

CAP Meeting Agenda

Presiding Member: Mr Brenton Burman

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 20 February 2024 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson

Assessment Manager

Dated: 08/02/2024

Members: Mr Brenton Burman, Ms Colleen Dunn, Mr Terry Sutcliffe, Mr Will Gormly, Dr. Iris Iwanicki

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

AGENDA

Item No		Page
1.	Apologies	2-2
2.	Conflict of Interest	2-2
3.	Confirmation of the Minutes	2-2
4.	Planning, Development Infrastructure Act Applications	
4.1	25 Foster Street, Parkside – 23030567	3-51
5.	Appeals Against Decision of Assessment Manager	
5.1	Nil	-
6.	Applications Before the ERD Court	
6.1	Summary of ERD Court Appeals	52-52
7.	ERD Court Compromise Reports - CONFIDENTIAL	
7.1	Motion to move into confidence	-
	Nil	-
	Motion to move out of confidence	-
	Nil	-
8.	Council Reports	
8.1	Nil	-
9.	Other Business	
9.1	Nil	-

ITEM 4.1**DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063**

DEVELOPMENT NO.:	23030567
APPLICANT:	Beverina Pty Ltd c/- Future Urban
ADDRESS:	25 FOSTER ST PARKSIDE SA 5063
NATURE OF DEVELOPMENT:	Change in land use from residential dwelling to supported accommodation and the alterations and additions to the existing building, including partial demolition
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) • Historic Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy • Water Resources <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 5.7m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 15m; row dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 500 sqm; row dwelling is 500 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:	25 Oct 2023
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) - Version 2023.14 - 12/10/2023
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	Attachment 1 - Plan Set & Supporting Documentation Attachment 2 - Representations Attachment 3 – Response to representations

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

DETAILED DESCRIPTION OF PROPOSAL:

The proposal seeks a change in land use of a residential dwelling to supported accommodation. Support Accommodation as per the *Planning and Design Code* is defined as a,

‘...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.’

The proposal also seeks alterations and additions to the existing building, including partial demolition.

The supported accommodation seeks to provide care for four persons, living with dementia and who will reside within the accommodation in four separate bedrooms. There will be one staff member, providing care to the residents, on site at any one time, with the exception of a shift change-over. The staff members are typically rostered on 12 hours shifts, allowing 15 minutes for shift / staff change over. The supported accommodation seeks to operate in isolation of the St Louis Aged Care facility sited on 19-21 Foster Street, Parkside.

The alterations, additions and partial demolition are to alter the external appearance of the existing building by altering the window and door openings and installing a handrail to the verandah / porch. There will be substantial alterations to the internal floor layout, resulting in building comprising the following:

- Four bedrooms, each with their own ensuite;
- Open plan kitchen, dining and living area;
- Staff bedroom;
- Store;
- Bathroom; and
- Laundry.

Vehicular access to the site will remain through the existing crossover from Foster Street and will provide three on site car parks in a stacked / tandem parking arrangement.

SUBJECT LAND & LOCALITY:

Location reference: 25 FOSTER ST PARKSIDE SA 5063

Title ref.: CT 5344/547 **Plan Parcel:** D1005 AL406 **Council:** CITY OF UNLEY

Site Description:

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

The subject land is sited on the southern side of the Foster Street and is a rectangular shaped allotment with an 18.29m wide frontage, a depth 48.15m with an approximate site area of 880.67m². The subject land is not affected by any easements or encumbrances.

The site currently contains a dwelling identified as a bungalow circa 1920, with an attached verandah and carport with vehicular access obtained through a crossover from Foster Street. The land is relatively flat and moderately vegetated with one street tree located within the verge. While there are no regulated or significant trees on the subject site, a regulated tree is located on the adjoining site at 27 Foster Street, Parkside, however it will not be impacted by the development.

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063



Figure 1: View of the subject land from Foster Street.

Locality:

When determining the locality of the subject land the general pattern of development and the extent to which the proposed development is likely to impact surrounding occupiers and landowners was considered. The locality is located entirely within the **Established Neighbourhood Zone**.

The locality is predominantly characterised by residential dwellings, with the exception of the St Louis Nursing Home and ancillary office at 19-21 Foster Street and 23 Foster Street, Parkside. The residential development in the locality is comprised of varying dwelling types such as detached and semi-detached dwellings as well as residential flat buildings. The locality is characterised by varying dwelling styles including original character buildings, such as villas, bungalows and tudors, with these interspersed with conventional dwellings, 1970s residential flat buildings, and more recent infill of later eras. This results in a mixed streetscape character.

Site areas in the locality range between 210m² and 880m².

The locality is well vegetated with numerous large trees on private land and mature vegetation found within street verges and private land.

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

Locality Plan

The representor lives within the locality of the subject land.



Subject Land



Locality



Representor

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 - Demolition
 - New housing
 - Change of use: Code Assessed - Performance Assessed
 - Change of building classification: Accepted
 - Partial demolition of a building or structure: Code Assessed - Performance Assessed
 - Supported accommodation: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
 - Code Assessed - Performance Assessed
- **REASON**
 - P&D Code

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

PUBLIC NOTIFICATION

• REASON

Established Neighbourhood Zone – Table 5 – Procedural Matter (PM) – Notification, supported accommodation is not listed as an excluded form of development and therefore requires to be public notified.

Established Neighbourhood Zone – Table 5 – Procedural Matter (PM) – Notification 6(2) the partial demolition of an original building requires to be publicly notified.

As part of the public notification process 36 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**.

During the notification period Council received one representation who supports the development with concerns. The representor has requested to be heard by the Council Assessment Panel.

Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
[REDACTED]	I support the development with concerns	Yes	Self

Summary:

The representors raised the following concerns:

- The proposal is considered acceptable from the streetscape due to the minimal change to the external appearance of the original building;
- Concerns with the ongoing harmony of the street between residents and the aged care and supported accommodations services;
- Lack of on-site car parking and overflow to Foster Street;
- Noise from workers in early hours of the morning and late into the evening;
- Waste Management;
- Lack of soft landscaping on site.

The applicant provided a response to the representations which can be found in **Attachment 3**. The response to the representation provided by Future Urban was emailed to the representor.

It should be noted that a number of the concerns raised by the representor do not relate to the current proposal, but instead are broader concerns relating to the St Louis Nursing Home and its potential for further expansion.

AGENCY REFERRALS

Nil

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

INTERNAL REFERRALS

- Traffic Engineer

The new site will generate a requirement for 2 parking spaces, which will effectively be for staff parking. The planning report indicates that up to 5 parking spaces can be provided on site, all in tandem. This is not practical and would suggest that 4 cars would need to be moved to allow the 5th car to exit, which just won't happen.

I would assess that there are 3 off-street spaces, with 2 tandem staff spaces and 1 visitor space, as relying on tandem parking for staff is adequate, however not for visitors as they could be blocked in. Therefore, as the site exceeds the planning and design code for parking, then no issues from the Transport team.

RULES OF INTERPRETATION:

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines zones, subzones, overlay and general 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 policies of the **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

Supported Accommodation

Land Use

The proposal seeks a change in land use from a residential dwelling to supported accommodation, refer to the *Detailed description of the Proposal* for the definition.

The subject site is located within the **Established Neighbourhood Zone** where the relevant **Desired Outcome (DO)** and **Performance Outcome's (PO)** are as follows:

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

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

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

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

PO 1.3 – *Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.*

PO 1.4 – *Non-residential development located and designed to improve community accessibility to services, primarily in the form of:*

- a) *small scale commercial uses such as offices, shops and consulting rooms*
- b) *community services such as educational facilities, community centres, places of worship, child care facilities and other health and welfare services*
- c) *services and facilities ancillary to the function or operation of supported accommodation or retirement facilities*
- d) *open space and recreation facilities.*

The corresponding **DPF 1.1** states:

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

- a) *Ancillary accommodation*
- b) *Community facility*
- c) *Consulting room*
- d) *Dwelling*
- e) *Office*
- f) *Recreation area*
- g) *Shop.*

Although supported accommodation is not specifically listed as an envisaged land use as per **DPF 1.1**, the proposal is considered to contribute to the range of housing types, envisaged and sought by **DO 1**. It is acknowledged that the supported accommodation is in essence a commercial facility, however as advised by the applicant, the facility will be run and operated as a residence for persons living with dementia.

By adapting an existing residential dwelling into supported accommodation, it will provide the community access to much needed services, without materially impact on the patten of development of the locality. Lastly, as the land use is of a small scale, the development will complement the residential character of the locality, this will be discussed further below. The proposal is considered to satisfy **DO 1**, **PO 1.1**, **PO 1.2**, **PO 1.3** and **PO 1.4** of **Established Neighbourhood Zone**.

It should be noted that in principle the representors did not raise concerns regarding the proposed change in land use from residential dwelling to supported accommodation. Instead, they sought to raise broader issues regarding wider facility that at times go beyond the scope of this development.

Interface between Land Uses

The **General Development Provisions – Interface between Land Uses** relevant **DO** and **PO** state:

DO 1 – Interface between Land Uses

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

PO 2.1 – Interface between Land Uses

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:

- a) *the nature of the development*
- b) *measures to mitigate off-site impacts*
- c) *the extent to which the development is desired in the zone*
- d) *measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*

Although the supported accommodation will be run 24 hours a day, when considering the primarily residential nature of the land use, it is not anticipated to cause any notable noise emissions that will detrimentally impact on the amenity to the adjacent sensitive receiver west of the subject land. In addition

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

to the above, the proposal land use is not anticipated to generate excessive vehicle movements beyond what a typical residential land use would incur. With all car parks sited on the eastern side of the allotment away from the adjacent dwelling, it is considered that the vehicle movements generated by the land use will have minimal impact and not cause adverse impacts to the locality beyond what is currently experienced by the existing residential dwelling.

The proposal is considered to satisfy the intent of **DO 1** and **PO 2.1** of **Interface between Land Uses**.

Landscaping

The **General Development Provisions – Design in Urban Areas** relevant **PO's** state:

PO 3.1 – Design in Urban Areas

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 22.1 – Design in Urban Areas

Soft landscaping is incorporated into development to:

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

Concerns raised by the representor relate to the lack of onsite landscaping, extent of hard paved surfaces of the existing St Louis facility and the style of fencing at 19-21 Foster Street. The existing land use situation of the adjoining sites is outside of the scope of this application and cannot be considered as part of the assessment. Nevertheless, to address the concerns raised by the representor and as part of the response to the representation, the applicant provided a more detailed landscaping plan which seeks to retain an existing garden bed and mature landscaping along the western boundary, maintain the current front fence and provide additional plantings and vegetation forward of the building line.

With the retained landscaping and the additional planting proposed, shade and shelter will be maximised to private land and the public realm enhancing the appearance of the land when viewed from Foster Street, satisfying **PO 3.1** of **Design in Urban Areas**.

Lastly, the applicant confirmed that the existing front fence will be retained as part of the development. When a property is subject to the Historic Area Overlay, any alteration to fences forward of the building line requires approval from Council. If in the future the landowners wish to alter the front fence an application to Council will require to be submitted and assessed against the Historic Area Statement.

Waste management

The **General Development Provisions – Design in Urban Areas** **PO's** state:

PO 11.1 – Design in Urban Areas

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 24.1 – Design in Urban Areas

Provision is made for the convenient storage of waste bins in a location screened from public view.

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

PO 40.4 – Design in Urban Areas

Provision is made for suitable household waste and recyclable material storage facilities conveniently located away, or screened, from view.

