the desirable residential character and without notable increase in vehicle and people traffic. The proposal in its current form will threaten this desirable family environment. The 'land use', as is proposed we do not see as a planning issue. The major design sticking point is the incorporation of vehicle and pedestrian access points off Glenferrie Ave into the Nursing Home. Being professionally experienced in Nursing Home Design and Operations we understand the substantial daily traffic movements in and out of a large 121 Bed facility. This includes daily food and medical supplies, service and maintenance people, professional medical and nursing support, on staff and contract carers and many visitations from resident family members. This traffic movement is is for every day of the year and for some groups extends through the night and early hours of the morning. Having lived adjacent we understand and have experienced the Cross Road peak hour traffic congestion which exists morning and afternoon fronting the Nursing Home. This Make vehicle traffic in and out of the subject site extremely challenging and with very lengthy delays due to the built up traffic banking from the Portrush/Glen Osmond Road intersection. To avoid this congestion delivery drivers, staff and visitors will park off site in Riverdale Ave. This has been occurring for as long as we can recall, as all</p>

Reasons

the local residents will confirm. While the Riverdale on street parking will most likely continue this proposal will exacerbate the problem by extending it into Glenferrie with conveniently proposed more direct access vehicle driveway and 3 pedestrian gates. There is no doubt that this will be the go to first choice delivery access for less bulky goods, staff and for family visitations. This introduces commercial Traffic into a otherwise quite residential street, exactly what the Provisions of the P+D Code PO1.2 are clear in disallowing...."Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers." Given that the application satisfies P+O Parking Requirements without the additional single vehicle park at 9 Glenferrie we do not understand the inclusion other than for the purpose of what we do not wish to occur. As such we would highly advise the Development Application is amended with the deletion of the vehicle crossover and that the 3 PA gates are reduced to 2 and restricted by one way operation as fire exit gates only. This amendment will gain our support. Overall we suggest that the builtform scale and character incorporation appropriate detailing in both building and the pillar and wrought iron fencing will meld well with the streetscape. And for added interface an appropriate selection of specimen trees and shrubs to provide softening and screening. We reject the applicant suggestion that the Glenferrie access points will controlled /managed not be used for commercial traffic as over time the control will be abused. Besides if the inclusion is not for commercial use then why have when its surplus to requirements and any subsequent abused use would render it contrary to PO1.2. In conclusion, we will support the Nursing Home expansion providing the provisions of PO1.2 are satisfied with a soft interface boundary to Glenferrie Ave which excludes the proposed vehicle and 2 way gate access points. [REDACTED]

Attached Documents

Representations

Representor 6 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	05/05/2022 03:58 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
	<p>We do not support the Development in its current form as it will in our professional judgement have significant impact in changing the historically quiet residential character of the immediate locality, something we as a family have enjoyed for some 35 years. As a retired commercial architect I acknowledge that there has been infill development in more recent years but it has largely been done with sensitivity preserving the desirable residential character and without notable increase in vehicle and people traffic. The proposal in its current form will threaten this desirable family environment. The 'land use', as is proposed we do not see as a planning issue. The major design sticking point is the incorporation of vehicle and pedestrian access points off Glenferrie Ave into the Nursing Home. Being professionally experienced in Nursing Home Design and Operations we understand the substantial daily traffic movements in and out of a large 121 Bed facility. This includes daily food and medical supplies, service and maintenance people, professional medical and nursing support, on staff and contract carers and many visitations from resident family members. This traffic movement is is for every day of the year and for some groups extends through the night and early hours of the morning. Having lived adjacent we understand and have experienced the Cross Road peak hour traffic congestion which exists morning and afternoon fronting the Nursing Home. This Make vehicle traffic in and out of the subject site extremely challenging and with very lengthy delays due to the built up traffic banking from the Portrush/Glen Osmond Road intersection. To avoid this congestion delivery drivers, staff and visitors will park off site in Riverdale Ave. This has been occurring for as long as we can recall, as all</p>

Reasons

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Attached Documents

Representations

Representor 7 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	05/05/2022 03:59 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

[REDACTED]	
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Our ref: GM/219100

5 May 2022

Assessment Manager
Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Assessment Manager

Statement of Representation – DA ID 21011428

Properties: 9 Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank

I act on behalf of [REDACTED]
[REDACTED].

The development proposed will “surround” my clients’ land on three sides by substantial two (2) storey development located in the order of 2 - 3m from the common boundaries.

My clients lodge their representation objecting to the proposed development which has been described by the Council as:

Demolish dwellings at 5, 5A & 7A Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross Road and associated retaining and fencing (maximum 121 bed numbers across facility).

Previous application

My clients remind the Planning Authority that there was a previous application made for a not dissimilar development in 2019 under the Development Act save that application did not include the land to the east of my clients’ land ie it was not then part of that scheme.

The Council approved that proposal, and my clients lodged an appeal in the ERD Court.

The appeal was compromised on the basis of amended plans. That included detailing and fencing to the rear of my clients’ land and of course the proposal at that time was for single storey development on the western side. Further the setback to the rear of my clients’ dwelling was more than now proposed.

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www.bllawyers.com.au

Other important elements of the proposal approved in 2019 included:

1. Emergency pedestrian access from Glenferrie Avenue only, noting that the proposed development has both a vehicle access and pedestrian access on the western wing side together with pedestrian access on the eastern wing.
2. There was no use of my clients' fence – the proposal seems to involve the demolition of two outer pillars of my clients' land with replacement pillars for the proposed development.
3. The fencing along the rear of my clients' land was reserved ie to be finally determined once the *wing* to the rear had been completed.

Objection to Current Scheme

Zoning

The land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

The proposal is for the expansion of an existing aged care facility but for the first time bringing the proposal towards Glenferrie Avenue, with the primary address of the current scheme being Cross Road. In that regard it is to be remembered the existing development largely replaced an existing facility located on Cross Rd.

The proposal now brings two substantial two storey wings of the facility to Glenferrie Avenue. It also proposes a two storey wing immediately to the rear of my clients' land.

Properly understood, the zoning provisions do not expressly encourage this form of development in the form of a 'nursing home'.

Height (PO 4.1) and Setbacks (PO 6.1, 8.1 and 9.1)

The Code contemplates two storey dwellings within the Zone. However the Zone provisions also provide for a range of setbacks depending on whether the setback is to the *front*, *side* or *rear* boundary.

The two storey wings to the south, east and the west of my clients' property have a setback of about 2.5m - 3 metres noting the setback is less than that on both the southern and the eastern side. On one view of the Code, it might be said that there is *compliance with the 3m side setback provision* as to the eastern and western boundaries of my clients' land.

However, what about that section to the rear of my clients' land? What is the appropriate setback? In all the circumstances it is appropriate that the setback be 6 metres. If it was to be regarded as the 'front boundary', it should have a setback of at least 6 metres.

The Code does not appear to deal with facts/circumstances of this development either at all or if it does so not in a clear manner. However clearly the rear boundary of my clients' land cannot be regarded as a *side boundary* as seemingly has been put forward by Masterplan.

One must then have regard to appropriate long standing town planning principles and necessarily interpret the Code in accordance with such principles. In the circumstances that means 'clear space' so as to not adversely impact on the amenity of my clients' land and create a 'prison like effect'. Clearly the building as proposed is imposing and not in character with the streetscape with its large wings for a development that clearly is not for *dwellings*.

The simple fact is the proposal seeks to establish two storey buildings with balconies and the like 2-3 metres from effectively all three common boundaries with my clients' land. That is unacceptable as it will adversely impact on their amenity.

For all these reasons the proposal is inconsistent with Desired Outcome 1 for the Zone which seeks

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character. (emphasis added)

Furthermore Performance Outcome 4.1 seeks

Buildings contribute to a low-rise suburban character and complement the height of nearby buildings.

The proposal is entirely inconsistent with both of these Outcomes.

To use a well understood phrase, the proposal is an *overdevelopment* of the land and disrespects its neighbours and the streetscape of Glenferrie Ave.

Noise

Given the location and two storey form there will be little to prevent general people noise from "encroaching" over the boundary which will have an impact on my clients. My clients are therefore rightly concerned that the issue of noise will create a nuisance. They neither wish to hear the conversations of others nor do they wish their conversations to be heard. A better design could limit the impact.

Failing that, there should be hebel fencing in relation to the eastern, southern and western boundaries of my clients' land. This will mitigate against the noise.

My clients suggest that should the development proceed, the development be modified

1 to increase the setback on all three 'surrounding sides to at least 6m, and

2 the fencing on all three sides of my clients' property utilize hebel fencing which will assist in at least reducing any negative noise impacts.

Car parking

The proposal does not seek to significantly increase the car parking currently provided save for the new car park on Glenferrie Avenue. 121 beds are now proposed in the overall scheme with a total of 40 car parks. Council needs to be wholly satisfied that the number of car parks is adequate given the significant increase in the number of 'rooms' – 45 additional rooms are proposed. Further following the findings of the recent

Commonwealth Royal Commission there will be an increase in one to one daily *patient care* meaning more staff will be required.

Related to the issue of car parking is the vehicular and pedestrian access. This was touched on above. The previous scheme only allowed for emergency pedestrian access from Glenferrie Avenue. However, this new scheme has three pedestrian gates and one vehicular access point all of which will actively encourage the use of Glenferrie Avenue by 'all and sundry' ie visitors or staff. Persons associated with the development (and likely the existing development) will no doubt park on Glenferrie Avenue.

Council must ensure that if there is to be any access from Glenferrie Avenue it is restricted for emergency purposes only. If the car park in Glenferrie Avenue is to be restricted to service vehicles only, that might be a solution. In short that carpark should not be used as a daily car park by staff or visitors to the site. Otherwise parking controls will need to be considered by the City of Unley pursuant to the Local Government Act.

In simple terms, by allowing such an arrangement will be the *thin edge of the wedge* and have a negative impact on the residential amenity on Glenferrie Avenue.

Fencing

As touched on above, the proposal seems to in effect demolish the two outer pillars on my clients' property and establish new pillars – see Plans SK-9 and SK-12. My clients did not and do not give their permission for their fence to be interfered with.

The plans otherwise show fencing and some retaining walls on the eastern, southern and western boundaries of my clients' land.

The issue of noise is an important one as is the form of the fencing. It is partly addressed above. My clients request that **if** the development is approved, there be a requirement that all the fencing be hebel type fencing which will:

1. reduce any noise emanating from the land;
2. will provide a feeling of *security and privacy* in the sense of being a more solid structure, and
3. will enable each owner to finish the fence in a colour of their choice. If the fencing is a single sheet of colorbond, an issue will arise given the materials and colourings on my clients' property. Hebel fencing however will allow for individual painting and a better visual outcome.

Further, for the sake of consistency, my clients request that any fencing be at one continuous height, which might mean say along their rear boundary, the fence might be in the order of 500 –600mm higher at the western end than at the eastern end because of the natural fall of the land from east to west. The same approach ought to be adopted along the western and eastern boundaries, noting that the land also falls from south to north i.e. falls towards the road from the 'rear'.

Further as mentioned, as part of the ERD Court, the final form of fencing was a reserved matter because the proposal needed to be addressed once the development had been fully constructed. A similar approach can be adopted here noting however that the fencing should involve hebel or the like.

Overshadowing

The Code Zone provisions PO 3.1 and PO 3.2 deal with the issue of overshadowing. The overshadowing plans show some impact of the proposal on my client's property, but my clients have real concerns as to whether or not that impact has properly been addressed. Put another way and based on informal expert advice, my clients expected a greater amount of overshadowing on their roof space, noting that they have two sets of solar panels on their roof. Indeed, my client's solar and battery system is operated by AGL as it is a "virtual power plant". AGL is therefore able to take power from my clients' battery at any time. For that purpose, AGL have a fixed connection to my clients' wireless broadband service which links the land to a tower at Mount Lofty. That link that requires a direct line of sight. The "pickup point" on my client's property is on a lower level and the two-storey nature of the proposal on the eastern side will impact on that line of sight.

Thus two issues arise in relation to that aspect – the true extent of the overshadowing of those panels and the interference with the requirement that there be a fixed wireless link to Mount Lofty Ranges to the pickup point of my clients' roof.

The issue of overshadowing is also discussed in the report from MasterPlan wherein the provisions mentioned above (DPF 3.1 and DPF 3.2 are set out).

When one considers the Drawing SK-13, it is self-evident that the provisions in the Code will not be satisfied in terms of the access to sunlight and my clients' private rear space. My clients, in anticipation of the development, have established a gazebo in the south-eastern corner of the rear yard but it is clear from the images that the private open space in the south-western corner will not have access to sunlight as anticipated by the Code i.e. direct sunlight between 9.00am and 3.00pm for at least half of the existing ground level open space.

The submission made by MasterPlan that the proposal will not result in over shadowing of any north facing windows is not disputed but there will be a substantial interference with the amount of direct sunlight into the private open space area. This arises because the two-storey nature of the proposal and the very limited boundary setbacks. That issue could be resolved by both the eastern and western wings being single-storey only in height and form.

Overlooking

The MasterPlan report also deals with that issue. It is understood that the establishment of the obscure glazing to windows and to balcony screening will largely reduce the opportunity for overlooking. However, the fact remains that associated with that issue is the proximity of the balconies and private open space areas so that the privacy which is important to my clients will be lost. Aural privacy is a relevant in that regard.

The Council must ensure that all windows and balconies which have the potential to result in overlooking are treated in a permanent manner so as to prevent overlooking.

Site Coverage and Density

The Zone notes in Performance Outcome 3.1

Building footprints consistent with the character and pattern of a low-density suburban neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.
(emphasis added)

The briefest of brief evaluations of the plans and existing conditions/development in the locality unambiguously leads one to the conclusion that this most important Code expectation/outcome is overwhelmingly not achieved.

The Outcome applies long understood and clear common sense planning precepts of development having regard to the conditions in the locality. In this instance the true locality is that facing Glenferrie Ave and not Cross Rd. There is little development in Glenferrie Ave to support the development proposed noting the importance the Code places on the locality having regard to PO 3.1 and 4.1 referred to above and the *overarching* Desired Outcome for the zone that seeks

Low density housing is consistent with the existing local context and development pattern.

Landscaping and open space

Obviously given the nature of the proposal, private open space is not provided. However, in the instance, the proposed development proposes 45 additional “living units” yet provides very few additional open space areas. The only areas of open space that are of any significance as part of this scheme are to the front of both the western wing and the eastern wing. Of course, the western wing includes the carpark. Within those two areas, there are six shrubs/small trees. There is one other area of landscaping.

Whilst some hedging is proposed on the land itself it will provide no benefit to my clients.

The lack of landscaping is a significant issue as to the amenity to be enjoyed by the proposed occupants of the building.

It is clear that when one has regard to the (lack of) landscaping, it again demonstrates the point previously made that the proposal is an overdevelopment of the land.

Closing Remark

For all the reasons set out above, the proposed development in the form as presented does not warrant the grant of planning consent. It is inconsistent with the Code and number of key areas including its bulk and scale (height), its failure to “sympathise” and co-exist with the conditions in the locality as it proposes large two storey buildings an insufficient distance from all three common boundaries. The sheer bulk and scale will have an adverse negative impact on not only my clients but also the locality generally as well as the neighbours east and west of the proposed addition.

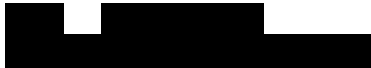
Request to be heard

My clients seek to be heard either in person or by agent when the matter is considered by the Council Assessment Panel.

Yours faithfully



George Manos
BOTTEN LEVINSON



Representations

Representor 8 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	05/05/2022 04:01 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
	<p>We do not support the Development in its current form as it will in our professional judgement have significant impact in changing the historically quiet residential character of the immediate locality, something we as a family have enjoyed for some 35 years. As a retired commercial architect I acknowledge that there has been infill development in more recent years but it has largely been done with sensitivity preserving the desirable residential character and without notable increase in vehicle and people traffic. The proposal in its current form will threaten this desirable family environment. The 'land use', as is proposed we do not see as a planning issue. The major design sticking point is the incorporation of vehicle and pedestrian access points off Glenferrie Ave into the Nursing Home. Being professionally experienced in Nursing Home Design and Operations we understand the substantial daily traffic movements in and out of a large 121 Bed facility. This includes daily food and medical supplies, service and maintenance people, professional medical and nursing support, on staff and contract carers and many visitations from resident family members. This traffic movement is is for every day of the year and for some groups extends through the night and early hours of the morning. Having lived adjacent we understand and have experienced the Cross Road peak hour traffic congestion which exists morning and afternoon fronting the Nursing Home. This Make vehicle traffic in and out of the subject site extremely challenging and with very lengthy delays due to the built up traffic banking from the Portrush/Glen Osmond Road intersection. To avoid this congestion delivery drivers, staff and visitors will park off site in Riverdale Ave. This has been occurring for as long as we can recall, as all</p>

Reasons

the local residents will confirm. While the Riverdale on street parking will most likely continue this proposal will exacerbate the problem by extending it into Glenferrie with conveniently proposed more direct access vehicle driveway and 3 pedestrian gates. There is no doubt that this will be the go to first choice delivery access for less bulky goods, staff and for family visitations. This introduces commercial Traffic into a otherwise quite residential street, exactly what the Provisions of the P+D Code PO1.2 are clear in disallowing...."Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers." Given that the application satisfies P+O Parking Requirements without the additional single vehicle park at 9 Glenferrie we do not understand the inclusion other than for the purpose of what we do not wish to occur. As such we would highly advise the Development Application is amended with the deletion of the vehicle crossover and that the 3 PA gates are reduced to 2 and restricted by one way operation as fire exit gates only. This amendment will gain our support. Overall we suggest that the builtform scale and character incorporation appropriate detailing in both building and the pillar and wrought iron fencing will meld well with the streetscape. And for added interface an appropriate selection of specimen trees and shrubs to provide softening and screening. We reject the applicant suggestion that the Glenferrie access points will controlled /managed not be used for commercial traffic as over time the control will be abused. Besides if the inclusion is not for commercial use then why have when its surplus to requirements and any subsequent abused use would render it contrary to PO1.2. In conclusion, we will support the Nursing Home expansion providing the provisions of PO1.2 are satisfied with a soft interface boundary to Glenferrie Ave which excludes the proposed vehicle and 2 way gate access points. [REDACTED]

Attached Documents

Representations

Representor 9 - [REDACTED]

Name	[REDACTED]
[REDACTED]	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	05/05/2022 04:54 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

Dev_Application_ID_21011428.pdf

5 May 2022

City of Unley - Assessment Panel

RE: ApplicationID 21011428

Representation: [REDACTED]

We do not support the Development in its current form as it will in our professional judgement have significant impact in changing the historically quiet residential character of the immediate locality, something we as a family have enjoyed for some 35 years.

As a retired commercial Architect I acknowledge that there has been infill development in more recent years but it has largely been done with sensitivity preserving the desirable residential character and without notable increase in vehicle and people traffic.

The proposal in its current form will threaten this desirable family environment. The 'land use', as is proposed we do not see as a planning issue.

The major design sticking point is the incorporation of vehicle and pedestrian access points off Glenferrie Ave into the Nursing Home.

Being professionally experienced in Nursing Home Design and Operations we understand the substantial daily traffic movements in and out of a large 121 Bed facility.

This includes daily food and medical supplies, service and maintenance people, professional medical and nursing support, on staff and contract carers and many visitations from resident family members. This traffic movement is for every single day of the year and for some groups extends through the night and early hours of the morning.

Having lived adjacent the proposed site, we understand and have experienced the Cross Road peak hour traffic congestion which exists morning and afternoon fronting the Nursing Home. This makes vehicle traffic in and out of the subject site's main carpark off Cross road extremely challenging with very lengthy delays due to the long traffic banking from the Portrush/Glen Osmond Road intersection.

To avoid this congestion delivery drivers, staff and visitors will park off site in Riverdale Ave. This has been occurring for as long as we can recall, as all the local residents will confirm. While the Riverdale on street parking will most likely continue this proposal will exacerbate the problem by extending the commercial traffic into Glenferrie with a more direct access vehicle driveway and 3 pedestrian gates off the currently quiet street.

There is no doubt that this will be the 'go to' first choice delivery access for less bulky goods, staff and for family visitations. This introduces commercial traffic into an otherwise quiet residential street, exactly what the Provisions of the P+D Code PO1.2 are clear in not allowing...."*Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.*"

Given that the application satisfies P+O Parking Requirements without the additional single vehicle park at 9 Glenferrie we do not understand the inclusion other than for the purpose of what we do not wish to occur. As such we would highly advise the Development Application is amended with the deletion of the vehicle crossover and that the 3 PA gates are reduced to 2 and restricted by one way operation as fire exit gates only.

This amendment will gain our support. Overall, we suggest that the built form scale and character is good. The incorporation of appropriate detailing in both the buildings and fencing with masonry pillars and wrought iron panelling will meld well with the rhythm of the streetscape. And for added interface, a planting of appropriate selection of specimen trees and shrubs to provide softening and screening.

We would reject a possible applicant suggestion that the Glenferrie access points will controlled /managed from being used for commercial traffic as over time the control will most likely be abused.

Besides if the inclusion is not for commercial use then why include the vehicle park when it's surplus to requirements and any subsequent abused use would render it contrary to Provisions PO1.2.

In conclusion, we will support the Nursing Home expansion providing the Provisions of PO1.2 are satisfied with a soft interface boundary to Glenferrie Ave which excludes the proposed vehicle and 2 way gate access points.

[REDACTED]

[REDACTED]

Representations

Representor 10 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
[REDACTED]	[REDACTED]
Submission Date	06/05/2022 01:28 PM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	various

Attached Documents

[REDACTED]

Council Assessment Panel
City of Unley
PO Box 1
UNLEY SA 5062

5 May 2022

Dear Panel Members

Statement of Representation

Application ID: 21011428

Description: *Demolish dwellings at 5, 5A & 7A Glenferrie Avenue, construct two-storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross road and associated retaining and fencing (maximum 121 bed numbers across facility)*

Properties: 5, 5A, 7A and 9 Glenferrie Avenue, Myrtle Bank
30-32 Cross Road, Myrtle Bank

Expansion of Aged Care Facility

I am writing to you as I wish to **object** to the above development.

Our home is double storey with the first floor located in the roof space but is not visible from the street. The proposed construction of a two storey building will have a huge impact on our home as development will encase us on three sides.

Previous application

I am familiar with the previous application to expand the existing facility onto Glenferrie Avenue, Myrtle Bank. That application differed from the current application in that it only involved the land at 7A and 9 Glenferrie Avenue, Myrtle Bank and was to present a single storey wing onto Glenferrie Avenue.

This proposal involves 5, 5A, 7A and 9 Glenferrie Avenue in a two storey format. Further, the previous application had very limited access to Glenferrie Avenue.

Concerns

My concerns relate to the:

- land use
- height setbacks and site coverage
- intensity of the use
- fencing
- overshadowing and overlooking
- use of Glenferrie Avenue for both pedestrian and vehicular access.

12 - 6 MAY 2022

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Desired Outcome 1 for the Zone seeks

*Low density housing is consistent with the **existing local context** and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character**.*

Land Use

I do not consider it is appropriate for the expansion of an existing aged care facility presenting to Glenferrie Avenue in such a bold and indignant manner. The street is entirely residential in nature with private dwellings. The bulk, form, and height of the proposed development with its two substantial two storey wings is not sympathetic to the character of the street.

Height Setbacks and Site Coverage

Whilst it is understood the Code contemplates two storey dwellings within the Zone that is for *normal dwellings*, but not very large wings which I consider to be disproportionate to the form and scale of existing development in Glenferrie Avenue.

The height setbacks of all three of our boundaries are of a major concern.

Eastern boundary

Due to the sloping nature of the land, our house has been 'dug into the site' so it is considerably lower than our neighbours on the east. A portion of the eastern wall of our home [REDACTED] is on the boundary and a section of that wall abuts the wall of the adjoining property.

I have concerns about:

- how close to our foundations are they excavating
- will they be digging lower than our foundations?
- the impact of the excavating on our foundations
- the structural damage this may cause our property
- will we be able to access the site to render our exposed wall (we have no idea of what our wall is like until it is exposed).

I have contacted the development services section in the Unley Council for documentation on:

- retaining wall details eastern boundary
- elevation diagram eastern boundary
- our house plans to ascertain the depth of our foundation.

Rear boundary

The planning code does appear to deal with a rear setback from battle-axe blocks, but this should not mean that the developer takes advantage of this and builds on or close to our rear boundary.

We should still be entitled to a significant separation (at least 6 metres) from the proposed development to maintain our private space. That is the typical setback to the rear boundary for a two storey dwelling. 3m is unacceptable, particularly when combined with the minimal setbacks to our western and eastern boundaries. This is not our side boundary and clearly also is not a *side boundary* as to the proposed development.

Side boundaries

Masterplan talk of side boundary setbacks of some 2.2m but with buildings 6.9m-7.0m high. Buildings of that height with minimal setbacks is again unacceptable.

The analysis does not address the impact of three separate and distinct substantial wings encasing my home. Further, the building height on our eastern side is exacerbated because my home is 'dug into the site'.

Intensity of use

By looking at the plans you can see that mass and size of the development takes most of the site. Also, there is distinct lack of open space and therefore a lack of green space. Landscaping is minimal, with only 7 trees, over four lots of land.

Fencing

We are concerned about the increase in noise due to proximity of the two-storey building encasing us. We do not want to hear our neighbours' conversations as we currently can. Nor do we want them to hear ours. Nor do we want to change and nor should we be expected to change how we use our private space just because we have an aged care facility *perched* on top of us.

Therefore, if the proposal is approved, we seek an increase in the setback as to all sides and wish to have the all the proposed colourbond fencing replace with hebel fencing to:

- mitigate against noise from the surrounding development
- for privacy purposes
- to enable us to render in a colour of our choice
- it will be aesthetically more pleasing.

Furthermore, we request that the rear boundary fence be one continuous height and not staggered as depicted on the plans. The same would apply to our east and west boundary.

Also, the plans SK 9 - Elevations 1 and SK 12 - Perspectives - have our front fence boundary pillars been replaced. These pillars are located on our property. We have not given permission for our pillars to be replaced and do not give permission.

Furthermore, as part of the ERD Court appeal we lodged against the previous scheme, the height of the fencing was to be determined on completion of the building. Our existing fence was to remain during the construction period. As a courtesy, we would like that to remain.

Overshadowing and Overlooking

Overshadowing

We have a solar PV and battery system. Our roof solar panels are located on the east and lower west side of our roof. Overshadowing from this development will significantly reduce our capacity to produce energy, regardless of the time of the year. We are also part of AGL's Virtual Power Plant (VPP) where AGL can take power from our battery to help stabilise frequency levels on the grid. The VPP is controlled using Wi-Fi technology. AGL require a fixed connection into our Wi-Fi which is a wireless broadband service that requires a direct line of sight to Mount Lofty. Our microwave link is located on the lower east side of our roof and the two storey developed will impact on the line of sight.

We have taken steps to make our home as sustainable as possible to reduce our household costs, but the proposed development will have a long-term impact on us financially (our energy usage is now significantly less when compared with other homes in our area). So financially we will be worse off due a development which in essence is a profit-making business which operates 24/7.

Currently, we have direct sunlight to our rear yard private space all year round, and in winter for at least 6 hours depending on the weather, but SK 13 - Shadow Diagram shows that our private space will only have sunlight a short portion of the day in winter. This will make our only privacy space unusable. That is unfair and unacceptable. The extent of overshadowing is clear and will significantly diminish our enjoyment of our home and the rear yard.

Overlooking

The proximity of the two storey building with three protruding balconies overlooking our private space will be oppressive and overbearing. The residents may not be overlooking but the building will be. Any methodology to limit overlooking must be a permanent solution.

Car parking and traffic

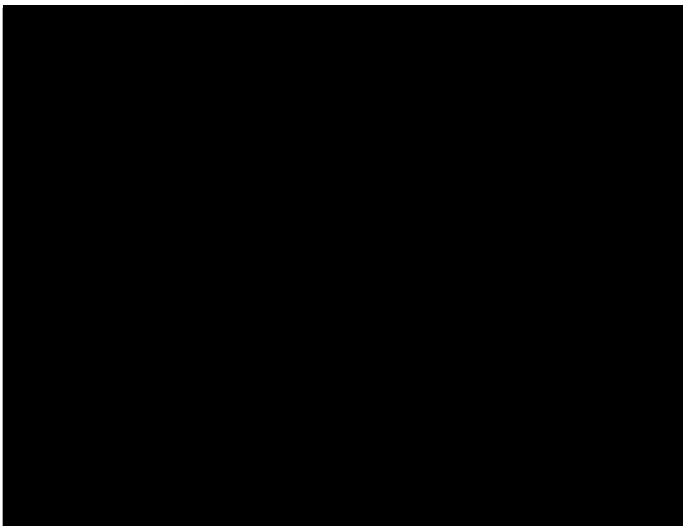
With the vehicle access and three pedestrian gates facing Glenferrie Avenue we are greatly concerned about parking on Glenferrie Avenue by both staff and visitors noting that the new Commonwealth Government rules require more caring for residents that will lead to increase staffing. There is already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home. This development will just add to the problem. With the parking comes the increase in traffic, traffic noise and pollution. The previous application only allowed emergency pedestrian access from Glenferrie Avenue and no vehicular access via Glenferrie Avenue.

For all these reasons the proposed development should not be granted planning consent.

Request to be heard

I wish to be heard in person when the matter is considered by the Council Assessment Panel.

Yours faithfully



Representations

Representor 11 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Phone Number	[REDACTED]
Email Address	[REDACTED]
Submission Date	06/05/2022 01:39 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	various

Attached Documents

ObjectionToGlenferrieAvenueDevelopment-2793552.pdf

Council Assessment Panel
City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation

Application ID: 21011428
Description: Demolish dwellings at 5, 5A & 7A Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross road and associated retaining and fencing (maximum 121 bed numbers across facility)
Properties: 5, 5A, 7A and 9 Glenferrie Avenue, Myrtle Bank
30-32 Cross Road, Myrtle Bank

Expansion of Aged Care Facility

We are the owners and the occupiers of [REDACTED]

We are writing to you as we wish to oppose the above development.

Previous application

We are familiar with the previous application to expand the existing facility onto **Glenferrie Avenue, Myrtle Bank**. That application differed from the current application in that it only involved the land at 7A and 9 Glenferrie Avenue, Myrtle Bank and was presented a single storey wing onto Glenferrie Avenue.

This proposal involves **5, 5A, 7A and 9 Glenferrie Avenue** in a two storey format. Further the previous application had very limited access to Glenferrie Avenue.

Concerns

Our concerns generally relate to the:

- land use proposed
- bulk and scale of the 'additions' included in the variation
- proximity of the building to the land boundaries
- intensity of the use, with a very high building site coverage
- lack of open space areas for the 'residents'
- use of Glenferrie Avenue for both pedestrian and vehicular access

Objection

In support of our objection we understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Desired Outcome 1 for the Zone seeks

*Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character.***

Land Use

We do not consider it is appropriate for the expansion of an existing aged care facility presenting to Glenferrie Avenue. The area is entirely residential in nature with private dwellings and has a very high level of amenity. The form of the proposal with its two substantial two storey wings will adversely impact on the visual amenity and the amenity of the area more generally. Such are the imposing features of the additions that they will significantly compromise the character, visual appeal and overall amenity of the residents on Glenferrie Avenue and surrounds.

Height Setbacks and Site Coverage

Whilst it is understood the Code contemplates two storey dwellings within the Zone that contemplation relates to normal dwellings, not commercial scale very large building consisting of wings which are grossly disproportionate to the form and scale of existing developments in Glenferrie Avenue.

The lack of setbacks adds to these concerns.

The form and scale is overbearing. This concern is added to by reason of the very high site coverage as is apparent from looking at the plans and the lack of meaningful open space areas for the residents. Further there is very little evidence of proper scaled landscaping on site for the benefit of the residents of the facility and for the benefit of the immediate neighbours to the land.

Noise

Given the location and two storey form, along with the associated increased activity for commercial activity there will be some increase in noise levels in what is otherwise a very quiet and pleasant environment.

Car parking

A number of new 'rooms' are provided yet there is no corresponding increase in car parking.

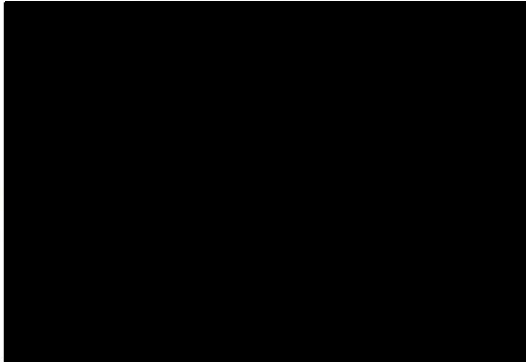
With the vehicle access and a gate facing Glenferrie Avenue we are very concerned about parking on Glenferrie Ave by staff, contractors and other service providers as well as visitors. Noting that the new Commonwealth Government rules require increased staffing requirements to provide care for residents, increased staffing ratios are anticipated, leading to increased activity and parking demand.

Overshadowing and Overlooking

Whilst not directly impacted by these issues, as we live directly opposite the development, our aspect and amenity of the street is disturbed due to the two-storey proposal and scale. This issue needs to be addressed in order to maintain the existing well established appealing and pleasant surrounds and conditions in Glenferrie Avenue

Request to be heard

We wish to be heard in person when the Council Assessment Panel considers the matter. We shall present further details in support of this opposition at that time.



ATTACHMENT 12

4 May 2023

Development & Regulatory Services
 City of Unley
 181 Unley Road,
 UNLEY SA 5061

Attention: Mr Don Donaldson – Team Leader Planning | Assessment Manager

Dear Mr Donaldson

**Re: Development ID 21011428
 Expansion of Existing Aged Care Facility
 Response to Representations**

MasterPlan (SA) Pty Ltd have been engaged by the applicant, Kirkbride Architects, to assist in the preparation of a response to the representations received during public notification. The application underwent public notification for a period of 15 business days in July/August 2022, during which time a total of 11 representations were received. Four (4) duplicates are noted, resulting in a total of eight (8) valid representations.

Table 1 below provides a summary of the representations received.

Table 1: Summary of Representations

REPRESENTOR	ADDRESS	POSITION	PLANNING CONCERNS	CAP
██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> Foundation stability. Parking in Glenferrie Ave. Ambulance noise. Overlooking. Building height. Land use. Bulk and scale. Site coverage and green space. Access to Glenferrie. 	✓
██████████ ██████████ ██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> Amenity and character. Scale, bulk, massing. Building height. Colour palette. Commercial streetscape presentation. Limited landscaping. 	✗





REPRESENTOR	ADDRESS	POSITION	PLANNING CONCERNS	CAP
			<ul style="list-style-type: none"> Heritage impact and height of the spire. Site coverage. Signage. Parking impact. Servicing and waste collection. 	
██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> Land Use. Bulk and Scale. Setbacks. Site coverage. Open space. Access to Glenferrie Ave. Overshadowing. Privacy. 	✓
██████████ ██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> Land Use. Bulk and Scale. Setbacks. Site coverage. Open space. Access to Glenferrie Ave. 	✓
██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> Residential character. Access to Glenferrie. Servicing. Landscaping. 	✓
██████████ ██████████ ██████████ ██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> Setbacks. Residential character. Proximity of balconies. Overdevelopment. Noise. Access to Glenferrie. Impact on fencing. Overshadowing. Overlooking. Site coverage and density. Open space and landscaping. 	✓
██████████ ██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> Land use. Height. Setbacks. Site coverage. Overdevelopment. Fencing. Overshadowing. Overlooking. Access to Glenferrie Ave. Residential character. Foundation stability. 	✓



REPRESENTOR	ADDRESS	POSITION	PLANNING CONCERNS	CAP
██████████ ██████████ ██████████	██████████ ██████████	Opposes	<ul style="list-style-type: none"> • Land use. • Height. • Setbacks. • Site coverage. • Noise. • Overdevelopment. • Open space. • Parking. • Overshadowing. • Overlooking. • Access to Glenferrie Ave. 	✓

Community Consultation Process

Following the public notification period, the application was placed on hold by the applicant to provide the opportunity for voluntary consultation with the representors, to consult with them on revisions to the proposal in response to their concerns raised.

The project architect, Kirkbride Architects, sought to engage with the representors directly in order to prepare an outcome that was more amenable to the community. The engagement was predominately conducted over email correspondence with Representors 6 & 7 ██████████. ██████████ amended plans were then distributed to other relevant parties and community meetings were organised at their place of residence. Two (2) community group meetings were conducted during this process and attended by Kirkbride Architects.

During this consultation process, the architectural plans were amended four (4) times with iterations being made in direct response to the feedback received following each update. Advice and clarification on specific issues and questions were also provided by Kirkbride Architects.

A summary of the email correspondence between the parties is enclosed at **Attachment A**.

Summary of Amendments

- Significant reduction in second-storey footprint, removing nearly the entirety of the second-storey on the western wing.
- Significant upper-level setback increase from the rear boundary of 7 Glenferrie Avenue from 3.1 metres to 8.0 metres.
- Provision of retaining wall, raised garden bed and 2.4-metre-high Hebel fence to shared boundaries with 7 Glenferrie Avenue.
- Removal of all upper-level balconies facing 7 Glenferrie Avenue.



