



URPS

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ADL | MEL | PER

5 February 2025

Adnan Khan
Planning Officer
State Planning Commission
GPO Box 1815
Adelaide SA 5001

Uploaded via PlanSA

Dear Adnan

Response to Council, DIT and ODASA comments - DA 24037925

URPS continues to act for Samaras Construction & Developments (the Applicant). We have been asked to respond to the requests for further information (RFI) issued by the City of Unley (Council) and the Department of Infrastructure and Transport (DIT).

The letter contains a formal response to matters pertaining to the following:

- Right of Way.
- Stormwater Management.
- Waste Management & Traffic.
- Arboriculture & Tree Removal.
- Civil Assets & Encroachment.
- Urban Design.

Right of Way

We acknowledge the Council's concerns regarding the proposed vehicular access from Esmond Street via a Right of Way. We would like to provide the following clarifications:

The subject property has a registered Right of Way which extends from Esmond Street in a southerly direction, as confirmed by the Certificate of Title for the subject land and Filed Plan 11716. As shown in **Figure 1-3** below:



Product Register Search Plus
(CT 6302/523)
Date/Time 30/01/2025 02:21PM
Customer Reference
Order ID 20250130007060



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 6302 Folio 523

Parent Title(s) CT 5196/293
Creating Dealing(s) TR:N 14326123
Title Issued 26/07/2024 Edition 2 Edition Issued 01/10/2024

Estate Type

FEE SIMPLE

Registered Proprietor

290 UNLEY ROAD PTY. LTD. (ACN: 679 384 144)
OF 10 SYDNEY PLACE ADELAIDE SA 5000

Description of Land

ALLOTMENT 67 FILED PLAN 11716
IN THE AREA NAMED HYDE PARK
HUNDRED OF ADELAIDE

Easements

TOGETHER WITH RIGHT(S) OF WAY OVER ALLOTMENT 115 IN F11716 (T 81574)

Schedule of Dealings

Dealing Number	Description
14368140	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