PO 40.5 – Design in Urban Areas

Waste and recyclable material storage areas are located away from dwellings.

The representor raised a concern regarding general waste storage and collection from the proposed supported accommodation. The proposed land use is not anticipated to create any additional waste beyond typical household waste. All waste generated on site will be stored within the standard Council issued bins (garbage, recycling and green organics) within the service yard and placed on the kerb to be collected between 7am and 7pm on the relevant bin collection day. The service yard is located on the western side of the building, obscured by a fence and setback 19m from the primary road boundary, ensuring the service yard and bins will not be readily viewed from the public realm.

There are matters that have been raised by the representor which have not been responded to by the applicant. These matters relate to contingency plans should the waste management change.

As these matters relate to a hypothetical expansion of the development and do not form part of the application, they are not relevant to the assessment of the application. Any alterations to waste collection in the future will be required to be managed by the owners of the property to ensure that the amenity to adjoining residents will not be detrimentally impacted.

Given the above, the proposal is considered to satisfy the intent of **PO 11.1, 24.1, PO 40.4** and **PO 40.5** of **Design in Urban Areas**.

Car parking and Access

Vehicular access and parking will be obtained and maintained through the existing single width crossover from Foster Street, sited to eastern side of the allotment.

The relevant **DO's** and **PO's** of **General Development Policies – Design in Urban Areas** and **Transport, Access and Parking** seek:

PO 23.4 – Design in Urban Areas

Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.

PO 23.6 – Design in Urban Areas

Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.

PO 3.1 – Transport, Access and Parking

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

Utilising the existing crossover will ensure that there is no change to access to on-street vehicle parking provisions nor will the land use impact on the operation of Foster Street.

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

PO 5.1 – Transport, Access and Parking

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*

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

d) *the adaptive reuse of a State or Local Heritage Place.*

The corresponding **DPF** states:

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 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area*
- b) *Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply*
- c) *if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.*

Table 1 - General Off-Street Car Parking states that supported accommodation should provide car parks at a rate of 0.3 spaces per bed. Accordingly, the parking demand for the proposal is as follows:

- Supported Accommodation: 1.2 car parks for the four beds.

Accordingly, a total of 2 car parks (rounded up) will be required to satisfy the **Table 1 - General Off-Street Car Parking** and **DPF 5.1 of Transport, Access and Parking**. Following advice from Councils traffic engineer, Council consider that there are three on site car parks available in a stacked configuration. Two car parks for staff under the existing carport and one visitor park forward of the carport. The three on site car parks will exceed the minimum requirements of Table 1 and is therefore acceptable.

Alterations and Additions

Design and Appearance

Within the **Established Neighbourhood Zone**, and specifically the **Historic Area Overlay**, any new development should be designed in a manner that will maintain the predominant streetscape character within the locality. The proposal seeks to partially demolish the existing building on site, resulting in the window and door openings being altered and a full internal floor layout change.

The **Historic Area Overlay's DO** and **PO's** state:

DO 1 – *Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.*

DO 2 – Established Neighbourhood Zone

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

PO 1.1 - *All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.*

PO 2.5 - *Materials are either consistent with or complement those within the historic area.*

PO 3.2 – Historic Area Overlay

Adaptive reuse and revitalisation of buildings to support retention consistent with the Historic Area Statement

PO 7.2 - *Partial demolition of a building where that portion to be demolished does not contribute to the historic character of the streetscape.*

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

Established Neighbourhood Zone PO 4.1 states:

PO 4.2 – Established Neighbourhood Zone

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

The partial demolition and alterations that will be readily noticeable from the public realm will be the alteration to Bed 1 and Bed 2 windows and the installation of a handrail to the verandah / porch. The Bed 1 and 2 windows will knock down the windowsill height to be 600mm above the Finish Floor Level, to be replaced with 3 wide single hung windows typical of the original bungalow on site.

Although portions of the dwelling that will be partially demolished form part of the original building and will be noticeable from the public realm, the alterations are considered minimal and will be replaced with essentially like for like 3 single hung windows. These alterations will not detrimentally impact on the historic character of the building or streetscape. Where the development seeks to enclose and / or reduce the size of existing openings, the openings will be bricked up in a colour that matches the existing dwelling. Lastly, the installation of the hand rail to the verandah will not be readily noticeable when viewed from the public realm and is not considered to adversely impact on the appearance of the existing dwelling.

As discussed previously in the report, the proposal seeks to adapt an existing residential dwelling into the supported accommodation. When viewed from the streetscape, the proposal development is not considered to materially impact on the patten of development of the locality and seeks to conserve the appearance of the building as expressed in the Historic Area Statement.

Overall, the building alterations are sympathetic to the residential nature of Foster Street and have been designed with consideration of the built forms expressed in the Historic Area Statement satisfying the intent of **DO 1, PO 1.1, PO 2.5, PO 3.2 and PO 7.2 of HAO and PO 4.2 of Established Neighbourhood Zone.**

Further to the above, **Design in Urban Areas** seeks:

PO 37.1 – Design in Urban Areas

Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.

PO 37.2 – Design in Urban Areas

Universal design features are incorporated to provide options for people living with disabilities or limited mobility and / or to facilitate ageing in place.

PO 38.1 – Design in Urban Areas

Development is designed to support safe and convenient access and movement for residents by providing:

- a) *ground-level access or lifted access to all units*
- b) *level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to*
- c) *footpaths that allow for the passing of wheelchairs and resting places*
- d) *car parks with gradients no steeper than 1-in-40, and of sufficient area to provide for wheelchair manoeuvrability kerb ramps at pedestrian crossing points.*

PO 39.1 – Design in Urban Areas

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

PO 39.2 – Design in Urban Areas

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 39.3 – Design in Urban Areas

Communal open space is of sufficient size and dimensions to cater for group recreation.

PO 39.4 – Design in Urban Areas

Communal open space is designed and sited to:

- a) *be conveniently accessed by the dwellings which it services*

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

b) *have regard to acoustic, safety, security and wind effects.*

PO 39.5 – Design in Urban Areas

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

PO 39.6 – Design in Urban Areas

Communal open space is designed and sited to:

- a) *in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings*
- b) *in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.*

The supported accommodation seeks to make alterations to the building (both internal and external) to assist in housing persons living with dementia. The site is relatively flat within a single storey building, allowing residents to access the supported accommodation and its communal areas through the installation of ramps to the front and rear of the building. There will be an internal communal area to the rear of the building (open plan kitchen, dining and living area) as well as under the verandah directly accessed from the indoor communal area. The outdoor communal area will be covered from weather elements but also secured through existing boundary fencing.

The proposed alterations to the building are considered to support the living and housing of persons living with dementia and satisfies the intent of **PO 37.1, 37.2, 38.1, 39.1, 39.2, 39.3, 39.4, 39.5** and **39.6** of **Design in Urban Areas**.

Regulated Tree

Regulated and Significant Tree Overlay DO 1 states:

DO 1 - Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

Regulated and Significant Tree Overlay PO 2.1 states:

PO 2.1 – Regulated and significant trees, including their root systems, are not unduly compromised by excavation and / or filling of land, or the sealing of surfaces within the vicinity of the tree to support their retention and health.

The proposed works forming part of the alterations and additions will not result in tree-damaging activity to the adjoining regulated tree. The works will not result in the excavation and / or filling of land nor the sealing of surfaces within the vicinity of the tree satisfying the intent of **DO 1** and **PO 1.1** of **Regulated and Significant Tree Overlay**.

CONCLUSION

Having considered all the relevant assessment provisions, the proposed supported accommodation is consistent with the relevant Desired Outcomes of the Planning and Design Code and the proposal is not considered to be seriously at variance with the Code for the following reasons:

- The proposed use is an envisaged form of non-residential use in the Established Neighbourhood Zone
- The proposal maintains the predominant built form character and development pattern.

The one representation received has raised the impact may have on the ongoing harmony in the street between residents and aged care/supported accommodation services. This is a matter outside of planning

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

considerations. The matters of planning consideration, that cover aspects of parking, noise, waste management, and landscaping have been addressed in the body of the assessment report.

The proposal is considered to satisfy the relevant provisions for the following reasons:

- The proposed development is considered to satisfy the relevant Desired Outcomes and Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies;
- Although supported accommodation is not specifically listed as an envisaged form of development within the Zone, the land use is considered to be complementary to the established development pattern in the locality that it will not detrimentally impact on the amenity of the residential area.
- By adapting an existing building into supported accommodation will minimise the material impact on the streetscape character; and
- The alterations to the front façade of the bungalow are in keeping with the architectural detailing of the original building and are consistent with the historic characteristics of the area.

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 23030567, by Beverina Pty Ltd c/- Future Urban 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, except where varied by conditions below (if any).

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 4

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 6

Waste collection and general delivery vehicles shall only service the development between the hours of 7am and 7pm on any day.

Condition 7

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

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

Condition 8

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 9

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.

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

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 6

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 7

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.

ITEM 4.1

DEVELOPMENT APPLICATION – 23030567 – 25 FOSTER STREET, PARKSIDE SA 5063

Advisory Note 8

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 Note 9

No fencing has been included as part of the subject application, The applicant is advised that some forms of fencing (e.g. fencing forward of the building line or masonry fences over 1m in height) will require a separate Development Approval prior to being installed.

Advisory Note 10

You are advised that it is an offence to undertake *tree damaging activity* in relation to a regulated or significant tree without the prior consent of Council. *Tree damaging activity* means:

- The killing or destruction of a tree; or
- The removal of a tree; or
- The severing of branches, limbs, stems or trunk of a tree; or
- The ringbarking, topping or lopping of a tree; or
- Any other substantial damage to a tree, (including severing or damaging any roots),

and includes any other act or activity that causes any of the foregoing to occur but does not include maintenance pruning that is not likely to affect adversely the general health and appearance of a tree.

OFFICER MAKING RECOMMENDATION

Name: Amelia De Ruvo

Title: Planning Officer

Date: 20 February 2023

ATTACHMENT 1

October 17, 2023

Tim Bourner
Acting Team Leader
Development Services
City of Unley

Via: The PlanSA Portal

Dear Tim,

SUPPORTED ACCOMMODATION – 25 FOSTER STREET, PARKSIDE

We write on behalf of our client, Beverina Pty Ltd ('Proponent'), in relation to the proposed change of use to supported accommodation (including alterations and additions to the building) at 25 Foster Street, Parkside ('site').

Background

The Proponent has provided individualised aged care services in Adelaide since 1946 and is a third-generation family business. Throughout the generational history of the business, family members have been actively involved in St Louis, spending time with residents, getting to know them and developing an understanding of how to foster a culture of care with family values.

St Louis' aged care services include a boutique aged care facility at 21 Foster Street, Parkside, with independent living units next door and home care support services delivered to people in the comfort of their own homes. In February 2020, St Louis on Sea opened in Victor Harbor, introducing the small-scale domestic housing model for the first time to South Australia, as proven overseas.

Demand for St Louis' housing model has been predominantly 60 percent from NDIS clients living with early onset dementia, and 40 percent from home care package recipients. Home care package recipients are typically respite services for those living with dementia, from several different home care services, providing their carer a well-deserved rest.

Referring organisations such as Dementia Australia have indicated a very strong demand for such services in Adelaide, with in excess of 90 clients on their books living with dementia in need of such services. In light of this demand, St Louis is actively planning expansion of this service offering.