- Consolidation of AC plant placement to central roof platform with greater separation from all adjoining properties.
- Revised roof form with a less central ridge positioning and separated into elements to provide greater relief to the height and massing of the built form when viewed from neighbouring land.
- Revised architectural presentation to Glenferrie Avenue which moves away from a grand civic architectural language to a more understated residential expression with a scale that continuity with the streetscape character.
- Removal of the copper tower/spire structure, to be replaced with a glass dome of a reduced height and visual effect.

Response to Matters Raised

We provide below a response to the extent of matters raised in the representations, including those which have been addressed through the consultation process. To avoid duplication, our response seeks to address the key issues evident in the majority of representations received.

Impact on Integrity of Neighbours Foundations

A solution has been determined with the affected neighbour at [REDACTED] to ensure the structural integrity of the dwelling is maintained. This solution comprises of a retaining wall aligning with the shared boundary but setback within the subject land.

Parking and Access to Glenferrie

Concerns have been raised in respect to the potential use of Glenferrie Avenue for parking associated with the expanded operation due to its convenience and the proposed pedestrian and vehicle connection.

The applicant is required to provide connection through to Glenferrie for emergency access purposes. The applicant has agreed to make this a controlled vehicle and pedestrian access point to ensure it is only used for emergency purposes.

The use of Glenferrie Avenue for parking by visitors to the facility cannot be practically controlled by the applicant, however, the applicant has met their obligations with respect to the provision of sufficient on-site car parking to meet the expectations of the Planning and Design Code, which is accessed via the Cross Road frontage.

With the controlled gated entries in place and appropriate signage and communication, it is anticipated that access and parking on Glenferrie Avenue will be appropriately managed in accordance with the communities' expectations.

Commentary around contractor parking and impact of construction activities are outside the scope of what can reasonably be considered or controlled as part of the planning consent process. These matters will be managed in accordance with other relevant legislation and standards that may be applicable to this process.



Overlooking and Privacy

The concerns raised with respect to overlooking and the perception of overlooking are considered to have been resolved by the amendments. Clarification has been provided where appropriate with respect to the use of obscured glazing or raised sill heights for upper-level windows. The scaling back of the extent of the second storey, the removal of a number of upper-level balconies and the increase of boundary setbacks are all considered to assist in appropriately mitigating the potential for overlooking.

These changes also provide a significant reduction to the potential for the perception of overlooking and impingement of privacy. The removal of the balcony also further protects the acoustic privacy of neighbours and reduces the potential for noise impact produced from the facility.

Overshadowing

The policies of the Planning and Design Code seek to ensure that new development does not unduly impact on adjoining land or uses through overshadowing of windows to habitable rooms, balconies, solar panels or private open space.

The applicant has sought to reduce the potential overshadowing impact of the proposal through the substantial reduction of the upper-level building footprint and the increased setback from key boundary interfaces.

Revised shadow diagrams have been prepared which depict the extent of the shadow cast by the amended design on the 21 June (the shortest day of the year). These diagrams indicate that the resulting shadow cast by the development is minor and affected properties to the east and west will still achieve sufficient solar access across the day.

When considering the impact on 7 Glenferrie Avenue, it is relevant to note that this is a constrained site due to built-form coverage and limited setbacks. Overshadowing impact should be considered with due regard to the prevailing shadow conditions affecting this land. The proposed development does not significantly exacerbate shadow conditions affecting this property.

Bulk and Scale

It is acknowledged that Glenferrie Avenue has a prevailing character of single-storey and two-storey residential development comprising, in the main, of older detached dwellings with some examples of newer infill development of a more contemporary nature.

As the encroaching land use within this residential context, the key consideration for this development, is how the proposed built form sits within the residential streetscape. In order to provide a building form that achieves consistency with the pattern of development along Glenferrie, the development has been substantially scaled back in its architectural expression and extent of the upper level, along with the provision of a landscaped frontage.



These amendments are considered to produce an outcome which is in-keeping with the streetscape character and maintains a residential scale and appearance when viewed from Glenferrie Avenue. The revised proposal maintains the established pattern of primary street setbacks and utilises the spaces as a landscaped front yard in order to better replicate a residential street presentation.

Land Use

Commentary has been received questioning the suitability of the proposal from a land use perspective. The land is located within the Suburban Neighbourhood Zone. It is noted that the provisions of the Zone provide for the establishment of Supported Accommodation and other services which serve the community. Furthermore, it is noted that the proposal represents a logical expansion of an existing use within the locality.

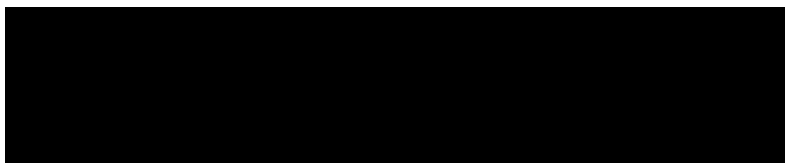
It is noted that the provisions of the Zone specifically contemplate the *"expansion of existing community services ... in a manner which complements the scale of development envisaged by the desired outcome for the neighbourhood"*. With the amendments noted herein, the proposal is considered to achieve this intent.

Closure

We trust that the significant concessions and amendments made by the applicant and the response to the representations provided herein, resolve the matters raised and/or provide the necessary justification for the design decisions that have been made.

Please keep us informed of the time and date that this matter will be considered by the Council Assessment Panel so that the applicant can arrange for their representative to be in attendance to respond to any verbal representations to be heard.

Yours sincerely



Nick Wilson
MasterPlan SA Pty Ltd

enc: **Attachment A:** Summary of Email Correspondence and Community Consultation Process.
 Attachment B: Record of the meeting minutes.

ATTACHMENT A

Summary of Email Correspondence

SUMMARY OF EMAIL CORRESPONDENCE AND COMMUNITY CONSULTATION PROCESS

27 June 2022 - Email from Representors 6 & 7 to [REDACTED]

Additional and reiterated concerns were raised via email correspondence by the residents of [REDACTED]. These concerns comprised of:

- Building levels and retaining walls at boundaries.
- Fence height and material.
- Access from Glenferrie Avenue to the facility.
- Setbacks, overlooking and overshadowing.
- Disturbance during construction.

27 July 2022 – Email from [REDACTED]

Following negotiations with the developer, an amended development scheme (dated 21 July 2022) was prepared and sent via email to Representors 6 & 7 for consideration.

A further meeting date was scheduled to discuss the revised plans with other interested representors.

22 August 2022 – Initial Meeting with Representors

A meeting was held with representors and their legal representation on the 13 February 2023 to discuss their concerns and potential resolutions. A record of the meeting minutes is enclosed (**Attachment B**). We summarise the key outcomes from this meeting as follows:

- Representors were invited to reiterate their concerns and frustrations verbally at the meeting and in writing following the meeting. These concerns largely comprised of:
 - Frustration with planning process;
 - Retaining walls boundary works;
 - Upper-level setbacks;
 - Overlooking;
 - Traffic; and
 - Street access.
- [REDACTED] confirmed that substantial changes and concessions would be made in an effort to resolve community concerns to the extent that the project remained viable and without compromising its integrity.
- It was agreed that a second meeting would occur once plans for a revised design had been prepared for further consultation and determination by the representors whether or not the revisions resolved their concerns.
- Revised plans were subsequently prepared and sent to Representors 6 & 7.

6 September 2022 – Email from Representor 6 & 7

Email correspondence from Representor 6 & 7 was received by [REDACTED] which indicated that the revised plans had been circulated to other relevant neighbours and provided a list of persisting concerns/issues, which included:

- Building presentation to the street to be revised to exhibit residential character.
- Request for both the eastern and western wing to be reduced to single storey in height.
- Request for no pedestrian or vehicle access from Glenferrie Avenue and if access is required then for it to be for emergency access only and controlled.
- Request for traffic study to be prepped and made available for resident comment in respect to increase traffic flow on Glenferrie Avenue as a result of the development.
- Request for inclusion of additional garden space and tree canopy and a reduction in building footprint.
- Request for specific limitations on construction hours, communication with residents, parking management plan for contractors, and acoustic fencing during construction, and cleaning of affected properties.
- Specific requests from the owners of [REDACTED], including:
 - 1.6 metre setback from common boundary;
 - Obscured glazing to first floor east facing windows;
 - Reduction to single storey of eastern wing;
 - Confirmation of fence height and materiality for common boundary; and
 - Parking controls during construction.

2 November 2022 – Email from [REDACTED] to Representor 6 & 7

Further amendments were undertaken to the design and were set via email to Representatives 6 & 7 for review and distribution.

16 November 2022 – Email from Representor 6 & 7 to [REDACTED]

Email correspondence from Representor 6 & 7 was received by [REDACTED] which indicated that the revised plans had been reviewed and further questions and comments were raised including:

- Seeking confirmation of the extent of access from Glenferrie and that this would be used only for emergency access purposes and would be controlled.
- Seeking confirmation that there is no longer AC plant within the Utilities/Store room.

- Seeking confirmation of various first floor items including obscured glazing, proximity of verandah, and material for the pergola.
- Seeking confirmation and clarity in respect to various notes and drawing convention.

23 November 2023 – Email from [REDACTED] to Representor 6 & 7

Email response provided from [REDACTED] to Representor 6 & 7 responding to each of the items raised in their email and seeking to organise a time for a further meeting with the affected parties to discuss the revised plans.

November 2022 – Email from Representor 6 & 7 to [REDACTED]

Email from Representor 6 & 7 reviewed by [REDACTED] indicating receipt of hard copies of the amended plans and confirming that these had been circulated to other relevant parties for review.

Possible future meeting dates discussed in subsequent correspondence.

8 March 2022 – Second Meeting with Representors

A second in-person meeting with the representors and their legal representation was held on 8 March 2023 to discuss the extensive revisions to the plans and seek their endorsement of the revised scheme. We summarise the key outcomes from this meeting as follows:

- Concern was raised again in relation to the boundary fence 7 Glenferrie Ave.
- Addition drawing changes were requested to provide clarification in relation to this boundary treatment.
- Additional survey information was obtained to inform the additional architectural detail requested.
- At the request of the representors the copper spire/tower element was removed and replaced with a glass dome element.

Following this meeting a fourth (4) revised set of plans were prepared by Andrew Kirkbride. The applicant has determined to proceed with this revised package of plans and take the application off-hold. The community consultation process has been concluded.

ATTACHMENT B

Meeting Minutes

2.2.1 MEETING MINUTES

Date: 13 February 2023

Prepared By ...Andrew Kirkbride

To:	Company:	Email:	present
██████████	██████████	██████████	
██████████	██████████	██████████	
██████████	██████████	██████████	X

22-10 CARLYLE ON CROSS 2 – Community Meeting 01

No.	Item	Description	Action
1.01.01	Project Description	Addition and alteration to an Existing Residential Aged Care Facility – Murtle Bank, South Australia	
2.01.01	Meeting Summary	<p>Meeting Opened at 5.30pm</p> <p>Andrew Kirkbride from Kirkbride Architects called a meeting of concerned community members to hear from and address where possible concerns and objections to the expansion of the existing residential aged care facility of the local residence. Most of the immediately affected residents were present as well as their legal representative (██████████).</p> <p>██████████ made and Andrew invited each of the residence present to clearly state their concerns and objections.</p> <p>Many people spoke of their frustration with the planning process as a whole. They also articulated their concerns and objections of the development. Andrew Clarified a number of concerns at the meeting and was able to clarify some of the design details particularly levels and retaining wall details that were on property boundaries and abutted the neighbours properties.</p> <p>Andrew asked for these concerns and any remaining concerns to be provided in writing as a way of a summary to be addressed in turn with a revised and reworked development application.</p> <p>Andrew stated that revised drawings would be produced on the understanding that if they addressed</p>	

No.	Item	Description	Action
		<p>the major community concerns then the revised proposal would be supported by the community when it was presented again to the council.</p> <p>It was agreed that substantial changes and concessions would be made to the design where it was in the developers control without compromising the integrity and viability of the project.</p> <p>Upper level setbacks, overlooking issues, traffic and street access to the development were major concerns that are to be addressed.</p> <p>It was agreed that the community were not currently happy with the proposal and it was requested that this be communicated to the developer.</p> <p>It was also agreed that the meeting was a good step towards a mutually acceptable resolution and that good will would be shown by all moving forward.</p> <p>It was agreed that Kirkbride Architects would take the concerns back to the developer and upon receipt of a report in writing from the community would amend the proposal design for further review and agreement.</p> <p>Meeting Closed at 7.30pm</p>	
8.01.01	Future Meetings	Once the revised drawings were drafted they would be again presented to the community for verification and support if they went some way to alleviating the community concerns	

ATTACHMENT 13

Details of Representations

Application Summary

Application ID	21011428
Proposal	Demolish dwellings at 5, 5A & 7A, Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross Road and associated retaining and fencing (maximum 121 bed numbers across facility).
Location	30 CROSS RD MYRTLE BANK SA 5064, 32 CROSS RD MYRTLE BANK SA 5064, 5 GLENFERRIE AV MYRTLE BANK SA 5064, 5A GLENFERRIE AV MYRTLE BANK SA 5064, 7A GLENFERRIE AV MYRTLE BANK SA 5064, 9 GLENFERRIE AV MYRTLE BANK SA 5064

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	09/08/2023 05:24 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons Parking space, access, Glenferrie Avenue is for residential use	

Attached Documents

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	14/08/2023 01:59 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons see attached	

Attached Documents

RepresentationAug23-6230178.pdf

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

We are the owner and/or the occupier of [REDACTED].

We are writing to you as we wish to object to the above development.

Concerns

Our concerns relate to the:

- proposed land use
- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to

Objection

In support of our objection, we understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

We do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal

could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

We understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character .

We have already seen the impact of this development on our property [REDACTED] [REDACTED] when the original build was done as a consequence of which we lost privacy in our house due to the balcony overlooking bedroom.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is a very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the of number of car parks is acceptable given in increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the

proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

Our concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

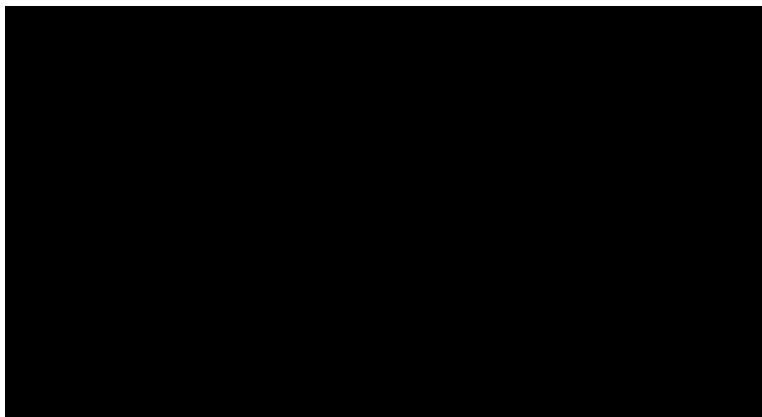
We request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I do not wish to be heard when the matter is considered by the Council Assessment Panel.



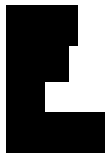
Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	14/08/2023 02:46 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons See attached	

Attached Documents

00880e06002-6230943.pdf



You don't often get email from [REDACTED]

CAUTION: This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank



we are writing to you to object to the above development.

Concerns

Our concerns relate to the:

- proposed land use
- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.
- the state our property was left in after Stage one development completion. Our Solar panels, tiles, windows, paths, all covered with up to 10 mm of accumulated dust then sludge. Air currents obviously dropping all excavation proceeds on our property. That cost cannot be absorbed by us again. It devalues our property and we are past the age of being able to clean up on such a large scale.



Objection

We understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

*Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character.***

We do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the of number of car parks is acceptable given in increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only. Our concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home. We request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Yours faithfully

[Redacted Signature]

Representations

Representor 4 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	17/08/2023 10:25 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons see attached	

Attached Documents

RepresentationAug23-6257004.docx

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am Joint owner and occupier of [REDACTED].

I am writing to you as to object to the above development.

Concerns

My concerns relate to the:

- proposed land use
- build form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

I do not consider the expansion of the existing aged care facility into Glenferrie Avenue is at all appropriate. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form and visual character of the proposal could not be considered low density, nor is it compatible with the existing low density residential character of the street.

Built form and Visual Impact

I do understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one commercial building with wings separated by the dwelling at 7 Glenferrie Avenue.

SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located at 7 Glenferrie Avenue, in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

The proposed Glass dome included in the development proposal will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood. I cannot understand how said glass dome contributes to the residential character Glenferrie Avenue.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood. It does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space with a great deal of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours: increased energy costs, hotter private outdoor spaces and considerably less flora and fauna. I do not believe that this development is consistent with the Unley Council's Environmental Sustainability Strategy, which aims to maintain and enhance our urban environment, and strengthen the City's resilience to climate change. It should also be noted that landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds, also stated to 123 beds in the proposal, but the number of car parks provided has not increased, stating 40 parking spaces provided on site. Council needs to be satisfied that the of number of car parks is acceptable for the increased number of residents proposed for the site, given the increase in staffing needed in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only, which has resulted in an increase in traffic in Riverdale Street, Glenferrie Avenue and Urrbrae Avenue as drivers are choosing to go around the block to turn right into Cross Road.

Access from Glenferrie Avenue to the facility

The current plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side of the property at 7a Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will remain open for staff and visitors, who will then will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, namely Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates on Glenferrie Avenue are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I do not wish to be heard in person or by agent when the matter is considered by the Council Assessment Panel.

Yours faithfully

A large black rectangular redaction box covering the signature and any accompanying text in the signature block.

Representations

Representor 5 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	21/08/2023 09:33 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons See attachment	

Attached Documents

[REDACTED]	
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Timothy Bourner

Subject:

RE: Statement ofRepresentation: DA ID 21011428

[REDACTED]

CAUTION: This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

Council Assessment Panel

C/O City of Unley

PO Box 1

UNLEY SA 5062

20/8/2023

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties:

5 Glenferrie Avenue, Myrtle Bank

5a Glenferrie Avenue, Myrtle Bank

7a Glenferrie Avenue, Myrtle Bank

9 Glenferrie Avenue, Myrtle Bank

We are the owners of [REDACTED].

We are writing to you as we wish to object to the above development.

Concerns

Our concerns relate to the:

- proposed land use
- built form and visual impact

- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of our objection, we understand the land concerned is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code)..

Land Use

SO1 for the Zone states that : **Low density housing** is consistent with the **existing local context** and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character**.

In view of the above we do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. **Glenferrie Avenue is entirely residential in nature with private dwellings**. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

We are aware that the Code permits two storey dwellings within the zone that is for a normal dwelling. This proposal contravene the Code : one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character of our suburb.

The proposed glass dome does not contribute to the streetscape character. It will clearly be visible from Glenferrie Avenue and throughout the neighbourhood.

Site Coverage

The proposed building footprint has a very high site coverage and is not consistent with character and pattern of a low-density suburban of our neighbourhood. It does not provide sufficient space around buildings to limit or provide an attractive outlook and access to light and ventilation.

The lack of open space reduces the visual impact of the neighbourhood.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours : increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council **needs to be satisfied** that the number of

car parks is acceptable given in increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

Our concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home. We request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and **is noted on the certificate of title and is binding** on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to Local Government Act.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

We do not wish to be heard when the matter is considered by the Council Assessment Panel.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Representations

Representor 6 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	21/08/2023 09:35 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development
Reasons See attachment	

Attached Documents

RepresentationAug237607-6276859.docx

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am the owner and the occupier of [REDACTED].

I am writing to you as I wish to object to the above development.

Concerns

My concerns relate to the:

- proposed land use
- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

***Low density housing** is consistent with the **existing local context** and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character**.*

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

I understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds (maximum 121 beds across facility) but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the number of car parks is acceptable given the increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I wish to be heard when the matter is considered by the Council Assessment Panel.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the person making the statement.

Representations

Representor 7 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	21/08/2023 11:40 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons We are writing to you as we wish to object to the proposed development located at Glenferrie Avenue Myrtle Bank. Our concerns relate to the following reasons: • proposed land use • built form and visual impact • height setback • site coverage • landscaping • noise • car parking and traffic • access from Glenferrie Avenue to facility. More details of explanations please find the supporting documents as attached.	

Attached Documents

[REDACTED]	
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Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

We are writing to you as we wish to **object** to the above development.

Concerns

Our concerns relate to the:

- proposed land use
- built form and visual impact
- height setback
- site coverage
- landscaping
- noise
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of our objection, we understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

We do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

We understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

Height Setbacks

The lack of setback between our boundary the proposed two storey wing is a concern. The proposed development is 3 metres from our western boundary [REDACTED] and the excavation will be over 4 metres. We are concerned about the impact of the excavation on our foundations, and the problems this may cause into the future.

Overshadowing and Overlooking

The two-storey building will block sunlight to our alfresco and the back yard on the west side in the afternoon. Our children spend most of their day when home doing outdoor activities. This is their main source of sunlight.

In addition, we dry clothes in our alfresco area in winter and the two-storey building will block the sun, which will be an inconvenience to us.

We also have concerns about overshadowing from the proposed two storey building on our solar panels, especially in the afternoon.

It is understood that obscure glazing will be used on all windows overlooking our property and to the balcony screening, however the proximity of the balcony to private space is concerning. There will a distinct lack of privacy when we use alfresco and back yard area.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and

surrounds a huge thermal heat pump. This will impact us and our neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Noise

We have noted that on SK06 – *Proposed Ground Floor Plan*, dated 7 June 2023, that there is Utilities/Storeroom close to our boundary. On the original plans supplies in April 2022, dated 25 August 2021, this room was labelled A/C Plant, Storage and Services room. Is the air conditioning plant still going to be located in this room, or has it been moved.? This is not clear in the current set of plans.

If the air conditioning plant is still located in this room, we have major concerns about the noise and heat pollution from this unit and impact it will have on our family.

We are also concerned about the increase in noise from the due the proximity of the proposed two storey building and balcony to our boundary. We do not wish to hear the residents, or residents, us.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 or 123 beds and the number of car parks provided is either 40 or 42 spaces, depending on which plan you are viewing, *Information plan* or SK02 – *Existing Ground Floor Site and Demolition Plan*. Council needs to be satisfied that the of number of car parks is acceptable given in increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

If the number of car parks has increased to 42 then are they counting the driveway on Glenferrie Avenue which is annotated as 'Emergency Access Vehicle Only'.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

Our concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. Also, is the driveway for 'emergency vehicles only' or a car parking space?

There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

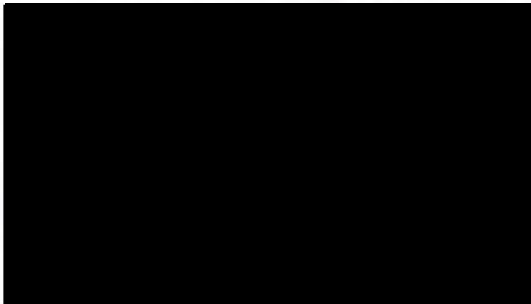
We request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I wish to be heard in person when the matter is considered by the Council Assessment Panel.



Representations

Representor 8 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	22/08/2023 09:18 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons See attachment	

Attached Documents

GlenferrieDevelopment-6286699.docx

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

We are the owner and the occupier of [REDACTED].

We are writing to you as we wish to object to the above development.

Concerns

Our concerns relate to the:

- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of our objection, we understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Built form and Visual Impact

We understand that the Code allows for two storey dwellings, however the North Elevation SK09, depicts a height that is substantially higher than that of a normal two storey dwelling. There is concern that these buildings, which surround the dwelling at 7 Glenferrie Avenue will overshadow and limit views for this dwelling. The height of this is not in keeping with the low-rise suburban character of this local area.

Also, the plans show a large glass dome, at some height, meaning this would be very visible from Glenferrie Avenue and distance views throughout the neighbourhood.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood. Given the scale of the development, there does not appear to provide sufficient space around buildings allowing access to light and ventilation, which again, would also impact neighbouring dwellings.

It is apparent from looking at the plans that there is a very high site coverage and a lack of open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings. The development would not be in keeping with the streetscape of the neighbourhood, which prides itself on having lots of character and open spaces.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the number of car parks is acceptable given the increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

We also have concerns regarding the above, and anticipate not only extra traffic flow via Glenferrie Avenue, but also if there are not adequate parking spaces within the facility, then there are concerns of overflow of traffic and parked cars onto surrounding streets.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

Our concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. I have noticed that there are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

We request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

I sincerely wish that Council will consider the above concerns of current rate paying Unley Council residents.

Yours faithfully

[Redacted signature]

Representations

Representor 9 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	22/08/2023 09:41 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons See attachment	

Attached Documents

[REDACTED]	
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Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am Joint owner and occupier of [REDACTED].

I am writing to you as to object to the above development.

Concerns

My concerns relate to the:

- proposed land use
- build form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

I do not consider the expansion of the existing aged care facility into Glenferrie Avenue is at all appropriate. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form and visual character of the proposal could not be considered low density, nor is it compatible with the existing low density residential character of the street.

Built form and Visual Impact

I do understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one commercial building with wings separated by the dwelling at 7 Glenferrie Avenue.

SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located at 7 Glenferrie Avenue in front of the proposed development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

The proposed Glass dome included in the development proposal will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood. It is hard to understand how said glass dome will contribute to the residential character Glenferrie Avenue and its surrounds.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood. It does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from the plans provided that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact of the buildings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space with a great deal of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours: with increased energy costs, hotter private outdoor spaces and considerably less native habitat. I do not believe that this development is consistent with the Unley Council's Environmental Sustainability Strategy, which aims to maintain and enhance our urban environment, and strengthen the City's resilience to climate change. It should also be noted that landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 to 118 beds but the number of car parks provided has not increased, stating 40 parking spaces provided on site. Council needs to be satisfied that the number of car parks is acceptable for the increased number of residents proposed for the site, given the increase in staffing needed in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only, which has resulted in an increase in traffic in Riverdale Street, Glenferrie Avenue and Urrbrae Avenue as drivers are choosing to go around the block to turn right into Cross Road.

Access from Glenferrie Avenue to the facility

The current plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side of the property at 7a Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

I am concerned that over time the gates will remain open for staff and visitors, who will then will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, namely Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL aged care facility.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates on Glenferrie Avenue are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender. Below it is a smaller black rectangular redaction box, likely covering a title or contact information.

Representations

Representor 10 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	22/08/2023 12:38 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

[REDACTED]	
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Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I, Ms Marilyn Stevens, am the owner of [REDACTED].

I am writing to you as I wish to **object** to the above development.

Concerns

Our concerns relate to the:

- proposed land use
- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

I understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

I cannot understand how a glass dome contributes to the streetscape character. The glass dome will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the number of car parks is acceptable given the increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

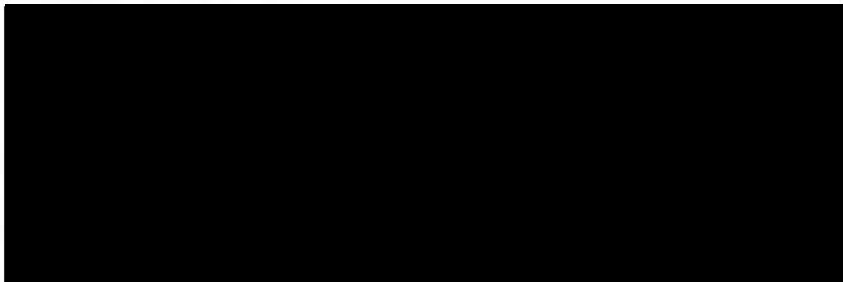
Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I do not wish to be heard when the matter is considered by the Council Assessment Panel.

Yours faithfully

A large black rectangular box redacting the signature and name of the person who wrote the letter.

Representations

Representor 11 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	22/08/2023 02:12 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons See attachment	

Attached Documents

[REDACTED]	
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Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am a joint owner and occupier of [REDACTED]

Though I do not live in Glenferrie Avenue I do live in the adjoining street, and I am writing to you to object on the above development based on the following concerns.

Concerns

My concerns relate to the:

- proposed land use
- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility
- aged care facilities within Myrtle Bank.

Objection

In support of my objection, I understand that the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Proposed land use.

SO1 for the Zone seeks:

***Low density housing** is consistent with the **existing local context** and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without** compromising **residential amenity and character**.*

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and visual impact.

I understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

I cannot understand how a glass dome contributes to the streetscape character. The glass dome will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood.

Site coverage.

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping.

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump.

In addition, this does not align with Unley Council's initiative of building a greener neighbourhood *and increased tree coverage and canopy*.

Car Parking and traffic.

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, remaining at 40 spaces. Council needs to be satisfied that the of number of car parks is acceptable given an increase of beds and staffing requirements in aged care facilities because of the Commonwealth Royal Commission.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue and Urrbrae Avenue as drivers are choosing to go around the block to turn right. The intersection of Urrbrae Avenue and Cross Roads is already dangerous due to the cars from the Waite making U-turns at that intersection.

Access from Glenferrie Avenue to the facility.

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue and Urrbrae Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

I request that a land management agreement be set up with the Council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are

opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Aged care facilities within Myrtle Bank.

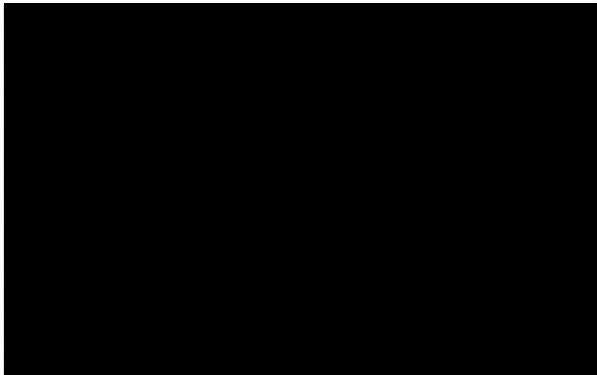
Myrtle Bank, which is a small suburb, has more than its fair share of aged care facilities. The expansion and redevelopment of Southern Cross, Estia Health, Carinya and RSL Care SA has reduced the sites where land and houses would be available for young families to build and reside. I believe that five aged care facilities is a reasonable contribution to the caring of the aged and enough of a footprint on such a small suburb.

Conclusion

For all the above reasons the proposed development should **not** be granted planning consent.

Request to be Heard.

I wish to be heard in person when the matter is considered by the Council Assessment Panel.



Representations

Representor 12 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	23/08/2023 09:41 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

[REDACTED]	
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Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am a joint owner and occupier of [REDACTED].

I am writing to you as I wish to object to the above development.

Concerns

My concerns relate to the:

- proposed land use
- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility.

Objection

In support of my objection, I understand that the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

I understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

Additionally, the glass dome is inconsistent with the streetscape character. The glass dome will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood.

Site Coverage

The proposed building footprint is not consistent with the character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

The plans show that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, having a detrimental impact on many of the local environmental amenities.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the number of car parks is acceptable given an increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission. It is highly likely that the extra visitors and staff will seek to park in neighbouring streets such as Glenferrie and Urrbrae Avenues.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will be opened for staff and visitors, and that this will increase the pressure for parking places in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I do not wish to be heard when the matter is considered by the Council Assessment Panel.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the person making the statement.

Representations

Representor 13 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	23/08/2023 09:42 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

RepresentationAug23-6298068.docx

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am the owner and the occupier of [REDACTED].

I am writing to you as I wish to object to the above development.

Concerns

My concerns relate to the:

- proposed land use – not in keeping with the residential aspect of our street
- built form and visual impact – aesthetically imposing on the street scape with a potential air-conditioning unit to the side which will potentially be noisy and impact us
- site coverage
- landscaping – potentially toxic soil exposure – all my house is required to be cleaned after development (roof and driveways)
- car parking and traffic – on street parking from staff will be a problem and tradesmen during construction. I have a stobie pole on my driveway and already find reversing at times difficult with parked cars, this will only be made worse during construction.
- access from Glenferrie Avenue to facility – There are now 2 driveways it seems from the facility

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

*Low density housing is consistent with the **existing local context** and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character.***

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

I understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

I cannot understand how a glass dome contributes to the streetscape character. The glass dome will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood. This will be an eyesore from the street.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact both myself and my neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the number of car parks is acceptable given the increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right. I believe there will be even more traffic in my street due to this.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will be permanently opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I do not wish to be heard when the matter is considered by the Council Assessment Panel.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

Representations

Representor 14 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	23/08/2023 01:33 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

[REDACTED]	
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REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Kirkbride Architects
Development Number:	21011428
Nature of Development:	Demolish dwellings at 5, 5A & 7A, Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross Road and associated retaining and fencing (maximum 121 bed numbers across facility).
Zone/Sub-zone/Overlay:	Suburban Neighbourhood Zone Airport Building Heights (Regulated) – All structures over 30 metres Affordable Housing Overlay Heritage Adjacency Overlay Prescribed Wells Area Overlay Regulated and Significant Tree Overlay Stormwater Management Overlay Traffic Generating Development Overlay Urban Tree Canopy Overlay
Subject Land:	30-32 Cross Road and 5, 5A, 7A and 9 Glenferrie Avenue, Myrtle Bank SA 5064 Being the land comprised in the following: <ol style="list-style-type: none"> 1. CT5062/751 D29176 AL2; 2. CT5091/446 F15594 AL40; 3. CT5408/253 D29176 AL1; 4. CT6121/121 D92110 AL11; 5. CT6158/577 D110253 AL431; and 6. CT6252/682 F13472 AL23.
Contact Officer:	City of Unley Assessment Panel
Phone Number:	(08) 8372 5111
Close Date:	23.08.2023

[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
-----------------	--



Government of South Australia

Department for Trade
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

See attached representation and enclosures.

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[list any accepted or deemed-to-satisfy elements of the development].*

I: ☒ wish to be heard in support of my submission*
☐ do not wish to be heard in support of my submission

By: ☐ appearing personally
☒ being represented by the following person: Sydney McDonald

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Date: 23.08.2023

Return Address: PO Box 1, Unley, South Australia 5061

Email: DevelopmentServices@unley.sa.gov.au

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Our ref: SM/219100

23 August 2023

City of Unley
181 Unley Road
UNLEY SA 5061

By email: DevelopmentServices@unley.sa.gov.au

Dear Sir/Madam

DA No. 21011428 - Glenferrie Avenue, Myrtle Bank – opposing representation

Our firm continues to act for [REDACTED], the owners and occupiers of [REDACTED]

This representation opposing the application for this development at 5, 5A, 7A and 9 Glenferrie Avenue and 30 and 32 Cross Road, Myrtle Bank (**development land**) is made on our clients' behalf.

Our clients' land is surrounded by the site. That is, the site immediately adjoins the eastern, southern and western boundaries of our clients' land.

This development application (DA No. 21011428) seeks consent for a development described by the Council as "*Demolish dwellings at 5, 5A & 7A, Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross Road and associated retaining and fencing (maximum 121 bed numbers across facility)*" on the site (**proposed development**).

For the following reasons, our clients object to the proposed development.

Background and summary of our clients' concerns

1. An application for the proposed development was originally lodged in October 2021. The application underwent public notification in April 2022 at which time this firm lodged a representation on behalf of our clients opposing the proposed development.
2. Our clients are now in receipt of an amended set of plans, together with a response to representations (**Response**).
3. The Council was required to re-notify the proposed development and has of course done so accordingly.

4. Our clients' position is that **the proposed development is still wholly inappropriate** within the locality and having regard to the relevant provisions of the Planning and Design Code (**Code**). Our clients' concerns with the proposed development can be summarised as follows:
- 4.1 inappropriate bulk, mass and scale;
 - 4.2 inadequate setbacks;
 - 4.3 unreasonable adverse overshadowing impacts;
 - 4.4 unsafe vehicular access to and from the site;
 - 4.5 inadequate landscaping; and
 - 4.6 potential creation of instability of our clients' land and dwelling as a result of proposed boundary excavation works.
5. We have grouped the above issues by heading and detail our clients' concerns further below.
6. Given that the application for the proposed development was lodged on 28 October 2021, version 2021.15 of the Code is the relevant consolidation for purposes of planning assessment and is the version relied upon in this representation.

Inappropriate bulk, mass and scale impacts

7. The overall bulk, mass and scale of the proposed development remains an inappropriate and overbearing addition to a low-rise residential area such as Glenferrie Avenue which will not only affect the wider streetscape, but will also tower over our clients' private open space.
8. The site is located within the Suburban Neighbourhood (**SN Zone**). The Desired Outcome for the SN Zone provides:

*Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.*¹

(Our emphasis)

9. The Desired Outcomes for a Zone are not individual policies themselves but rather inform the interpretation and application of all other relevant Performance Outcomes within the Zone.²
10. SN Zone PO 1.1 dealing with land use states:

Predominantly low density residential development with complementary non-residential uses compatible with a low density residential character.

¹ Version 2021.15 Planning and Design Code, Part 2 – Zones and Subzones, Suburban Neighbourhood Zone DO 1.

