

28th May 2026



The Secretary
State Commission Assessment Panel
GPO Box 1815
Adelaide SA 5001
via PlanSA portal

Attention: Phil Mabbs

Dear Phil

**SCAP REFERRAL – Regulation 23(2)(b)
COUNCIL COMMENTS – DA 25038676 – 1- 3 Spence Av and 380 Glen Osmond
Rd Myrtle Bank SA 5064**

I write in response to the above matter, which relates to a:

*Retirement Facility and Ancillary Community Hub, Alterations and Additions to State
Heritage Place and Tree Damaging Activity*

It should be noted that the applicant's response to Council's initial Regulation 23 referral comments, dated 15 January 2026, has not been uploaded to the Development Application Processing (DAP) system. Accordingly, Council has relied on an email from the applicant from March 2026 as a basis to provide any further commentary through the referral process.

The applicant provided Council with updated architectural plans, technical expert reports and a supporting planning statement. The attached report outlines the Council's comments on the application, in accordance with designated matters covered in the Planning, Development and Infrastructure (General) Regulations 2017.

While Council's role is limited to comments on designated matters, observations in relation to planning assessment matters with implications from a local perspective, may also be highlighted on key issues that are considered to require further analysis and assessment by PLUS officers and SCAP.

If there are any queries or need for further clarification, please contact Amelia De Ruvo, Senior Planning Officer, by email at aderuvo@unley.sa.gov.au or 8273 8710.

Yours sincerely

Tim Bourner
Assessment Manager
City of Unley

SCAP Referral – Regulation 23(2)(b)

Council Comments: DA 25038676 – 1- 3 Spence Av and 380 Glen Osmond Rd Myrtle Bank SA 5064

for

Retirement Facility and Ancillary Community Hub, Alterations and Additions to State Heritage Place and Tree Damaging Activity

Council's Comments on Designated Matters

The following summary lists the items that Council considers are critical to addressing the designated Council matters under Regulation 23(3) prior to a decision being made on this proposal.

The full assessment of the development is the role of the Planning & Land Use Services (PLUS) officers and the ultimate planning approval judgement, the role of the State Commission Assessment Panel (SCAP).

It is appreciated Council's role is limited to comments on designated matters but observations in relation to planning assessment matters with implications from a local perspective are appropriate to highlight key issues that require further analysis and assessment by PLUS officers and SCAP.

The following comments raise fundamental concerns with the development, outlines amendments sought, and additional information requested.

Second Referral

It is requested that the second referral comments are read in conjunction with Council's initial referral response, dated 15th January 2026, regarding the inclusion of conditions and advisory notes. The conditions and advisory notes sought to be included by Council as part of the recommendation are listed in Appendix A.

Arboriculture

The following comments relate to Council owned street trees:

- Outlined in the *Response to Council Comments - DA 25038676 – 1-3 Spence Ave and 380 Glen Osmond Rd, Myrtle Bank SA 5064*, dated 26 March 2026, the landowners sought for their technical experts to alter the location and design of vehicle access to Spence Avenue. The response outlines that the amended entry design avoids the need to remove the street trees. Upon further review of the plans, the Site Plan – Lower – Rev. B, dated 5.2.2026, identifies that a street tree is to be removed (refer to Figure 1 below). As outlined in our initial response, Council is **not** supportive of the development removing public street trees to facilitate vehicular access on Spence Avenue.
Further investigations are required to determine alternative access arrangements that maintain all street trees on Spence Avenue.
It is noted that there is an existing double width crossover which can be utilised and widened to facilitate vehicular access.



Figure 1 – snippet from Site Plan – Lower – Rev. B, dated 5.2.2026

Traffic

The following comments relate to the on-site and off-site management of traffic:

Parking provisions

- To ensure that the development satisfies the minimum car parking requirements under the Planning and Design Code, including provision for residents, visitors, and non-residents (e.g. staff), it was requested that a Parking Management Plan be provided. This plan is to clearly identify which parking spaces are allocated to residents and which are designated for visitors.