Proposal

The Proponent seeks to change the use of the dwelling to supported accommodation to assist with satisfying the demand for aged care respite services.

The proposal includes alterations to the building, comprising:

- alterations to the internal layout to provide:
 - » four bedrooms, each with an ensuite;
 - » a separate staff bedroom;
 - » open-plan kitchen, living and dining area;

- » an accessible bathroom; and
- » laundry; and
- changes to the windows on the external facades of the building to suit the proposed layout.

Supported accommodation is defined within the Planning and Design Code ('Code') as *"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"*.

The proposed use can be likened to a standard residential dwelling. Therefore, the proposed supported accommodation will essentially function 24 hours a day, 7 days a week, as would any residential land use.

The proposal will operate as follows:

- there will be four residents living in the accommodation;
- one staff member will be on-site at any one time (except at shift change-over);
- staff are generally rostered on 12-hour shifts; and
- standard on-street waste collection practices by Council will remain in place and unchanged by this proposal, per the residential nature of the proposed land use.

The architectural drawings are provided in **Appendix 2**.

Procedural Matters

At the time of preparing this report, the relevant version of the Planning and Design Code ('Code') was gazetted and subsequently consolidated on 12 October 2023 (Version 2023.14). Due to amendments, the version of the Code used to prepare this letter may not be the relevant version at the time of lodgement of the application. To the extent of any inconsistency, the version of the Code at the time of lodgement will be relevant for the processing and assessment of the application.

The site is wholly located within the Established Neighbourhood Zone ('Zone').

Verification

For the purposes of Regulation 31(1)(a), (b) and (c) of the *Planning, Development and Infrastructure (General) Regulations 2017* ('Regulations'), the following applies:

Table 1 *Verification snapshot*

Verification matter	Comment
Nature of Development	Change in use to supported accommodation including alterations to the building
Elements	Supported accommodation
Category of Development	Code assessed – Performance assessed
Relevant Authority	Assessment Panel at the City of Unley

Nature of Development

Supported accommodation is defined within the Code as “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”.

Referrals

The site is subject to various overlays and other legislative requirements that could require a referral to a body prescribed by the *Regulations*. These are summarised below.

Table 2 Referral snapshot

Referral trigger	Referral required?	Comments
Airport Building Heights (Regulated) Overlay	No	The proposal does not result in additional building height, therefore referral is not required.
Prescribed Wells Area Overlay	No	The proposal does not comprise a Class of Development/Activity that warrants a referral.

The proposal does not require referral to a prescribed referral body.

Public Notification

Pursuant to Section 107(6) of the *Planning, Development and Infrastructure Act 2016* ('Act'), the Code may exclude specified classes of development from the requirement to undergo public notification.

Table 5 – Procedural Matters of the Zone does not list supported accommodation as a kind of development that is exempt from public notification, therefore the proposal is required to undergo public notification.

Relevant Authority

Pursuant to Section 93(1)(a) of the *Act*, the Assessment Panel at the City of Unley is the relevant authority for the assessment and determination of the application.

The Site and Locality

The site comprises an allotment legally described as Allotment 406 on Deposited Plan 1005 held within Certificate of Title Volume 5344 Folio 547, or otherwise referred to as 25 Foster Street, Parkside ('site').

A copy of the Certificate of Title for the site is provided in **Appendix 1**.

The site:

- has a primary frontage to Foster Street of approximately 18.29 metres;
- has an overall area of approximately 880 square metres;
- contains a detached dwelling with attached carport;
- does not contain any regulated or significant trees;
- has a single-width vehicle access to/from Foster Street; and
- is located wholly within the Established Neighbourhood Zone.

The site and the relevant zoning is depicted in **Figures 1 and 2**.

Figure 1 *The site*



Plan Production: 16/10/2023

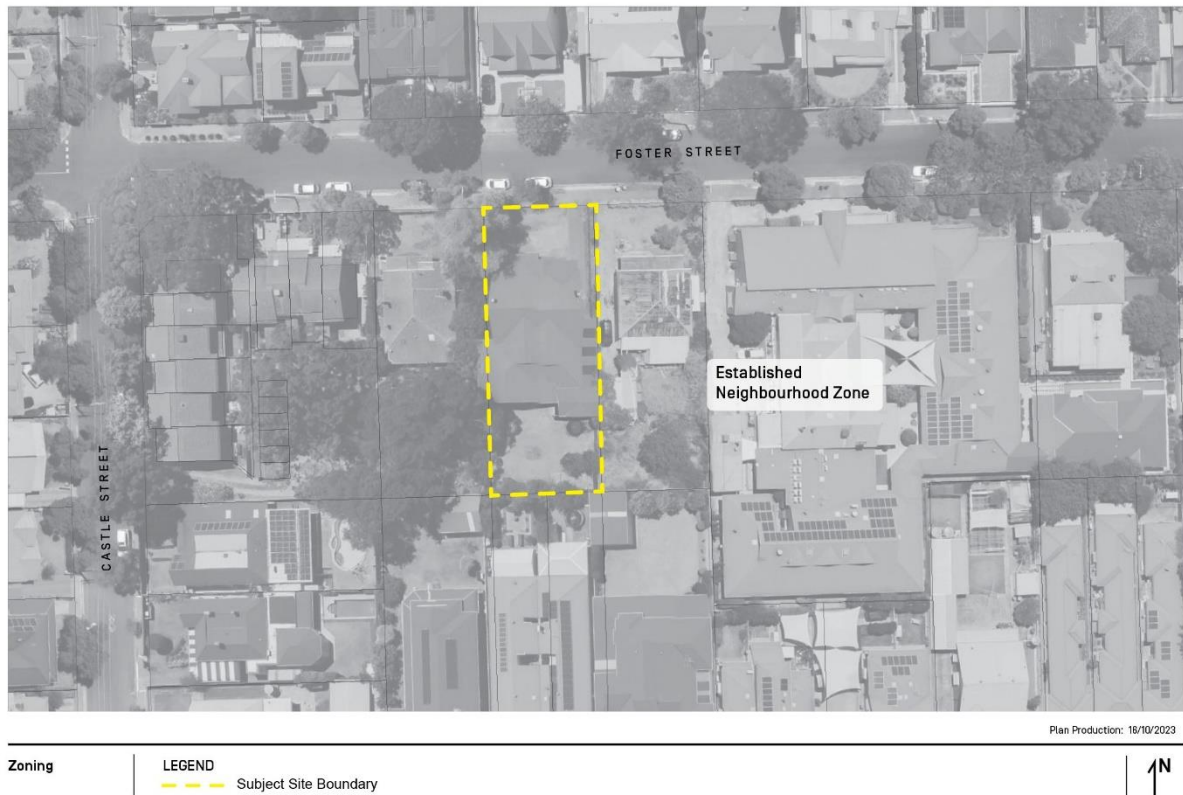
Subject Site

LEGEND

--- Subject Site Boundary



Figure 2 *The site and zoning*



Upon review of the site and its surroundings, we note that:

- the area is characterised predominantly of residential land uses with a mix of built form comprising detached, semi-detached and row dwellings;
- St Louis Aged Care Services operates on the site directly abutting the site to the east;
- Unley Oval is approximately 620 metres to the west of the site;
- Foster Street is a two-way street with a sealed carriageway width of approximately 9 metres; and
- there are no Local or State Heritage Places in the immediate vicinity of the site.

Assessment

The site is, as previously mentioned, wholly located within the Established Neighbourhood Zone. In addition, we note that the following Overlays apply to the site:

- Airport Building Heights (Regulated) - All structures over 45 metres;
- Historic Area - Un27;
- Prescribed Wells Area;
- Regulated and Significant Tree;
- Stormwater Management;
- Urban Tree Canopy; and
- Water Resources.

The following Local Variations (TNV) also apply to the site:

- Maximum Building Height (Metres) (Maximum building height is 5.7m);
- Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 15m; row dwelling is 15m);
- Minimum Site Area (Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 500 sqm; row dwelling is 500 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); and
- Site Coverage (Maximum site coverage is 50 per cent).

Having carefully considered the suite of policies that apply to the site and the proposed development itself, we have formed the view that the proposed development is worthy of planning consent. In support of our view, we wish to highlight the following:

Land use

- The proposed development conforms to the desired land use outcomes of the Zone, noting that:
 - » the supported accommodation contributes to a range of housing types, as envisaged in Desired Outcome ('DO') 1 of the Zone; and
 - » whilst there is a 'commercial' aspect to the operation of supported accommodation, the land use is predominantly residential in nature and function as it provides a place of residence to the occupants with the addition of one staff member at a time to provide in-home support. It is both desired and beneficial to provide such services within established neighbourhoods, and is complementary to the predominantly residential locality, as envisaged in Performance Outcome ('PO') 1.1 of the Zone.

Built Form

- There is no change to the footprint of the existing building, however alterations to the building's internal layout as well as the windows on the building's elevations are proposed. This however will not contribute to any additional impact to neighbouring residential land uses in regards to overlooking, overshadowing, or the like, nor a reduction in landscaping.

Transport, Access and Parking

- DPF 5.1 of the Transport, Access and Parking Section of the Code designates that on-site car parking be provided at a rate of 0.33 spaces per bed. To this end, it is noted that:
 - » the proposal accommodates four beds, resulting in a theoretical on-site car parking demand for two spaces;
 - » the proposed development provides on-site car parking in a tandem configuration, with three spaces forward of the carport and two under the carport, which exceeds the envisaged number of car parks required;
 - » the residents will not have their own vehicles, therefore car parking demand is generated by staff only;
 - » whilst there will only be one staff member on-site, the additional spaces also cater for shift changeover or an occasional visit from a health practitioner; and
 - » notwithstanding the above, the site also adjoins St Louis Aged Care where either the staff members or occasional visitor may also chose to park;
- There is no change to the access and parking arrangements on-site, with a single-width vehicle access gained via Foster Street; and
- Vehicle movements are anticipated to be lower than that of a residential dwelling, given that staff are generally rostered in 12-hour shifts, resulting in four vehicle movements per day plus an additional two movements for an occasional health practitioner or visitor.

Interface between Land Uses

- The proposed supported accommodation is not anticipated to result in an unreasonable degree of off-site impacts, noting that:
 - » the land use operates predominantly as a residential land use;
 - » the proposal does not result in noise or other emissions that would be dissimilar to a residential dwelling; and
 - » vehicle movements generated by the land use are anticipated to be lower than that of a residential dwelling.

Waste

- The proposal will utilise the existing Council bins for all waste, and will be collected by the Council's contractor via the usual kerbside collection regime;
- Waste generation from the proposal will be no different from a standard residential household; and
- Ample space is available for the storage of waste bins behind the building line to the side/rear of the building as sought by PO 1.5 of the Design Section of the Code.

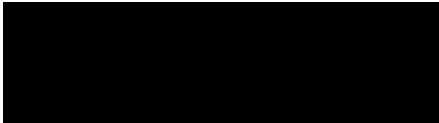
Conclusion

In our opinion, the proposed development is consistent with the expectations of the Code for the following reasons:

- the proposed land use is complimentary to the land uses envisaged within the Zone and not expected to impacted upon surrounding residential and commercial land uses;
- the proposal will fill a very desperate need for this type of accommodation for an ageing population;
- there is no change to the footprint of the building, and only minor change to the visual appearance of the building within the streetscape with the proposed changes to the windows;
- sufficient on-site parking is available;
- all expected vehicles will be able to be driven into, and out of, the site in a safe and convenient manner via the existing driveway; and
- waste will be appropriately managed.