² *Adelaide Hills Council Assessment Manager v Parkins & Anor* [2023] SASCA 66 at [35].

(Our emphasis)

11. PO 1.5 further states:

Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.

(Our emphasis)

12. Read in light of DO 1, the obvious focus in the SN Zone is to maintain a low-density residential character. That much is clear where the policies which speak to non-residential uses ensure that such uses are complementary to and compatible with that existing low-density residential character.
13. The terms “complementary”, “compatible” and “consistent” as they are used throughout the Code, and specifically within the SN Zone, have been held by the ERD Court to have essentially the same meaning: “*each of the various urban design elements identified under the POs are not to be varied to an extent that would disrupt the existing development pattern, where one existed.*”
14. PO 3.1 dealing with site coverage further states:

Building footprints consistent with the character and pattern of a low-density suburban neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

(Our emphasis)

15. The corresponding DPF 3.1 states that site coverage should not exceed 50%. Although this is only a guide on how a Performance Outcome may be satisfied, recent case law indicates that the greater the variance from DPF numeric values “*the more difficult it will be to establish suitable conformity with the intended outcome.*”³ This view is further reinforced when PO 3.1 is read in light of DO 1.
16. Plainly, the proposed development is an overdevelopment of the site which is inconsistent with the character and pattern of the low-density suburban neighbourhood that is Glenferrie Avenue. The proposed development will significantly compromise the residential amenity of dwelling occupants in the immediate locality. Our clients will likely experience the greatest adverse impacts on residential amenity with the proposed extension towering over their land on their east, south and west boundaries.
17. Not only will the proposed development have a significant visual impact on our clients, it will also limit their access to light and ventilation (we expand on this further below). Our clients are concerned that the proposed development will effectively create a large thermal heat pump as the bulk, scale and mass also eliminates any opportunity for appropriate landscaping.

³ *Vikhlyayev v City of West Torrens Assessment Manager* [2023] SAERDC 1 at [74].

-
18. The proposed development also does not “*complement the height of nearby buildings*.”⁴ Other dwellings on Glenferrie Avenue are either single storey or have appropriately integrated a second storey into roof space or in a less obtrusive manner. The appearance of the proposed development is domineering and will detract from the established character in the street.
19. Further, in the General Development Policies dealing with Design and Design in Urban Areas, PO 1.3 in each of these states:

Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.

(Our emphasis)

20. The façade of the proposed extension will create a domineering visual impact when viewed from Glenferrie Avenue. The visual impact from our clients’ backyard will be even more significant with this domineering building surrounding their land on all sides.
21. The perspectives provided as part of the public notification documents are also, with respect, deceiving. The impact of the bulk, mass and scale when viewed from Glenferrie Avenue will be much greater than what is depicted. Particularly, the perspective provided in SK12 entitled “5-9 Glenferrie Avenue” is inaccurate when considered against the north elevations depicted in SK09. The proposed extension in its current form will not simply be screened by our client’s dwelling as is shown in SK12.
22. On a balanced consideration of these relevant Code policies in the context of the locality on Glenferrie Avenue, the proposed development is not compatible or consistent with, nor complementary to, the established low-density residential character on Glenferrie Avenue.
23. The proposed development, which plainly represents an overdevelopment of the site, will significantly compromise the high level of residential amenity currently enjoyed by our client and many others in the Street and should be refused planning consent for this reason alone. The proposed development is wholly inappropriate within the locality.

Setbacks

24. Adding to the concerns about bulk, mass and scale, our clients remain concerned with the setback of the first floor from their rear boundary. The setback from the rear of our clients’ property has been increased to approximately 8m for a portion of the wall enclosing the servery, nurse bay and exit stair. The walls then step out towards our clients’ land symmetrically on either side of this to accommodate the library and dining area.⁵

⁴ Version 2021.15 Planning and Design Code, Part 2 – Zones and Subzones, Suburban Neighbourhood Zone PO 4.1.

⁵ See SK07.

25. On the western side, the roof then further juts out towards our clients' land to encompass bedrooms 1 and 2.⁶
26. On the eastern side, Apartments 1 and 3 on the first floor are only set back from the eastern boundary by approximately 3m. As was noted previously, the eastern wall of our clients' dwelling is located directly on the eastern boundary.⁷
27. The shape and arrangement of our clients' land and the site means that the Code policies on side and rear setbacks are difficult to apply in a strict sense. However, the general outcomes sought to be achieved from appropriate boundary setbacks can be drawn from PO 8.1 and PO 9.1 as follows:

PO 8.1: Buildings are set back from side boundaries to provide:

(a) separation between dwellings in a way that complements the character of the locality

(b) access to natural light and ventilation for neighbours.

PO 9.1: Buildings are set back from rear boundaries to provide:

(a) separation between dwellings in a way that complements the established character of the locality

(b) access to natural light and ventilation for neighbours

(c) private open space

(d) space for landscaping and vegetation.

28. The ERD Court has also confirmed the fundamental importance of setbacks to sound planning in the matter of *Paor & Anor v The Corporation of the City of Marion & Anor* [2017] SAERDC 4 when the Court said at paragraph [135]:

We also accept...that side and rear setbacks are one of the 'basic building blocks' of neighbourhood amenity.

29. Despite the inaccuracy of the overshadowing diagrams in SK13 which is discussed further below, a detailed analysis of the plans indicates that the setback will not maintain appropriate access to natural light for our clients' dwelling.⁸
30. The lack of setback also contributes to the bulk, mass and scale of the proposed development which will have impacts on the visual outlook from our clients' backyard and ventilation for our clients' property.⁹

⁶ Ibid.

⁷ Ibid.

⁸ Version 2021.15 Planning and Design Code, Part 2 – Zones and Subzones, Suburban Neighbourhood Zone PO 9.1. See further discussion of overshadowing below.

⁹ Ibid.

Overshadowing

31. PO 3.1 – PO 3.4 in the General Development Policies, Interface Between Land Uses deal with overshadowing requirements. Most relevantly, PO 3.1 states:

Overshadowing of habitable room windows of adjacent residential land uses in:

- a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight
- b. *other zones is managed to enable access to direct winter sunlight.*

(Our emphasis)

32. PO 3.2 further states:

Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:

- a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight
- b. *other zones is managed to enable access to direct winter sunlight.*

33. The applicant has not addressed this issue in its plans for the proposed development. Firstly, the applicant has not included any overshadowing diagram depicting the current access to sunlight for our clients' land. The applicant merely dismisses this issue in the Response under the guise that the siting of our clients' dwelling confines the development potential of the proposed development site and that "*the proposed development does not significantly exacerbate shadow conditions affecting this property.*"¹⁰ (Our emphasis)

34. Respectfully, this assertion is baseless and misconceived. Whether a proposal will "significantly exacerbate" existing shadow conditions is not the test at all. If it were, that could readily result in absurd outcomes. What is relevant is whether a proposed development sufficiently minimises overshadowing impacts so as to enable neighbours to maintain reasonable access to sunlight in private open space and habitable rooms.

35. Our clients are concerned about the accuracy of the overshadowing diagram provided in SK13.

- 35.1 On the portion of SK13 depicting the shadow expected at 3pm on 21 June, there is no shadow over the western side of our clients' property. It is expected, for example, that there would be some overshadowing at this time of the day on the western side of our clients' land as a result of the development; and

¹⁰ Master Plan Response to Representations pp. 5.

- 35.2 the drawing of our clients' dwelling is incorrect (with incorrect roof lines and no rear verandah shown).
36. Given the extent of our clients concerns, they have commissioned the following 3D perspectives and plans from an independent architect, Realize Studio, to demonstrate the extent of the overshadowing impact:
- 36.1 A 3D perspective of the proposed development in relation to our clients' land at 9am on 21 June;
 - 36.2 A 3D perspective of the proposed development in relation to our clients' land at 12pm on 21 June;
 - 36.3 A 3D perspective of the proposed development in relation to our clients' land at 3pm on 21 June;
 - 36.4 A 3D perspective taken from a 50mm lens from the south western corner of our clients' land facing the proposed development; and
 - 36.5 An overshadowing plan depicting an accurate and direct comparison of the existing overshadowing conditions against the proposed overshadowing conditions for our clients' land.

These perspectives and plans are **enclosed**.

37. These diagrams and plans illustrate, not only that our clients' land will be in darkness for most of the day in winter as a result of the proposed development, but also the visual impact the proposed development has due to its overall bulk, mass and scale of the proposed development.
38. Further, PO 3.3 states:

Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:

(a) The form of development contemplated in the zone

(b) The orientation of the solar energy facilities

(c) The extent to which solar energy facilities are already overshadowed

39. As detailed in the representation lodged by this firm on behalf of our clients dated 5 May 2022, our clients have two sets of solar panels on their roof which will be severely impacted by the proposed development.
40. Our clients' solar and battery system is operated by AGL as a "virtual power plant". This means that AGL may take power from our clients' battery at any time. AGL have a fixed connection to our clients' wireless broadband service which links the site to a tower at Mount Lofty. The link requires a direct line of sight. The proposed development on the eastern side of [REDACTED] will impact the required link.

Traffic and access impacts

41. The Application proposes an unsafe and inappropriate access point to and from Cross Road. Our clients rely on the written report of Ms Melissa Mellen of MFY to outline this issue further (**enclosed**).

42. Notably, Ms Mellen states as follows:

...while the proposal will utilise the existing Cross Road access to enter and exit the site, this access is within a prohibited access zone and has not been installed with adequate delineation or safety treatments to restrict entry and exit movements. As a result there are safety and potential conflict points at this access. These risks will be increased by the additional traffic movements associated with the proposal.

Further, the proposed access to Glenferrie Avenue does not comply with As/NZS2890.1:2004. Confirmation is required that this access is for Emergency Use only.

43. Aside from the clear safety issues detailed in Ms Mellen's report, SK02 notes that the "new scheme" has two extra carparks. SK01 indicates that there are still only 40 carparks in the basement area. It is therefore unclear whether the applicant has included the Emergency Access Vehicle Only driveways at the north western and north eastern ends of the proposed development for the facilitation of these two extra carparks. Our clients are concerned that the Glenferrie Avenue access points will be used otherwise than as emergency only access points.

Inadequate landscaping

44. The landscaping plan in its current form is completely inconsistent with the other drawings in the suite of documents on public notification.
45. Putting the above to one side, the overdevelopment of the site results in an inability to provide adequate soft landscaping and tree planting to, for example, minimise heat absorption and reflection, maximise shade and shelter and enhance the appearance of land and streetscape.

Boundary excavation works and stability of our clients' land

46. The Response states that a solution had been agreed between the developer and our clients "*to ensure the structural integrity of the dwelling is maintained. This solution comprises of a retaining wall aligning with the shared boundary but setback within the subject land.*"
47. Our clients are not aware of any such solution having been agreed and still have concerns about how the proposal may well impact the structural integrity of their dwelling given the level of excavation to occur adjacent their eastern boundary.
48. PO 8.5 of the General Development Policies in Design and Design in Urban Areas dealing with earthworks on sloping land states:

Development does not occur on land at risk of landslide nor increases the potential for landslide or land surface instability.

(Our emphasis)

49. Our clients' dwelling has been 'dug into the site' and constructed on a surface which is much lower than the natural ground level that currently exists for their eastern neighbours. A portion of the dwelling wall on the eastern side of our clients' land is located directly on the boundary.
50. The proposed retaining walls and boundary works adjacent our clients' eastern boundary will require excavation close to the eastern boundary wall of our clients' dwelling. This will create an inevitable risk of surface instability and structural issues for our clients' dwelling.
51. Our clients are particularly concerned about the time between excavation and construction of the new retaining walls and external masonry leaf on the exposed walls. This will create significant risk of damage and potential for land surface instability on our clients' land.
52. Given the clear potential for the proposal to increase the risk of land surface instability, it is incumbent on the applicant to obtain a structural engineering report to ensure that it will or, at the very least, can, achieve PO 8.5 (as above).

Summary

The role of the relevant authority is of course to identify the relevant planning policies in the Code so as to then distil the spirit and intent of the policies applying to the site and the proposed development. The relevant authority then needs to determine whether, on balance, the Code speaks for or against any particular proposal.¹¹ It is also necessary *"to balance the interests of those who seek to develop a site with the interests of those who already reside in the relevant neighbourhood or locality."*¹² The proposed development simply does **not** achieve this balance.

The proposed development is an overdevelopment of the site which fails to achieve the primary focus of the Suburban Neighbourhood Zone, namely, for development to be sited and designed to complement the established low-rise residential character and amenity of the neighbourhood.

The consequence of the failures of the proposed development to meet relevant provisions of the Code is that it results in unreasonable external impacts on our clients and other residents within the neighbourhood. Namely:

1. the bulk, mass and scale of the proposal is inappropriate within the established low-density residential character of the locality;
2. this will also have impacts on residential amenity and our clients' access to appropriate ventilation and sunlight;
3. the proposed development will create traffic safety issues in the proposed access to and from the site and there is uncertainty as to how the proposed emergency access points are going to be used; and

¹¹ *Rymill Park Apartments Pty Ltd v Rymill House Foundation Pty Ltd & Anor* [2023] SASC 107 at [62]-[63].

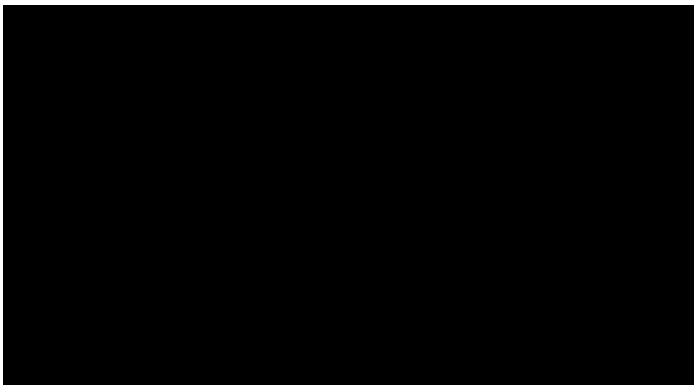
¹² *Hutchens & Anor v City of Holdfast Bay & Anor* [2007] SASC 238 at [21].

4. no effort has been made to mitigate the potential damage which may be caused by the excavation and retaining works which are to occur adjacent the eastern boundary of our clients' land.

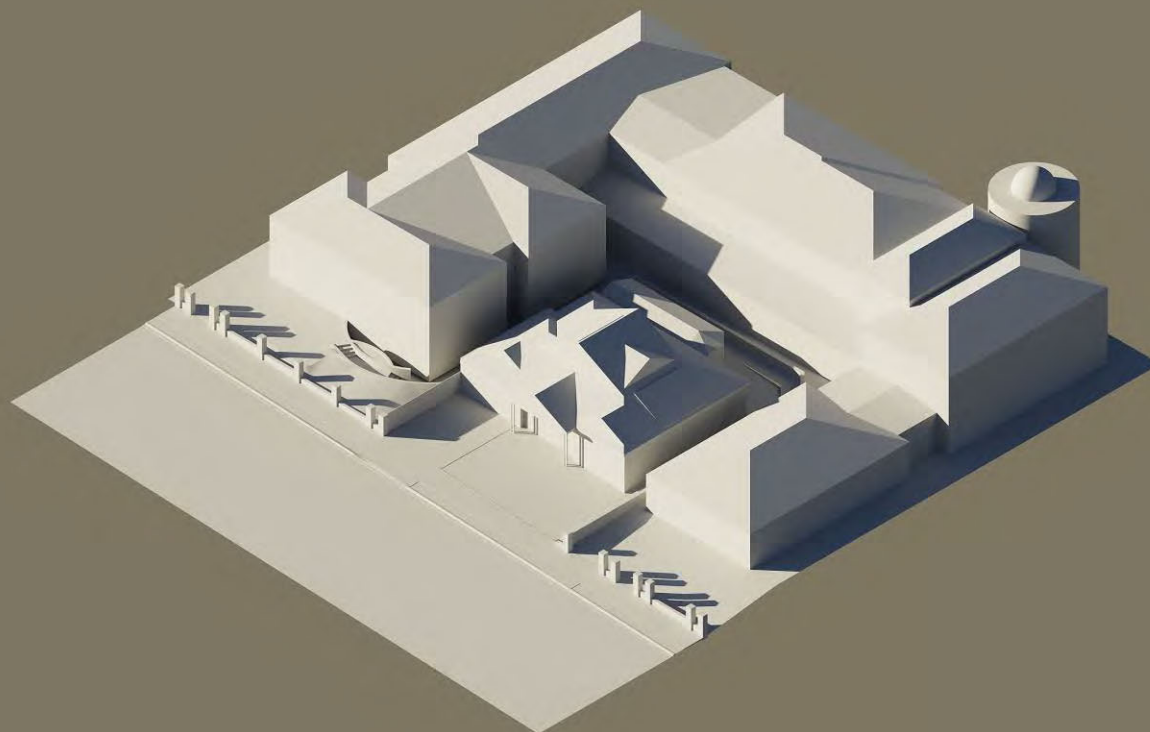
Having regard to the above, the proposed development does **not** warrant planning consent. Our clients urge the Council Assessment Panel to refuse the grant of planning consent.

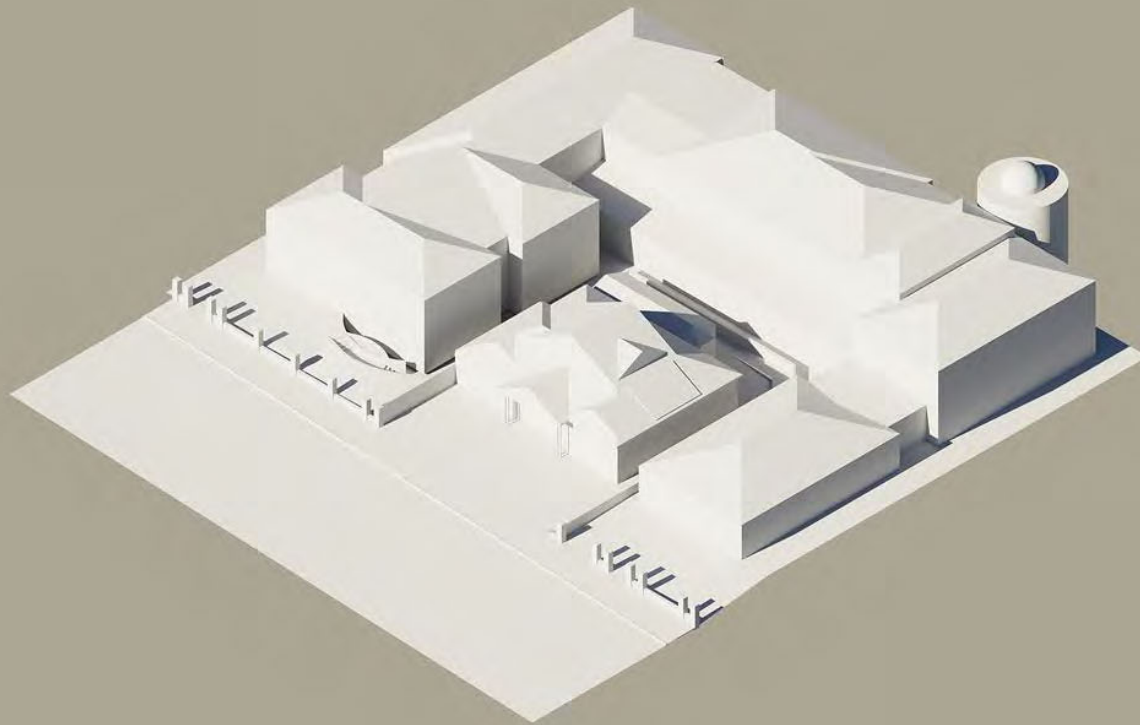
Our clients wish to be heard in person, or by legal representative, at the relevant meeting of the Council Assessment Panel. Please advise the date and time of the relevant meeting.

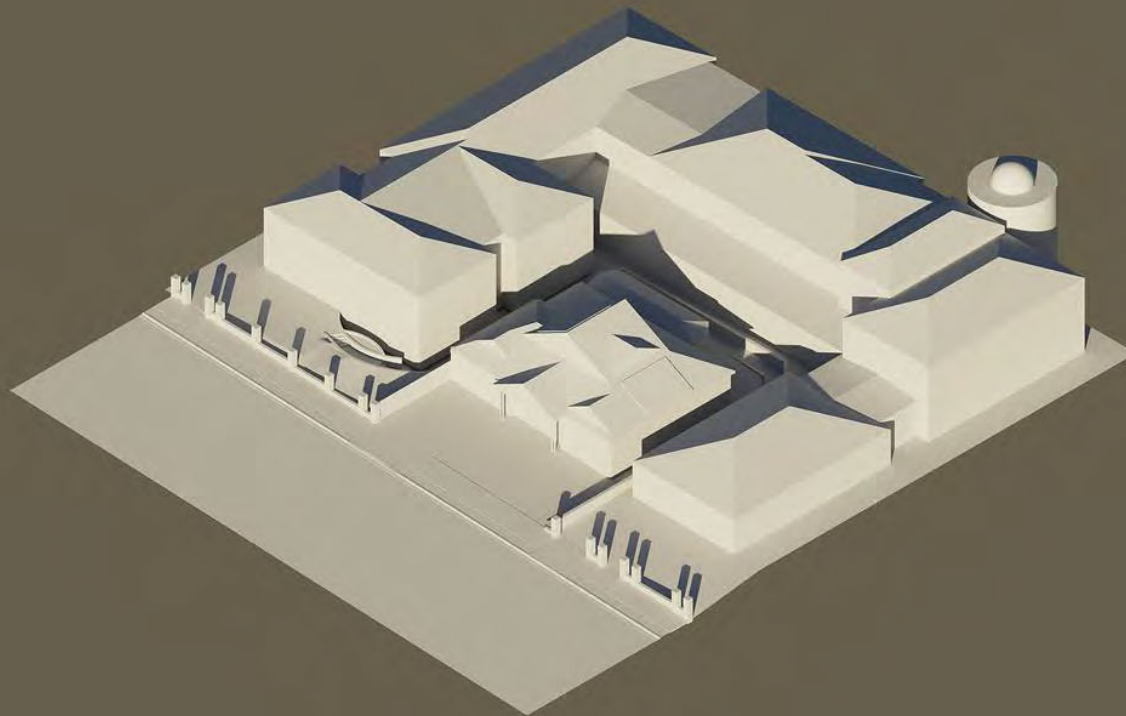
Yours faithfully



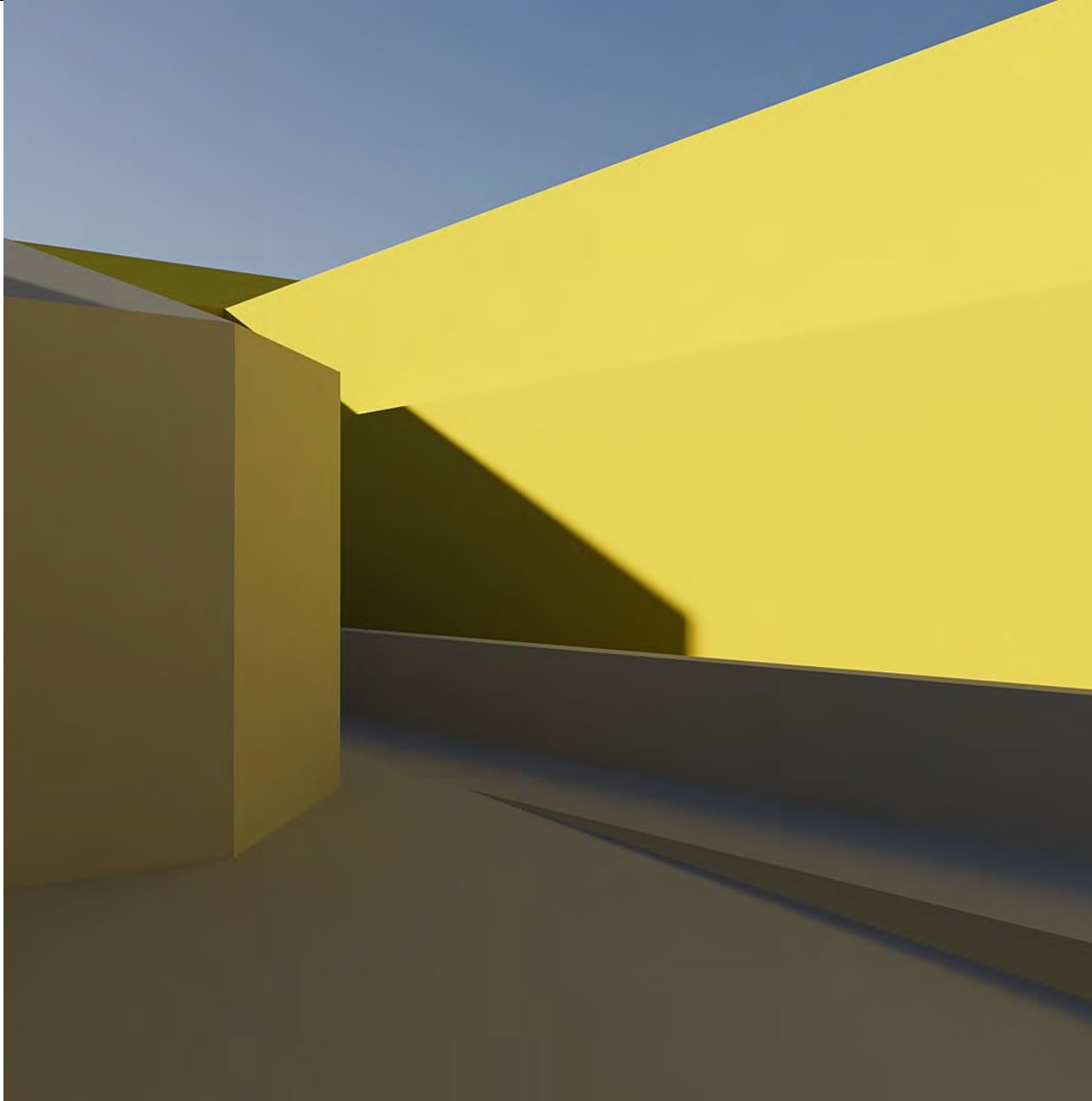
3D perspective of the proposed development in relation to our clients' land at 9am on 21 June



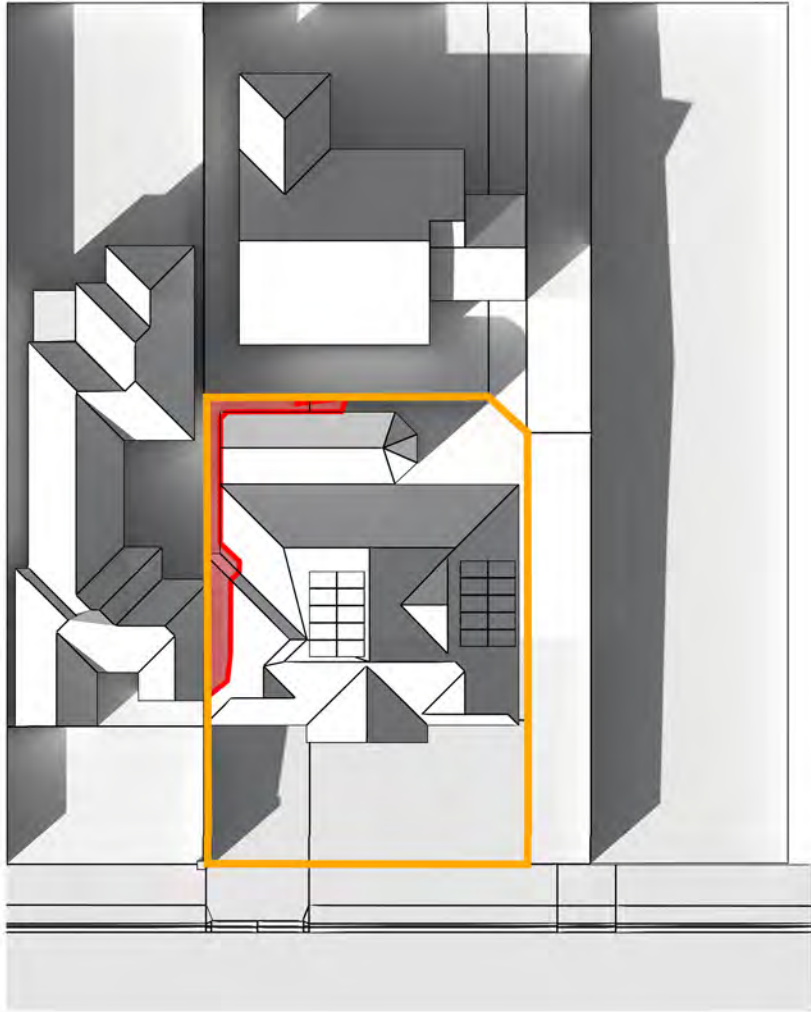




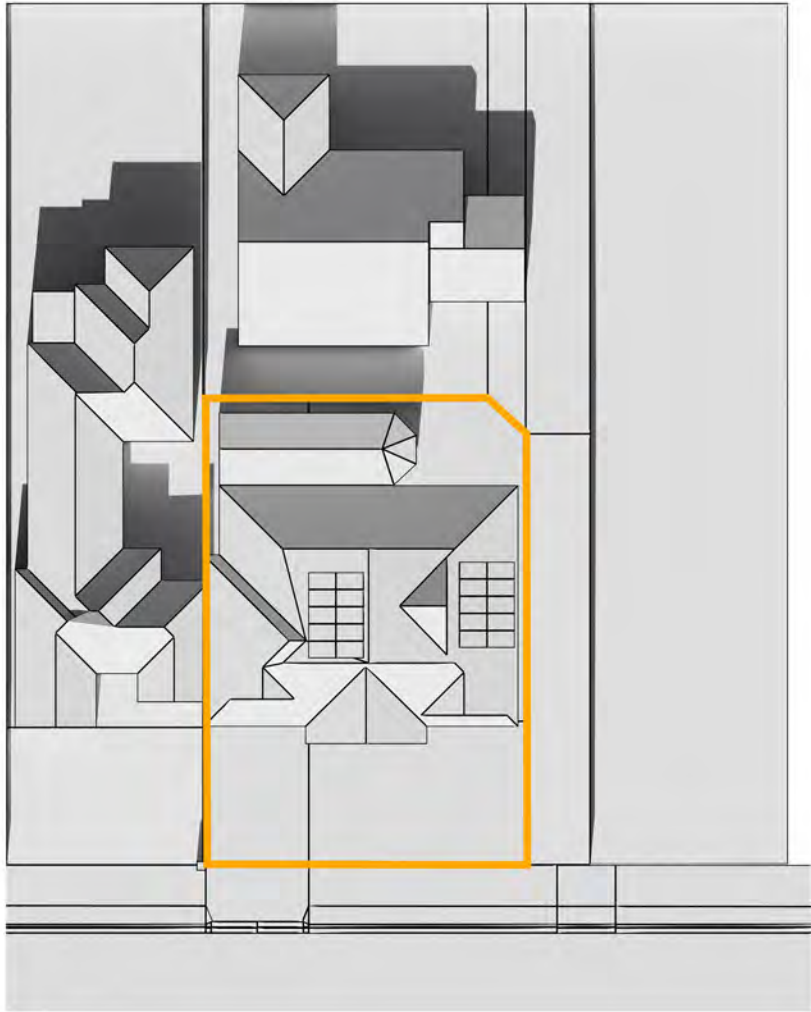
3D perspective taken from a 50mm lens from the south western corner of our clients' land facing the proposed development



EXISTING CONDITIONS:



GLENFERRIE AVENUE

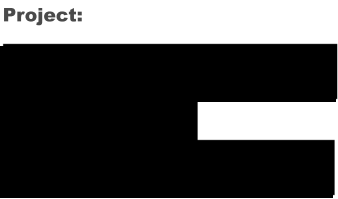


GLENFERRIE AVENUE



GLENFERRIE AVENUE

DISCLAIMER:
Whilst due care has been taken in the preparation of the model from which this diagram has been generated, its accuracy may be limited due to the respective accuracy of existing site information. In this respect these diagrams should only be considered indicative of the extent of shadow. Additionally other site features, such as existing and proposed landscaping and external works not specifically indicated on this diagram will generate shadow that may not be accurately represented by this diagram.
Survey topography, building heights and fence heights used to produce these shadow diagrams have been provided by others

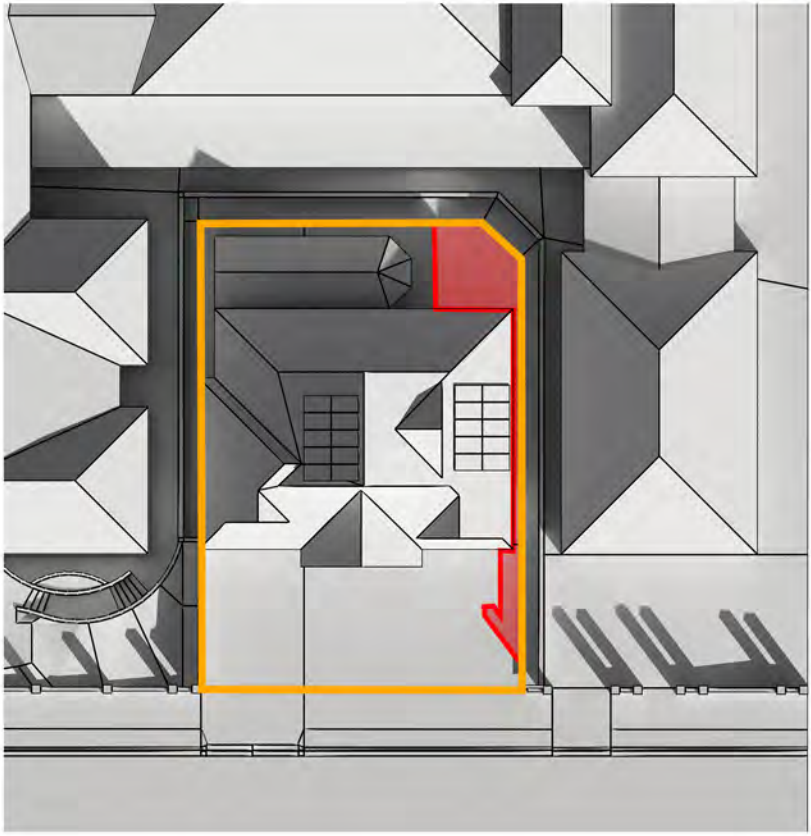
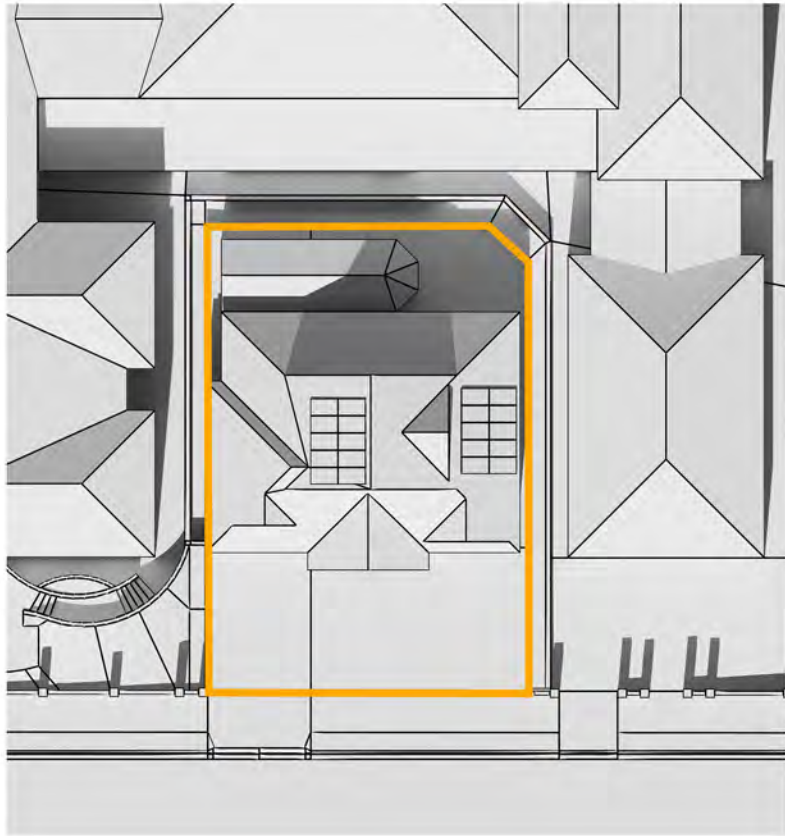
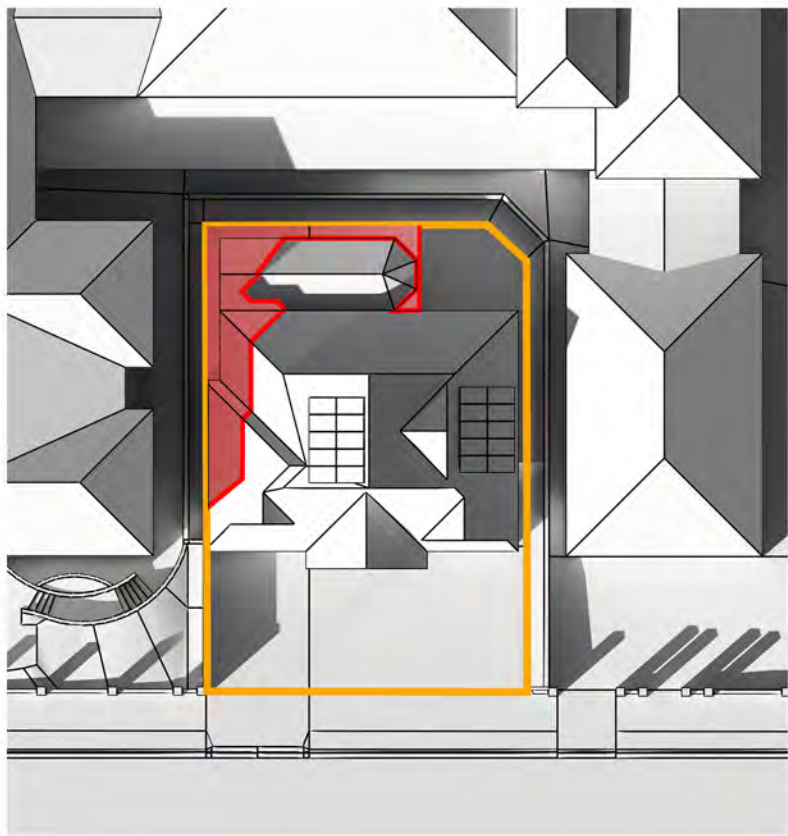


Title:
SUN SHADOW DIAGRAM

SCALE: NTS

LEGEND:
■ Extent of neighbouring shadow

PROPOSED CONDITIONS:



MLM/23-0175



14 July 2023

Traffic • Parking • Transport

Unit 6, 224 Glen Osmond Road
FULLARTON SA 5063

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MFY Pty Ltd
ABN 79 102 630 759

Mr Syd McDonald
Botten Levinson Lawyers
Level 1, 28 Franklin Street
ADELAIDE SA 5000

Dear Syd,

**PROPOSED AGED CARE FACILITY
5,7A AND 9 GLENFERRIE AVENUE, MYRTLE BANK**

Thank you for your instructions in relation to the above matter. You have requested that I undertake a review of the traffic and parking assessment that was completed to inform the assessment of a proposed extension to the existing Carlisle on Cross Aged Care Facility on Cross Road. Specifically, you have requested that I review the proposed development with a view to identifying any concerns relating to the traffic and parking components of the proposal.