Dealings Affecting Title NIL
Priority Notices NIL
Notations on Plan NIL

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G263/1986

Administrative Interests NIL

Figure 1 - Certificate of Title

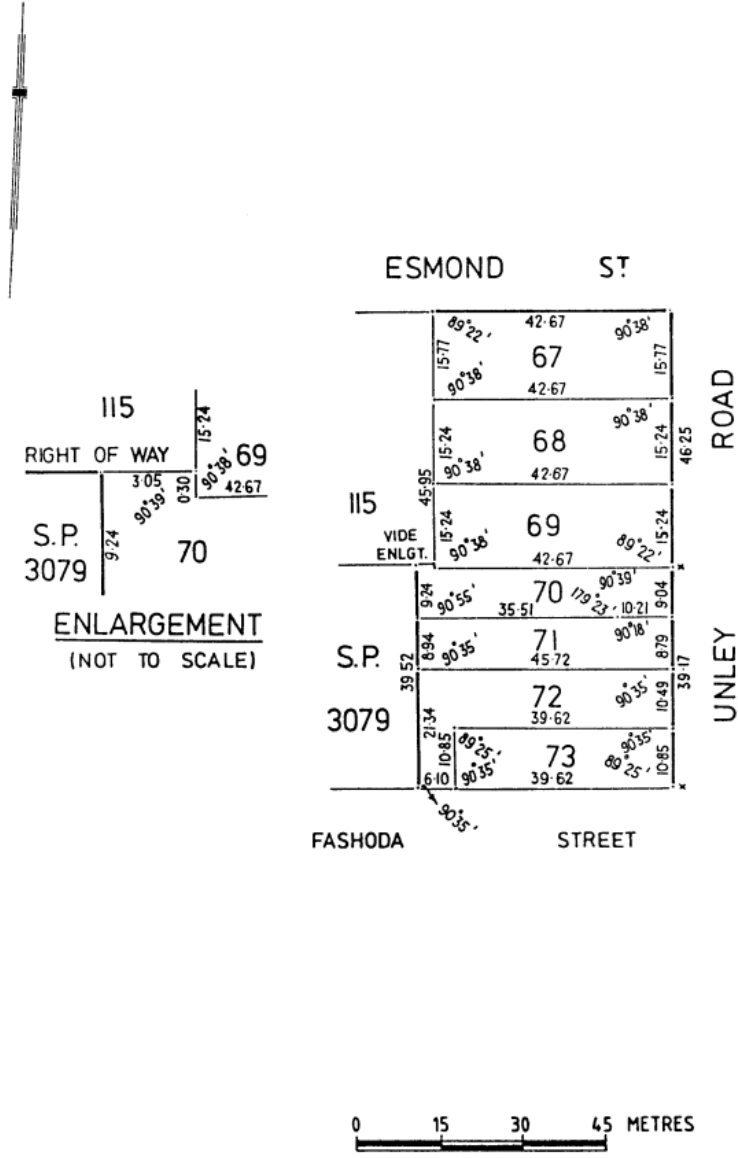


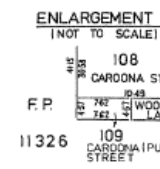
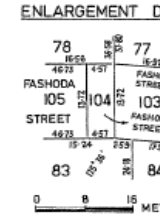
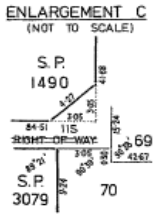
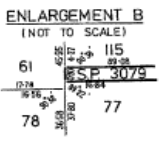
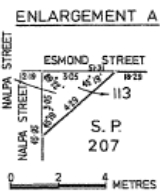
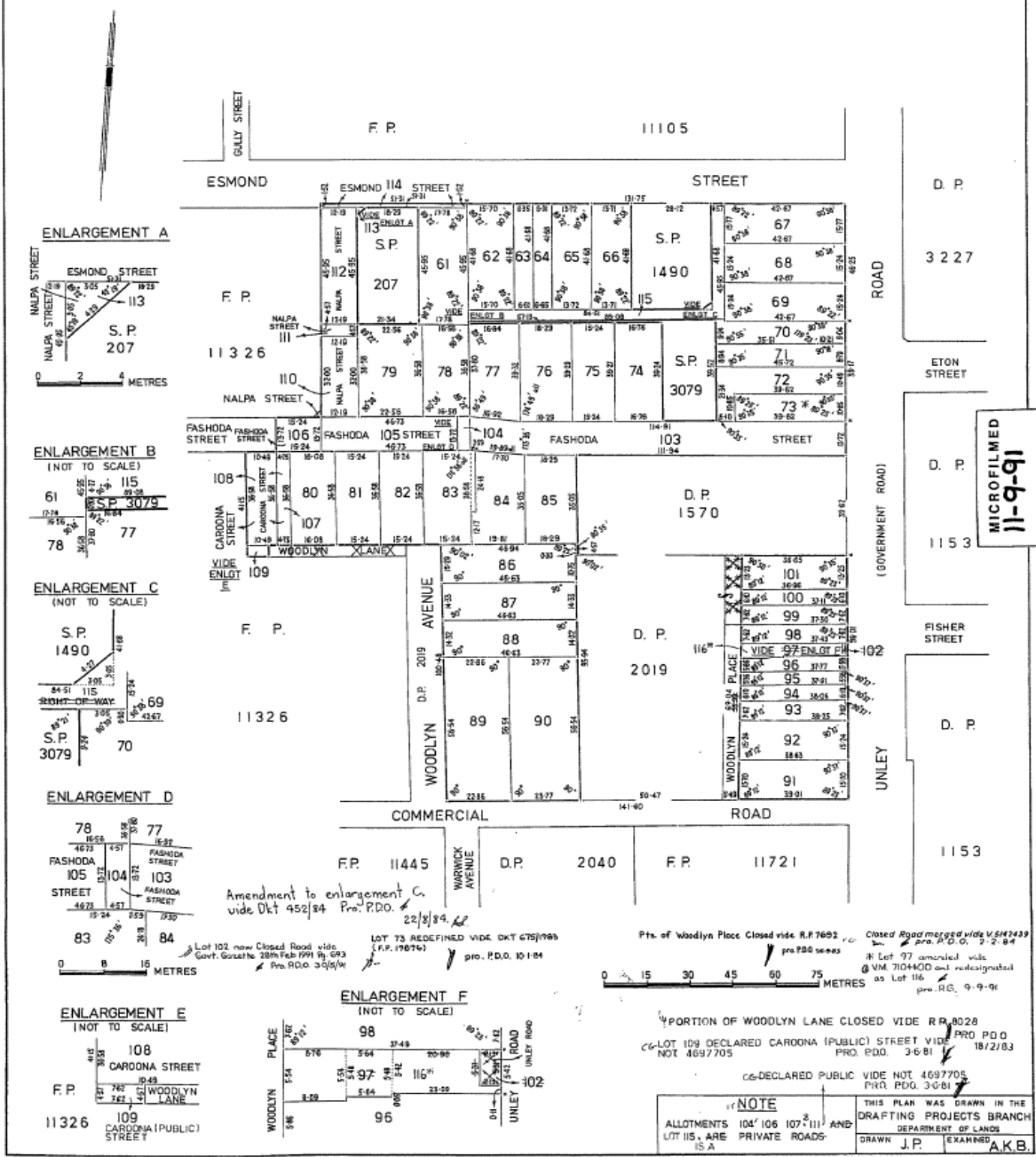
Figure 2 - Certificate of Title plan