Should you have any queries regarding the proposed development, please do not hesitate to contact me.

Yours sincerely,

A large black rectangular redaction box covering the signature area.
Senior Consultant

APPENDIX 1: CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1986



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5344 Folio 547

Parent Title(s) CT 1102/114
Creating Dealing(s) CONVERTED TITLE
Title Issued 04/06/1996 Edition 5 Edition Issued 05/02/2008

Estate Type

FEE SIMPLE



Description of Land

ALLOTMENT 406 DEPOSITED PLAN 1005
IN THE AREA NAMED PARKSIDE
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
10382573	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (SINGLE COPY ONLY)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL

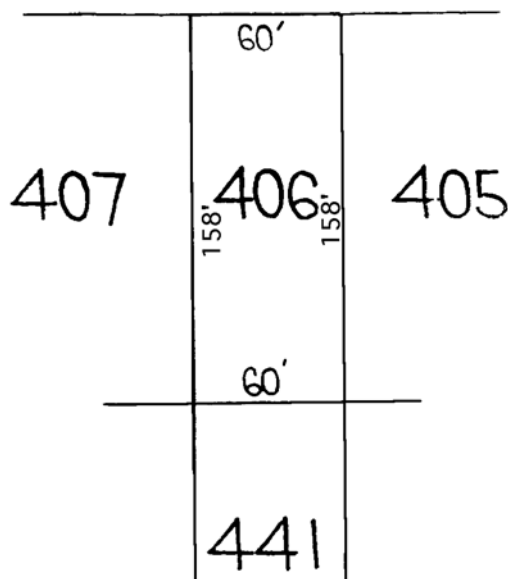
Registrar-General's Notes

TEXTUAL AMENDMENT VIDE 10886436

Administrative Interests	NIL
--------------------------	-----



FOSTER ST



**DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION**
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES

Certificate of Title

Title Reference: CT 5344/547
 Status: CURRENT
 Parent Title(s): CT 1102/114
 Dealing(s) Creating Title: CONVERTED TITLE
 Title Issued: 04/06/1996
 Edition: 5

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

APPENDIX 2: ARCHITECTURAL DRAWINGS

Rev	Amendment	Date
0	ISSUE FOR PLANNING	11/10/2023
1	ISSUE FOR PLANNING	18/12/2023



ST LOUIS AGED CARE, PARKSIDE

25 FOSTER STREET, PARKSIDE SA. 5063

DRAWING SCHEDULE

- DA01 DRAWING SCHEDULE/SITE PLAN
- DA02 EXISTING FLOOR PLAN & DEMOLITION PLAN
- DA03 PROPOSED FLOOR PLAN
- DA04 PROPOSED ELEVATIONS
- DA05 PROPOSED ELEVATIONS
- DA06 LANDSCAPING PLAN



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 242 Angas Street Adelaide SA 5000

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 t.owen@onarchitecture.com.au m.nield@onarchitecture.com.au

Project
ST LOUIS AGED CARE PARKSIDE
 25 FOSTER STREET, PARKSIDE
 SA. 5063

Drawing
 TITLE/SITE CONTEXT

Scale	1:500	Drawn	HT	
Client	ST LOUIS AGED CARE	Date	11/10/2023	
Job No.	202100069	Rev:	1	
Dwg No.	DA01		A3 SHEET	

Rev	Amendment	Date
0	ISSUE FOR PLANNING	11/10/2023

DEMOLITION LEGEND:

----- ITEMS DEMOLISHED

DEMOLITION NOTES:

DM1

GENERALLY, REMOVE EXISTING WINDOW FURNISHINGS AND MAKE GOOD ALL SURFACES TO REMAIN READY FOR INSTALLATION OF NEW BLINDS.

REMOVE ALL EXISTING FLOOR COVERINGS AND SKIRTINGS.

REMOVE EXISTING LIGHTING FITTINGS AND MAKE GOOD ALL SURFACES TO REMAIN. CONFIRM EXISTING SPLIT SYSTEM A/C UNIT IS ABLE TO REMAIN.

NOTE: ALL ELECTRICAL AND MECHANICAL WORK TO BE UNDERTAKEN BY ST LOUIS.

DM2a DEMOLISH EXISTING DOOR, DOOR FRAME INCLUDING DOOR HARDWARE. BLOCK UP OPENING TO MATCH EXISTING. PAINT FINISH TO MATCH EXISTING.

DM2b DEMOLISH EXISTING DOOR, DOOR FRAME INCLUDING DOOR HARDWARE MAKE GOOD ALL SURFACES TO REMAIN READY FOR INSTALLATION OF NEW SOLID CORE DOOR.

DM2c DEMOLISH EXISTING DOOR, DOOR FRAME INCLUDING DOOR HARDWARE. MAKE GOOD ALL SURFACES FOR NEW OPENING. PAINT FINISH TO MATCH EXISTING.

DM2d DEMOLISH EXISTING FRONT DOOR AND SIDELIGHTS INCLUDING DOOR HARDWARE, FRAMES AND SCREEN DOOR. MAKE GOOD ALL SURFACES TO REMAIN READY FOR INSTALLATION OF NEW FROSTED GLASS ENTRY DOOR WITH NEW SIDELIGHTS AND NEW SCREEN DOOR.

DM3 DEMOLISH EXISTING WALLS, MAKE GOOD TO ALL SURFACES PAINT FINISH TO MATCH EXISTING.

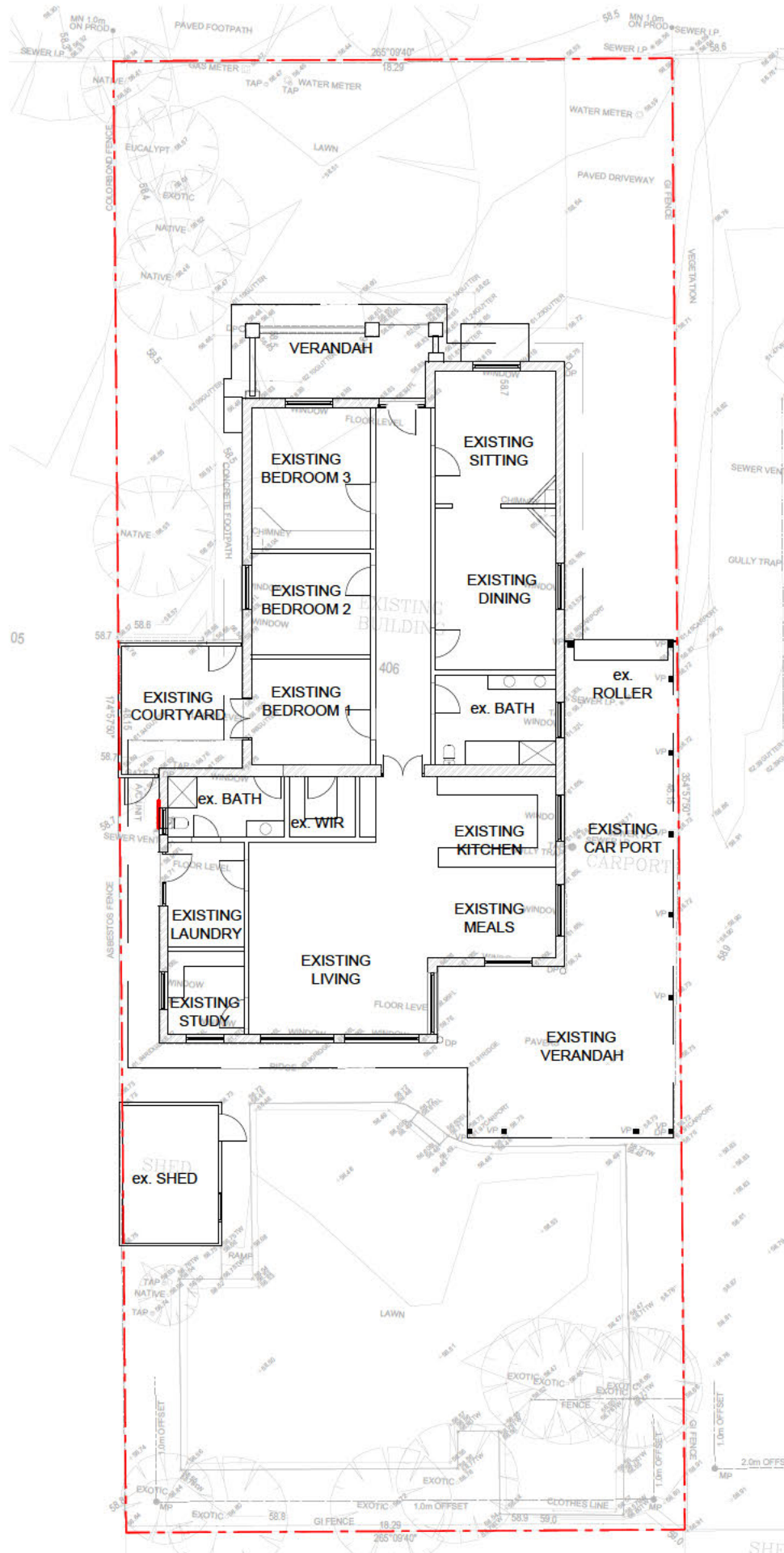
DM4 DEMOLISH EXISTING FIRE PLACE. MAKE GOOD TO ALL SURFACES. PAINT FINISH TO MATCH EXISTING

DM5 DEMOLISH EXISTING JOINERY. MAKE GOOD TO ALL SURFACES.

DM6 GENERALLY REMOVE ALL EXISTING WET AREA FITTINGS AND FIXTURES. MAKE GOOD TO ALL SURFACES.