In forming my view in relation to this matter, I have reviewed the proposal plans by Kirkbride Architects dated 7 June 2023 and the traffic assessment prepared by Phil Weaver and Associates which relates to the proposed development dated 19 July 2021. The traffic report would not appear to relate to the current set of plans as there are inconsistencies between the proposal plans and the traffic assessment.

1 THE PROPOSAL

The proposal is for an extension to the existing aged care facility to create 47 additional beds. This will result in 123 beds within the facility. The plans also identify that there will be two additional parking spaces (42 in lieu of 40) on the site although it is not clear where these spaces will be located.

Access to the site is currently via Cross Road. This access, which is located within a prohibited access zone as defined in *Australian Standard, Parking Facilities Part 1: Off-Street Parking (AS/NZS 2890.1:2004)*, provides access to the basement car park and the pick-up/set-down facility within the site. Figure 1 illustrates the non-compliance of this access within the prohibited access zone.

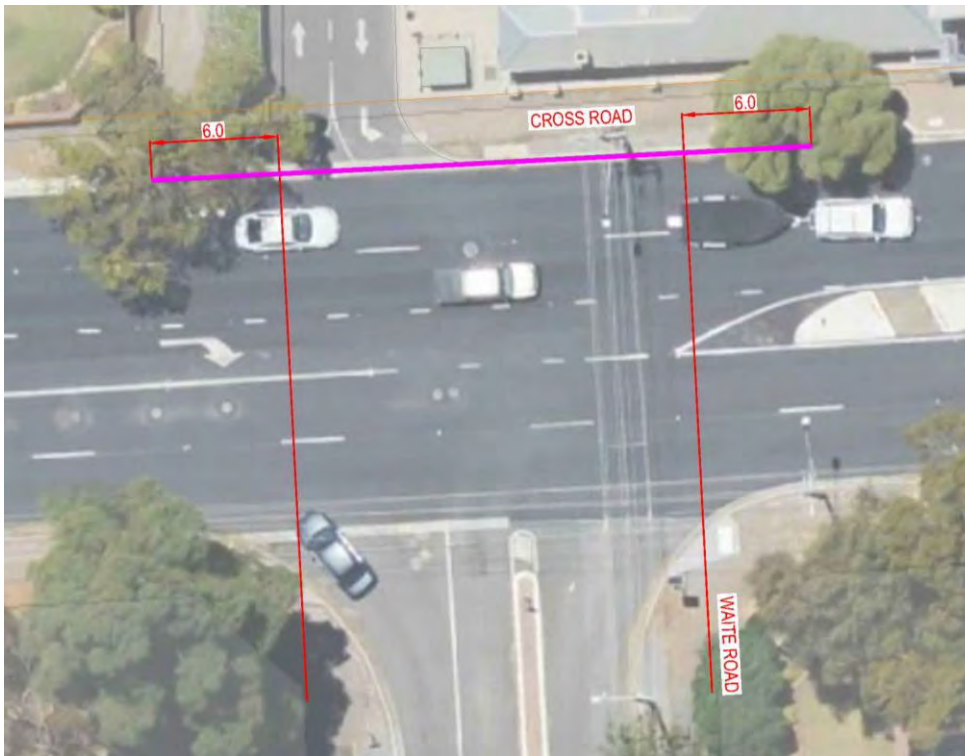


Figure 1: Access within prohibited access zone

It is proposed that this access will continue to service the site following development of the expansion. The plans identify that the access is (and will continue to be) treated with a painted triangular island and signage and that exit movements will be restricted to left turn movements. The traffic report indicates that the access will be restricted to left-in/left-out movements but there is no proposed traffic control to prohibit right turns to the site. Figure 2 illustrates the proposed treatment at the intersection.

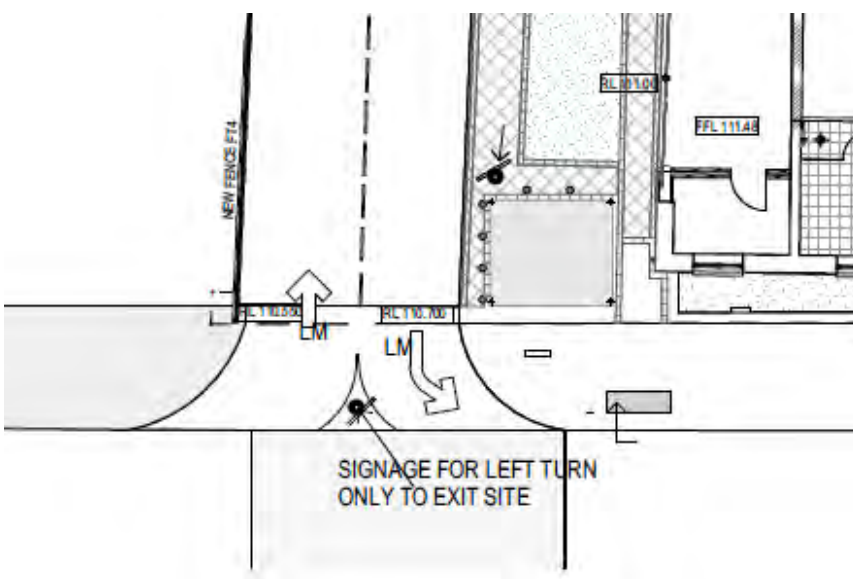


Figure 2: Access treatment illustrated on Kirkbride Architect's plans

The treatment illustrated on the attached plan has not been realised at the site, as illustrated in Figure 3.



Figure 3: Existing traffic control treatment in access (source: Streetview)

The above image confirms that no signage has been installed to prohibit right turns to or from the site. While the left turn arrow requires all exiting vehicles to turn left, this road rule may not be clear to all drivers.

Should drivers turn right to the site, as would be permitted with the existing and proposed treatments, they would be conflicting with drivers turning right to Waite Road, as illustrated in Figure 4.



Figure 4: Right turn movements to the site would conflict with right turn movements to Waite Road (source: Streetview)

The above figures also illustrates that the existing transformer will obstruct pedestrian sight lines. Figure 5 illustrates the pedestrian sight distance requirement in AS/NZS2890.1:2004.



Figure 5: Existing Transformer obstructs pedestrian sight distance triangle

The proposal plans also identify an access via Glenferrie Avenue. This access is labelled as emergency access only on the plans but is identified as access for an additional parking space in the traffic report. The proposed access would not comply with minimum sight distance criteria for pedestrians, as illustrated in Figure 6.

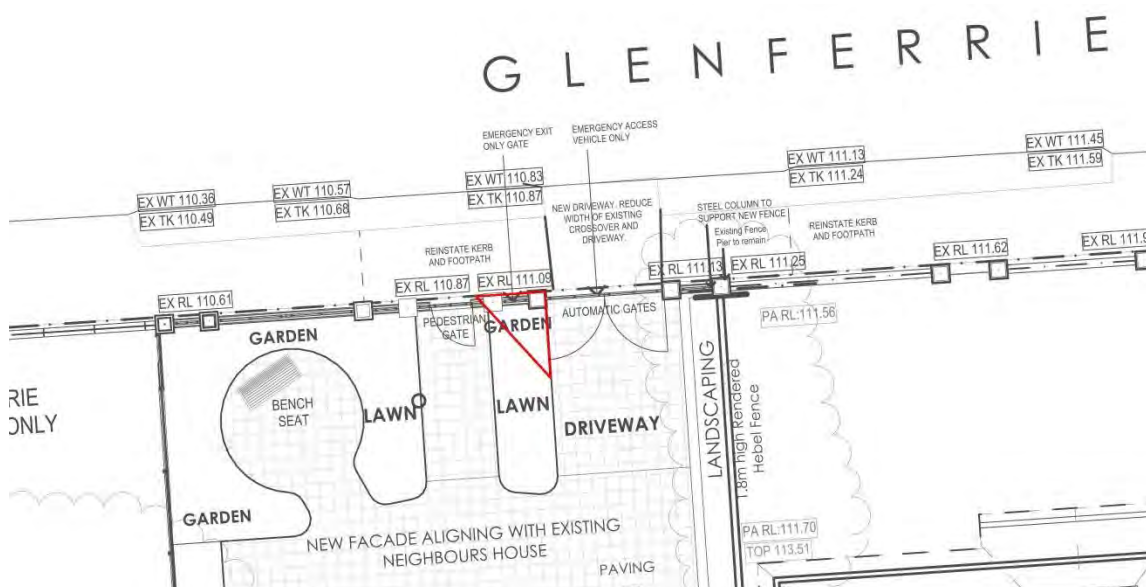


Figure 6: Pedestrian sight distance triangle will not be provided at the access

The above figure confirms that the driveway would not comply with the minimum sight distance requirements in AS/NZS2890.1:2004 and therefore should only be available for emergency access, as labelled on the plans.

2 TRAFFIC ASSESSMENT

The proposal will result in an increase in traffic volumes. The traffic report identifies that the existing facility generates a peak hour volume equal to 0.25 trips per bed. It is assumed that this rate has been based on traffic data collected at the site, albeit these data are not included in the report.

Adopting the above rate, the proposal would generate an additional 12 trips during peak traffic periods, resulting in a peak hour volume in the order of 31 trips. While this volume is not significant, the existing access is non-compliant and results in crash risks as a result of the access being in an undesirable location. The increase in volumes, therefore, increases this risk to pedestrians and drivers associated with the development and equally to drivers turning to Waite Road. Figure 7 illustrates the potential conflict between drivers turning right to the site and drivers turning to Waite Road.

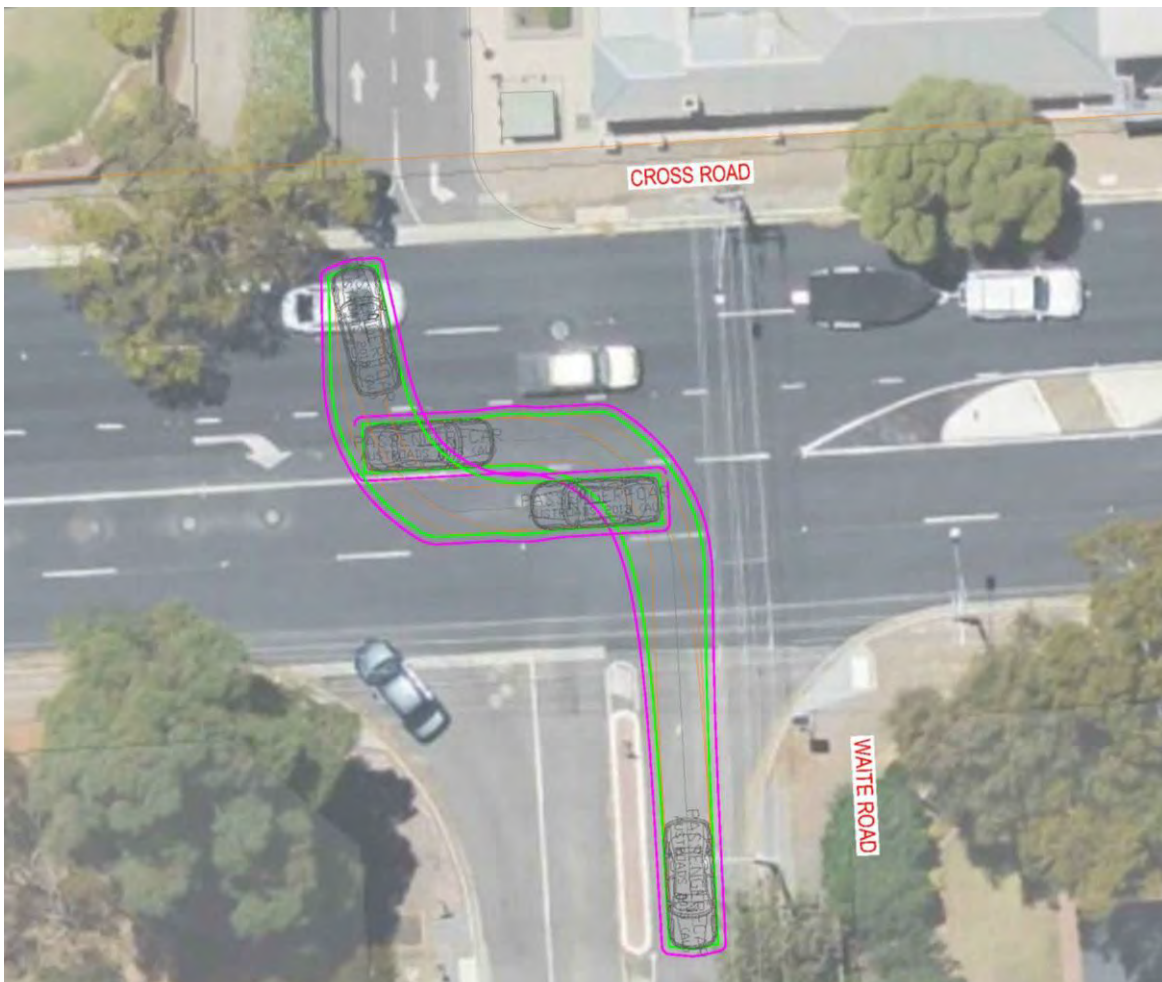


Figure 7: Potential conflict for drivers turning right to the site and to Waite Road

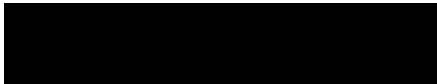


3 SUMMARY

In summary, while the proposal will utilise the existing Cross Road access to enter and exit the site, this access is within a prohibited access zone and has not been installed with adequate delineation or safety treatments to restrict entry and exit movements. As a result there are safety and potential conflict points at this access. These risks will be increased by the additional traffic movements associated with the proposal.

Further, the proposed access to Glenferrie Avenue does not comply with As/NZS2890.1:2004. Confirmation is required that this access is for Emergency Use only.

Yours sincerely,
MFY PTY LTD



MELISSA MELLEN
Director



2010 NATIONAL WINNER
2010 TELSTRA SOUTH AUSTRALIAN
BUSINESS WOMAN OF THE YEAR

Representations

Representor 15 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	23/08/2023 04:25 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons See attached representation and enclosures.	

Attached Documents

[REDACTED]	
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REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Kirkbride Architects
Development Number:	21011428
Nature of Development:	Demolish dwellings at 5, 5A & 7A, Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross Road and associated retaining and fencing (maximum 121 bed numbers across facility).
Zone/Sub-zone/Overlay:	Suburban Neighbourhood Zone Airport Building Heights (Regulated) – All structures over 30 metres Affordable Housing Overlay Heritage Adjacency Overlay Prescribed Wells Area Overlay Regulated and Significant Tree Overlay Stormwater Management Overlay Traffic Generating Development Overlay Urban Tree Canopy Overlay
Subject Land:	30-32 Cross Road and 5, 5A, 7A and 9 Glenferrie Avenue, Myrtle Bank SA 5064 Being the land comprised in the following: <ol style="list-style-type: none"> 1. CT5062/751 D29176 AL2; 2. CT5091/446 F15594 AL40; 3. CT5408/253 D29176 AL1; 4. CT6121/121 D92110 AL11; 5. CT6158/577 D110253 AL431; and 6. CT6252/682 F13472 AL23.
Contact Officer:	City of Unley Assessment Panel
Phone Number:	(08) 8372 5111
Close Date:	23.08.2023

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* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
-----------------	--



Government of South Australia

Department for Trade
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

See attached representation and enclosures.

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[list any accepted or deemed-to-satisfy elements of the development].*

I: ☒ wish to be heard in support of my submission*
☐ do not wish to be heard in support of my submission

By: ☐ appearing personally
☒ being represented by the following person: Sydney McDonald

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Return Address: PO Box 1, Unley, South Australia 5061

Email: DevelopmentServices@unley.sa.gov.au

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Our ref: SM/219100

23 August 2023

City of Unley
181 Unley Road
UNLEY SA 5061

By email: DevelopmentServices@unley.sa.gov.au

Dear Sir/Madam

DA No. 21011428 - Glenferrie Avenue, Myrtle Bank – opposing representation

Our firm continues to act for [REDACTED]

This representation opposing the application for this development at 5, 5A, 7A and 9 Glenferrie Avenue and 30 and 32 Cross Road, Myrtle Bank (**development land**) is made on our clients' behalf.

Our clients' land is surrounded by the site. That is, the site immediately adjoins the eastern, southern and western boundaries of our clients' land.

This development application (DA No. 21011428) seeks consent for a development described by the Council as *"Demolish dwellings at 5, 5A & 7A, Glenferrie Avenue, construct two storey building comprising 45 beds in association with existing aged care facility at 30-32 Cross Road and associated retaining and fencing (maximum 121 bed numbers across facility)"* on the site (**proposed development**).

For the following reasons, our clients object to the proposed development.

Background and summary of our clients' concerns

1. An application for the proposed development was originally lodged in October 2021. The application underwent public notification in April 2022 at which time this firm lodged a representation on behalf of our clients opposing the proposed development.
2. Our clients are now in receipt of an amended set of plans, together with a response to representations (**Response**).
3. The Council was required to re-notify the proposed development and has of course done so accordingly.

-
4. Our clients' position is that **the proposed development is still wholly inappropriate** within the locality and having regard to the relevant provisions of the Planning and Design Code (**Code**). Our clients' concerns with the proposed development can be summarised as follows:
- 4.1 inappropriate bulk, mass and scale;
 - 4.2 inadequate setbacks;
 - 4.3 unreasonable adverse overshadowing impacts;
 - 4.4 unsafe vehicular access to and from the site;
 - 4.5 inadequate landscaping; and
 - 4.6 potential creation of instability of our clients' land and dwelling as a result of proposed boundary excavation works.
5. We have grouped the above issues by heading and detail our clients' concerns further below.
6. Given that the application for the proposed development was lodged on 28 October 2021, version 2021.15 of the Code is the relevant consolidation for purposes of planning assessment and is the version relied upon in this representation.

Inappropriate bulk, mass and scale impacts

7. The overall bulk, mass and scale of the proposed development remains an inappropriate and overbearing addition to a low-rise residential area such as Glenferrie Avenue which will not only affect the wider streetscape, but will also tower over our clients' private open space.
8. The site is located within the Suburban Neighbourhood (**SN Zone**). The Desired Outcome for the SN Zone provides:

*Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.*¹

(Our emphasis)

9. The Desired Outcomes for a Zone are not individual policies themselves but rather inform the interpretation and application of all other relevant Performance Outcomes within the Zone.²
10. SN Zone PO 1.1 dealing with land use states:

Predominantly low density residential development with complementary non-residential uses compatible with a low density residential character.

¹ Version 2021.15 Planning and Design Code, Part 2 – Zones and Subzones, Suburban Neighbourhood Zone DO 1.

² *Adelaide Hills Council Assessment Manager v Parkins & Anor* [2023] SASCA 66 at [35].

(Our emphasis)

11. PO 1.5 further states:

Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.

(Our emphasis)

12. Read in light of DO 1, the obvious focus in the SN Zone is to maintain a low-density residential character. That much is clear where the policies which speak to non-residential uses ensure that such uses are complementary to and compatible with that existing low-density residential character.
13. The terms “complementary”, “compatible” and “consistent” as they are used throughout the Code, and specifically within the SN Zone, have been held by the ERD Court to have essentially the same meaning: *“each of the various urban design elements identified under the POs are not to be varied to an extent that would disrupt the existing development pattern, where one existed.”*
14. PO 3.1 dealing with site coverage further states:

Building footprints consistent with the character and pattern of a low-density suburban neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

(Our emphasis)

15. The corresponding DPF 3.1 states that site coverage should not exceed 50%. Although this is only a guide on how a Performance Outcome may be satisfied, recent case law indicates that the greater the variance from DPF numeric values *“the more difficult it will be to establish suitable conformity with the intended outcome.”*³ This view is further reinforced when PO 3.1 is read in light of DO 1.
16. Plainly, the proposed development is an overdevelopment of the site which is inconsistent with the character and pattern of the low-density suburban neighbourhood that is Glenferrie Avenue. The proposed development will significantly compromise the residential amenity of dwelling occupants in the immediate locality. Our clients will likely experience the greatest adverse impacts on residential amenity with the proposed extension towering over their land on their east, south and west boundaries.
17. Not only will the proposed development have a significant visual impact on our clients, it will also limit their access to light and ventilation (we expand on this further below). Our clients are concerned that the proposed development will effectively create a large thermal heat pump as the bulk, scale and mass also eliminates any opportunity for appropriate landscaping.

³ *Vikhlyayev v City of West Torrens Assessment Manager* [2023] SAERDC 1 at [74].

-
18. The proposed development also does not “*complement the height of nearby buildings*.”⁴ Other dwellings on Glenferrie Avenue are either single storey or have appropriately integrated a second storey into roof space or in a less obtrusive manner. The appearance of the proposed development is domineering and will detract from the established character in the street.
19. Further, in the General Development Policies dealing with Design and Design in Urban Areas, PO 1.3 in each of these states:

Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.

(Our emphasis)

20. The façade of the proposed extension will create a domineering visual impact when viewed from Glenferrie Avenue. The visual impact from our clients’ backyard will be even more significant with this domineering building surrounding their land on all sides.
21. The perspectives provided as part of the public notification documents are also, with respect, deceiving. The impact of the bulk, mass and scale when viewed from Glenferrie Avenue will be much greater than what is depicted. Particularly, the perspective provided in SK12 entitled “5-9 Glenferrie Avenue” is inaccurate when considered against the north elevations depicted in SK09. The proposed extension in its current form will not simply be screened by our client’s dwelling as is shown in SK12.
22. On a balanced consideration of these relevant Code policies in the context of the locality on Glenferrie Avenue, the proposed development is not compatible or consistent with, nor complementary to, the established low-density residential character on Glenferrie Avenue.
23. The proposed development, which plainly represents an overdevelopment of the site, will significantly compromise the high level of residential amenity currently enjoyed by our client and many others in the Street and should be refused planning consent for this reason alone. The proposed development is wholly inappropriate within the locality.

Setbacks

24. Adding to the concerns about bulk, mass and scale, our clients remain concerned with the setback of the first floor from their rear boundary. The setback from the rear of our clients’ property has been increased to approximately 8m for a portion of the wall enclosing the servery, nurse bay and exit stair. The walls then step out towards our clients’ land symmetrically on either side of this to accommodate the library and dining area.⁵

⁴ Version 2021.15 Planning and Design Code, Part 2 – Zones and Subzones, Suburban Neighbourhood Zone PO 4.1.

⁵ See SK07.

25. On the western side, the roof then further juts out towards our clients' land to encompass bedrooms 1 and 2.⁶
26. On the eastern side, Apartments 1 and 3 on the first floor are only set back from the eastern boundary by approximately 3m. As was noted previously, the eastern wall of our clients' dwelling is located directly on the eastern boundary.⁷
27. The shape and arrangement of our clients' land and the site means that the Code policies on side and rear setbacks are difficult to apply in a strict sense. However, the general outcomes sought to be achieved from appropriate boundary setbacks can be drawn from PO 8.1 and PO 9.1 as follows:

PO 8.1: Buildings are set back from side boundaries to provide:

(a) separation between dwellings in a way that complements the character of the locality

(b) access to natural light and ventilation for neighbours.

PO 9.1: Buildings are set back from rear boundaries to provide:

(a) separation between dwellings in a way that complements the established character of the locality

(b) access to natural light and ventilation for neighbours

(c) private open space

(d) space for landscaping and vegetation.

28. The ERD Court has also confirmed the fundamental importance of setbacks to sound planning in the matter of *Paor & Anor v The Corporation of the City of Marion & Anor* [2017] SAERDC 4 when the Court said at paragraph [135]:

We also accept...that side and rear setbacks are one of the 'basic building blocks' of neighbourhood amenity.

29. Despite the inaccuracy of the overshadowing diagrams in SK13 which is discussed further below, a detailed analysis of the plans indicates that the setback will not maintain appropriate access to natural light for our clients' dwelling.⁸
30. The lack of setback also contributes to the bulk, mass and scale of the proposed development which will have impacts on the visual outlook from our clients' backyard and ventilation for our clients' property.⁹

⁶ Ibid.

⁷ Ibid.

⁸ Version 2021.15 Planning and Design Code, Part 2 – Zones and Subzones, Suburban Neighbourhood Zone PO 9.1. See further discussion of overshadowing below.

⁹ Ibid.

Overshadowing

31. PO 3.1 – PO 3.4 in the General Development Policies, Interface Between Land Uses deal with overshadowing requirements. Most relevantly, PO 3.1 states:

Overshadowing of habitable room windows of adjacent residential land uses in:

- a. *a neighbourhood-type zone is minimised to maintain access to direct winter sunlight*
- b. *other zones is managed to enable access to direct winter sunlight.*

(Our emphasis)

32. PO 3.2 further states:

Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:

- a. *a neighbourhood type zone is minimised to maintain access to direct winter sunlight*
- b. *other zones is managed to enable access to direct winter sunlight.*

33. The applicant has not addressed this issue in its plans for the proposed development. Firstly, the applicant has not included any overshadowing diagram depicting the current access to sunlight for our clients' land. The applicant merely dismisses this issue in the Response under the guise that the siting of our clients' dwelling confines the development potential of the proposed development site and that "*the proposed development does not significantly exacerbate shadow conditions affecting this property.*"¹⁰ (Our emphasis)

34. Respectfully, this assertion is baseless and misconceived. Whether a proposal will "significantly exacerbate" existing shadow conditions is not the test at all. If it were, that could readily result in absurd outcomes. What is relevant is whether a proposed development sufficiently minimises overshadowing impacts so as to enable neighbours to maintain reasonable access to sunlight in private open space and habitable rooms.

35. Our clients are concerned about the accuracy of the overshadowing diagram provided in SK13.

- 35.1 On the portion of SK13 depicting the shadow expected at 3pm on 21 June, there is no shadow over the western side of our clients' property. It is expected, for example, that there would be some overshadowing at this time of the day on the western side of our clients' land as a result of the development; and

¹⁰ Master Plan Response to Representations pp. 5.

- 35.2 the drawing of our clients' dwelling is incorrect (with incorrect roof lines and no rear verandah shown).
36. Given the extent of our clients concerns, they have commissioned the following 3D perspectives and plans from an independent architect, Realize Studio, to demonstrate the extent of the overshadowing impact:
- 36.1 A 3D perspective of the proposed development in relation to our clients' land at 9am on 21 June;
 - 36.2 A 3D perspective of the proposed development in relation to our clients' land at 12pm on 21 June;
 - 36.3 A 3D perspective of the proposed development in relation to our clients' land at 3pm on 21 June;
 - 36.4 A 3D perspective taken from a 50mm lens from the south western corner of our clients' land facing the proposed development; and
 - 36.5 An overshadowing plan depicting an accurate and direct comparison of the existing overshadowing conditions against the proposed overshadowing conditions for our clients' land.

These perspectives and plans are **enclosed**.

37. These diagrams and plans illustrate, not only that our clients' land will be in darkness for most of the day in winter as a result of the proposed development, but also the visual impact the proposed development has due to its overall bulk, mass and scale of the proposed development.

38. Further, PO 3.3 states:

Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:

(a) The form of development contemplated in the zone

(b) The orientation of the solar energy facilities

(c) The extent to which solar energy facilities are already overshadowed

39. As detailed in the representation lodged by this firm on behalf of our clients dated 5 May 2022, our clients have two sets of solar panels on their roof which will be severely impacted by the proposed development.
40. Our clients' solar and battery system is operated by AGL as a "virtual power plant". This means that AGL may take power from our clients' battery at any time. AGL have a fixed connection to our clients' wireless broadband service which links the site to a tower at Mount Lofty. The link requires a direct line of sight. The proposed development on the eastern side of [REDACTED] will impact the required link.

Traffic and access impacts

41. The Application proposes an unsafe and inappropriate access point to and from Cross Road. Our clients rely on the written report of Ms Melissa Mellen of MFY to outline this issue further (**enclosed**).

42. Notably, Ms Mellen states as follows:

...while the proposal will utilise the existing Cross Road access to enter and exit the site, this access is within a prohibited access zone and has not been installed with adequate delineation or safety treatments to restrict entry and exit movements. As a result there are safety and potential conflict points at this access. These risks will be increased by the additional traffic movements associated with the proposal.

Further, the proposed access to Glenferrie Avenue does not comply with As/NZS2890.1:2004. Confirmation is required that this access is for Emergency Use only.

43. Aside from the clear safety issues detailed in Ms Mellen's report, SK02 notes that the "new scheme" has two extra carparks. SK01 indicates that there are still only 40 carparks in the basement area. It is therefore unclear whether the applicant has included the Emergency Access Vehicle Only driveways at the north western and north eastern ends of the proposed development for the facilitation of these two extra carparks. Our clients are concerned that the Glenferrie Avenue access points will be used otherwise than as emergency only access points.

Inadequate landscaping

44. The landscaping plan in its current form is completely inconsistent with the other drawings in the suite of documents on public notification.
45. Putting the above to one side, the overdevelopment of the site results in an inability to provide adequate soft landscaping and tree planting to, for example, minimise heat absorption and reflection, maximise shade and shelter and enhance the appearance of land and streetscape.

Boundary excavation works and stability of our clients' land

46. The Response states that a solution had been agreed between the developer and our clients "*to ensure the structural integrity of the dwelling is maintained. This solution comprises of a retaining wall aligning with the shared boundary but setback within the subject land.*"
47. Our clients are not aware of any such solution having been agreed and still have concerns about how the proposal may well impact the structural integrity of their dwelling given the level of excavation to occur adjacent their eastern boundary.
48. PO 8.5 of the General Development Policies in Design and Design in Urban Areas dealing with earthworks on sloping land states:

Development does not occur on land at risk of landslide nor increases the potential for landslide or land surface instability.

(Our emphasis)

49. Our clients' dwelling has been 'dug into the site' and constructed on a surface which is much lower than the natural ground level that currently exists for their eastern neighbours. A portion of the dwelling wall on the eastern side of our clients' land is located directly on the boundary.
50. The proposed retaining walls and boundary works adjacent our clients' eastern boundary will require excavation close to the eastern boundary wall of our clients' dwelling. This will create an inevitable risk of surface instability and structural issues for our clients' dwelling.
51. Our clients are particularly concerned about the time between excavation and construction of the new retaining walls and external masonry leaf on the exposed walls. This will create significant risk of damage and potential for land surface instability on our clients' land.
52. Given the clear potential for the proposal to increase the risk of land surface instability, it is incumbent on the applicant to obtain a structural engineering report to ensure that it will or, at the very least, can, achieve PO 8.5 (as above).

Summary

The role of the relevant authority is of course to identify the relevant planning policies in the Code so as to then distil the spirit and intent of the policies applying to the site and the proposed development. The relevant authority then needs to determine whether, on balance, the Code speaks for or against any particular proposal.¹¹ It is also necessary *"to balance the interests of those who seek to develop a site with the interests of those who already reside in the relevant neighbourhood or locality."*¹² The proposed development simply does **not** achieve this balance.

The proposed development is an overdevelopment of the site which fails to achieve the primary focus of the Suburban Neighbourhood Zone, namely, for development to be sited and designed to complement the established low-rise residential character and amenity of the neighbourhood.

The consequence of the failures of the proposed development to meet relevant provisions of the Code is that it results in unreasonable external impacts on our clients and other residents within the neighbourhood. Namely:

1. the bulk, mass and scale of the proposal is inappropriate within the established low-density residential character of the locality;
2. this will also have impacts on residential amenity and our clients' access to appropriate ventilation and sunlight;
3. the proposed development will create traffic safety issues in the proposed access to and from the site and there is uncertainty as to how the proposed emergency access points are going to be used; and

¹¹ *Rymill Park Apartments Pty Ltd v Rymill House Foundation Pty Ltd & Anor* [2023] SASC 107 at [62]-[63].

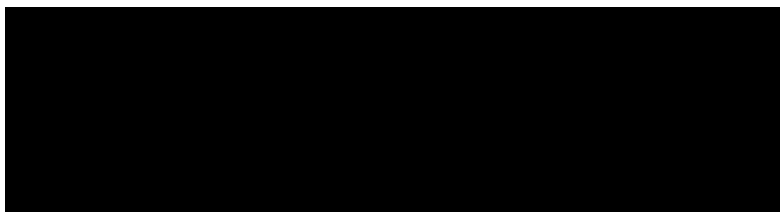
¹² *Hutchens & Anor v City of Holdfast Bay & Anor* [2007] SASC 238 at [21].

4. no effort has been made to mitigate the potential damage which may be caused by the excavation and retaining works which are to occur adjacent the eastern boundary of our clients' land.

Having regard to the above, the proposed development does **not** warrant planning consent. Our clients urge the Council Assessment Panel to refuse the grant of planning consent.

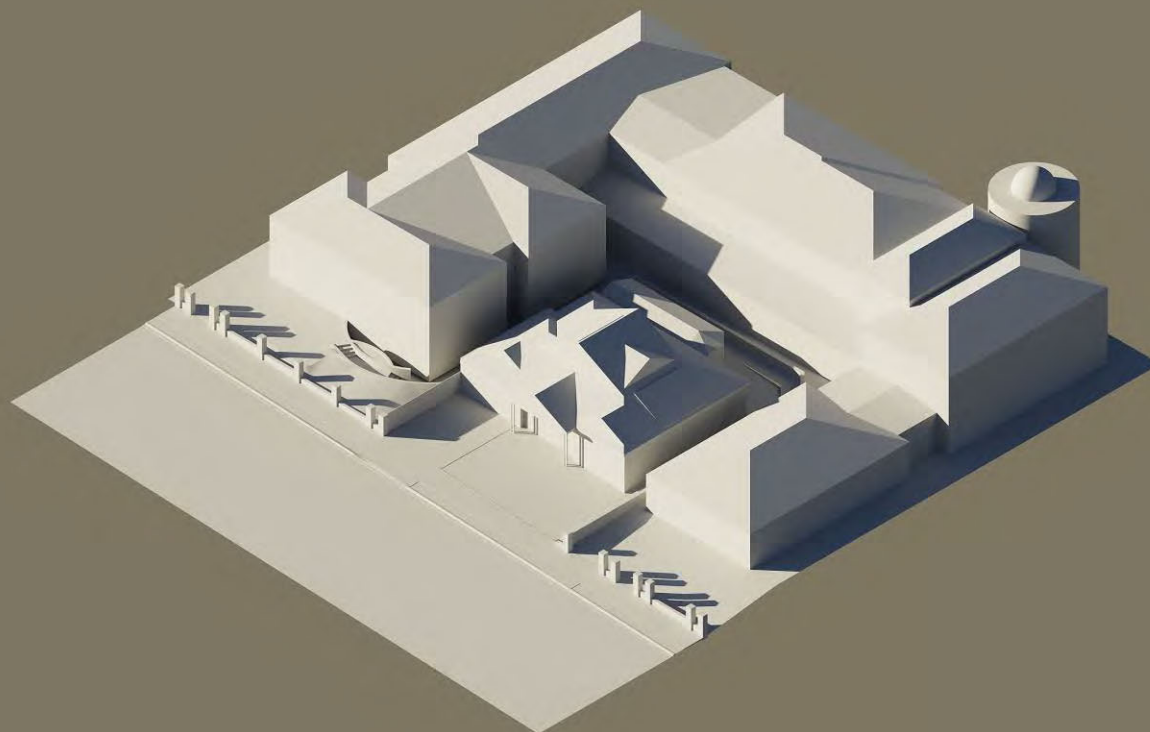
Our clients wish to be heard in person, or by legal representative, at the relevant meeting of the Council Assessment Panel. Please advise the date and time of the relevant meeting.