Further information is requested in the form of a Parking Management Plan. In addition, amended plans are to be provided to incorporate appropriate signage and line marking clearly delineating resident and visitor car parking spaces.

Referral Conclusion

In principle the nature of the development, being a retirement facility, broadly accords with the Urban Renewal Neighbourhood Zone's Desired Outcomes and Performance Outcomes.

Notwithstanding, Council is seeking amendments to the proposal, additional information as well as Conditions and Advisory Notes to be included as part of any approval to ensure compliance with Council requirements. Matters of relevance are as follows:

- Council **will not** support the removal of street trees on Spencer Avenue and alternative access arrangements must be considered;
- A Parking Management Plan is to be provided that clearly identifies which car parking spaces are allocated to residents and which are designated for visitors.

It is trusted that the information provided in this report is considered as part of the assessment. Council welcomes the opportunity for the application to be referred again if, or once, the above matters have been addressed to the satisfaction of Council.

If there are any queries or need for further clarification regarding the above matters, please contact Amelia De Ruvo, Senior Planning Officer, by email at aderuvo@unley.sa.gov.au or 8273 8710.

Appendix A – Conditions & Advisory Notes

Conditions

1. No groundwater is to be discharged into Council’s stormwater system.
2. All stormwater from the buildings 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.
3. Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant’s cost.
4. Temporary debris and sediment control measures shall be installed prior to the commencement of work on site, to ensure that debris, soil, soil sediments and litter are maintained within the construction site. At no time shall debris, soil, soil sediments and litter from the construction site enter Council’s drainage system, road network or neighbouring properties.

Advisory Notes

1. The alteration of the verge to Cross Road, Glen Osmond Road or Spence Avenue shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. Refer to the City of Unley website for Forms & Applications – Specification Crossover Opening, Kerb & Gutter, Footpath Repair.
<https://www.unley.sa.gov.au/Page/Forms-Applications>
2. Residential Parking Permits will not be issued to residents of Community or Strata titled dwellings or other multi dwelling buildings for development approved on or after 1 November 2013.
3. Parking restriction currently in place along Glen Osmond Road, Cross Road, Spence Avenue and surrounding street network will not be altered as a result of the development.
4. Numerous parts of the Council area have low lying water tables. Where there is sub-surface development occurring, groundwater can be encountered. Issues related to the disposal of this groundwater, either temporarily or permanently, can cause damage to surrounding Council infrastructure and cause problems for adjoining landowners. Where groundwater is encountered during the construction of the development, it will be necessary for measures to be taken to ensure the appropriate containment and disposal of any groundwater.
5. Any works undertaken on Council owned land (including but not limited to works relating to reserves, crossing places, landscaping, footpaths, street trees and stormwater connections and underground electrical connections), shall require a separate authorisation from

Council. Further information and/or specific details can be obtained by contacting Council's Asset Management department on 8272 5111.

6. 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.
7. The construction of the crossing place(s)/alteration to existing crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to the City of Unley website Forms & Applications – Driveway Crossover Specifications <https://www.unley.sa.gov.au/Page/Forms-Applications>
8. Driveways Crossovers are not to be constructed from concrete over the footpath area between the kerb to boundary. Driveways and boundary levels at fence line are required to matching existing footpath level at boundary and or between 2% and 2.5% above kerb Height. Crossover is not to exceed 2.5% or 1:40 cross fall gradient over footpath between boundary to verge and not excess 5% from verge to crossover kerb invert.
If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an existing crossover. The redundant driveway crossover or part of, is required to be closed and returned to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed.
Provisions for Sliding Gate: Note that the high side of concrete plinths / footing for siding gates should not be higher than existing footpath level. Any level adjustments to gradients to achieve a level plinth for sliding gate railing is required to be within the property boundary.
9. All redundant crossovers shall be permanently closed and reinstated with kerb and gutter prior to the commencement of use of the development. All costs are to be borne by the land owner.