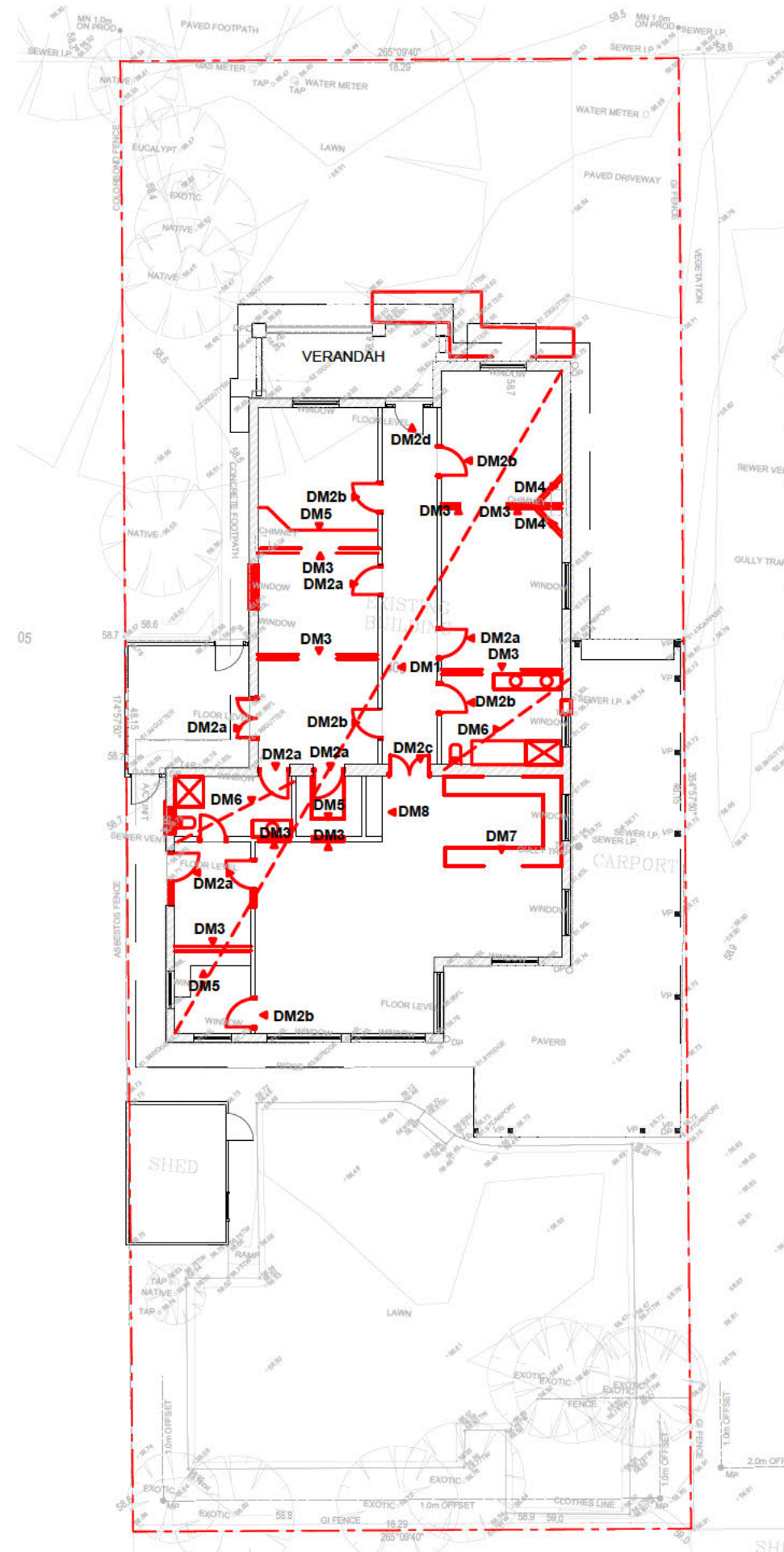
DM7 REMOVE EXISTING KITCHEN JOINERY AND APPLIANCES. MAKE GOOD TO ALL SURFACES.

DM8 REMOVE EXISTING STORAGE JOINERY CUPBOARD FOR A NEW ONE AS DOCUMENTED.



EXISTING FLOOR PLAN

1:200



DEMOLITION PLAN

1:200



1:200 SCALE BAR



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Project
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25 FOSTER STREET, PARKSIDE
SA. 5063

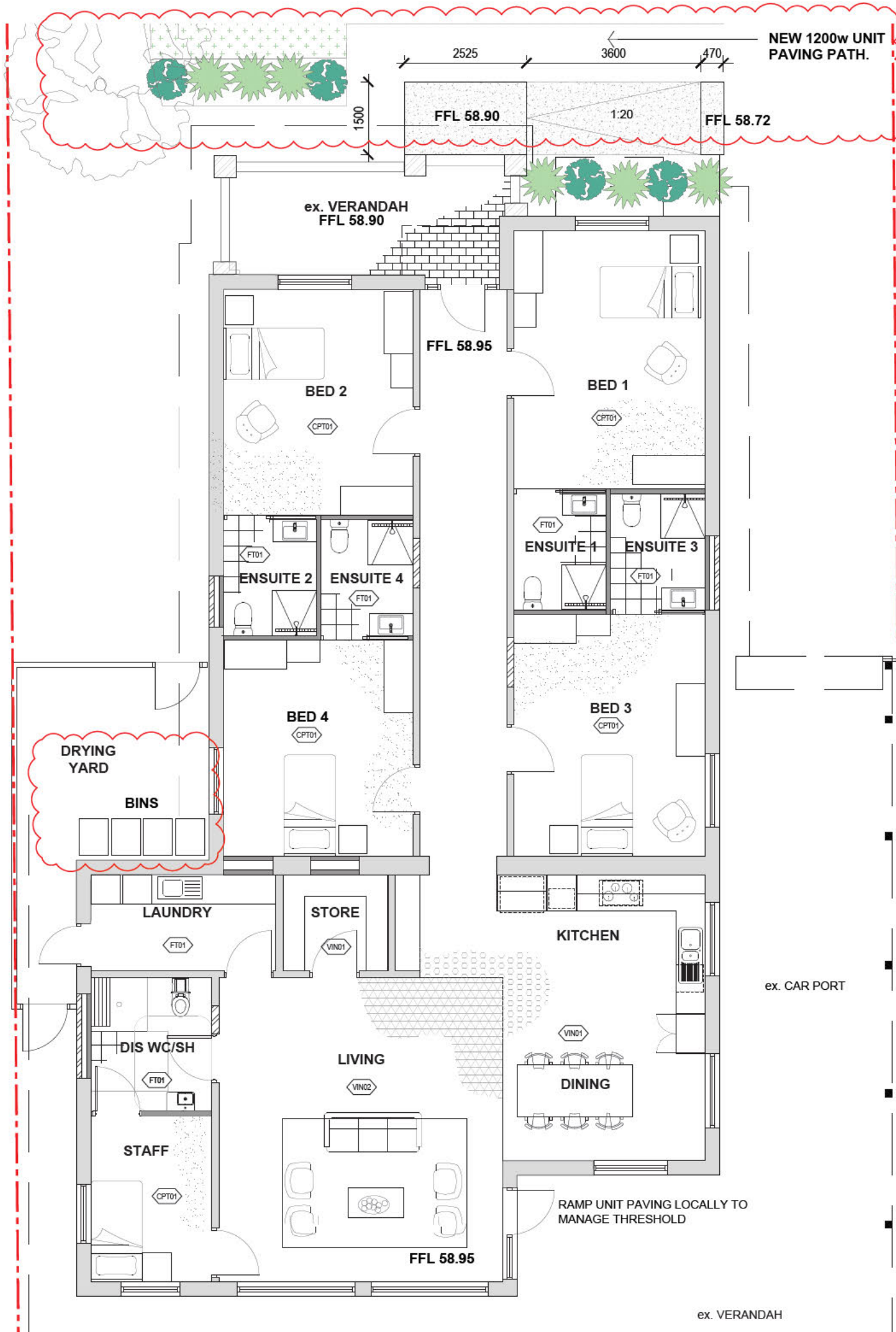
Drawing
EXISTING SITE PLAN/DEMOLITION PLAN

Scale	1:200	Drawn	HT
Client	ST LOUIS AGED CARE		
Date	11/10/2023		
Job No.	202100069		
Dwg No.	DA02	Rev.	0

A3 SHEET

PLANNING ISSUE

Rev	Amendment	Date
0	ISSUE FOR PLANNING	11/10/2023
1	ISSUE FOR PLANNING	18/12/2023



LEGEND

- BLOCK UP OPENING WITH STUD FRAMING AND PLASTERBOARDS AND BOTH SIDES (MR TO WET AREAS)
- BLOCK UP OPENING WITH BRICKS TO MATCH EXISTING
- EXISTING WALLS

GENERAL NOTES

- INSTALL NEW WINDOW FURNISHINGS TO EXISTING WINDOW - ROLLER BLINDS
- INSTALL NEW LIGHTING AND CONFIRM EXISTING SPLIT SYSTEM A/C UNIT IS ABLE TO REMAIN.
- INSTALL NEW POWER AND DATA REQUIREMENTS AS PER NEW LAYOUT - CONFIRM WITH ST LOUIS.
- NOTE: ALL ELECTRICAL AND MECHANICAL WORK TO BE UNDERTAKEN BY ST LOUIS.
- NOTE: EXISTING STORMWATER SYSTEM TO BE RETAINED. NO NEW WORKS.

GENERAL NOTES:

- EXISTING FRONT FENCE TO BE RETAINED.
- REFER TO LANDCAPE PLAN DA06 FOR DETAILS ON LANDSCAPE

INTERNAL LEGEND:

- ADJ. ADJUSTABLE
- AW AWNING WINDOW
- BT.1 BOTTLE TRAP - TYPE 1
- CLPT.01 COMPACT LAMINATE TOILET PARTITIONS
- D.** NEW DOOR
- DW.1 DISHWASHER
- DWR DRAWER
- EX. DENOTES EXISTING TO REMAIN
- FT.01 NEW ANTI-SLIP FLOOR TILES
- HB.1 HAND BASIN -TYPE 1
- HW.1 WALL MOUNTED HOT WATER BOILING UN
- MIR MIRROR
- MWO.1 MICROWAVE OVEN
- MX.1 MIXER TAP -TYPE 1
- MX.2 MIXER TAP -TYPE 2
- REF.1 REFRIDGERATOR
- SINK.1 STAINLESS STEEL SINK
- SKT.01 SKIRTING - PAINTED FINISH
- TRH.01 TOILET ROLL HOLDER
- PA.01 PAINT FINISH SELECTION - COLOUR 1
- PA.02 PAINT FINISH SELECTION - COLOUR 2
- VIN.01 VINYL SHEET FLOORING



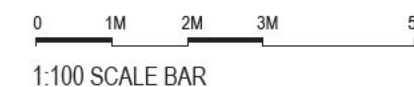
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Project
ST LOUIS AGED CARE PARKSIDE
25 FOSTER STREET, PARKSIDE
SA. 5063

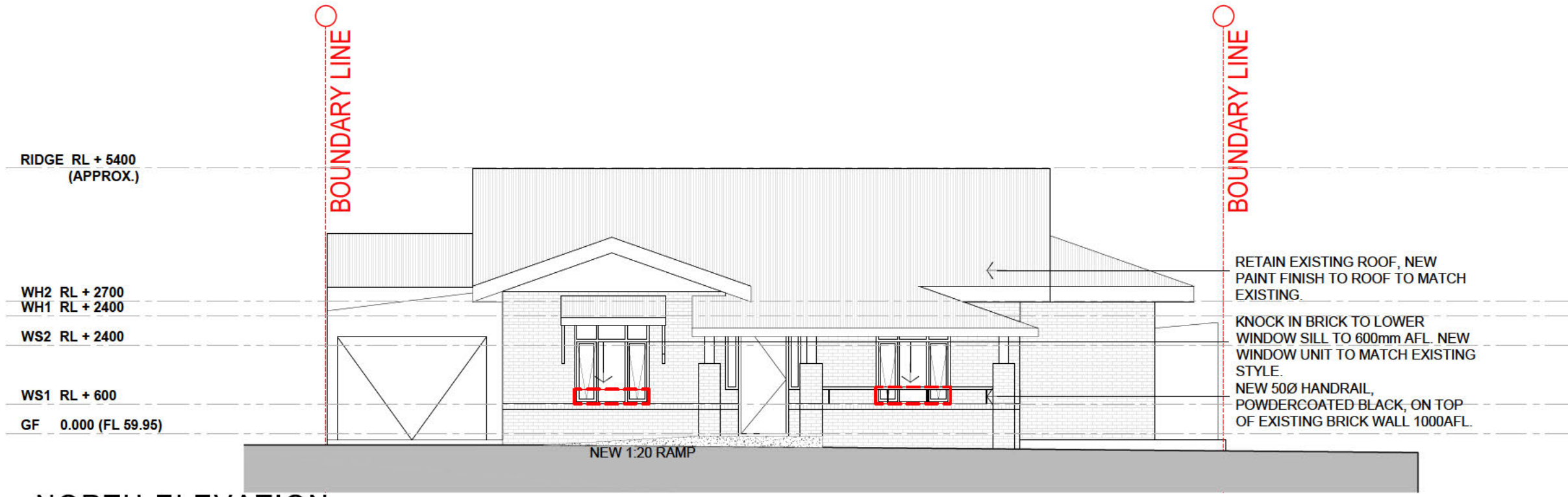
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PROPOSED FLOOR PLAN