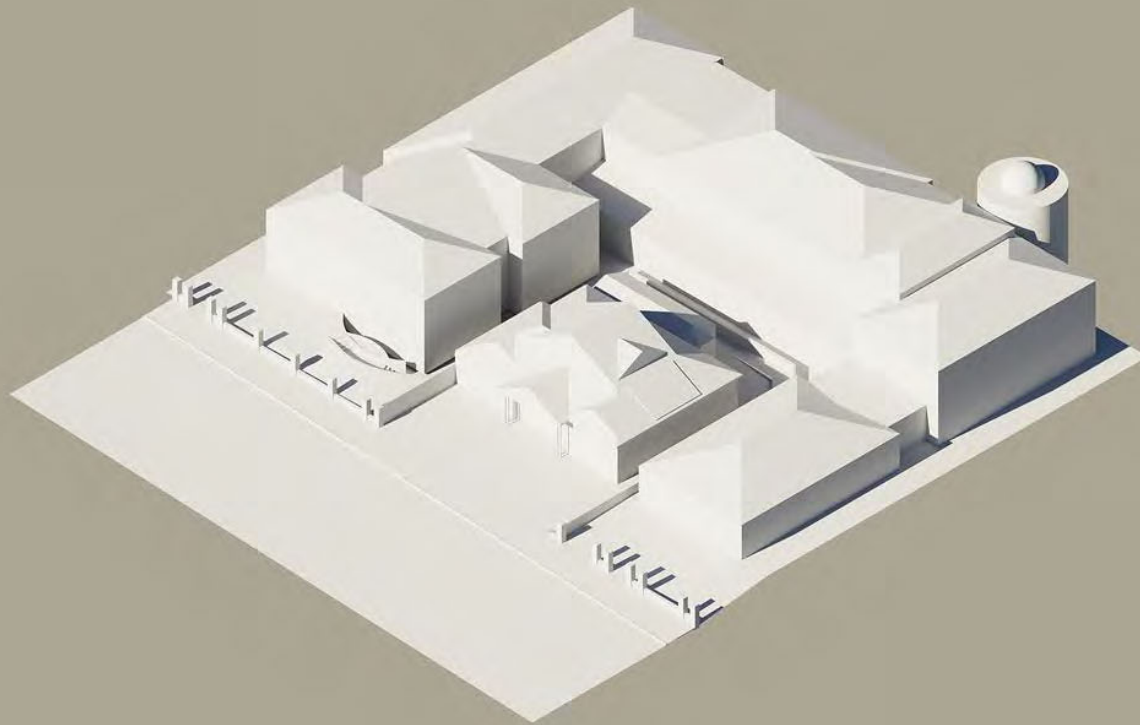
Yours faithfully

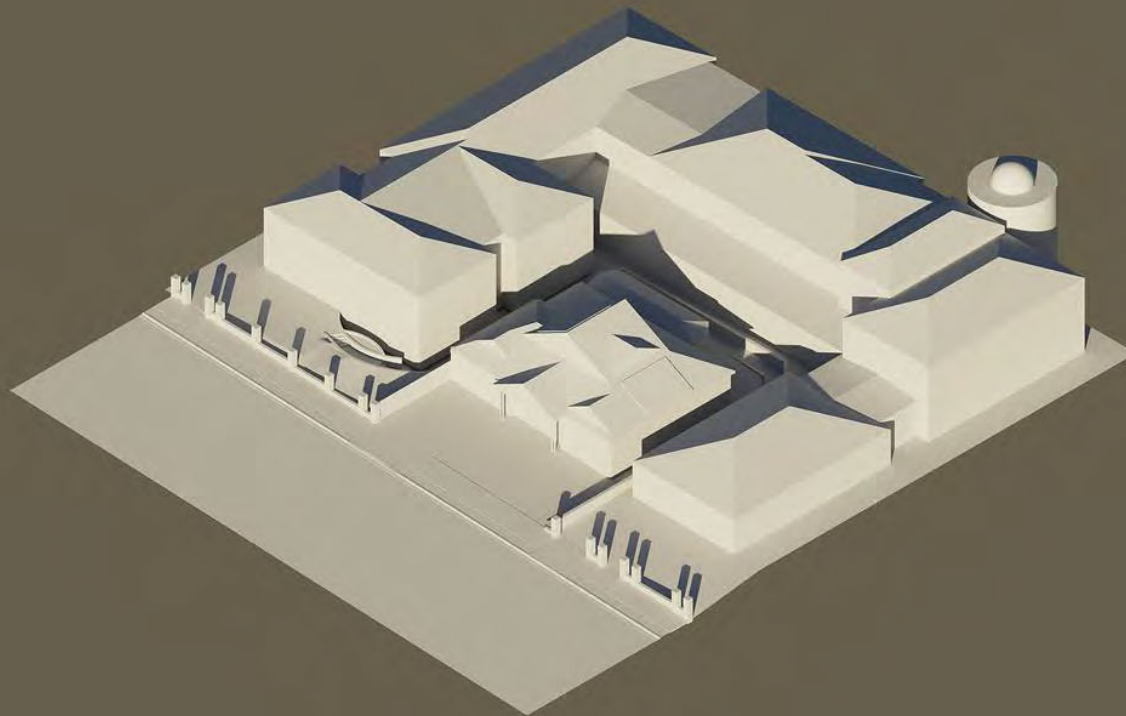


Syd McDonald
BOTTEN LEVINSON
Mob: 0411 554 253
Email: sm@bllawyers.com.au

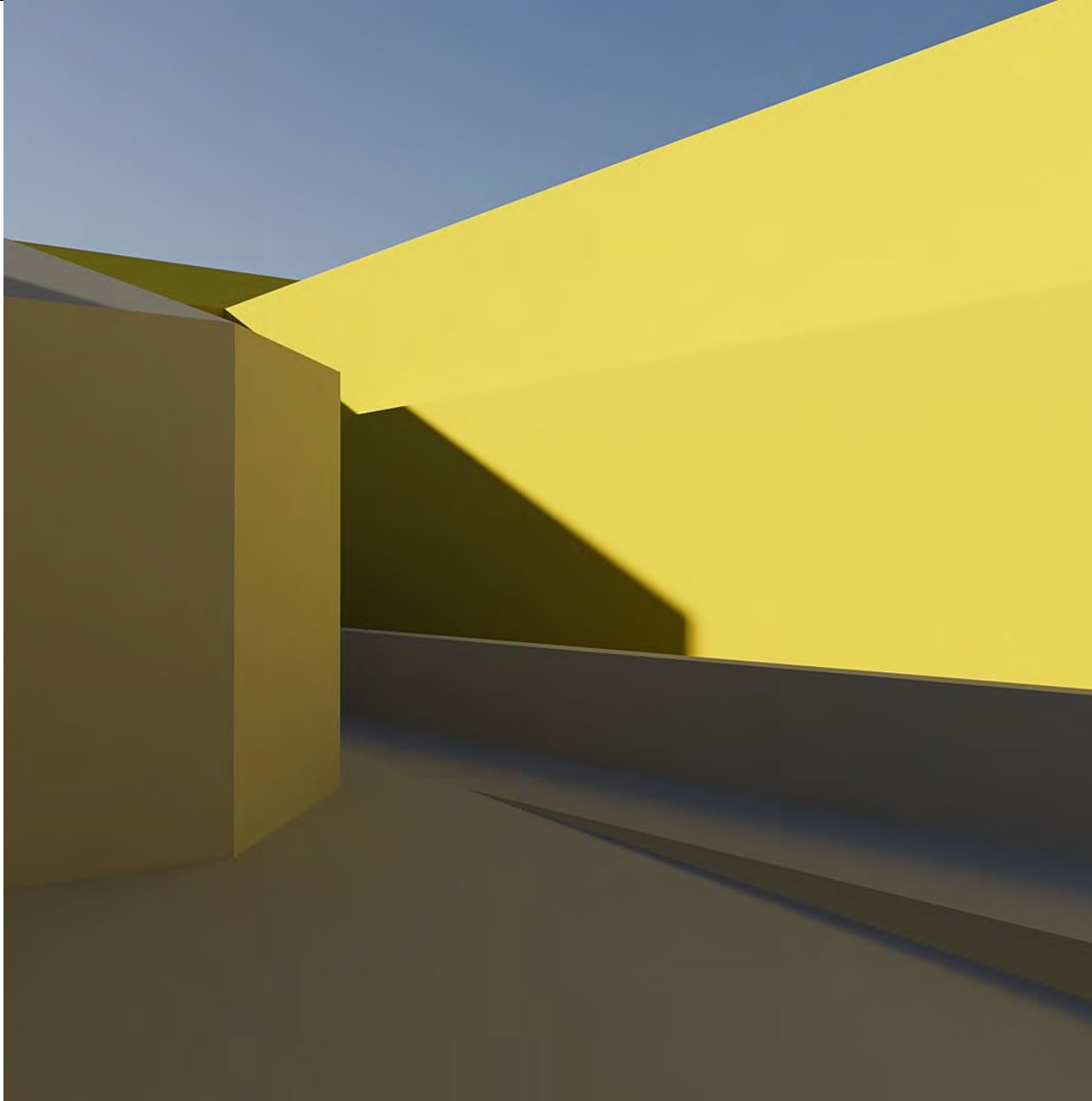
3D perspective of the proposed development in relation to our clients' land at 9am on 21 June



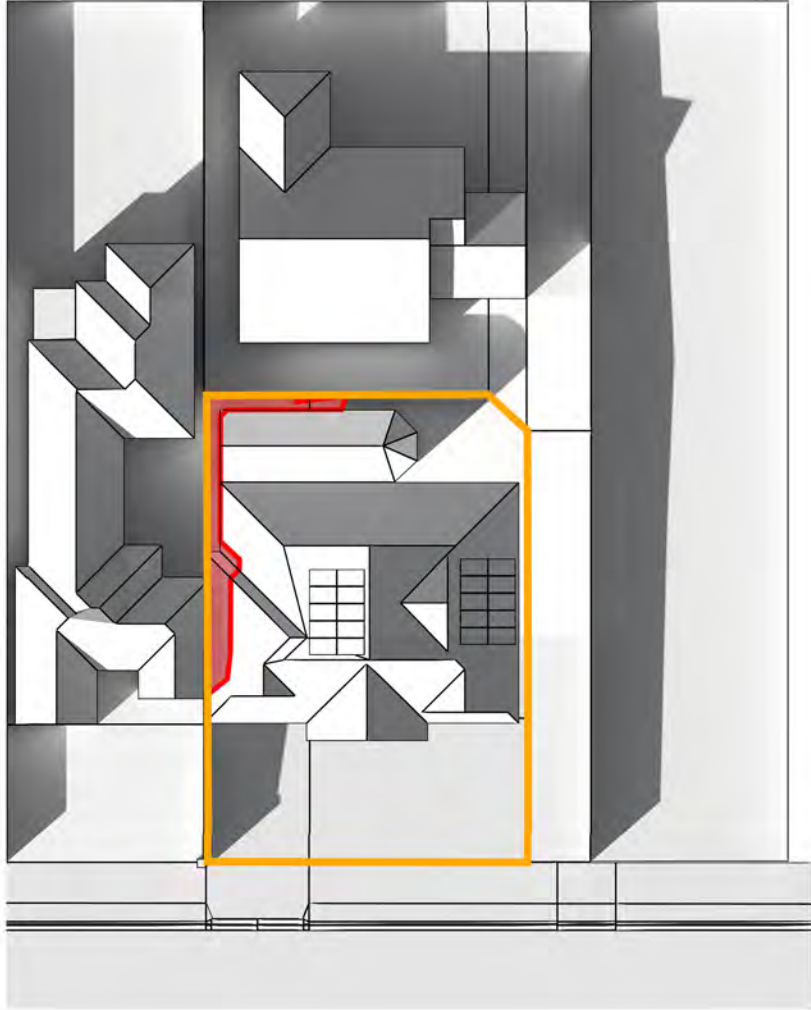




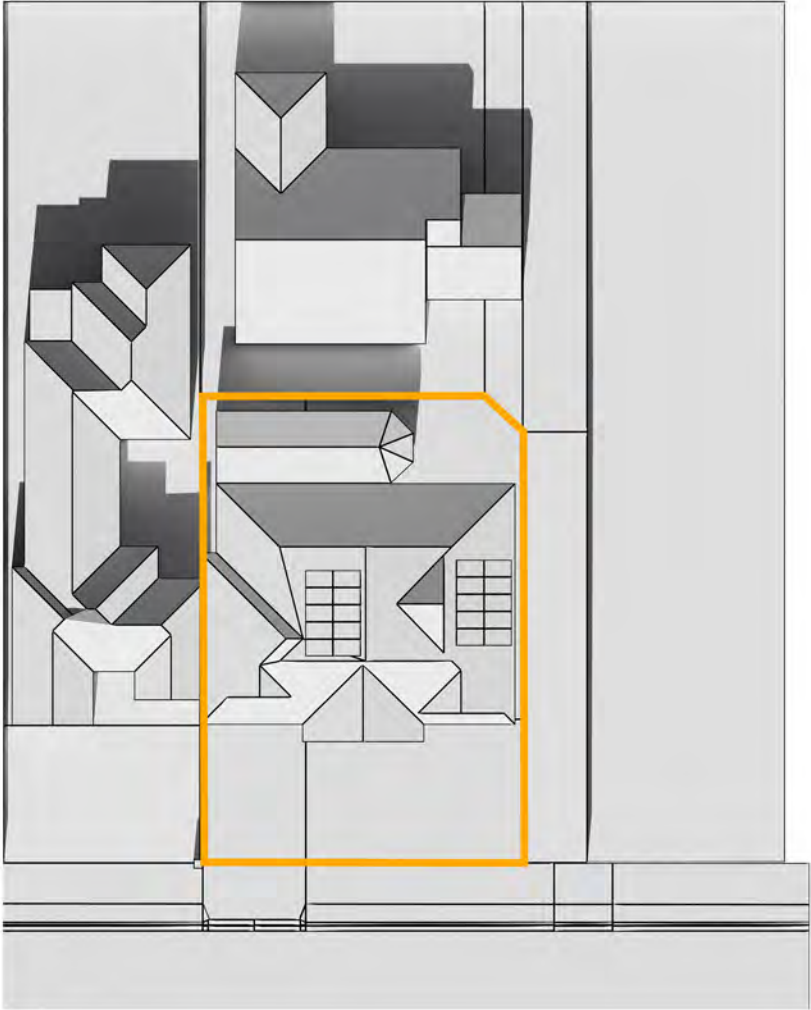
3D perspective taken from a 50mm lens from the south western corner of our clients' land facing the proposed development



EXISTING CONDITIONS:



GLENFERRIE AVENUE



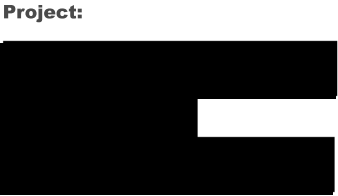
GLENFERRIE AVENUE



GLENFERRIE AVENUE

DISCLAIMER:
Whilst due care has been taken in the preparation of the model from which this diagram has been generated, its accuracy may be limited due to the respective accuracy of existing site information. In this respect these diagrams should only be considered indicative of the extent of shadow. Additionally other site features, such as existing and proposed landscaping and external works not specifically indicated on this diagram will generate shadow that may not be accurately represented by this diagram.

Survey topography, building heights and fence heights used to produce these shadow diagrams have been provided by others

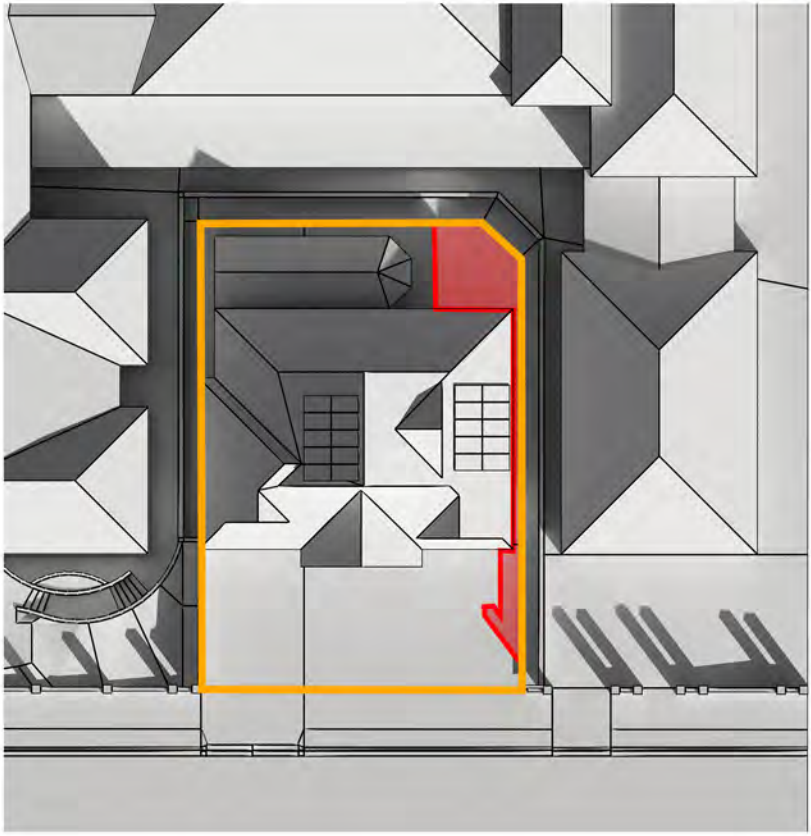
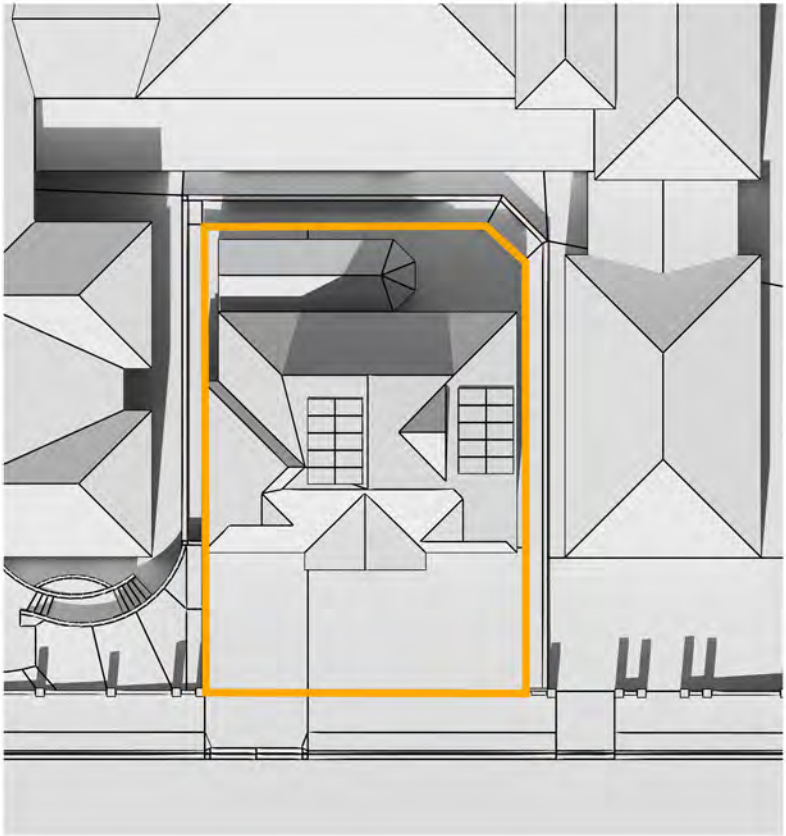
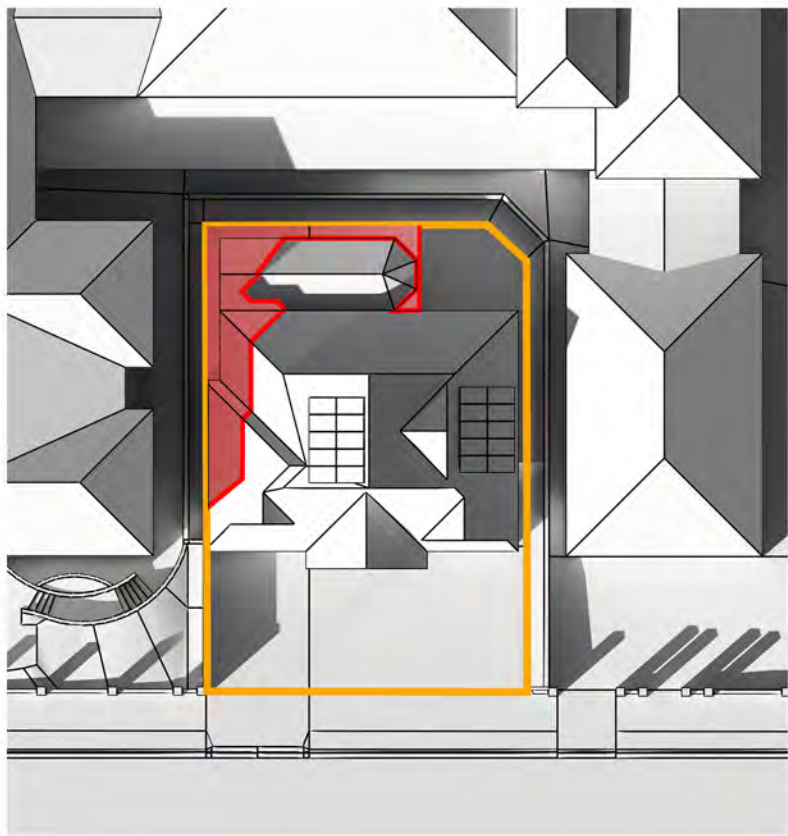


Title:
SUN SHADOW DIAGRAM

SCALE: NTS

LEGEND:
 Extent of neighbouring shadow

PROPOSED CONDITIONS:



MLM/23-0175



14 July 2023

Traffic • Parking • Transport

Unit 6, 224 Glen Osmond Road
FULLARTON SA 5063

T: +61 8 8338 8888
F: +61 8 8338 8880
E: mfy@mfy.com.au
W: mfy.com.au

MFY Pty Ltd
ABN 79 102 630 759

Mr Syd McDonald
Botten Levinson Lawyers
Level 1, 28 Franklin Street
ADELAIDE SA 5000

Dear Syd,

**PROPOSED AGED CARE FACILITY
5,7A AND 9 GLENFERRIE AVENUE, MYRTLE BANK**

Thank you for your instructions in relation to the above matter. You have requested that I undertake a review of the traffic and parking assessment that was completed to inform the assessment of a proposed extension to the existing Carlisle on Cross Aged Care Facility on Cross Road. Specifically, you have requested that I review the proposed development with a view to identifying any concerns relating to the traffic and parking components of the proposal.

In forming my view in relation to this matter, I have reviewed the proposal plans by Kirkbride Architects dated 7 June 2023 and the traffic assessment prepared by Phil Weaver and Associates which relates to the proposed development dated 19 July 2021. The traffic report would not appear to relate to the current set of plans as there are inconsistencies between the proposal plans and the traffic assessment.

1 THE PROPOSAL

The proposal is for an extension to the existing aged care facility to create 47 additional beds. This will result in 123 beds within the facility. The plans also identify that there will be two additional parking spaces (42 in lieu of 40) on the site although it is not clear where these spaces will be located.

Access to the site is currently via Cross Road. This access, which is located within a prohibited access zone as defined in *Australian Standard, Parking Facilities Part 1: Off-Street Parking (AS/NZS 2890.1:2004)*, provides access to the basement car park and the pick-up/set-down facility within the site. Figure 1 illustrates the non-compliance of this access within the prohibited access zone.

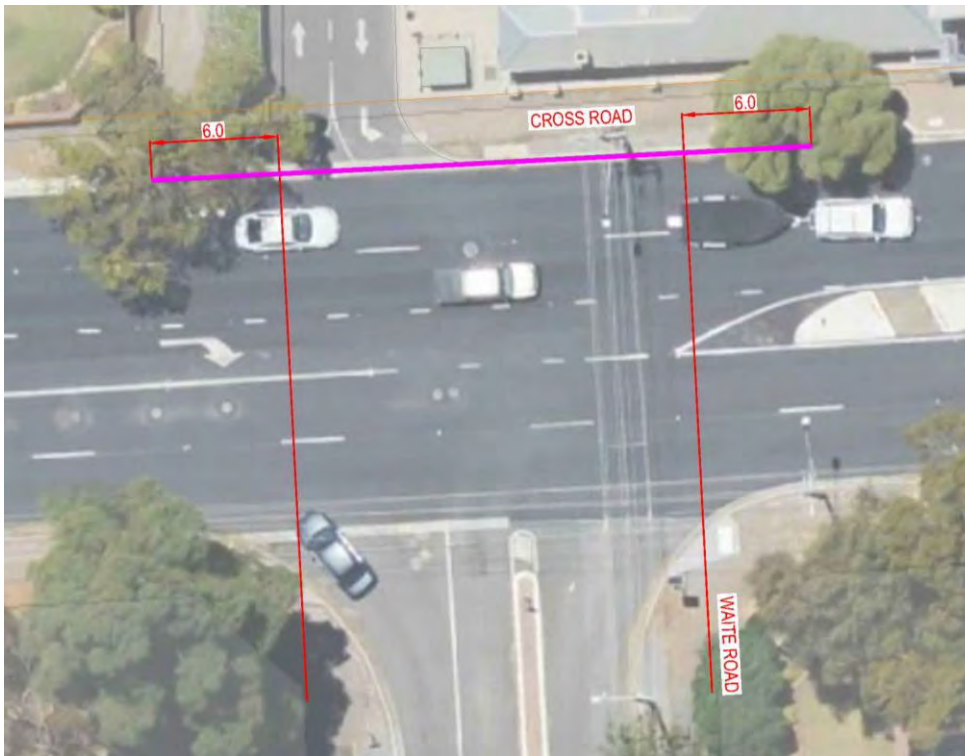


Figure 1: Access within prohibited access zone

It is proposed that this access will continue to service the site following development of the expansion. The plans identify that the access is (and will continue to be) treated with a painted triangular island and signage and that exit movements will be restricted to left turn movements. The traffic report indicates that the access will be restricted to left-in/left-out movements but there is no proposed traffic control to prohibit right turns to the site. Figure 2 illustrates the proposed treatment at the intersection.

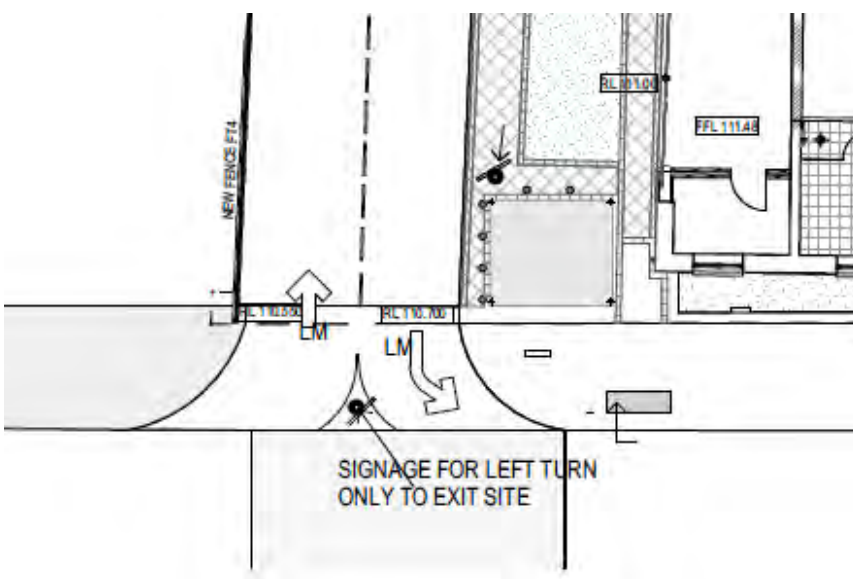


Figure 2: Access treatment illustrated on Kirkbride Architect's plans

The treatment illustrated on the attached plan has not been realised at the site, as illustrated in Figure 3.



Figure 3: Existing traffic control treatment in access (source: Streetview)

The above image confirms that no signage has been installed to prohibit right turns to or from the site. While the left turn arrow requires all exiting vehicles to turn left, this road rule may not be clear to all drivers.

Should drivers turn right to the site, as would be permitted with the existing and proposed treatments, they would be conflicting with drivers turning right to Waite Road, as illustrated in Figure 4.



Figure 4: Right turn movements to the site would conflict with right turn movements to Waite Road (source: Streetview)

The above figures also illustrates that the existing transformer will obstruct pedestrian sight lines. Figure 5 illustrates the pedestrian sight distance requirement in AS/NZS2890.1:2004.



Figure 5: Existing Transformer obstructs pedestrian sight distance triangle

The proposal plans also identify an access via Glenferrie Avenue. This access is labelled as emergency access only on the plans but is identified as access for an additional parking space in the traffic report. The proposed access would not comply with minimum sight distance criteria for pedestrians, as illustrated in Figure 6.

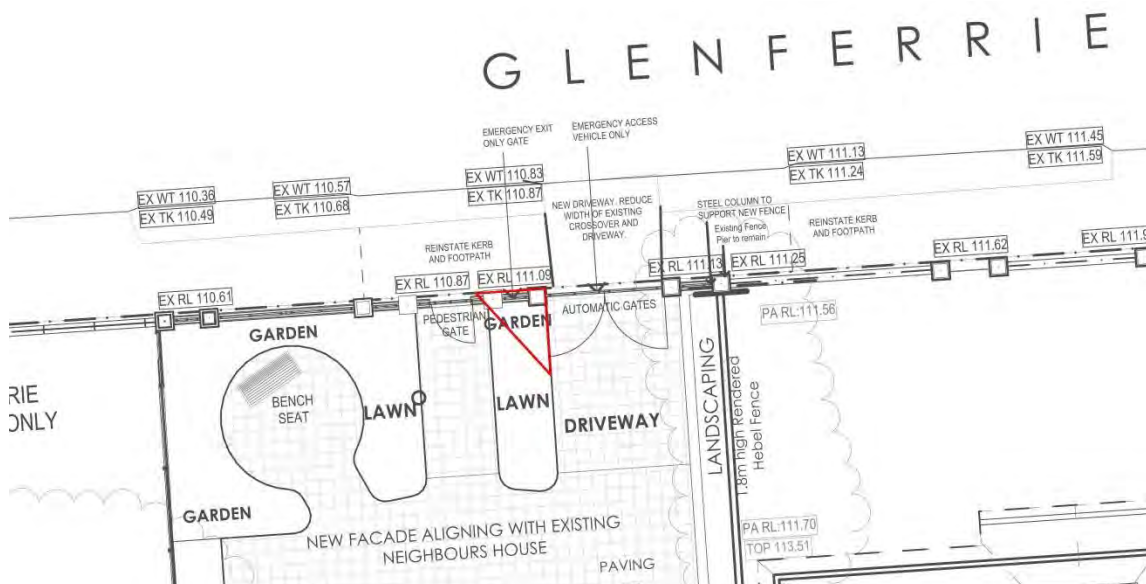


Figure 6: Pedestrian sight distance triangle will not be provided at the access

The above figure confirms that the driveway would not comply with the minimum sight distance requirements in AS/NZS2890.1:2004 and therefore should only be available for emergency access, as labelled on the plans.

2 TRAFFIC ASSESSMENT

The proposal will result in an increase in traffic volumes. The traffic report identifies that the existing facility generates a peak hour volume equal to 0.25 trips per bed. It is assumed that this rate has been based on traffic data collected at the site, albeit these data are not included in the report.

Adopting the above rate, the proposal would generate an additional 12 trips during peak traffic periods, resulting in a peak hour volume in the order of 31 trips. While this volume is not significant, the existing access is non-compliant and results in crash risks as a result of the access being in an undesirable location. The increase in volumes, therefore, increases this risk to pedestrians and drivers associated with the development and equally to drivers turning to Waite Road. Figure 7 illustrates the potential conflict between drivers turning right to the site and drivers turning to Waite Road.

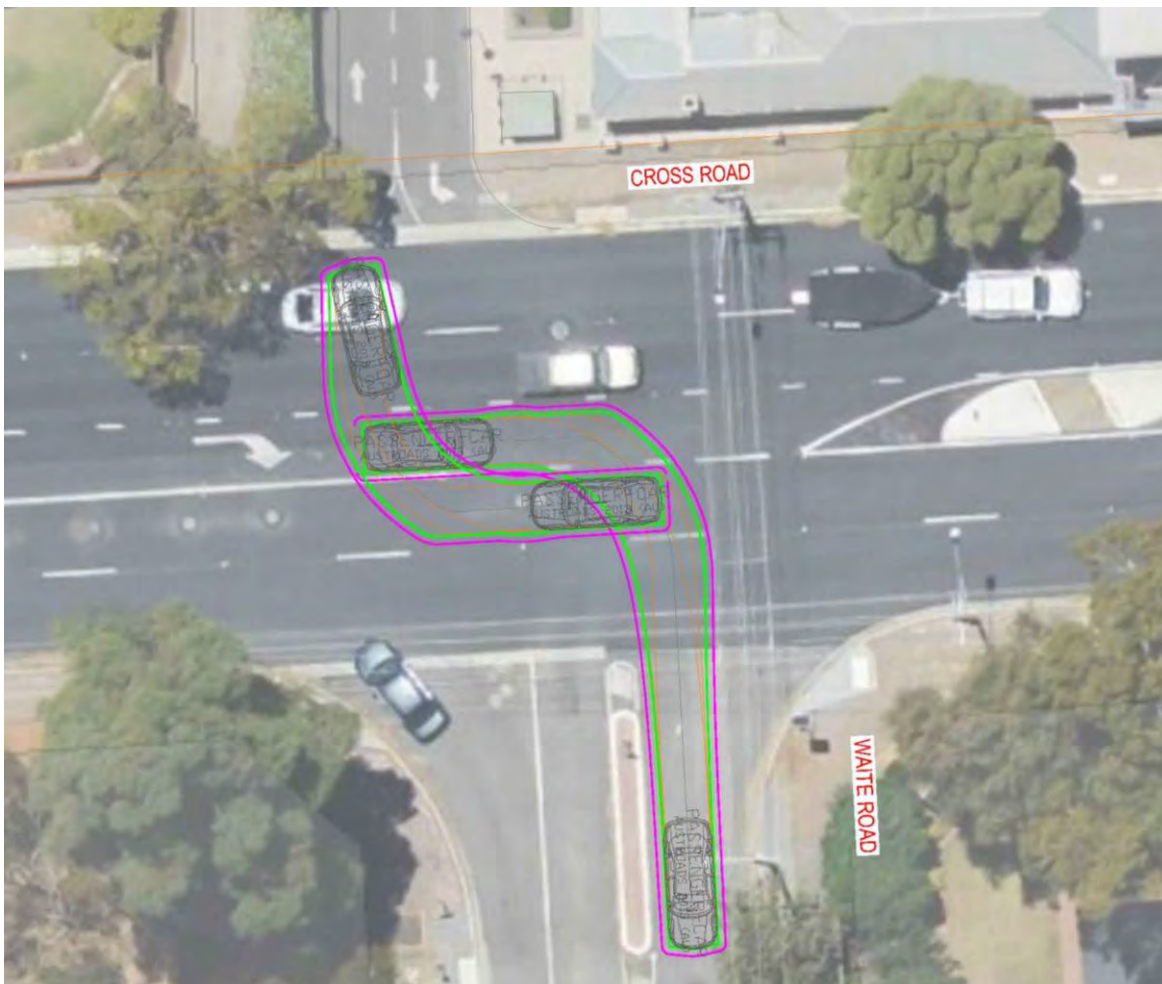


Figure 7: Potential conflict for drivers turning right to the site and to Waite Road

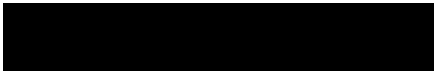


3 SUMMARY

In summary, while the proposal will utilise the existing Cross Road access to enter and exit the site, this access is within a prohibited access zone and has not been installed with adequate delineation or safety treatments to restrict entry and exit movements. As a result there are safety and potential conflict points at this access. These risks will be increased by the additional traffic movements associated with the proposal.