URPS

FILED IN BOOK
FP 11716
 ACCEPTED FOR FILING
 Reference No. 6628-49-c
 COUNCIL CITY OF UNLEY
 MATRIMONY FILE NO. 4597915

COMPILED PLAN
 ALLOTMENTS 1, 2, 3, 6, 7, 8, 9 AND RIGHT OF WAY IN D.P. 490
 GREER STREET AND PORTIONS OF RIGHTS OF WAY IN D.P. 1511
 ALLOTMENTS 3, 4, 6 TO 11 INCL, 47, 49, 50 AND PORTION OF ALLOTMENTS 46 AND 48 IN D.P. 1570
 ALLOTMENTS 1 TO 6 INCL, AND 8 TO 12 INCL, IN D.P. 2019 AND NALPA STREET IN S.P. 207
 OF PORTIONS OF SECTION 237
 HUNDRED OF ADELAIDE IN THE AREA NAMED HYDE PARK



Amendment to enlargement C, vide Dkt 452/84 Pro. P.D.O. 22/8/84.

Pts. of Woodlyn Place Closed vide R.P. 7602
 Closed Road merged vide S.P. 2429
 Pro. P.D.O. 2-2-84
 Lot 77 amended vide
 V.M. 70480 and redesignated
 as Lot 116
 pro. P.D. 9-9-91

PORTION OF WOODLYN LANE CLOSED VIDE R.P. 8028
 Lot 109 DECLARED CAROONA (PUBLIC) STREET VIDE PRO P.D.O. NOT 4697705 PRO. P.D.O. 3-6-81 18/2/83
 C6-DECLARED PUBLIC VIDE NOT 4697705 PRO. P.D.O. 3-6-81

NOTE
 THIS PLAN WAS DRAWN IN THE DRAFTING PROJECTS BRANCH DEPARTMENT OF LANDS
 DRAWN J.P. EXAMINED A.K.B.

Figure 3 – Filed Plan 11716



Filed Plan 11716 which is referred to within the endorsement of the Easement in the above CT. The Filed Plan more clearly shows the relationship between Lot 115 and the subject land. It is an “L-shaped” allotment of 4.57 metres in width which adjoins the western boundary of the subject land.

The development site has always included the relevant portion of the Right of Way which is proposed to be upgraded with permeable paving on shown on the SMFA Location Plan submitted at verification (as opposed to the whole of Lot 115 which extends into the adjoining Zone and so there is no need to “include the land as part of the application” at this stage). The original planning report submitted by URPS dated 8 November 2024:

- Explained that the land has an existing Right of Way over allotment 115 which would provide vehicular access (page 3).
- Explained that at grade car parking from the rear private lane is proposed and that the relevant section of the Right of Way would be used for access and would be upgraded with permeable paving (page 9, page 22 and page 23).
- Confirmed that the land which is the subject of the DA is adjacent to a neighbourhood zone (page 12).
- Attached a “Location Plan” prepared by SMFA which clearly depicted the relevant portion of the Right of Way to be upgraded and was annotated as follows: “New permeable surface suitable for proposed car park entry”.

Crossover Modifications

We will ensure that Council is provided the opportunity to review and consider the impact of these changes through a subsequent referral process. The existing crossover will be closed with upright kerbing installed to Council’s satisfaction.

Stormwater Management

The requested Stormwater Management Plan has been developed by GAMA Consulting.

The proposed drainage details in the stormwater plan demonstrates that the run-off from the proposed development will have no detrimental impact on the existing drainage system as there will be no increase from the pre-development flow rates.

The Stormwater Management Plan has now been endorsed by Council verbally at our 28 January 2025 meeting.

Waste Management & Traffic

An additional letter from Salt3 has been submitted alongside this letter to address the waste and traffic concerns raised by Council and DIT. The letter includes recommended amendments, justifications, and updated commentary on the proposed waste management strategies and traffic for the development.

Parking Provisions

The plans have been updated to indicate the car parking spaces are allocated and sign marked for the specific users.

On-Street Parking

In response to the on-street parking comments, we can advise the following:

- Residents, visitors, and staff of the proposed development will not be eligible for residential parking permits and will be required to adhere to all existing on-street parking restrictions. We accept that residential parking permits will not be issued to residents.
- The development will not rely on any changes to existing on-street parking restrictions along Unley Road or nearby local streets such as Young Street and Clyde Street for accommodating parking needs.
- All parking, loading and waste collection activities will be managed and conducted to minimise impacts to the local road system in line with Salt3 letter.