Scale 1:100 Drawn HT
Client ST LOUIS AGED CARE
Date 11/10/2023
Job No. 202100069
Dwg No. **DA03** Rev: **1** A3 SHEET



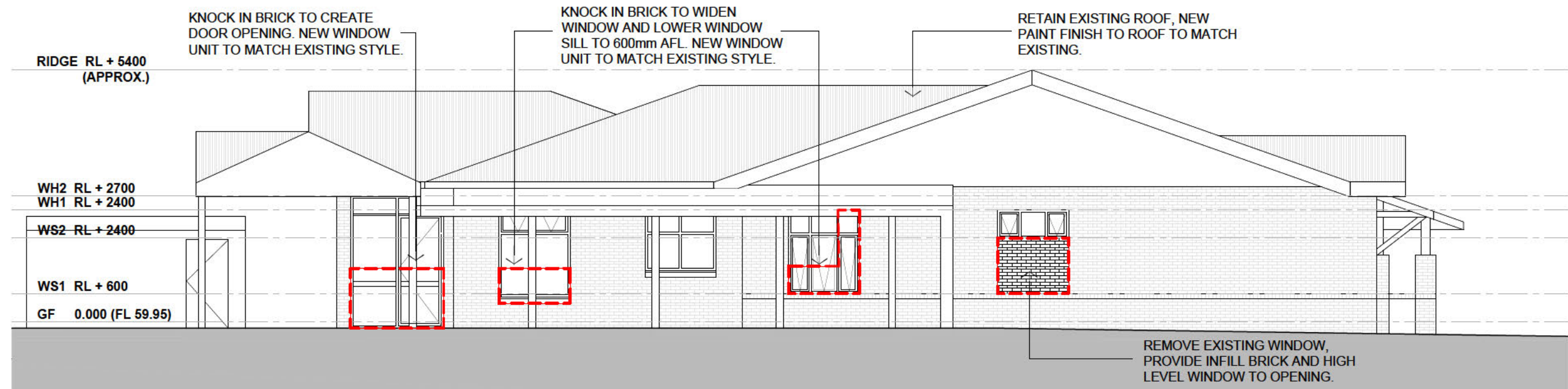
PLANNING ISSUE

Rev	Amendment	Date
0	ISSUE FOR PLANNING	11/10/2023



NORTH ELEVATION

1:100



EAST ELEVATION

1:100



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Project
ST LOUIS AGED CARE PARKSIDE
 25 FOSTER STREET, PARKSIDE
 SA. 5063

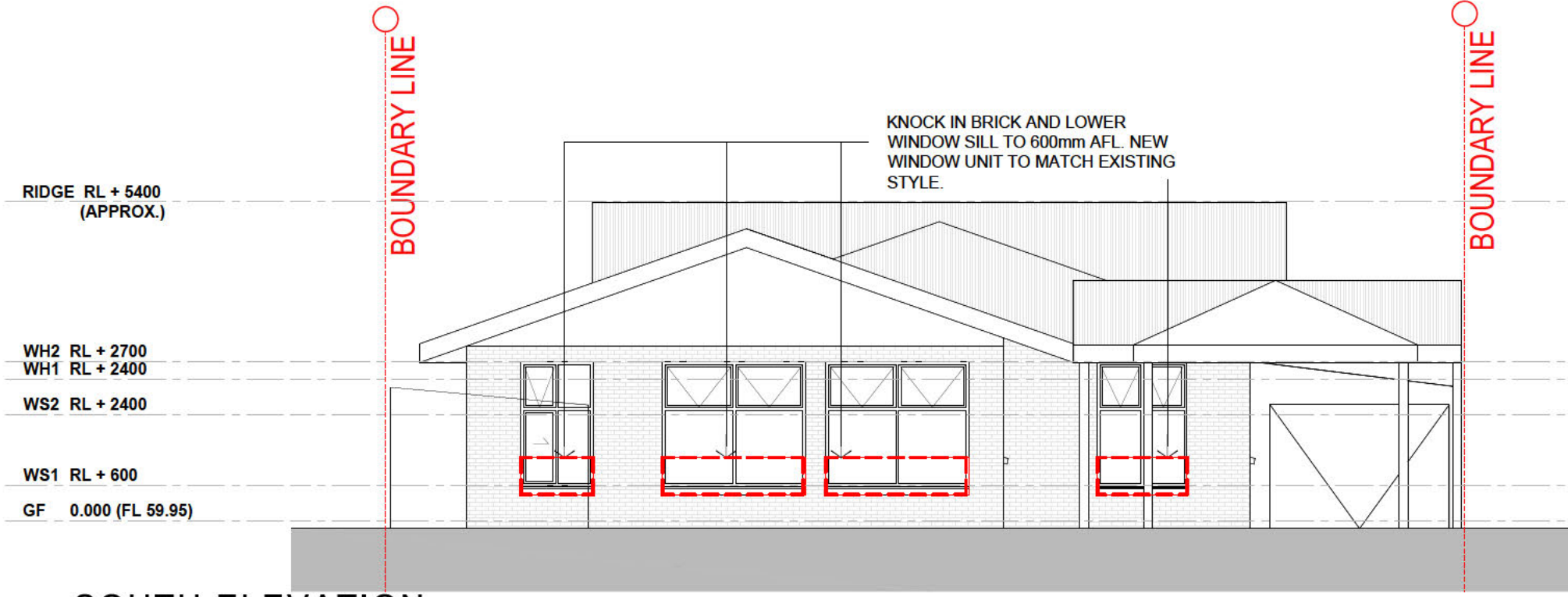
Drawing
 PROPOSED ELEVATIONS

Scale As indicated Drawn HT
 Client ST LOUIS AGED CARE
 Date 11/10/2023
 Job No. 202100089
 Dwg No. DA04 Rev: 0 A3 SHEET



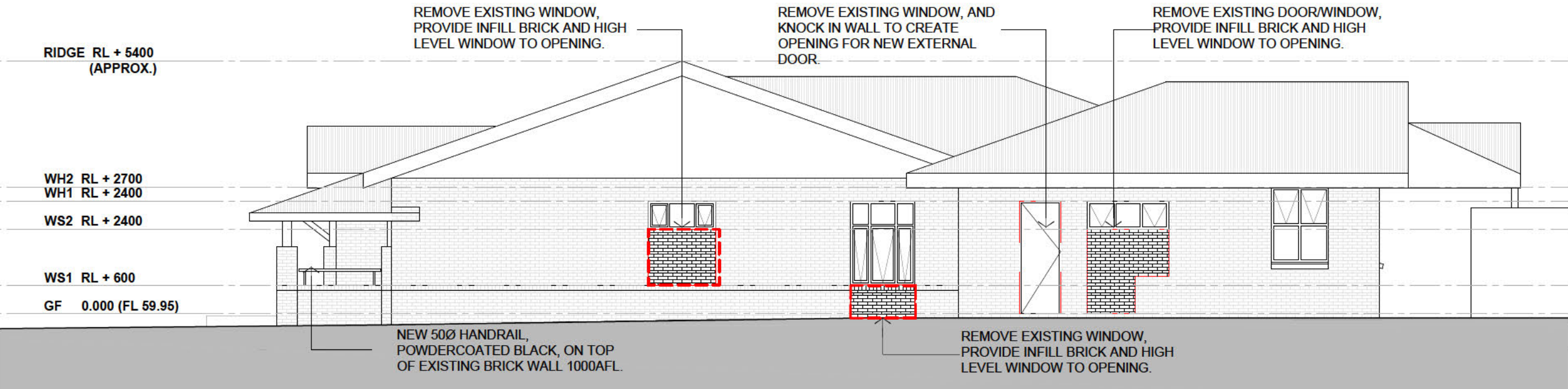
PLANNING ISSUE

Rev	Amendment	Date
0	ISSUE FOR PLANNING	11/10/2023



SOUTH ELEVATION

1:100



WEST ELEVATION

1:100



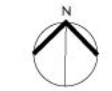
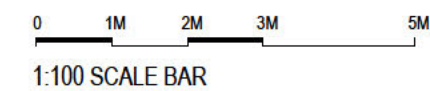
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Project
ST LOUIS AGED CARE PARKSIDE
25 FOSTER STREET, PARKSIDE
SA. 5063

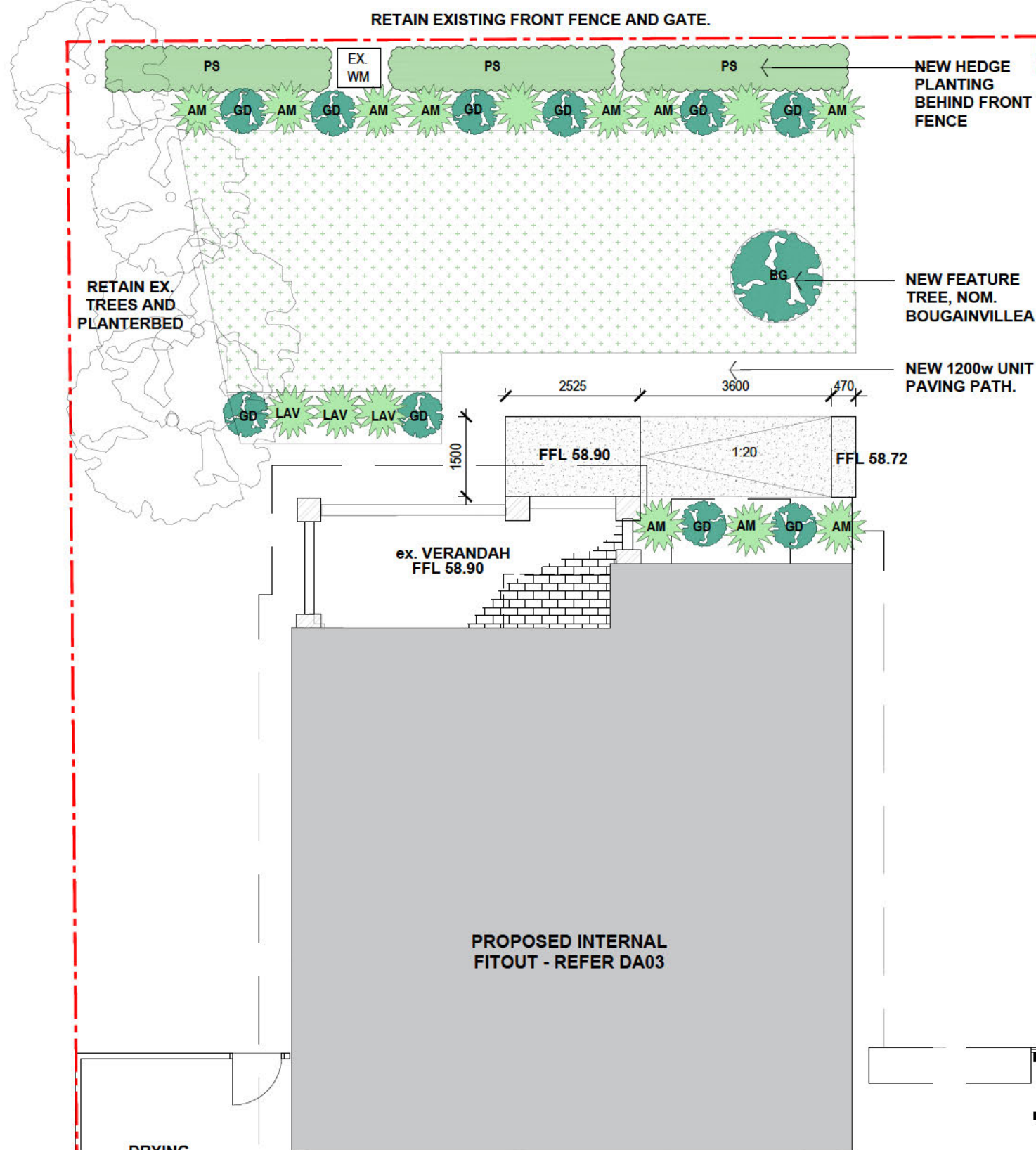
Drawing
PROPOSED ELEVATIONS

Scale As indicated Drawn HT
Client ST LOUIS AGED CARE
Date 11/10/2023
Job No. 202100069
Dwg No. **DA05** Rev: **0** A3 SHEET