Further, the proposed access to Glenferrie Avenue does not comply with As/NZS2890.1:2004. Confirmation is required that this access is for Emergency Use only.

Yours sincerely,
MFY PTY LTD



MELISSA MELLEN
Director



2010 NATIONAL WINNER
2010 TELSTRA SOUTH AUSTRALIAN
BUSINESS WOMAN OF THE YEAR

Representations

Representor 16 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	24/08/2023 09:59 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

CouncilAssessmentPanel-6308526.pdf

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am the owner /occupier of [REDACTED].

I am writing to you as I wish to object to the above development.

Concerns

My concerns relate to the:

- proposed land use
- site coverage
- landscaping
- car parking and traffic access from Glenferrie Avenue to facility.

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right

The concept drawings include an automatic gate and driveway in the plan. The driveway seems to lead to nowhere. **What is its purpose?**

My concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home. If this is the case limited parking will need to be made available on Glenferrie Ave to make our own properties accessible to residents of already existing homes.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and that this is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Please consider the inconvenience the building of the extension of the nursing home will cause to the all the residents living nearby. There is an extensive amount of building occurring in this area already.

There are also many nursing homes and care facilities operating in the local area. How much difference will 20 more beds in the nursing home really make?

Let's leave Glenferrie Ave a peaceful street with the appeal it deserves.

Unley council pride themselves on 'trying' to be a green council by increasing the amount of Green space in the area. With this build the amount of green space will greatly decrease.

I encourage the council panel members to visit our area, take a walk around the neighbourhood and compare the green space that already exists in the RSL facility on Ferguson Ave, to the amount of Green space that is planned for this build. This is a major concern.

The other matter is how traffic is impacted outside the War Veterans facility on Urrbrae Ave. It becomes a one way street. WE DO NOT WANT THIS TO OCCUR on Glenferrie Ave, which is a much narrower street.

Please make the trip, come and see for yourselves. You would not want this development happening in your street.

Sincerely,

██████████

Representations

Representor 17 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	24/08/2023 10:01 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

CouncilAssessmentPanel-6308576.pdf

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am the owner /occupier of [REDACTED].

I am writing to you as I wish to object to the above development.

Concerns

My concerns relate to the:

- proposed land use
- site coverage
- landscaping
- car parking and traffic access from Glenferrie Avenue to facility.

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right

The concept drawings include an automatic gate and driveway in the plan. The driveway seems to lead to nowhere. **What is its purpose?**

My concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home. If this is the case limited parking will need to be made available on Glenferrie Ave to make our own properties accessible to residents of already existing homes.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and that this is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Please consider the inconvenience the building of the extension of the nursing home will cause to the all the residents living nearby. There is an extensive amount of building occurring in this area already.

There are also many nursing homes and care facilities operating in the local area. How much difference will 20 more beds in the nursing home really make?

Let's leave Glenferrie Ave a peaceful street with the appeal it deserves.

Unley council pride themselves on 'trying' to be a green council by increasing the amount of Green space in the area. With this build the amount of green space will greatly decrease.

I encourage the council panel members to visit our area, take a walk around the neighbourhood and compare the green space that already exists in the RSL facility on Ferguson Ave, to the amount of Green space that is planned for this build. This is a major concern.

The other matter is how traffic is impacted outside the War Veterans facility on Urrbrae Ave. It becomes a one way street. WE DO NOT WANT THIS TO OCCUR on Glenferrie Ave, which is a much narrower street.

Please make the trip, come and see for yourselves. You would not want this development happening in your street.

Sincerely,



Representations

Representor 18 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	24/08/2023 10:04 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

Representation-[REDACTED]

Subject:

FW: Statement of Representation: DA ID 21011428

[REDACTED]

CAUTION: This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I am the owner of a property on [REDACTED] and am writing to you as I have serious concerns regarding the

above development and wish to strongly object to this development.

Concerns

Our concerns relate to the:

- proposed land use, knocking down and rebuilding to overbuild on blocks is a huge issue in this neighbourhood
- built form and visual impact, does not replicate the housing in this area or blend in
- site coverage, where are the green areas
- landscaping, green canopy not considered
- car parking and traffic throughout this neighbourhood, the increase of foot and a car traffic would be significant and drastically change this quiet community neighbourhood
- access from Glenferrie Avenue to facility will significantly increase traffic along these roads and result in parking issues and hinderence for residents to access their property

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

*Low density housing is consistent with the **existing local context** and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live **without compromising residential amenity and character**.*

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

I understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character

Why do the plans have a glass dome it would be clearly visible from Glenferrie Avenue and distance views throughout the neighbourhood. I cannot understand how a glass dome contributes to the streetscape character.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the number of car parks is acceptable given the increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission, there needs to be parking for visitors medical workers visiting the site, and the many staff that will be required to service this number of patients, it is looking more like a Hospital than an aged care facility with the number of residents it proposed to house in such a small area.

Traffic is also issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right, this is getting dangerous, and the roads require upgrading to accommodate the volume of traffic.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will be become opened as public access and the foot traffic and car traffic would be at an unacceptable level, remembering this is a neighbourhood not an industrial area, and parking along t in Glenferrie Avenue to access the facility would make it hard for residents to park outside their own property or gain access when driveways are obscured. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home and this is a huge problem for residents.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

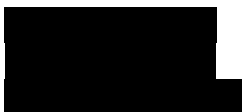
Conclusion

For all the above reasons the proposed development should not be granted planning consent and I do not support it at all.

Request to be Heard

I do not wish to be heard when the matter is considered by the Council Assessment Panel.

Kind regards



Be green - read on the screen

South Australian Water Corporation disclaimer

This e-mail and any attachments to it may be confidential and/or subject to legal professional privilege. If you are not the intended recipient you may not disclose or use the information contained in the message in any way. If received in error please delete all copies and contact the sender by return e-mail. No warranty is made that any attachments are free from viruses. It is the recipient's responsibility to establish its own protection against viruses and other damage.

ATTACHMENT 14

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

I, Helena Cai am the owner of [REDACTED].

I am writing to you as I wish to **object** to the above development.

Concerns

Our concerns relate to the:

- proposed land use
- built form and visual impact
- site coverage
- landscaping
- car parking and traffic
- access from Glenferrie Avenue to facility
- make good all repairs to neighbouring properties.

Objection

In support of my objection, I understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

I do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal

could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

I understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

I cannot understand how a glass dome contributes to the streetscape character. The glass dome will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a huge thermal heat pump. This will impact us and our neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 or 123 beds and the number of car parks provided is either 40 or 42 spaces, depending on which plan you are viewing, *Information plan* or *SK02 – Existing Ground Floor Site and Demolition Plan*. Council needs to be satisfied that the number of car parks is acceptable given the increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

If the number of car parks has increased to 42 then are they counting the driveway on Glenferrie Avenue which is annotated as 'Emergency Access Vehicle Only'.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

My concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. Also, is the driveway for 'emergency vehicles only' or a car parking space?

There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

I request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Make good all repairs to neighbouring properties

On SK06 - *Proposed Ground Floor Plan* is annotated that the developer would 'make good all repairs to neighbouring properties'. My rear boundary at [REDACTED] was impacted in initial development and concrete pillars and chunks of cement have been left exposed. Does this mean 'Make good all repairs' would also apply to my property?





Conclusion

For all the above reasons the proposed development should not be granted planning consent.

Request to be Heard

I do not wish to be heard when the matter is considered by the Council Assessment Panel.

Yours faithfully,

[Redacted signature]

Council Assessment Panel
C/- City of Unley
PO Box 1
UNLEY SA 5062

20TH AUGUST 2023

Dear Panel Members

Statement of Representation: DA ID 21011428

Properties: 5 Glenferrie Avenue, Myrtle Bank
5a Glenferrie Avenue, Myrtle Bank
7a Glenferrie Avenue, Myrtle Bank
9 Glenferrie Avenue, Myrtle Bank

We are the owners and the occupiers of [REDACTED].

We are writing to you as we wish to object to the above development.

I understand this objection is not within the time period due to a failed attempt to send but request this letter be considered and we have opportunity to exercise our rights in this matter. We have not requested to be heard, but that this letter be added to other residents in the Glenferrie Avenue who have objected to this development.

Concerns

Our concerns relate to the:

- proposed land use
 - The property is being changed from private residential to Aged care residential, which is a commercial concern.
- built form and visual impact
 - The plans include a second storey component along with a large dome structure which will be visible from our property
 - The design is not consistent with the other properties on the streetscape
- car parking and traffic and access to Glenferrie Avenue
 - This is our major concern. We believe the gate access to Glenferrie Avenue will be used for staff entry as well as exit. Whilst marked as for emergency use, we are not convinced that, once approved, there will be no governance and enforcement. The impact of this on traffic congestion, parking, street noise and lack of resident's use of street frontage will inevitably follow.

- In the event that the plan is approved, we would request that residential street parking restrictions be applied to Glenferrie Avenue

Further detail

Objection

In support of our objection, we understand the land is within the Suburban Neighbourhood Zone pursuant to the terms of the Planning & Design Code (the Code).

Land Use

SO1 for the Zone seeks:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

We do not consider it is appropriate for the expansion of an existing aged care facility into Glenferrie Avenue. Glenferrie Avenue is entirely residential in nature with private dwellings. The bulk, form, and visual character of the proposal could not be considered low density nor is it compatible with the existing low density residential character.

Built form and Visual Impact

We understand that the Code contemplates two storey dwellings within the zone that is for a *normal dwelling*, but not one building with wings separated by the dwelling at 7 Glenferrie Avenue. SK09 – North Elevation clearly shows the proposed building ridgeline height is substantially higher than the building located in front of the development. The sheer scale of the proposed development does not contribute to a low-rise suburban character.

We cannot understand how a glass dome contributes to the streetscape character. The glass dome will clearly be visible from Glenferrie Avenue and distance views throughout the neighbourhood.

Site Coverage

The proposed building footprint is not consistent with character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around buildings to limit visual impact or provide an attractive outlook and access to light and ventilation.

It is apparent from looking at the plans that there is a very high site coverage and a lack of meaningful open space to reduce the visual impact. The only significant areas of open space are in front of the eastern and western wings.

Landscaping

Due to the lack of open spaces in the proposed development there is very little garden space and a lot of hard surfaces, making the building and surrounds a

huge thermal heat pump. This will impact us and our neighbours: increased energy costs, warmer private outdoor spaces, less native habitat etc. Also landscaping plays an important role in the health of the proposed occupants of the building and the community.

Car Parking and Traffic

The number of beds in the proposal has increased from 76 beds to 118 beds but the number of car parks provided has not increased, still remaining at 40 spaces. Council needs to be satisfied that the number of car parks is acceptable given the increase of beds and the increase in staffing in aged care facilities as a result of the Commonwealth Royal Commission.

Traffic is also an issue that needs to be addressed. The existing facility on Cross Road has a left turn entry and exit only which has resulted in an increase in traffic in Glenferrie Avenue as drivers are choosing to go around the block to turn right.

Access from Glenferrie Avenue to the facility

The plans have a driveway and pedestrian gate on the western side and a pedestrian gate on the eastern side on Glenferrie Avenue to access the proposed development. It has been annotated on the plans that 'All access points on Glenferrie Avenue to be for emergency only.'

Our concern is that over time the gates will be opened for staff and visitors, and they will park in Glenferrie Avenue to access the facility. There are already parking issues in the neighbouring streets, Urrbrae Avenue, Ferguson Avenue and Glenrowan Avenue, due to the lack of onsite parking at the RSL nursing home.

We request that a land management agreement be set up with the council and owner(s) so that the 'parking and egress gates are for emergency reasons only' and is noted on the certificate of title and is binding on the owner(s), forever in time. If this is not possible, and the gates are opened, then parking controls will need to be considered by the City of Unley pursuant to *Local Government Act*.

Conclusion

For all the above reasons the proposed development should not be granted planning consent.

I do not wish to be heard when the matter is considered by the Council Assessment Panel.

Yours faithfully

[REDACTED]

[REDACTED]

ATTACHMENT 15

1 September 2023

Development & Regulatory Services
City of Unley
181 Unley Road,
UNLEY SA 5061

Attention: Mr Tim Bourner

Dear Mr Bourner

**Re: Development ID 21011428
Expansion of Existing Aged Care Facility
Response to Representations**

MasterPlan (SA) Pty Ltd have been engaged by the applicant, Kirkbride Architects, to assist in the preparation of a response to the representations received during public notification for Development Application 21022428. The application underwent public notification for a period of 15 business days in July and August 2023, during which time a total of eighteen (18) representations were received.

In total, six (6) of the representations indicated a desire to be heard.

Table 1 below provides a summary of the valid representations received.

Table 1: Summary of Representations

REPRESENTOR	ADDRESS	POSITION	PLANNING CONCERNS	CAP
[REDACTED]	[REDACTED]	Opposes	Parking spaces Access Land use in Glenferrie Avenue	x
[REDACTED]	[REDACTED]	Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	x

REPRESENTOR	ADDRESS	POSITION	PLANNING CONCERNS	CAP
		Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility Impacts from construction	✗
		Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✗
		Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✓
		Supports	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✓
		Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility Setbacks Overshadowing Overlooking Noise	✓
		Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✗

REPRESENTOR	ADDRESS	POSITION	PLANNING CONCERNS	CAP
[REDACTED]	[REDACTED]	Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✗
[REDACTED]	[REDACTED]	Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✗
[REDACTED]	[REDACTED]	Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility Proliferation of aged care land uses within suburb	✓
[REDACTED]	[REDACTED]	Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✗
[REDACTED]	[REDACTED]	Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	✗
[REDACTED]	[REDACTED]	Opposes	Bulk, mass and scale Setbacks Overshadowing Vehicle access Landscaping Land instability	✓
[REDACTED]	[REDACTED]	Opposes	Bulk, mass and scale Setbacks Overshadowing Vehicle access Landscaping Land instability	✓

REPRESENTOR	ADDRESS	POSITION	PLANNING CONCERNS	CAP
		Oppose	Traffic Site coverage Landscaping Access from Glenferrie Avenue to facility Construction impacts Proliferation of aged care land uses within suburb	x
		Oppose	Traffic Site coverage Landscaping Access from Glenferrie Avenue to facility Construction impacts Proliferation of aged care land uses within suburb	x
		Opposes	Proposed land use Built form and visual impact Site coverage Landscaping Car parking and traffic Access from Glenferrie Avenue to facility	x

Response to Matters Raised

We provide below a response to the extent of matters raised in the representations, including those which have been addressed through the consultation process. To avoid duplication, our response seeks to address the key issues evident in the majority of representations received.

Bulk and Scale

It is acknowledged that Glenferrie Avenue has a prevailing character of single-storey and two-storey residential development comprising predominantly detached dwellings with some examples of newer infill development of a more contemporary nature. The architectural style, eras, form and materiality of dwellings on both alignments of Glenferrie Avenue are extremely varied.

As this longstanding aged care land use is seeking to expand into this residential context, the key consideration for this development, is how the proposed built form sits within the residential streetscape. In order to provide a building form that achieves consistency with the pattern of development along Glenferrie Avenue, the development has been setback to align with the pattern of dwelling street setbacks and provide a landscaped frontage and residential style front fencing. These features, in conjunction with the breaking of the building into two (2) 'wings', separated by an existing dwelling, limits the extent of the facility's frontage to Glenferrie Avenue and serves to create a visual streetscape presentation which is grounded within its streetscape context and detached in its presentation. This effect is further enhanced through the differing building forms applied to each 'wing', which provides contrast, creating the effect of two discrete buildings and relieving the sense of incursion of a differing land use. This further accentuates the development's residential presentation to the streetscape and is consistent with the eclectic character of the street.

It is noted that the Suburban Neighbourhood Zone contemplates buildings of up to two (2) building levels and 9.0 metres in height within DPF 4.1. The vast majority of the proposed development sits within this height, with limited exceedances up to a maximum of 10.0 metres. The positioning of these elements well away from all boundaries limits the extent to which they impact on adjacent properties or the established character of the streetscape.

The combination of these factors results in the wings of the development effectively presenting as dwellings, with the larger building elements further recessed. It is considered that this results in a bulk and scale consistent with that of Glenferrie Avenue and of the existing development on the land.

Site Coverage

It is noted that DPF 3.1 of the Suburban Neighbourhood Zone states that development should not result in greater than 50 per cent site coverage. The calculated site coverage of the proposed development (being the roofed area) is 66 per cent. This results in a total site coverage for the entire facility of 63 per cent.

In accordance with the Planning and Design Code Rules of Interpretation, DPF policy is a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not necessarily need to be satisfied to meet the performance outcome. The corresponding performance outcome seeks the following:

Suburban Neighbourhood Zone

PO 3.1 Building footprints consistent with the character and pattern of a low-density suburban neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

The pattern of development in the locality is varied, with a mixture of dwelling sizes on predominantly large allotments. There is also evidence of land divisions which have altered the allotment pattern, resulting in smaller sites with greater site coverage. **Table 2** below demonstrates that exceedance of the maximum site coverage guideline is common within the immediate locality, with some sites in excess of what is proposed in this circumstance.

Table 2: Site Coverage

ADDRESS	EXTENT OF SITE COVERAGE
[REDACTED]	51%
[REDACTED]	60%
[REDACTED]	58%
[REDACTED]	59%
[REDACTED]	56%

ADDRESS	EXTENT OF SITE COVERAGE
[REDACTED]	53%
[REDACTED]	66%
[REDACTED]	66%
[REDACTED]	53%
[REDACTED]	53%

Given the need for the expansion to have functional internal connectivity to the existing facility, it is unavoidable for the built form to extend towards and over the rear boundary of each respective allotment. This means that where building coverage would typically terminate at the rear yard for a residential dwelling, this arrangement can not be accommodated in the proposed scenario. This results in a higher site coverage than its residential counterparts, albeit still within a reasonable range (63 per cent) comparable with other examples in the locality.

Noting that the proposed building setbacks are consistent with what is sought by the Zone provisions, the only practical alternative to reduce the extent of site coverage in this scenario would be to increase the primary street setback. Noting, that the Primary Street Setback policy for the Suburban Neighbourhood Zone (PO/DPF 5.1) is quite clear in its intent for primary street setbacks to be '*consistent with the existing streetscape*', we find that this would be of greater detriment to the facilities consistency with character and pattern of development in the locality than its moderate exceedance of the quantitative guidance on-site coverage.

The character of the locality is strongly defined by a set of other consistent features and can be seen to be largely distinct from the issue of site coverage. Rather it is reinforced by other features such as the presence of front gardens, building heights and the presence of landscaping. This proposal seeks to ameliorate its non-conformance on-site coverage by focusing on fulfilling these matters of arguably greater importance to the local character. We find therefore that the moderate site coverage exceedance in this circumstance, whilst largely unavoidable, is comparable with the pattern of development in the area and has no discernible impact upon the character of the locality.

Land Use

A number of representors have raised concerns with the existing number of supported and aged care facilities within Myrtle Bank. While it is noted that there are a number of aged care facilities within the suburb, this is supported and envisaged within the Zone. Further, while the suburb is itself residential in nature, the Suburban Neighbourhood Zone does contemplate supported accommodation and other land uses which provide services to the community and where they are '*compatible with a low-density residential character*'.

As described above, the development itself is a logical expansion of an existing use that has been designed in a manner that is complementary to the predominant residential character of Glenferrie Avenue. Therefore, the development is considered to be appropriate in this location.

The economic principles of demand and supply are not a relevant consideration for a planning proposal and only a relevant consideration for the proponent. Given this facility's longstanding history and high levels of prospective resident interest, we suggest that this commentary may be unfounded and demand for such a service is high in any case.

Setbacks from Boundaries

Commentary has been provided in the representations regarding the setbacks of the proposed development from boundaries, with particular reference to [REDACTED].

The development meets the relevant side setback provisions of the Suburban Neighbourhood Zone. The ground floor of each wing of the building is setback 3.0 metres from the side boundaries of the affected property, with upper levels also being setback to this extent. DPF 8.1 of the Zone outlines that side setbacks are to be a minimum of 900 millimetres for ground floors and 1.9 metres for upper levels. It is clear the proposed development far exceeds this.

Furthermore, the development is setback from the rear boundary of the affected property by 3.0 metres at the ground level and 8.0 metres to the upper level. Whilst this does not achieve the 4.0 metres outlined for ground levels in DPF 9.1 of the Zone, it greatly exceeds the outlined upper-level setback of 6.0 metres. It is considered that this level of setback is adequate to minimise the visual impacts of the development when the Zones support for two-storey development (as discussed above) is taken into account.

Land Instability

Representations have been received that raise concerns with impacts of the development on the stability of adjacent land. The retaining walls on the site have been setback away from shared boundaries to minimise the impacts upon the adjacent property.

Further, no evidence has been provided that the proposed development will result in impacts on the stability of the land. Contractors will complete the works adjacent the boundaries in accordance with the relevant legislation and standards that may be applicable to this process. As noted on the plans, the proponent will *'make good all repairs to neighbouring properties'*.

Landscaping

Landscaping is provided in association with the subject development in selected locations around common areas and boundaries of the site. PO 3.1 of Design in Urban Areas envisages soft landscaping and tree planting are provided to minimise heat, maximise shade, provide areas for stormwater infiltration and enhance the appearance of land and streetscapes.

A range of trees and lower plantings are provided to the Glenferrie Avenue frontage of the development and greatly softens the visual appearance of the built form, while providing shade and reducing the impact of northern sun on the site. Further boundary plantings are provided to allow for greater stormwater infiltration.

It is also noted that the nature of the development requires a higher level of paved surfaces than that of a dwelling, by virtue of the specific access and mobility requirements of residents. While this results in a lesser level of landscaping than that of the locality, it also allows for residents who may use wheelchairs, scooters or other mobility aids to circulate around the site and enjoy these high amenity outdoor areas. This universal and equitable design is encouraged by PO 37.2 of Design in Urban Areas, which specifically relates to developments of this nature.

Design in Urban Areas

Supported Accommodation and Retirement Facilities

PO 37.2 Universal design features are incorporated to provide options for people living with disabilities or limited mobility and / or to facilitate ageing in place.

It is considered that with this balance of factors that the development provides an adequate level, of landscaping to soften visual appearance and reduce heat loads in a manner consistent with the relevant policy, whilst simultaneously providing an outcome which meets the needs of the occupants to utilise and enjoy these features.

Access to Glenferrie Avenue

Concerns have been raised in respect to the potential use of the crossover to Glenferrie Avenue for parking associated with the development.

The applicant is required to provide connection through to Glenferrie Avenue for emergency access purposes. The applicant has agreed to make this a controlled vehicle and pedestrian access point to ensure it is only used for emergency purposes. This is consistent with the intent of the Planning and Design Code to provide safety in design, as outlined in the Design in Urban Areas provisions.

Design in Urban Areas

Safety

PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.

The use of Glenferrie Avenue for parking by visitors to the facility cannot be practically controlled by the applicant, however, the applicant has met their obligations with respect to the provision of sufficient on-site car parking to meet the expectations of the Planning and Design Code, which is accessed via the Cross Road frontage.

The applicant acknowledges and accepts that parking controls are able to be applied on Glenferrie Avenue by the Council should this be recommended as a separate matter under the *Local Government Act 1999*.

With the controlled gated entries in place and appropriate signage and communication, it is anticipated that access and parking on Glenferrie Avenue will be appropriately managed in accordance with the communities' expectations.

Car Parking and Traffic

A report prepared by MFY and Associates has been provided by representors. The representation state that the '*application proposes an unsafe and inappropriate access point to and from Cross Road*'. This is false, as the access point is existing and not proposed.

While the report indicates that under current standards, further works would be required to the access point to Cross Road, it also notes that the volume of movements associated with the development '*is not significant*'.

It is unknown when this access point was created, however, we do note that an aged care facility of some form or another has been present on the land for at least the past 60 years. It should also be acknowledged that this access point was ostensibly assessed and considered appropriate in more recent applications, whereby it was approved to service the 40 parking spaces within the existing facility, a number which is not altered by the proposal.

The nature and frequency of movement through this access point is not significantly altered by the proposal (as is acknowledged in the MFY report). The proponent has a right to continue to utilise their approved access arrangements. Should upgrades to Cross Road, a Department of Transport and Infrastructure ('DTI') asset, be required we suggest that this is raised by the representor with the authorities responsible for this issue.

Overshadowing

Overshadowing diagrams have been provided by a representor in support of their submission. However, the diagrams are inaccurate, difficult to interpret, incorrectly orientated, and misrepresent the shadow conditions. They do not provide any useful assistance in understanding a comparison between the existing and proposed shadow conditions.

Our most notable concern is that the shadow cast by the dwelling at [REDACTED] over its own private open space has been 'switched off' in the existing conditions diagram, and 'switched on' in the proposed conditions diagram. Whether intentional or not this paints a disingenuous picture of the shadow effects on the neighbouring property as a result of the proposed development.

Furthermore, we wish to highlight that 9 Glenferrie Avenue, to the west of the representor's property (on the right-hand side in the diagrams) is presently a vacant lot. This has been correctly applied in the diagrams; however, it should be noted that this therefore means that the existing shadow condition diagrams are reflective of conditions which are atypical and unlikely to be sustained in any reasonable or practical development scenario that can be contemplated to occur on the land at 9 Glenferrie Avenue.

We urge the Council assessment staff and Council Assessment Panel, in their interpretation of these diagrams to focus their attention on the red '*extent of neighbouring shadow*' in the proposed conditions diagram. As is demonstrated in these diagrams we note:

- The proposed development will cast shadow over the south-western corner (right-hand side in the diagrams) of the rear yard of 9 Glenferrie Avenue at 9:00 am.
- At 12:00 pm the development will cast no shadow over the representors property.
- At 3:00 pm the development will cast shadow over roofed structures on the representor's property.

Direct access to winter sunlight is only available currently within the south-west corner of the representor's private open space at 9:00 am on the 21 June. This would be overshadowed in almost any reasonable development scenarios involving 9 Glenferrie Avenue.

The relevant policy relating to the overshadowing of private open space is PO 3.2 on the Interface between Land Uses module. The policy seeks that overshadowing to these areas is '*minimised to maintain access to direct winter sunlight*'. The extent to which overshadowing can be minimised is dependent upon the existing conditions of the adjoining land. The ability to minimise overshadowing is inherently limited where existing development, by virtue of its siting, design and orientation, casts significant shadow over itself. The proposed development can do little to '*maintain access to direct winter sunlight*' in a scenario where access is already significantly constrained.

We turn to the corresponding DPF 3.2, which states the following:

DPF 3.2 Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:

- a. **for ground level private open space, the smaller of the following:**
 - i. **half the existing ground level open space**

or

 - ii. **35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)**
- b. **for ground level communal open space, at least half of the existing ground level open space.**

Notwithstanding questionable quality and accuracy of the diagrams, it is the author's assessment of the material provided that the representor's property does not currently achieve two (2) hours of direct sunlight between 9.00 am and 3.00 pm on 21 June, nor will it in the proposed scenario. This is an issue of its own creation, not a symptom of the proposed development. What is absurd, is to constrain the reasonable development of land in such a circumstance. We note that the proposed development does not overshadow the representor's private open space for a length of time greater than what is contemplated by DPF 3.2 above.

As discussed above, the development meets the relevant side setback provisions of DPF 8.1 of the Suburban Neighbourhood Zone. The corresponding PO 8.1 states the rationale for the provision of such setbacks is in part to provide '*access to natural light and ventilation for neighbours*'.

To expect that an applicant is required to significantly restrict the footprint of their development to beyond the parameters outlined by the Code, in some kind of attempt to offset existing shadow conditions created by an adjacent development upon itself cannot be considered to be a reasonable reading of the policy. To minimise is not to completely offset, but to take reasonable and available measures. It is considered that these, by virtue of the setbacks provided, have been taken, and that while the affected property will be overshadowed, that the effect on the neighbouring property is not unreasonable when the current conditions are appropriately understood and acknowledged.

It is noted that further concerns were raised regarding the solar generating capacity of [REDACTED]. North facing sun will continue to be provided to the panels and therefore the impacts of the development are not considered to be contrary to the relevant policies. The relevancy of the commentary regarding the representors wireless broadband service to the planning assessment is unclear. The author is unaware of any Planning and Design Code policy which would support the need to maintain line of sight between the representors roof space and a tower at Mt Lofty.

Impacts during Construction

Commentary around the impact of construction activities are outside the scope of what can reasonably be considered or controlled as part of the planning consent process. The representors' concerns are noted and understood and will be appropriately dealt with in accordance with the relevant legislation and standards that may be applicable to this process.

Closure

We trust that the response to the representations provided herein, resolve the matters raised and/or provide the necessary justification for the proposed development.

Please keep us informed of the time and date that this matter will be considered by the Council Assessment Panel so that the applicant can arrange for their representative to be in attendance to respond to any verbal representations to be heard.

Yours sincerely

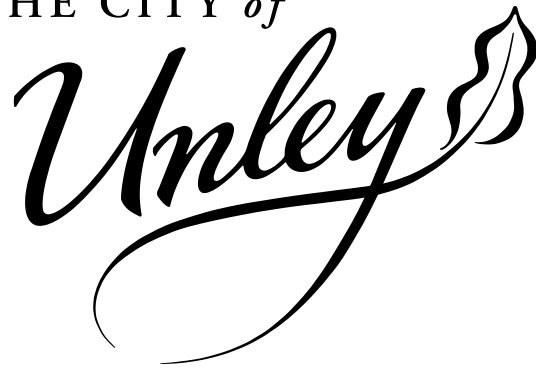
[REDACTED]

Nick Wilson
MasterPlan SA Pty Ltd

ATTACHMENT 16

MEMORANDUM

THE CITY of



To PLANNING AND
DEVELOPMENT

FROM TRANSPORT ENGINEER

DATE 19 MAY 2023

FILE

SUBJECT **Traffic comments on development application 21011428 – Proposed Expansion of Existing Aged Care Facility – 5, 5A, 7A & 9 Glenferrie Avenue, Myrtle Bank**

Proposal:

- Demolition of the existing residential dwellings at 5, 5A, 7A and 9 Glenferrie Avenue for the expansion of existing Aged Care Facility to incorporate an additional 45 beds, for a total of 121 beds.
- One (1) additional on-site car park, accessed via Glenferrie Avenue, for a total of 41 off-street car parking spaces. The existing 40 off-street parking spaces are located within a basement car park access via Cross Road.

Comments:

- Table 1 – General Off-Street Car Parking requirements from the Planning and Design Code indicates that for supported accommodation, a parking generation rate of 0.3 spaces per bed is applicable. Based on this rate, the proposed 121 bed facility will generate a requirement for 36 off-street parking spaces. Given it is proposed to provide 41 off-street parking spaces within a basement car park, this meets the planning scheme requirements and is considered acceptable.
- As the proposed expansion will provide direct access to Glenferrie Avenue, where previously all vehicle and pedestrian access was only provided via Cross Road, there will likely be an increase in parking and traffic along Glenferrie Avenue with access to the site (from both residents, staff and their visitors). This will likely be due to ease of access to the site from a quite local road, opposed to a busy arterial road in Cross Road.
- Given the likely impact, and concerns raised by residents in the street, it is recommended removing the vehicle access / parking space from Glenferrie Ave, noting that the site provides off-street parking in excess of the planning and design code.
- In addition, to reduce potential for staff and/or visitors from the aged care parking in Glenferrie Ave, it is recommended that all staff and pedestrian access is restricted to via Cross Road only.
- The traffic assessment provided by the applicant indicates that the proposed expansion will generate an additional 11 peak hour movements (utilising the previously adopted rate of 0.25 trips per bed). Given only one (1) parking space is provided via Glenferrie Road, the increase in traffic on Glenferrie Ave will only be one (1) peak hour traffic movement to/from the new space, with the additional 10 movements to/from the basement car park via Cross Road. This level of traffic impact to Glenferrie Ave is considered acceptable.
 - Noting the comments above, it is recommended that all vehicle access to/from Glenferrie Ave is removed.
- All redundant crossovers must be reinstated to Council satisfaction.
- All proposed crossovers must be installed to Council satisfaction.

- Any costs associated with changes to on-street parking signage and/or line marking is to be covered wholly by the applicant.

Jacob Avery
Transport Engineer

ATTACHMENT 17



LOCATION PLAN N.T.S.