We are committed to complying with these requirements and ensuring that the development appropriately manages its parking and associated activities.

Arboriculture & Canopy Cover

In relation to the Council street trees, any works undertaken on Council owned land will only be undertaken via a separate authorisation from Council. We are accepting of the recommended Advisory Note.

We acknowledge and support the City of Unley's efforts to mitigate the Urban Heat Island effect and meet the long-term canopy cover target of 31% by 2045. However, we would like to highlight the following points regarding our development and its specific needs:

- The site constraints, such as building footprint, access requirements, and essential infrastructure placement, limit the retention of these trees. Preserving them would significantly impact the feasibility and functionality of the development.

- Our commitment to sustainable design ensures that we still support broader environmental objectives. This approach balances the immediate development needs with long-term environmental considerations.

We appreciate the importance of the City of Unley's canopy cover initiative and remain open to exploring collaborative solutions that can align our development goals with the City's environmental targets wherever possible.

Civil Assets & Encroachment

We acknowledge the Council's comments regarding the civil works required within the Council verge and the encroachment policy. The Applicant confirms that the following requirements will be satisfied:

- **Footpath Paving Compliance**
 - The Applicant will ensure that all footpath paving on Unley Road and Esmond Street is consistent with the 'Unley Road Public Realm Design Guidelines', 2022.
 - All alterations to the verge on Unley Road and Esmond Street will be carried out in accordance with Council's requirements and to the Council's satisfaction, at the Applicant's full cost. We will refer to the City of Unley website for the necessary forms and applications related to Specification Crossover Opening, Kerb & Gutter, and Footpath Repair.
- **Vehicular Crossovers/Entries**
 - All vehicular crossovers and entries will be installed or reinstated to meet Council's requirements and satisfaction, at the Applicant's full cost.
 - Driveway crossing places will be paved to match the existing footpath and will not be constructed from concrete unless explicitly approved by the Council. We will adhere to the specifications outlined in the City of Unley's Driveway Crossover Specifications, as detailed on the Council's website.
- **Encroachment Permit**
 - The Applicant acknowledges the requirement to obtain a new encroachment permit for the development, in accordance with Council's encroachment policy.
 - We will ensure that any encroachments are dealt with in a satisfactory manner, obtaining the necessary authorisations under Section 221 of the Local Government Act 1999 and paying the annual fee to Council as required. For other public places owned by the Council, we will contact the Council's Property and Assets team for further information on obtaining an Encroachment Permit.

We confirm our commitment to adhering to these requirements and look forward to collaborating with the Council to ensure the successful completion of these works.

Urban Design

Response to ODASA

The SMFA plans have been amended in response to the comments made by ODASA. The changes are summarised below:

- Final external material selections, including confirmation of high-quality integral finishes supported by the provision of physical samples. A physical board will be presented at the SCAP meeting. Refer to 7.01 Material board.
- Provision of additional articulation to the south boundary wall. Refer to updated 3.01 South Elevation.
- Confirmation of the screening treatment of the transformer. Refer to updated 3.00 North Elevation.
- Confirmation of the screening arrangement for the rooftop solar panels. Refer to updated 3.00.
- Inclusion of an irrigation system to the soft landscaped areas. Refer to updated 2.40 Landscape Plan.
- Upon review of the ground floor configuration, the size constraints restrict the ability for substantial or meaningful changes without completely redesigning the ground floor level. However, changes to foyer entrance have widened access for residents. Refer to updated 2.20 Ground Floor Plan.
- LBS was engaged to undertake a supporting ESD report which is to be submitted on the portal.

Response to Council Comments

The SMFA plans have been amended in response to the comments made by Council. The changes are summarised below:

- **Waste**
 - Bin quantity has been updated. Please refer to updated 2.20 Ground floor Plan.
- **Bicycles**
 - We have updated the bike store to fit 10 bikes. Please refer to updated 2.20 Ground Floor Plan.
- **Urban Design**
 - The proposed canopy has been increased to match the height of the adjacent existing verandah. Please refer to updated 3.02 Elevation.
 - Proposed street verge gardens added on footpath to enhance the shopping strip's character. Please refer to updated 2.40 Landscape plan.

Conclusion

Should you wish to discuss any of the above, please do not hesitate to contact me on 8333 7999 or cpolyak@urps.com.au.

Yours sincerely



Corey Polyak
Consultant