PLANNING ISSUE

Rev	Amendment	Date
0	ISSUE FOR PLANNING	18/12/2023



PS PITTOSPORUM



LAV FRENCH LAVENDER



AM AMETHYST LIRIOPE



GD GARDENIA

BG BOUGAINVILLEA (NOT PICTURED)



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Project
ST LOUIS AGED CARE PARKSIDE
25 FOSTER STREET, PARKSIDE
SA. 5063

Drawing
PROPOSED FRONT YARD LANDSCAPE
PLAN

Scale 1:100 Drawn HT
Client ST LOUIS AGED CARE
Date 18/12/2023
Job No. 202100069
Dwg No. **DA06** Rev: 0 A3 SHEET



ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23030567
Proposal	Change in land use from residential dwelling to supported accommodation and the alterations and additions to the existing dwelling, including partial demolition
Location	25 FOSTER ST PARKSIDE SA 5063

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	08/12/2023 11:34 AM
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 support the development with some concerns
Reasons see attached	

Attached Documents

[REDACTED]

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Development Number: 23030567

Nature of Development: Change in land use from residential dwelling to supported accommodation and the alterations and additions to the existing dwelling, including partial demolition.

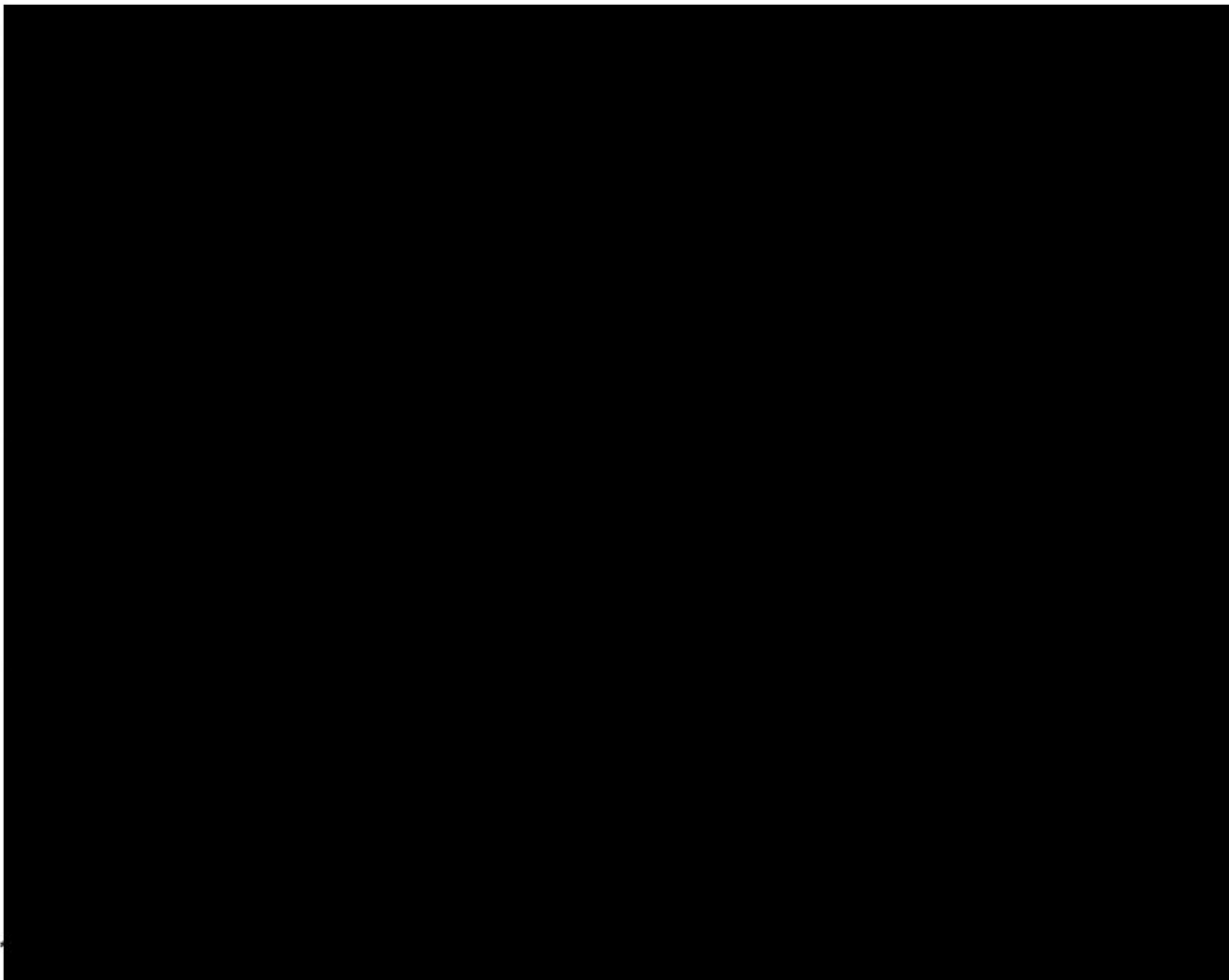
Zone/Sub-zone/Overlay: Established Neighbourhood Zone

Subject Land: 25 Foster Street Parkside SA 5063

Contact Officer:

Phone Number:

Close Date: 11.59am, 12/12/23



My position is: I support the development
 I support the development **with several key requirements** (detail below)
 I oppose the development



Foster street residents are prepared to support the supported accommodation application at 25 Foster Street but **with several key requirements**.

Foster Street residents support good, planned development. We recognise that supported accommodation for people with early on-set dementia is critical and will continue to be so, given South Australia's major issues with its ageing population, and compared to other states in Australia. We also acknowledge that the funding systems for disability and aged care are currently changing fast – and so planning needs to take into account not only what is happening now, but where the service system is likely to be in five to ten years' time.

Supported accommodation requirements will continue to increase and they will become more staff intensive, noting every supported accommodation NDIS client has an individual care plan for the number of staff required and within the context of a rapidly ageing population and thus complexity of care needs.

In relation to this immediate application at 25 Foster Street, the building and renovation plan seems acceptable for the streetscape as there is minimal change to the external appearance of the house. However, there are **several issues that are essential to address** to ensure ongoing harmony in the street between residents and the aged care and supported accommodation services, including addressing the City Of Unley's priority for increased foliage coverage for dwellings.

Foster Street is a residential street and people living here have the right to be respected in terms of staff activity and noise coming and going, car park access, and a happy and relaxed green living environment.

This is still yet to be realised to an acceptable point with the existing services on Foster Street, thus the reason why Foster Street residents are raising concerns relating to this application.

CONTEXT: FOSTER STREET AND CRITICAL POINTS

As Unley Council is aware, Foster Street is already heavily impacted by residential/supported care services.

The street currently has:

- St Louis Aged Care at the eastern end closer to Kenilworth Road which is a 55 bed aged care service (includes 10 new beds to be commissioned shortly) and adjacent, no 23 Foster street changed from residential to St Louis' administration centre; and

- a non government service for people with severe disability at the western end of Foster Street near Windsor Road, which has an adjacent vacant block to the current service awaiting further development.

Both of these services impact significantly on the street and streetscape particularly with poor greenery planting, staff and visitor car parking, staff activity and associated noise problems. Ongoing examples include:

- Significant increased and inappropriate car parking on the street
- Lack of consideration and respect for residents' access to their driveways
- Workers' significant noise when arriving and leaving their worksites across the day, but especially very early morning and late in the evening
- Service deliveries continuing periodically at very early hours in the mornings awakening residents, specifically St Louis - periodic 3- 4am truck delivery and, more recently, Cleanaway trucks attending between 5-6am with significant noise
- Garages at the non government service near Windsor Street not being used for car parking
- The vacant block next to the non government service at the western end is unsightly, rarely maintained, covered in high grass, accumulates rubbish at times and is populated with various transient vehicles including a boat on a trailer.

These issues are continually raised, but apart from a few minor improvements in some areas, little progress is achieved.

Unley Council is already aware of the issues that Foster Street residents face with these services.

If a new supported accommodation service is approved for 25 Foster Street and is operationally successful, St Louis has already advised Foster Street of its future plan to increase its supported accommodation services into 27 Foster Street.

In addition, the non-government service at the western end is yet to develop its adjacent block.

As such, approval for this current St Louis application, needs to be taken within the context of the whole of Foster Street's current and future supported residential service profile moving forward and how it blends and impacts in this residential area.

We believe that we are now at a pivotal point where, if Unley Council does not recognise and act appropriately, there will be a significant and detrimental impact on Foster Street residents, and immediate surrounding streets. If not addressed by Unley Council, this will further impact amenity and liveability of the street when compared with other City of Unley streets.

We believe that Unley Council needs to make necessary provisions now and for the future regarding:

- **appropriate car parking provisions on service sites and for Foster Street;**
- **appropriate planting of trees and general greenery on sites to blend with existing residences and overall streetscape; and**
- **appropriate privacy for street residents.**

ISSUES FOR UNLEY COUNCIL

1. Car parking

The application states that vehicle movements will be “less than that of a residential dwelling” with “a theoretical onsite parking demand for two spaces”...which represents one staff for four residents with a 12 hour changeover plus an additional two movements for “the occasional visit from a health practitioner or visitor”.

Foster Street residents are concerned that while the current service model proposes one staff member for four residents, there cannot be a guarantee that the proposed staff to client ratio will be maintained at that low level.

NDIS funding has an individual care plan approach, which can require higher staffing ratios for different clients based on their particular care needs, or as the needs of the existing client changes.

St Louis has a good reputation, we know that they will not let a resident’s needs change without a change to services being offered. Therefore there can be no guarantee that there will always be only one staff member for four clients.

Therefore we question the proposal’s advice of vehicle movements being “less than a residential dwelling”.

There are no details on how all of the other ongoing service requirements for the proposed supported accommodation will be provided and their impact on car movements and staffing around the proposed service. Such services include cleaning, maintenance and associated trades, ongoing safety and quality checks, food and meal provisions etc. Given the low staffing ratio, and the high needs of the clients it is unlikely that one staff member will be able to undertake shopping, cleaning, general maintenance, and still support the clients in a safe and proper way.

The proposal advises that vehicles visiting the facility could use the adjacent internal aged care car park but that car park has been approved specifically for the aged care service requirements only. If that occurred, it would spill more cars into an already congested street.