AREAS:					
SITE (EXISTING)		4,939 SQ M	SITE (NEW)		2,429 SQ M
BUILDING:			NEW BUILDING AREA:		
GROUND FLOOR (EXISTING)		2,828 SQ M	GROUND FLOOR (NEW)		1,663 SQ M
FIRST FLOOR (EXISTING)		2,200 SQ M	FIRST FLOOR (NEW)		1,445 SQ M
BASEMENT (EXISTING)		1,733 SQ M	BASEMENT (NEW)		0 SQ M
TOTAL EXSITING		6,761 SQ M	TOTAL NEW		3108 SQ M
			SITE (TOTAL)		7,368 SQ M
			TOTAL BUILDING AREA:		
			GROUND FLOOR (TOTAL)		4,491 SQ M
			FIRST FLOOR (TOTAL)		3,645 SQ M
			TOTAL (Exluding Basement)		8,136 SQ M

PARKING (ORIGINAL SCHEME):	
CAR PARK	40 SPACES
BEDROOMS (ORIGINAL SCHEME):	
GROUND FLOOR - BEDROOMS	34 BEDS
GROUND FLOOR - APARTMENTS	1 BEDS
FIRST FLOOR - BEDROOMS	41 BEDS
TOTAL	76 BEDS

PARKING (NEW SCHEME):	
CAR PARK	(40+2) 42 SPACES
BEDROOMS (NEW SCHEME):	
GROUND FLOOR - BEDROOMS	(34+22) 56 BEDS
GROUND FLOOR - APARTMENTS	(1+2) 3 BEDS
FIRST FLOOR - BEDROOMS	(41+18) 59 BEDS
FIRST FLOOR - APARTMENTS	3 BEDS
TOTAL	121 BEDS



JOB No. 21-002

DRAWING LIST

- SK00 - COVER SHEET
- SK01 - EXISTING BASEMENT PLAN
- SK02 - EXISTING GROUND FLOOR SITE & DEMOLITION PLAN
- SK03 - EXISTING FIRST FLOOR SITE & DEMOLITION PLAN
- SK04 - PROPOSED SITE PLAN - GROUND FLOOR
- SK05 - PROPOSED SITE PLAN - FIRST FLOOR
- SK06 - PROPOSED GROUND FLOOR PLAN
- SK07 - PROPOSED FIRST FLOOR PLAN
- SK08 - PROPOSED ROOF PLAN
- SK09 - ELEVATIONS 1
- SK10 - ELEVATIONS 2
- SK11 - RETAINING WALL DETAILS
- SK12 - PERSPECTIVES
- SK13 - SHADOW DIAGRAM
- SK100 - SURVEY



21-002

PREMIER 'CARLYLE ON CROSS' ALTERATIONS AND ADDITIONS TO EXISTING AGED CARE FACILITY

5,7a & 9 GLENFERRIE AVE, MYRTLE BANK, SA 5064

DEVELOPMENT
APPLICATION

PLOT DATE: Wednesday, 25 August 2021

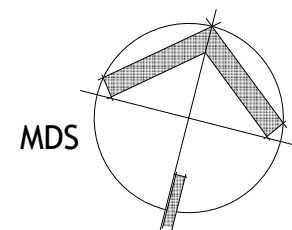
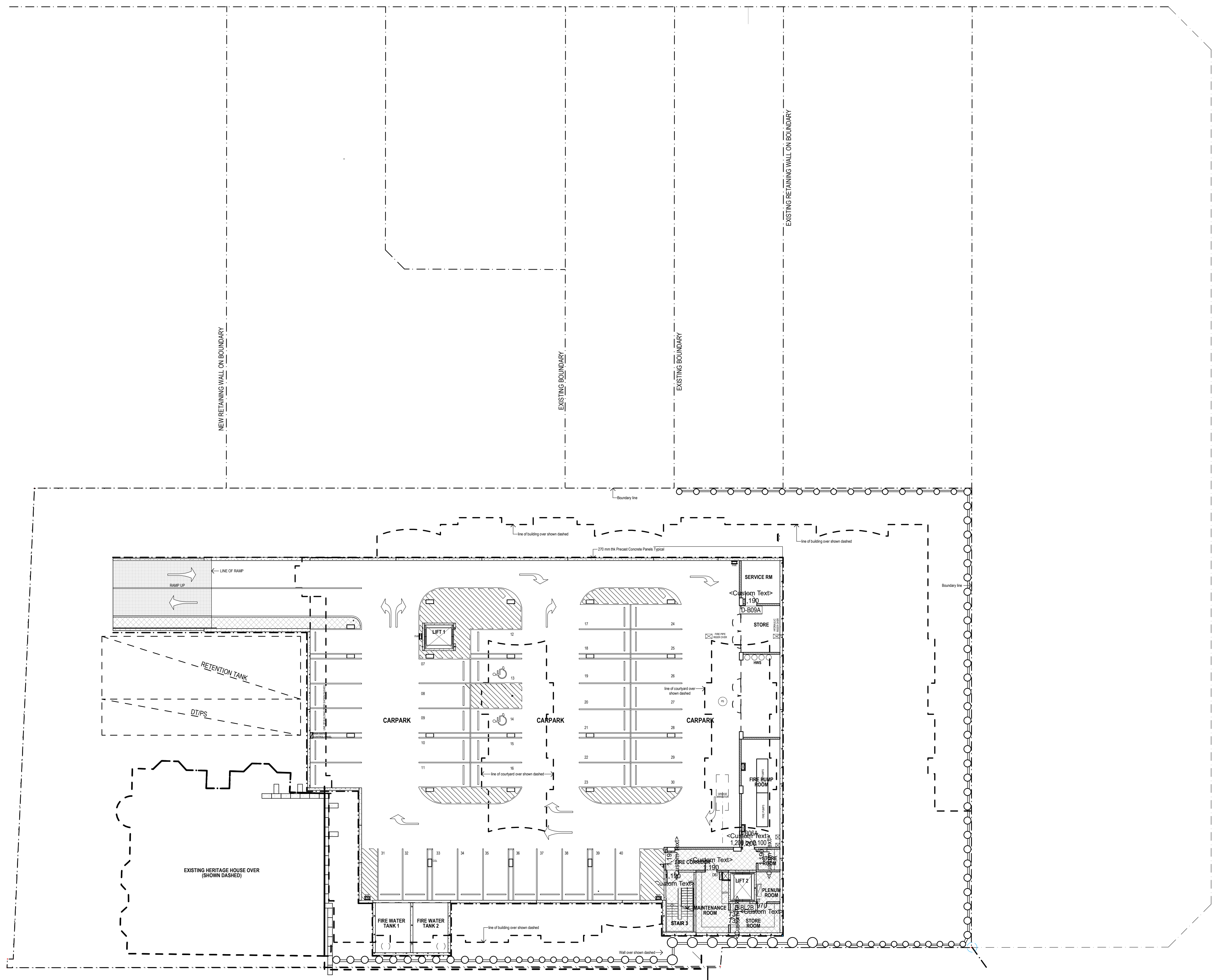
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NORWOOD SA 5067
TEL: (08) 8362 6633
FAX: (08) 8363 0211

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SUPERSEDED



Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
EXISTING BASEMENT FLOOR PLAN

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 83643 4888 FAX: (08) 83643 0888



Scale:
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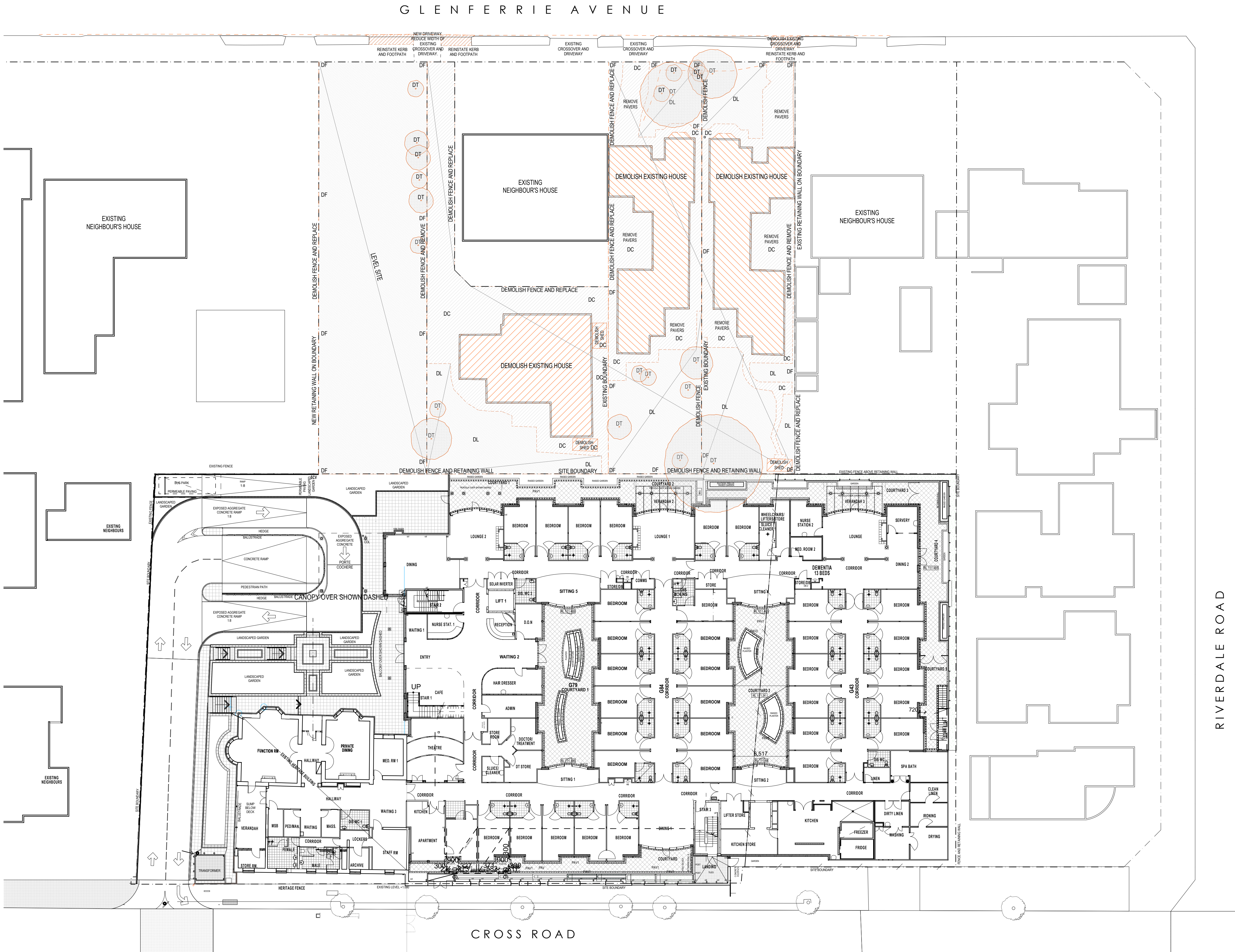
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FAX: (08) 8363 0211
Kirkbride Architects

NOTES:
Demolish and remove the following items from site:
- All redundant structures.
- All gardens, trees, shrubs, and other associated landscaping items.
- All concrete surfaces, slabs & paving
- Remove all grates, sumps and cover plates.
- Site stormwater shall be removed to boundary. Footpath crossovers shall be retained.
- Terminate and seal services at site boundaries, meters or in locations to best suit future site service installation.
- Site fences. Make good/ repair all fences to be retained.
- Seal site with temporary fences or similar with lockable gate to ensure access to the site is restricted.
- Stockpile topsoil for future use.
- Remove all spoil, soil and other fill not required to carry out the work.
- Remove all waste to local Council and EPA Guidelines.
- Make good upon completion and leave the site level and clear of debris ready for commencement of the works.

LEGEND:
DC - Demolish slabs, plinths, paving, pavers, paths and kerbs
DF - Demolish Fence
DL - Demolish Landscaping, Lawns, Planters and Gardens
DT - Demolish Tree/Shrub
DW - Demolish Wall



Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
EXISTING GROUND FLOOR SITE AND DEMOLITION PLAN

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



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- All gardens, trees, shrubs, and other associated landscaping items;
- All concrete surfaces, slabs & paving
- Remove all grates, sumps and cover plates;
- Site stormwater shall be removed to boundary. Footpath crossovers shall be retained;
- Terminate and seal services at site boundaries, meters or in locations to best suit future site service installation;
- Site fences. Make good/ repair all fences to be retained;
- Seal site with temporary fences or similar with lockable gate to ensure access to the site is restricted;
- Stockpile topsoil for future use;
- Remove all spoil, soil and other fill not required to carry out the work;
- Remove all waste to local Council and EPA Guidelines;
- Make good upon completion and leave the site level and clear of debris ready for commencement of the works.

LEGEND:

- DC - Demolish slabs, plinths, paving, pavers, paths and kerbs
- DF - Demolish Fence
- DL - Demolish Landscaping, Lawns, Planters and Gardens
- DT - Demolish Tree/Shrub
- DW - Demolish Wall



Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
EXISTING FIRST FLOOR SITE AND DEMOLITION PLAN

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



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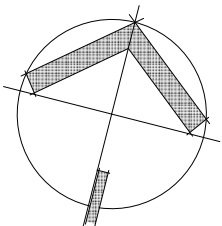
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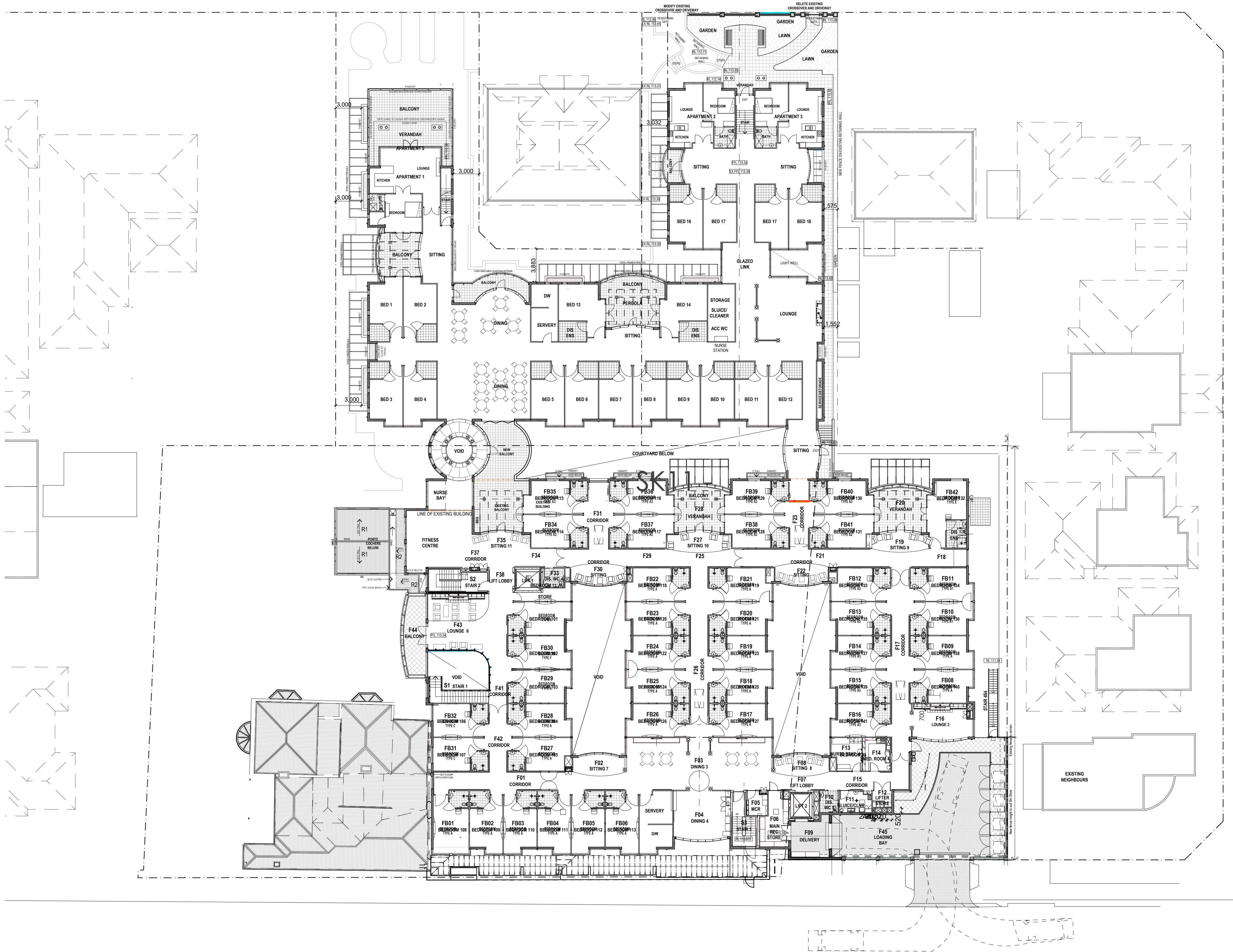
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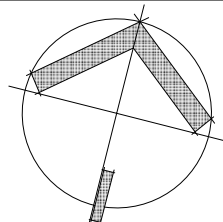


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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PROPOSED SITE PLAN - FIRST FLOOR



Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



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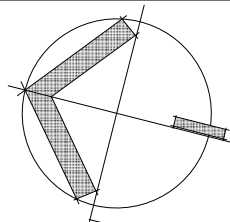
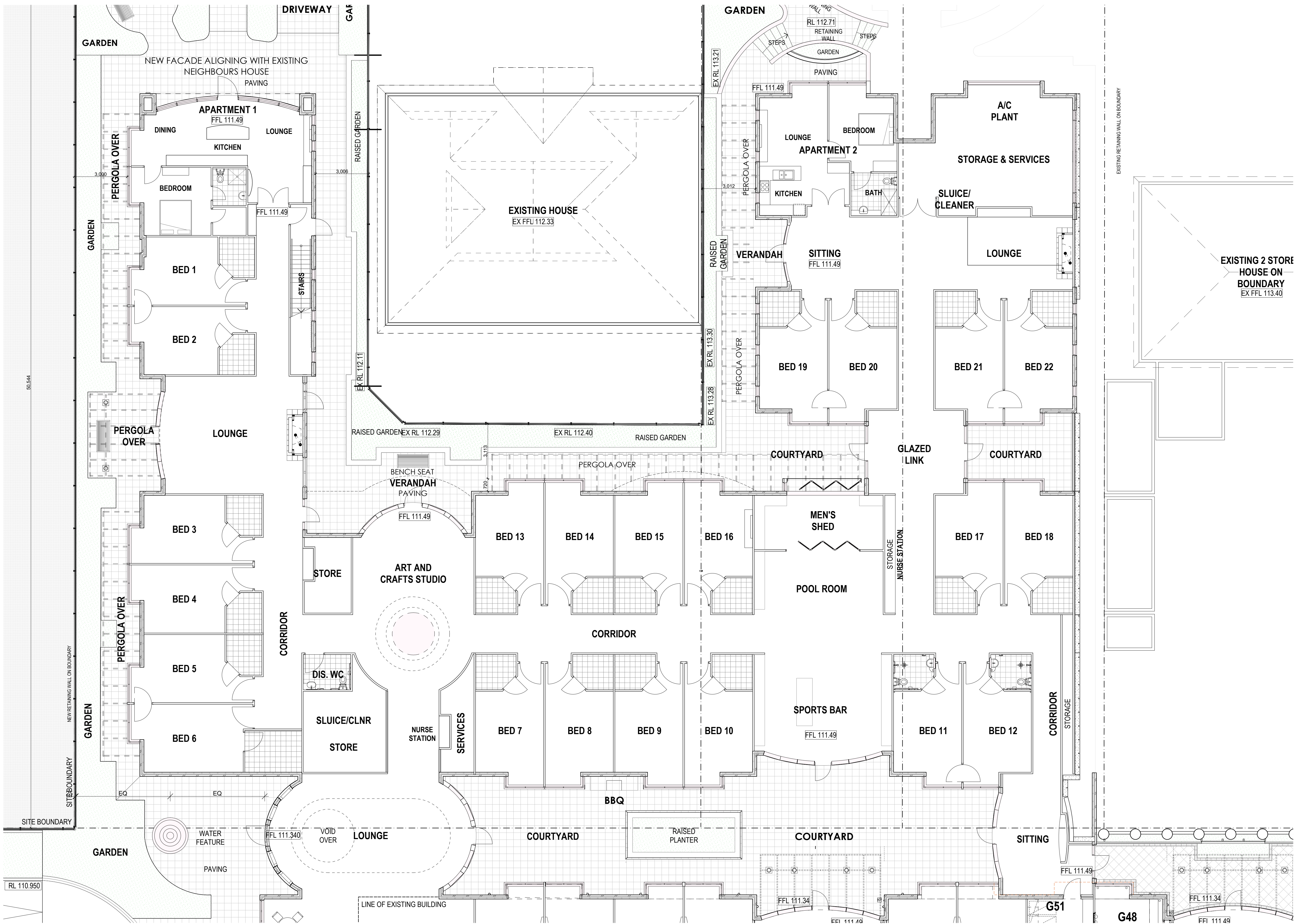
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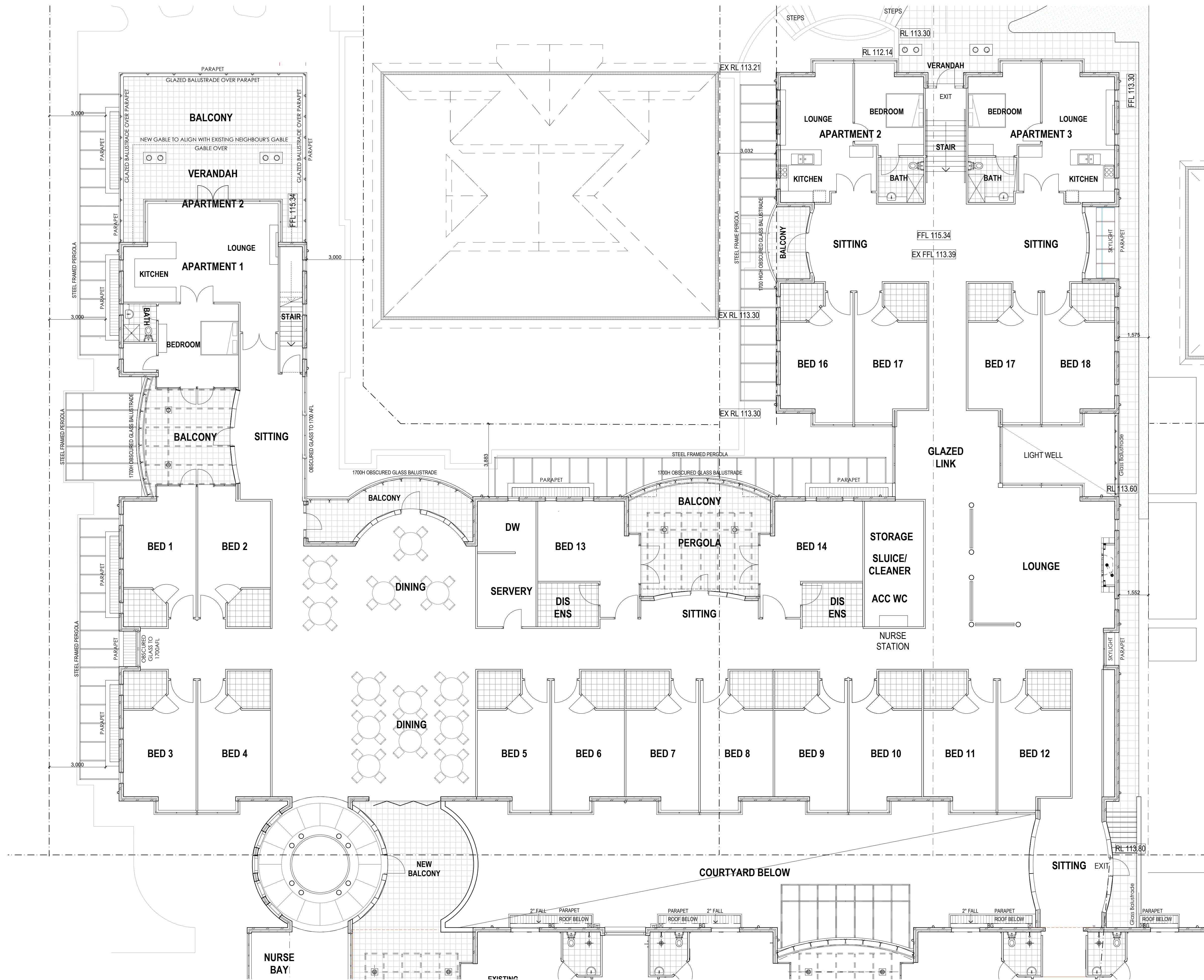
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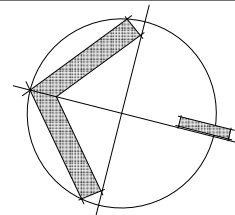
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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
PROPOSED FIRST FLOOR PLAN



Client:
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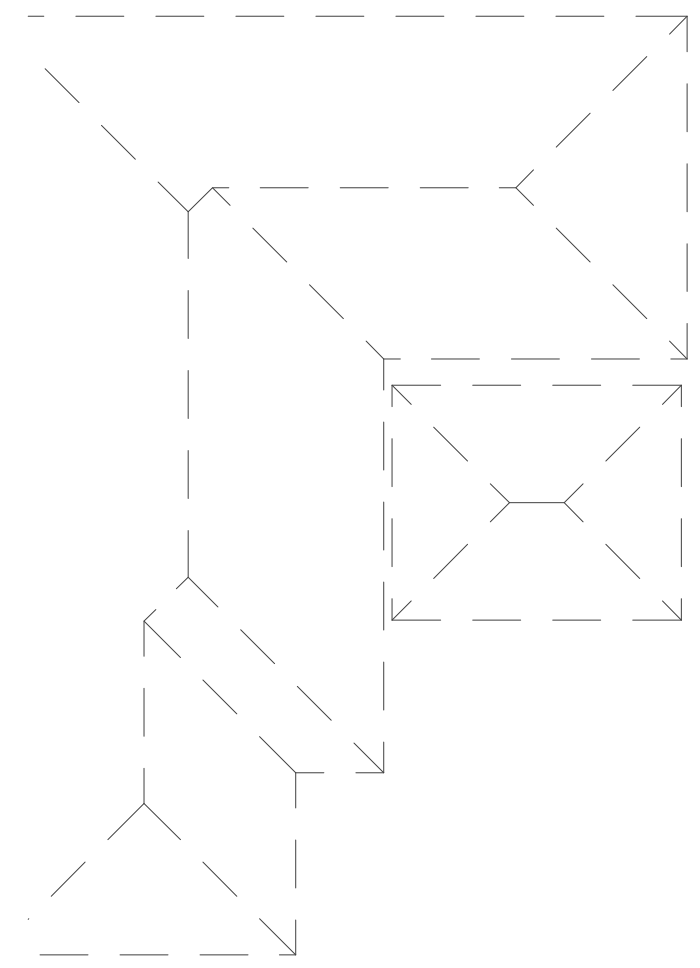
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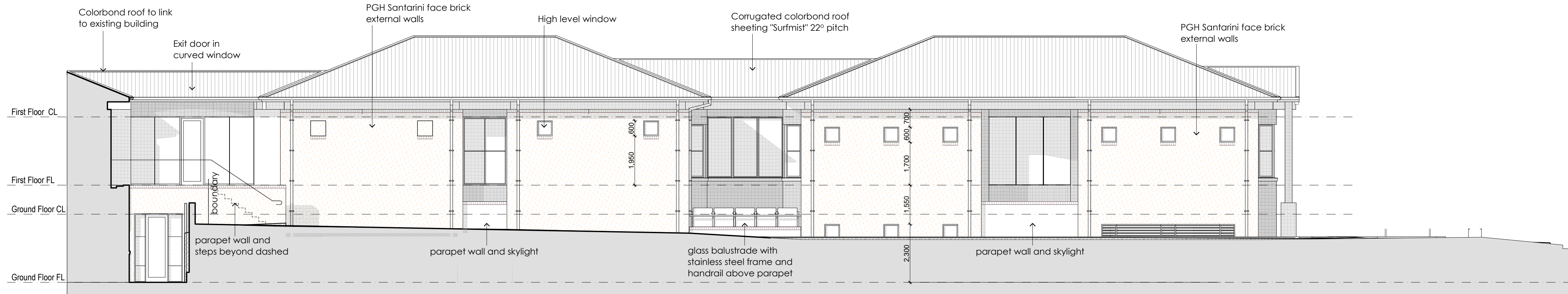
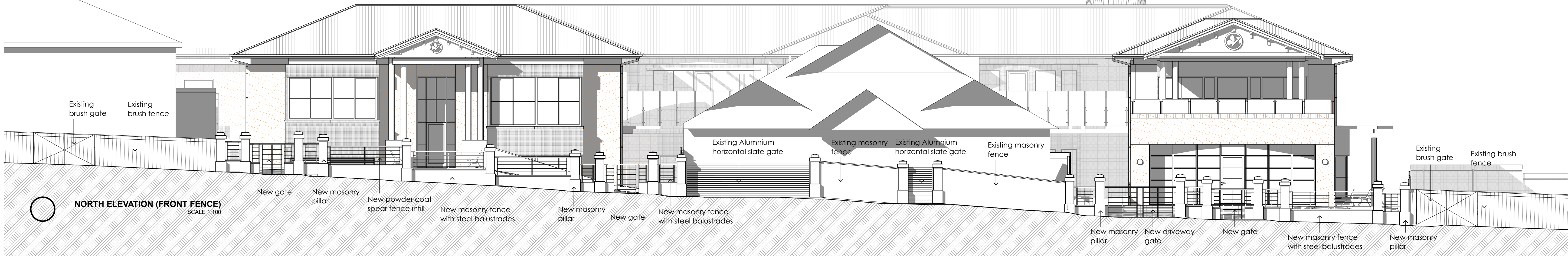
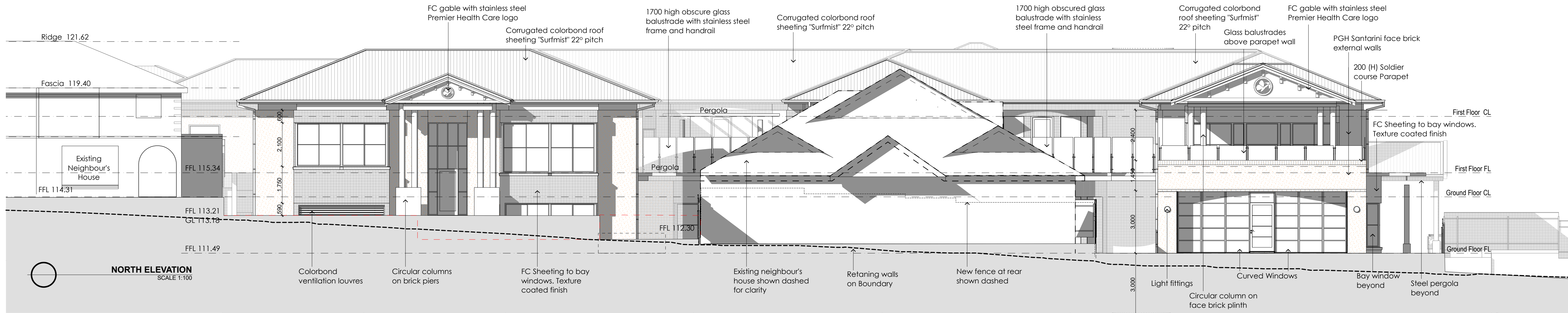
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74 FULLARTON ROAD
NORWOOD SA 5067
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FAX: (08) 8363 0211
Kirkbride Architects



SUPERSEDED

FOR APPROVAL



Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
ELEVATIONS 1

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
1:100
Date:
25/08/2021
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Drawing No.:
SK09

Checked By:
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Job No:
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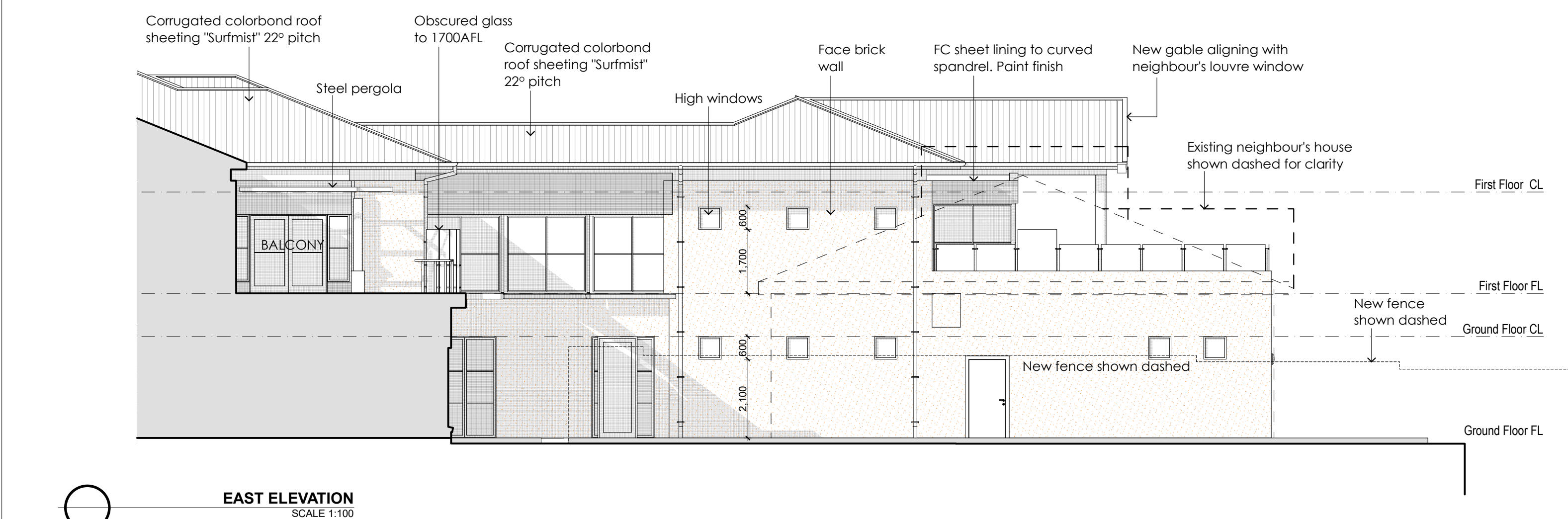
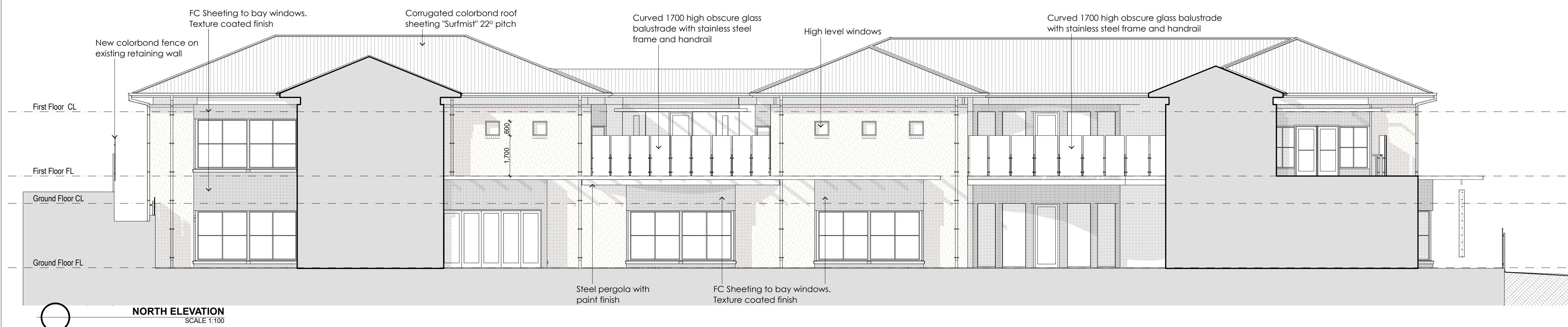
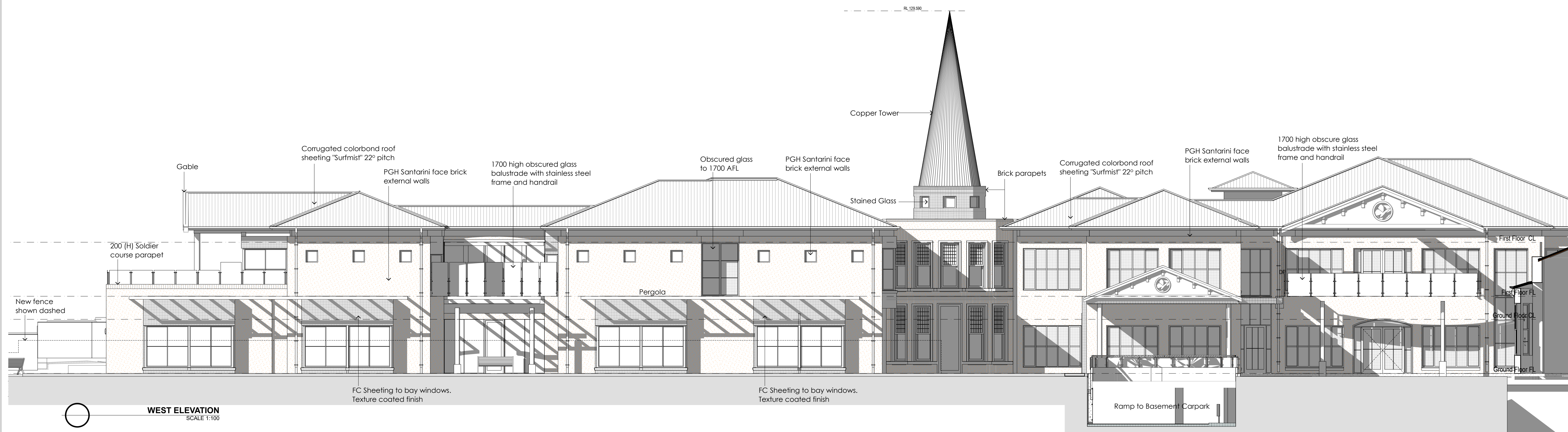
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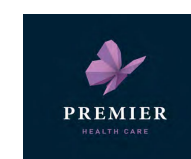
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Project:
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ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
ELEVATIONS 2

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
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Drawing No.:
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Checked By:
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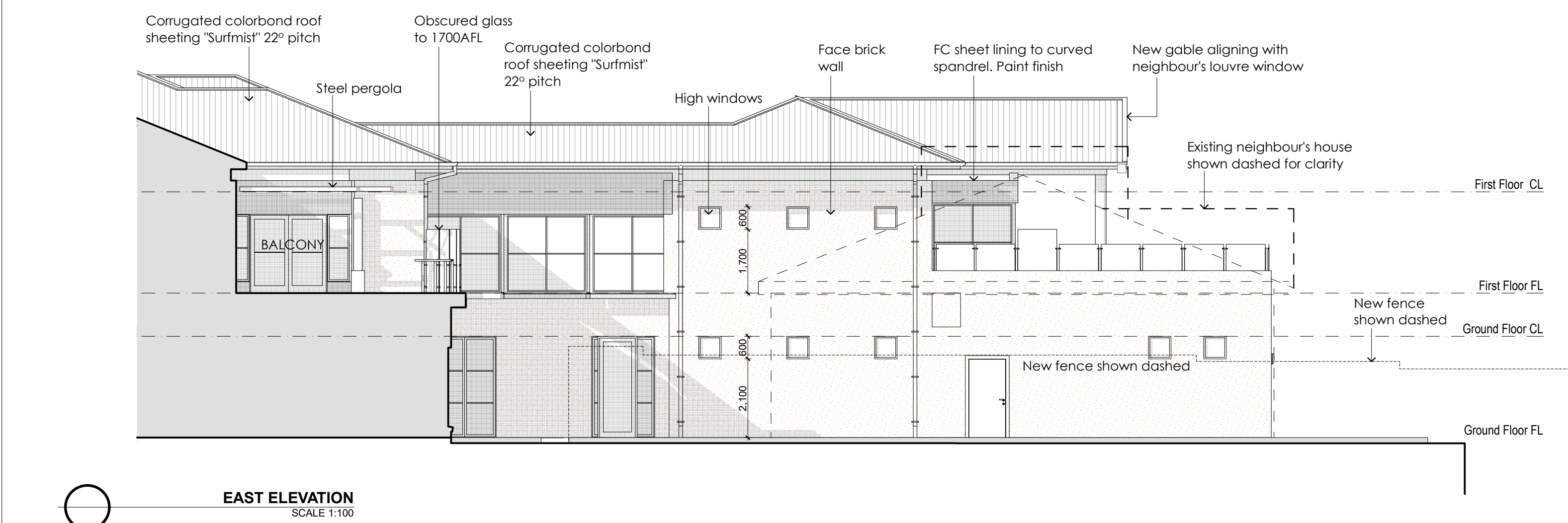
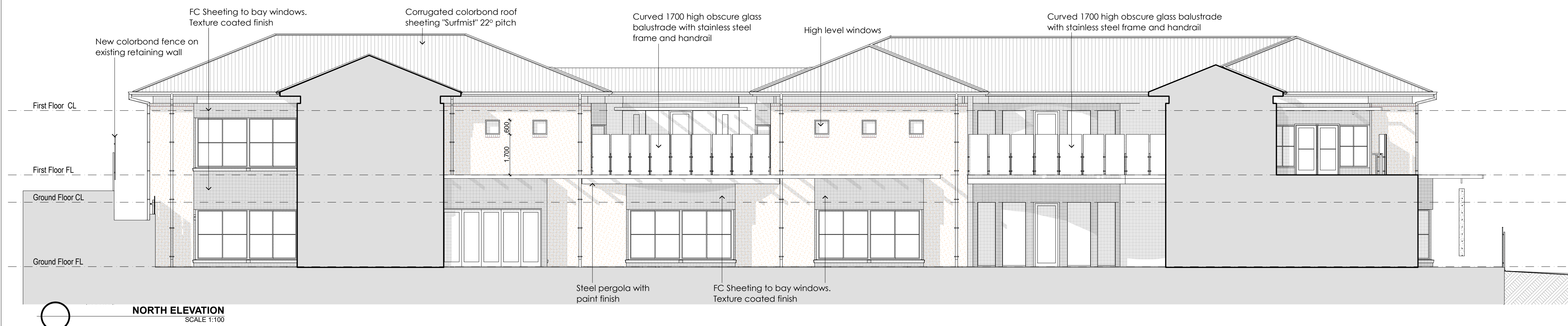
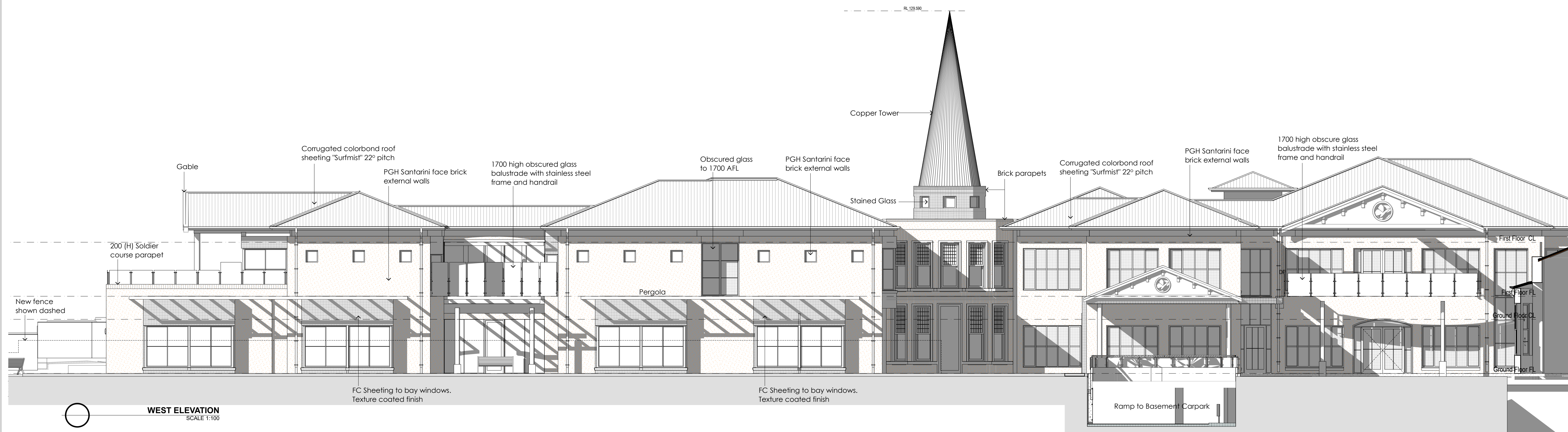
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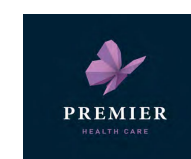
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Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
ELEVATIONS 2

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
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25/08/2021
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Drawing No.:
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Checked By:
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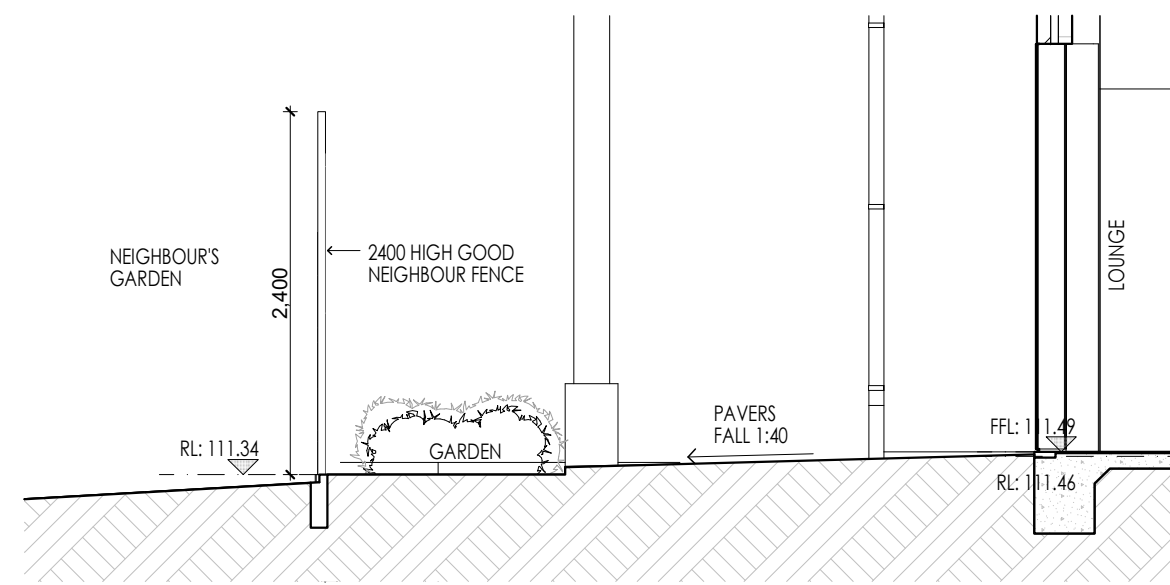
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1	25/08/2021	DA Resubmission	PRE

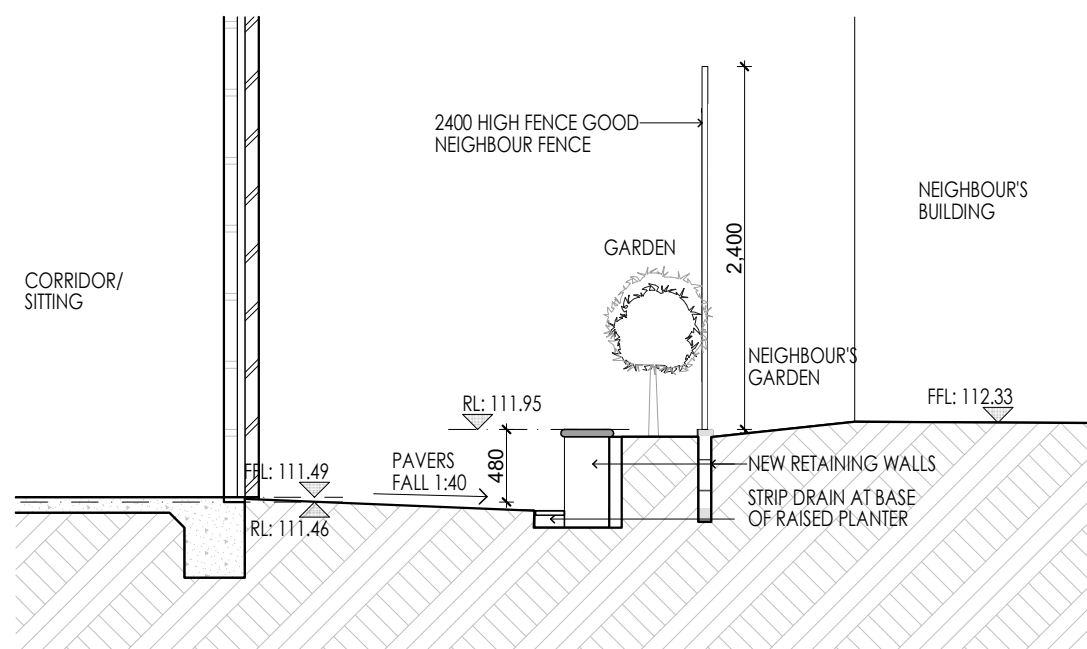
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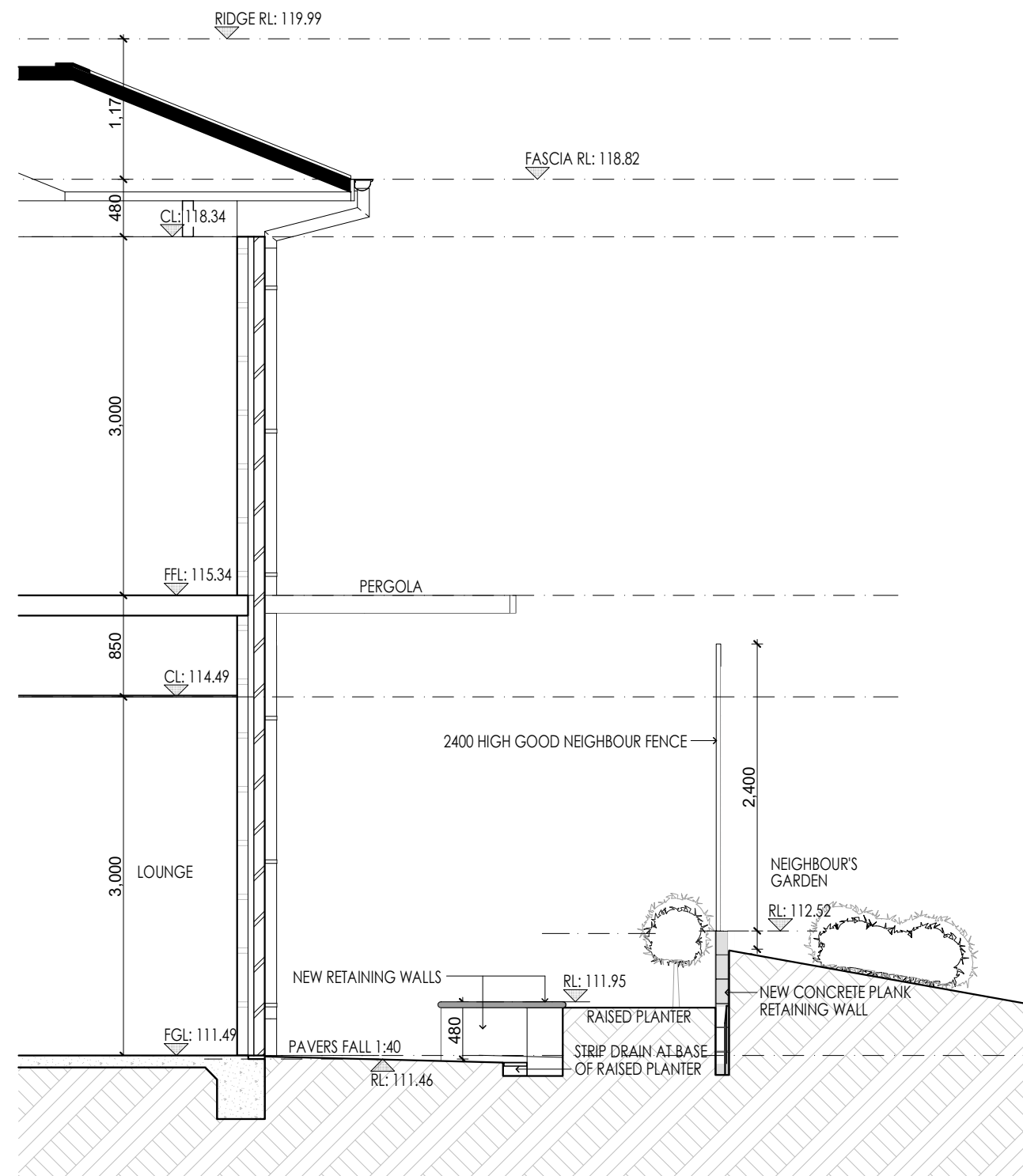
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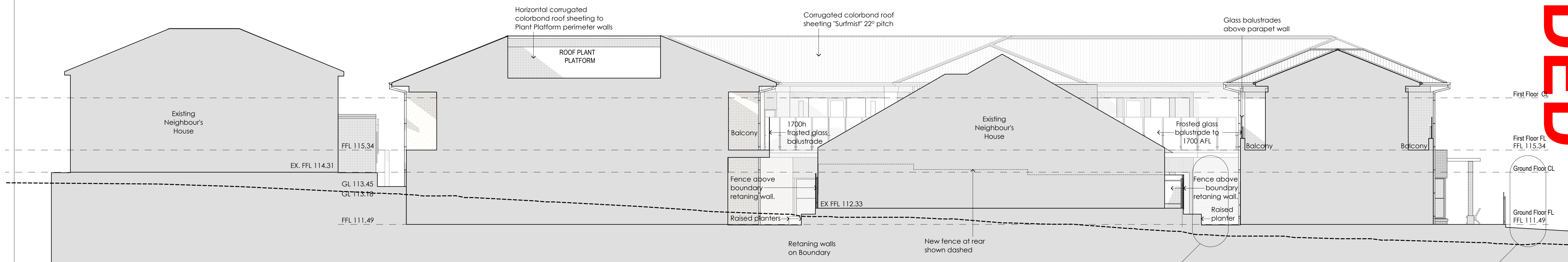
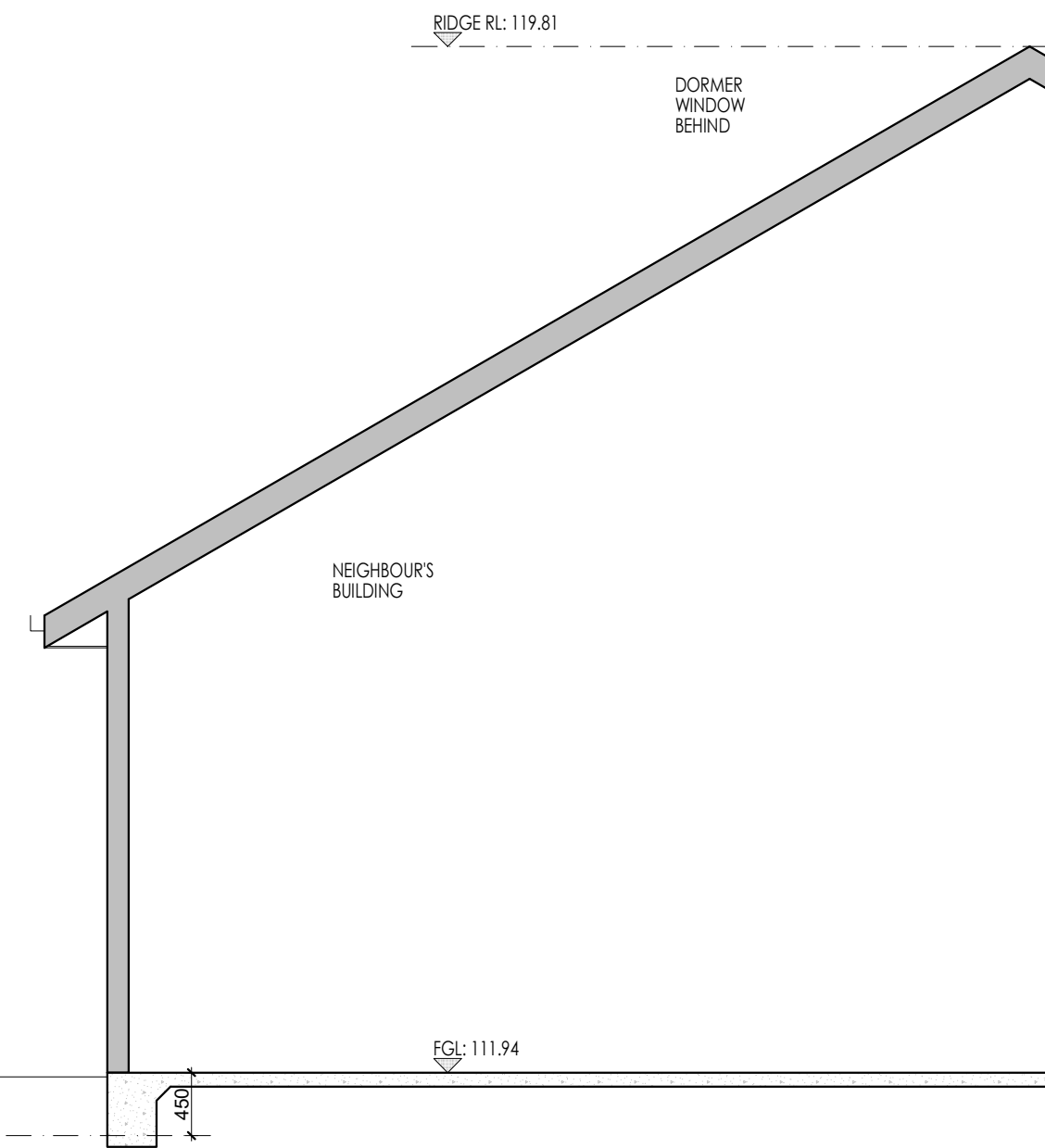
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SECTION R2



SECTION R3

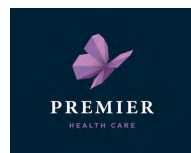


SECTION A-A

Project:
CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 GLENFERRIE AVE, MYRTLE BANK, 5064
SOUTH AUSTRALIA

Title:
SECTION AND RETAINING WALL DETAILS

Client:
PREMIER HEALTH CARE
78 Fullarton Road
NORWOOD SA 5067
TEL: (08) 8363 4888 FAX: (08) 8363 0888



Scale:
Date:
25/08/2021
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Drawn By:
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Drawing No.:
SK11

Checked By:
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Job No:
21-002

Dwg Size:
A1
Issue:
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FAX: (08) 8363 0211
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MAIN ENTRY



5 GLENFERRIE AVENUE



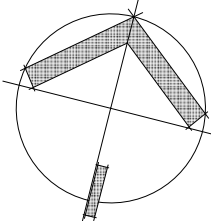
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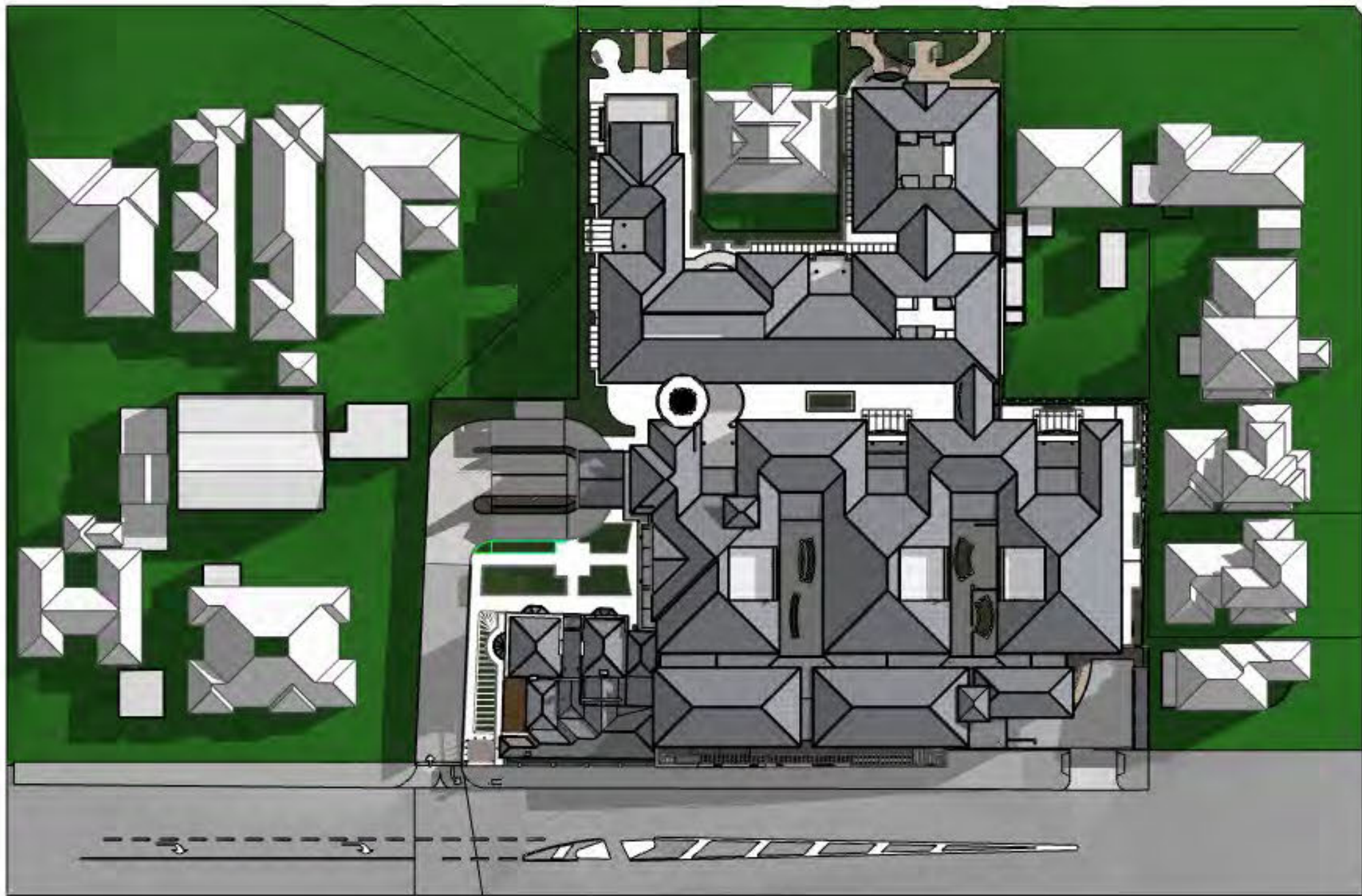
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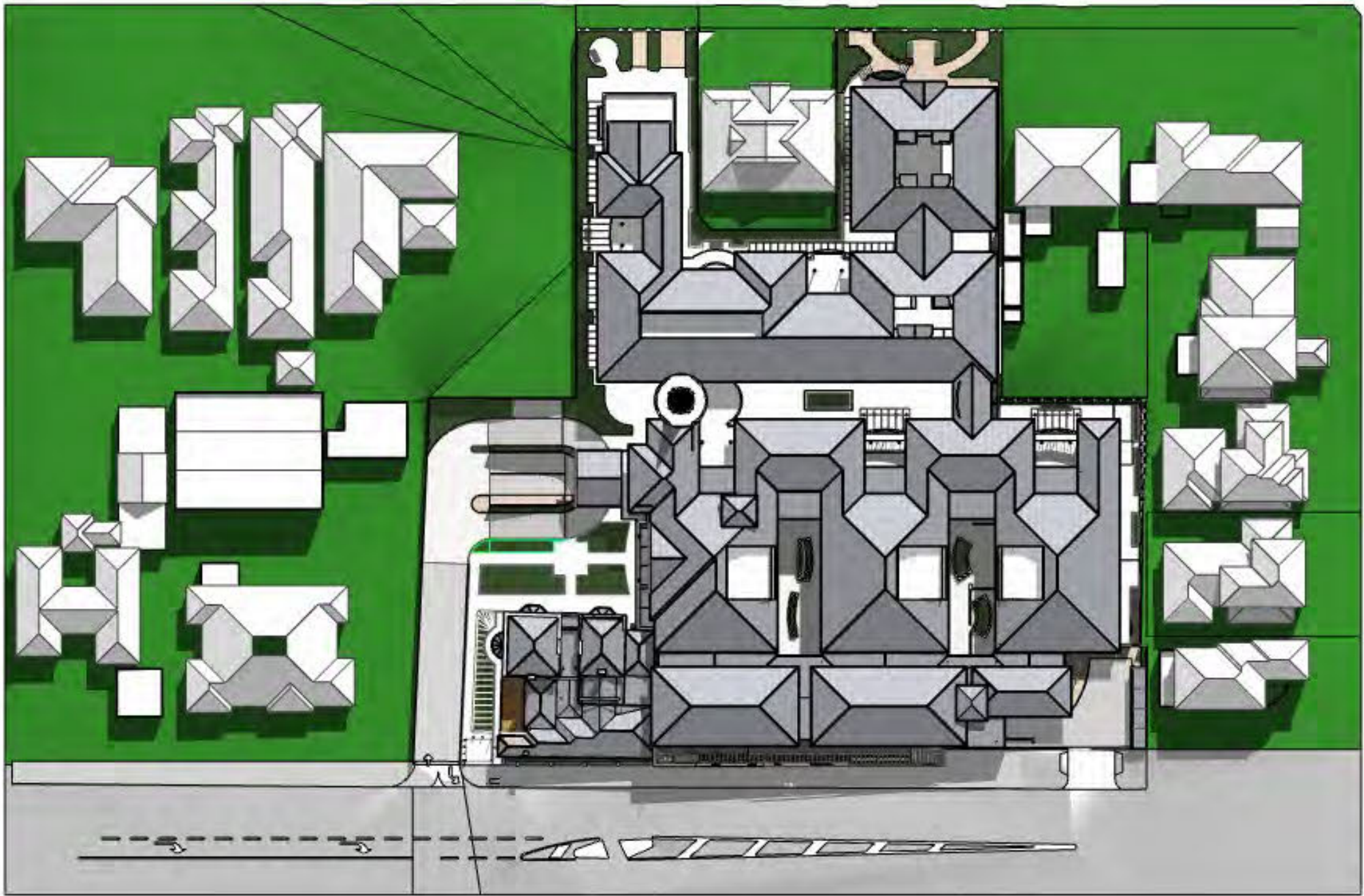
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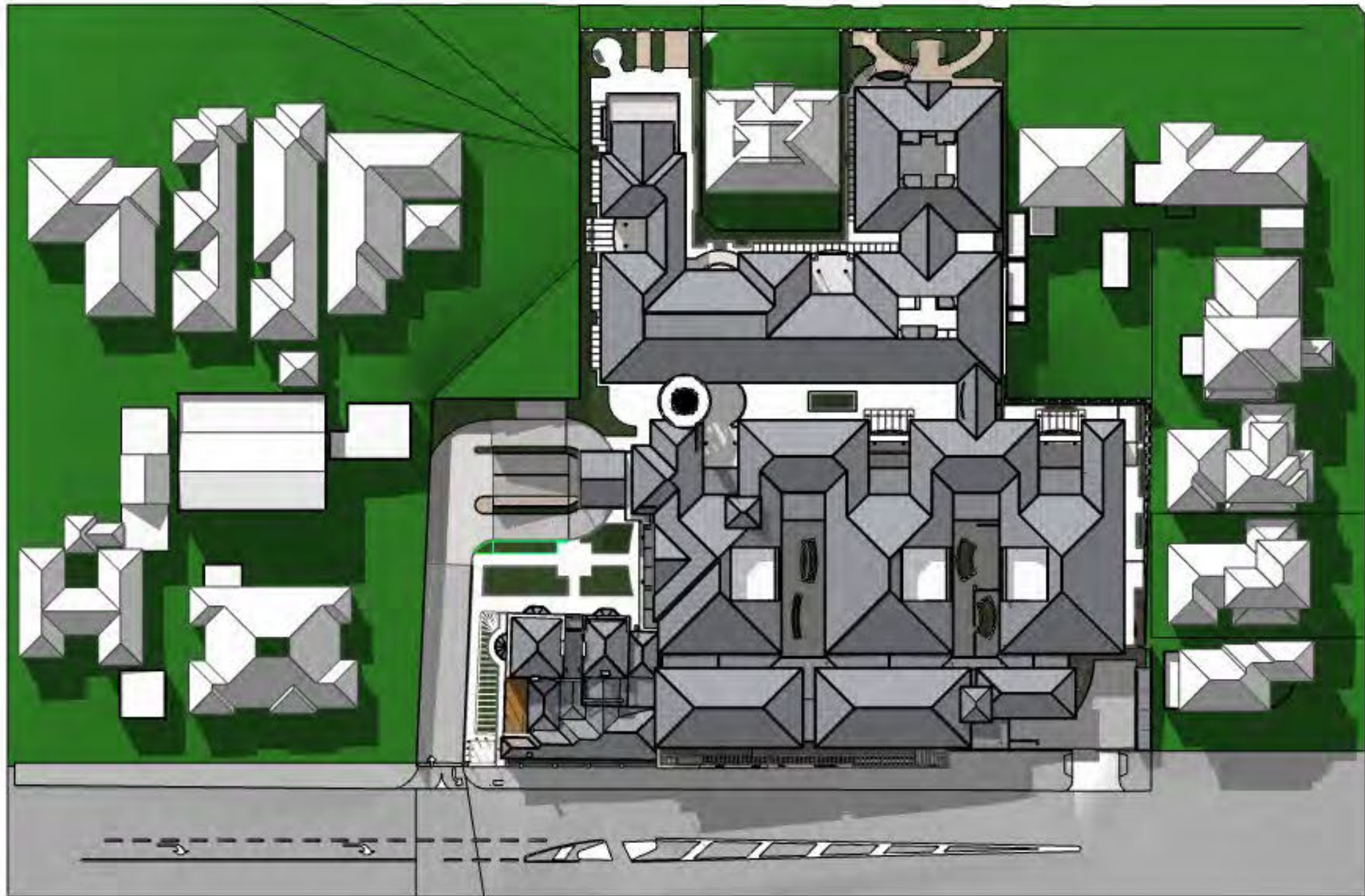
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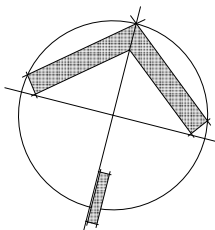
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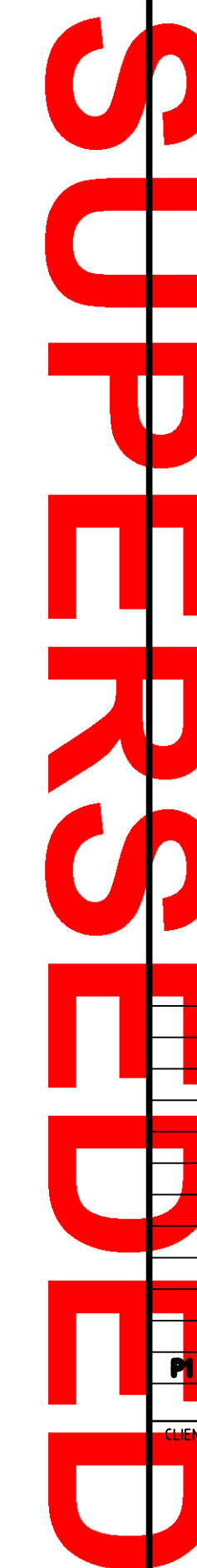
JUNE 21ST - 03:00 PM





RETENTION/DETENTION TANK

CONCRETE SLEEPER RETAINING WALL



PREMIER HEALTH CARE
78 Fullarton Road
Norwood SA 5067

PROJECT

CARLYLE ON CROSS
ALTERATIONS AND ADDITIONS
5, 7a & 9 Glenferrie Ave, Myrtle Bank, 5064



ANSON
Engineering | Project Management | Building
Level 2, 135 Fullarton Road
Rose Park SA 5067
T 1300 326 7


STORMWATER MANAGEMENT CIVIL WORKS LAYOUT PLAN

SCALE @ A1 AS SHOWN	DRAWN S. BARAL	DESIGNED S. BARAL
PROJECT ENGINEER P. TRAINOR	PROJECT MANAGER P. TRAINOR	DATE FIRST ISSUED 06/08/2011

PRELIMINARY

SIGNED	SHEET 2 OF
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DRAWING NUMBER	001-1003-002	REV
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UNLEY COUNCIL ASSESSMENT PANEL

ANNUAL REPORT 2022 - 2023

August 2023

CONTENTS

BACKGROUND

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Delegated Authorities

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BACKGROUND

The functions of the Council Assessment Panel (CAP) are:

1. To act as a delegate of the Council in accordance with the requirements of the *Planning, Development and Infrastructure Act 2016* (the PDI Act), the *Development Act 1993* (which was repealed during the term of the CAP) and any relevant instrument of delegation;
2. To provide advice and reports to the Council as it thinks fit on trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications under the PDI Act; and
3. To perform other functions (other than functions involving the formulation of policy) assigned to the CAP by the PDI Act or the *Planning, Development and Infrastructure Regulations 2017* (the PDI Regulations) from time to time.

TERMS OF REFERENCE

The Terms of Reference for the CAP require that it reports annually to Council in respect of the following matters:

1. The use of the provisions of Regulation 13(2) of the PDI Regulations;
2. Disclosure by CAP Members of interests pursuant to clause 7 of the Minister's Code of Conduct issued under Schedule 3 of the PDI Act;
3. Resignation of a CAP Member;
4. The incidence of items deferred by the CAP;
5. The adjournment of consideration of development applications;
6. Any matter that would improve the effectiveness of, or expedite the decisions of the CAP; and
7. Any other matters upon which the CAP is required to report to the Council or thinks fit to report.

This report is submitted in accordance with these requirements.

DISCUSSION

Membership

The previous two-year term of the CAP came to an end on 28 February 2023. Membership of the Panel prior to that date comprised the following members:

- Brenton Burman (Presiding Member)
- Colleen Dunn (Independent Member)
- Michael McKeown (Independent Member)
- Ross Bateup (Independent Member)
- Cr Emma Wright (Elected Member) – until November 2022.
- Cr Jennifer Bonham (Deputy Elected Member) – until November 2022.
- Carol Muzyk (Deputy Independent Member)

The following members were appointed by Council for a two-year term from March 2023, with no resignations during the reporting period:

- Brenton Burman (Presiding Member)

- Colleen Dunn (Independent Member)
- Terry Sutcliffe (Independent Member)
- Dr Iris Iwanicki (Independent Member)
- Will Gormly (Independent Member)
- Prof Mads Gaardboe (Deputy Independent Member)

In appointing the Panel, Council chose to appoint all independent members to the Panel, rather than take up the opportunity of an elected member being appointed to the Panel. It is understood that such an arrangement is the first for CAPs within the state.

The Independent Members are persons accredited at Planning Level 2 under the Accredited Professional Scheme as required with the introduction of the Planning and Development Code for Phase 3 councils on 19 March 2021 for CAP membership.

Meeting Procedures and Delegated Authorities

At its first meeting of the new term of the CAP in March 2023, the Panel adopted the existing Meeting Procedures and Instrument of Delegation of the previous Panel.

Appeals

Table 3 provides a summary of appeals against CAP decisions for the financial year. Figure 1 provides a historical comparison of appeals data. The number of appeals lodged in 2022/2023 continued to trend down from previous years. Of the 2 appeals lodged during the reporting period:

- 1 was settled by way of a compromise proposal, and
- 1 was withdrawn

Application Numbers

Table 2 provides a summary of the number of applications considered by the CAP, concurrence with officer's recommendations, meeting attendance, site meetings and special meetings.

Application numbers in 2022/23 were lower than 2021/22. Overall, 25 applications were considered by the Panel for the financial year compared to 50 the year before. Of the 25 applications, 21 decisions (84%) by the Panel concurred with the staff recommendation (compared to 90% the year before).

The reduced numbers being presented to CAP are a direct result of the introduction of the PDI Act which significantly reduced public notification of applications. This trend is expected to continue with recent amendments to the PDI Regulations that exempted further types of development from public notification.

Meeting Data

Meeting attendance remained high with only 3 meetings where a Deputy Member (in the previous term) could not attend. The Independent Deputy Member attended 3 meetings: one attendance being in the new term of the Panel.

Policy Matters

No items were reported to the Council by CAP during the reporting period.

A report *Analysis of Planning & Design Code Applications assessed under Delegation of the Panel* was presented to the Panel's 21 February 2023 meeting. The report was on the nature, number, and range of applications lodged and dealt with under delegation in the 2022 calendar year. The Panel noted the report.

Table 1: Matters to be reported to Council – 2022/23

2022-2023	Use of Reg 13(2) of the PDI (General) Regulations (confidential item)	Disclosure by Panel Members of interests pursuant to Sec 83(1)(g) of PDI Act (Conflict of Interest)	Resignation of a Panel Member	Incidence of items deferred by the Panel	Adjournment of consideration of development applications	Other matters upon which the CAP is required to report to the Council or thinks fit to report
July	0	0	0	0	0	1
August	2	0	0	0	0	0
September	0	1	0	0	0	0
October	1	0	0	0	0	0
November	0	0	0	1	0	0
December	0	1	0	1	0	0
January	No meeting					
February	0	0	0	1	0	0
March	0	0	0	0	0	0
April	0	0	0	0	0	0
May	0	0	0	0	0	0
June	0	0	0	0	0	0
TOTAL	3	2	0	3	0	1

Table 2: Applications and Meeting Data

2022-2023	No. of Items	No. where CAP concurred with Officer's Recommendation	Meeting Attendance (no. of CAP members)	Meeting Attendance (no. of Deputy members)	Site Meetings	Special Meetings
July	1	1	5	1	0	0
August	5	4	5	0	0	0
September	1	1	5	0	0	0
October	5	5	5	1	0	0
November	1	0	3	0	0	0
December	4	3	4	0	0	0
January	No Meeting Held					
February	1	1	4	0	0	1
March	1	1*	5	1	0	0
April	2	2	5	0	0	0
May	2	2	5	0	0	0
June	2	2	5	0	0	0
Total	25	21	-	3	0	1
Average	2.27	-	-	-	-	-

*Delegated back to assessment manager

Table 3: Summary of Appeals - 2022/23

APPEALS							
YEAR	LODGED	Upheld	Dismissed	Withdrawn	Compromise	Ongoing	TOTAL
2022/23	2	0	0	1	1	0	2

Figure 1: Historical Comparison of Appeals Data