Car parking and staff movements are already major issues for Foster Street. This new service proposal will clearly add more activity to an already congested street with staff parking and associated activity problems. Has consideration been given to using a section of No 25's back garden to appropriately cater for its full service needs? This of course should be considered within the context of retaining an appropriate back garden area for clients.

The application states that car parking on the site will be 5 cars lined up in the driveway. Rather than minimise car movements, this arrangement would exacerbate car movements, as drivers will need to shift their cars along the queue in the driveway as required, with expected spill onto the street. Once again there seems no practical planning of how this site will actually work on a day to day basis.

St Louis' previous application for an additional 10 nursing home beds used the argument that parking on Foster street around St Louis is due to people parking there during the day to access public transport. This is totally refuted by Foster Street residents. The street is a long distance from both Fullarton Road and Duthy Street. The current parking congestion is due to current aged care and supported accommodation services on Foster Street.

It is recommended that Unley Council:

- require St Louis to provide a detailed and more realistic report on site car parking and increased activity on the street as a result of this proposed new service which covers the full implications of providing independent client care, day to day living and maintenance services, taking into account NDIS requirements for its independence from St Louis;
- require St Louis to consider further parking at the back of No 25 Foster street to fully cater for services and visitors pending advice in point one above (single row parking would seem appropriate compared to the internal double car parking for the aged care service) ; and NOT utilising a larger area of the front garden of No 25 Foster Street as an option;
- understand the internal car parking implications if No 27 Foster Street also becomes an NDIS facility, meaning a necessity to further extend internal carparking behind the back yard to appropriately accommodate those additional service needs
- undertake a further consultation with Foster Street residents once this detailed report is provided;
- delay consideration of this application until the detailed report is received and Foster street input is provided on the detailed report.

2. Waste Management

The proposal advises that "waste generation from the proposal will be no different from a standard residential household".

Foster Street residents are concerned that while this may be true theoretically at this stage, as with staffing, this can change very quickly. Note that the non-government supported accommodation service at the western end of Foster Street has a range of medical waste as well as usual residential waste – this requires a separate and more frequent collection, thus the potential for further increased activity and noise in the street. There needs to be contingency planning or allowance for this possibility if the needs of residents change.

Note that the Cleanaway service for St Louis already disrupts the neighbourhood by undertaking its waste management at very early times in the morning – between 5am and 6am (this will be raised separately with Council, so that Cleanaway abides by the required operating hours in residential areas). We do not want further problems with waste collection from this new site.

It is recommended that Unley Council:

- Require the proposed service to store all waste out of sight from the street;
- Require St Louis to have contingency plans should waste management change in the future so that waste stores continue to be out of sight from the street at a minimum;
- Require St Louis to ensure waste management will only occur in the accepted operating hours in residential areas being after 7am and before 7pm Monday to Saturday or after 9am to 7pm Sundays.

3. Environment and streetscape

There is minimal or no vegetation around St Louis' new widened driveway and St Louis' properties heading west.

23 Foster Street (to be St Louis aged care administration house) was the focus of a recent application to Unley Council and therefore is not within scope of this current application. It has no vegetation at this stage, and extensive cementing around a significant area of the house, including an unsightly disability carpark abutting the front fence and protruding into the front garden of the house. Nonetheless, No. 23 greenery and streetscape is raised to highlight the need to ensure appropriate and sympathetic tree and shrubbery plantings will proceed in the now small remaining front garden area, including promised green screening around the disability carpark to disguise it from the street. St Louis has informally told residents that it will plant suitable greenery in the front garden, but we are seeking this to be formally required by Unley Council.

25 Foster Street currently has sparse and minimal vegetation as St Louis has managed it as a rental for many years.

As for the current significant St Louis aged care extension for an additional 10 nursing home bed, this proposal again does not formally address any plantings or other green amenity for this new application at 25 Foster Street.

This is a major concern for Foster Street from the perspective of the broader environment and streetscape as well as for Unley Council as a whole given its commitment to increased percentages of foliage cover for dwellings.

It is recommended that Unley Council:

- Require St Louis to have significant plantings for 25 Foster Street and that a detailed garden plan be presented for Council consideration prior to approval. In particular, residents seek privacy through appropriate front trees and shrub greenery to blend in with other residences' front gardens
- Require St Louis to have a separate and distinct fencing style for No 25 Foster Street so that the current institutional fencing is not extended beyond its current length (over half the length of the street from Kenilworth Road to Castle Street).


[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

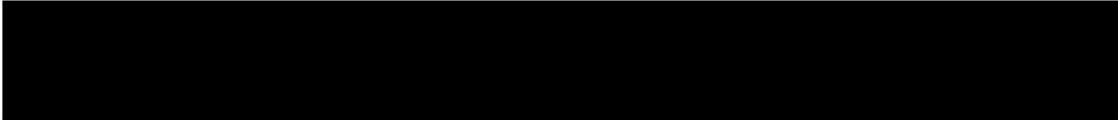
- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and

- 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: 

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



Complete online submission:
plan.sa.gov.au/have_your_say/notified_developments/current_notified_developments

ATTACHMENT 3

December 19, 2023

Amelia DeRuvo
 Planning Officer
 City of Unley

Via: The PlanSA Portal

Dear Amelia,

RESPONSE TO REPRESENTATIONS – DA 23030567 – SUPPORTED ACCOMMODATION – 25 FOSTER STREET, PARKSIDE

I refer to development application 23030567 for the “Change in land use from residential dwelling to supported accommodation and the alterations and additions to the existing dwelling, including partial demolition” at 25 Foster Street, Parkside.

We write in response to the representations received as a result of the public notification.

Representations

At the conclusion of the notification period, one (1) representation was received. The representation is in support of the proposal, but raises several concerns, and they wish to be heard by the Assessment Panel.

The concerns raised in the representation are summarised in **Table 1** below.

A detailed response to each issue raised in association with the public notification of the application is provided thereafter.

Table 1 Summary of issues raised by representors

<p><u>Land Use</u></p> <ul style="list-style-type: none"> the proposed land use is supported, noting South Australia’s ageing population
<p><u>Built Form and Design</u></p> <ul style="list-style-type: none"> the building and renovation plan is acceptable for the streetscape, noting that there will be minimal change to the external appearance of the building
<p><u>Car Parking</u></p> <ul style="list-style-type: none"> the proposed staff to client ratio cannot be guaranteed for the future additional staff for ongoing service requirements e.g. cleaning, maintenance and trades, food and meal provisions etc. additional parking should be provided at the rear of the building

Waste Management

- waste storage should occur out of sight from the street
- waste collection should occur between 7am and 7pm Monday to Saturday and 9am and 7pm Sundays

Landscaping

- additional landscaping shall be provided to the front garden
- separate and distinct fencing style should be provided

Response to Representations

A response to the key issues raised by the representations follows.

Land Use & Built Form

We note that the representors are generally in support of the proposed land use and the proposed building work, and that these matters are not in contention.

Notwithstanding, we do reiterate that the proposed supported accommodation contributes to a range of housing types, as envisaged in Desired Outcome ('DO') 1 of the Established Neighbourhood Zone (the 'Zone') and is complementary to the predominantly residential locality, as envisaged in Performance Outcome ('PO') 1.1 of the Zone.

Further, the extent of external building work proposed will have a negligible impact to the streetscape.

The building on the site is utilised as a residence, it will continue to be utilised as a residence should planning consent issue.

Car Parking

The representors expressed concern regarding the potential for the staff to resident ratio to increase from what is proposed, and the staff required for ongoing service requirements, which would potentially increase the on-site car parking demand.

In regards to on-site car parking, DPF 5.1 of the Transport, Access and Parking Section of the Code envisages that on-site car parking be provided at a rate of 0.33 spaces per bed. The proposal accommodates four beds, resulting in a theoretical on-site car parking demand for two spaces. The proposed development provides on-site car parking in a tandem configuration, with three spaces forward of the carport and two under the carport, a total of five spaces, which well exceeds the two car parks that the Code requires. As residents do not have their own vehicles, the on-site vehicle parking that is available is more than sufficient to accommodate the one staff member, and the occasional contractor for any services (e.g. cleaning, maintenance). This is in no way different to a standard residential situation, where a regular cleaner or occasional maintenance person may be required.

We assert that a standard residential use of this building, that could accommodate a family of five or six persons (all of which may have their own vehicle), would generate much higher daily traffic movements and utilise all of the on-site tandem car parking which too would require the re-shuffling of vehicles that the representors noted a concern about. Because of the proposed use as supported accommodation, where the residents do not have their own vehicles and shift changeover for staff is controlled, the proposal would have a far less impact from a traffic perspective than that potential for the building to be used as a dwelling.

There are no deliveries needed to the site. All food and cleaning products will be purchased by carers who attend the property in their own private vehicle. The building on the site will function as any other dwelling would, albeit there are up to four persons being cared for by an external carer.

The requests for a Traffic Engineer to be engaged for such a benign land use that exceeds the on-site parking rates envisaged by the Code is unwarranted. Further, the suggestion for additional parking to be provided at the rear of the building is also not warranted.

Waste Management

The representors raised concern about the appearance of bins and the hours of waste collection.

All bins will be stored to the side or rear of the dwelling, out of sight from the streetscape, and will only be wheeled to the verge for collection. This is no different to a standard residential dwelling. The Proponent accepts a condition to this effect, if the Assessment Panel consider it necessary.

In regards to waste collection, the proposal relies on the collection of waste from Council's waste contractor, therefore the hours for collection are out of the control of the Proponent. Waste collection will occur at the same time as the collection of the bins of all of the representors, and again, is no different to what currently occurs.

No additional waste over and above usual household waste, such as medical waste, is generated from the proposal. If residents require treatment, they will attend a nearby medical facility or be visited by a Locum, who take care of the medical waste (e.g. sharps disposal). No medical procedures are undertaken in the supported accommodation building.

There is no need for private waste collection therefore there will be no additional impacts to other residents in Foster Street that will need to be managed.

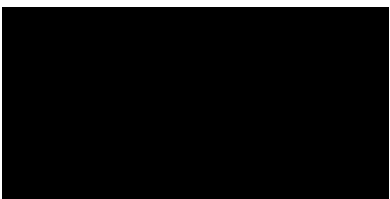
Landscaping

The representors expressed concern about the current appearance of the front garden, and also sought to ensure that fencing (similar to the existing St Louis fencing) is not installed.

Whilst it is the Proponent's intention for the property to always maintain an attractive appearance, and landscape the front garden, this has now been formalised on a Landscape Plan and is proposed as part of the development.

The proposal will retain the existing fence, as detailed on the Landscape Plan.

I trust this adequately responds to the written representations received by the Council. I look forward to this matter being presented to the next available Assessment Panel meeting, and confirm I will be in attendance to answer any queries of the Panel.



ITEM 6.1

APPLICATIONS BEFORE THE ERD COURT - SUMMARY OF ERD COURT APPEALS

TO: City of Unley Council Assessment Panel

FROM: Don Donaldson, Assessment Manager

SUBJECT: Summary of ERD Court Appeals

MEETING DATE: February 20th 2024

APPEALS - 1

Development Application / Subject Site	Nature of Development	Decision authority and date	Current status
DA22040422 - 7 Thornber Street, Unley Park	Demolition	Refused by CAP, March 21 st 2023	Appealed to ERD, conference adjourned until March 14 th 2024