

7 May 2026

Council Ref: DA26/1810

Ben Scholes

Senior Planning Officer – Planning and Land Use Services

Department of Housing and Urban Development

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Dear Mr Scholes,

Outline Consent Yatahlia Mannor (Ref: 488-500 Yatala Vale Road, Yatala Vale)

Thank you for forwarding notification of the public notification for the outline consent at Yatahlia Manor – 488-500 Yatala Vale Road, Yatala Vale.

Council understand that a call-in request was submitted in June 2025 under section 94(2)(g) of the Planning, Development and Infrastructure Act, 2016 (the Act) to initiate an outline consent for an aged care, supported accommodation facility or lifestyle village.

Subject to section 120 of the Act a relevant authority may, on application, grant an outline consent.

Outline Consents are a new assessment pathway within the South Australian planning system introduced through the Planning Design and Infrastructure Act. This process provides a flexible assessment approach to enable an applicant to obtain an early decision on specific aspects of a development proposal (Following the introduction of Practice Direction 18 published by the Commission in February 2024 and further amended in November 2024).

The outline consent is currently on public notification as per the requirements of Practice Direction 18. A subsequent detailed application will be a Performance Assessment, which will be inclusive of public notification, therefore the relevant authority for this application will be Councils Assessment Panel.

At the time of submission, the State Planning Commission wrote to the Assessment Manager to request confirmation that Council has no objection the application being called in for an outline consent. Council notes that while no objection to submission of an outline consent was raised, the plans appear to have changed from initial discussions with the applicant and Council staff.

I offer the following on behalf of the City of Tea Tree Gully (a formal representation has also been uploaded to the PlanSA Portal):

Council acknowledges concerns raised from the adjoining community regarding the compatibility of the proposed land use with the Rural Living Zone. Additionally noting that while concerns have been raised on social media pages regarding division of land, no land division is proposed as part of the outline consent, nor a future application.

A two-storey manor house are established on the land, along with associated structures, boundary fencing and substantial landscaping. The site itself is not typical of what was anticipated for the Rural Living Zone; however approvals were granted on the basis of a limited impact on the zoning and compatibility with the adjoining General Neighbourhood Zone.

Council has insufficient detail to undertake a balanced assessment, noting that this would be done at the next stage of assessment, whereby residents will have a further opportunity to submit representations which can be considered from a Council perspective.

Currently the role of Council in the outline assessment is to consider the land use, responding from the lense of high-level planning considerations. Council therefore requests that the State Planning Commission, in its assessment of the outline consent, consider all relevant matters which are raised in representations provided from our community.

Access / Road

This consideration has presumed that the road shown on the plan will be a privately owned road, noting that no land division is proposed for the creation of allotments as such on this land.

Public Open Space/ Assets

The application appears to indicate that the overall site will remain in private ownership with:

- 30 dwellings proposed.
 - o 22 x 2 bedroom villas.
 - o 5 x 3 bedroom NDIS approved villas.
 - o 2 x 1 bedroom luxury villas.
 - o 1 x 4 bedroom principal luxury villa.
- Low-scale – all single storey development.
- Designs to be sympathetic to the manor house.
- Manor house to remain as common building for social gatherings, communal programs and exercise – which will all have exclusive use by the residential park development.
- 5 Significant River Red Gums are proposed for removal – advice given on site was that these trees should be retained and a development to work around the existing open spaces on site.

Commentary regarding public open space or assets appears unnecessary. Each dwelling appears to have an area directly off of the rear of the dwelling of private open space, given the scale of the site it appears that sufficient private open space can be accommodated for residents to the site.

Setbacks

The outline plans have not afforded the benefit of dimensions from boundaries of the site; however, Council notes that the **Rural Living Zone PO 2.1** seeks dwellings are sufficiently separated from site boundaries and of a scale that reinforces the semi-rural character and amenity. With the Designated Performance Feature (DPF) 2.1 going on to envisage 20m setbacks from all boundaries on sites in excess of 1ha. Circled in red below.



Height

Single storey nature is in keeping with wall heights envisaged in the **Rural Living Zone** as per **Rural Living Zone PO 2.4** which seeks low scale that reinforces the semi-rural character.

The single storey nature indicated in the detail satisfies **Defence Aviation Area Overlay PO 1.1**.

Trees

Council acknowledges the work undertaken by the applicant's arborist, however queries if all of the regulated and significant trees have been identified on the site. Following a site meeting in 2025 to Councils recollection more of the trees on site were larger than 1m in trunk circumference when measured at 1m above natural ground level.

To facilitate reasonable development and where health/ safety concerns are raised, Council has no objection to the removal of the 5 trees on site identified.

The screening landscaping to the front of the site will be critical in limiting impact of the development outside of the boundaries of the site. It is noted that this site historically has been very shielded from view by the extensive landscaping, with the manor house itself having very limited visibility from outside of the boundaries of the site.

Regulated and Significant Trees DO1, PO 1.1, 1.2, 1.4.



While the development would ideally work around the existing regulated and significant trees, with the valid health concerns identified and considering that the trees proposed for removal quickly disappear into the landscaping when viewed other than directly in front of the site.

Connection to services / infrastructure

Council understands that the Sustainable Sewers program has not placed infrastructure within the road for properties in this area to connect to mains sewer, to the east of Yatala Vale Road. Has SA Water been consulted to determine appropriate services are in place?

In terms of commentary around capacity of stormwater infrastructure, confirmation of the intended stormwater disposal is required before advice could be provided.

Waste collection

While the site has a usable frontage (accounting for separation from the roundabout, access point and bus stop of approximately 80m, the impact of a kerb side collection to the streetscape with 62 bins on collection day is considered to pose an unreasonable impact on the locality.

A detailed assessment of waste collection will be required in the next assessment stage; however it is recommended that a private waste collection would be necessary.

Hazards Flooding

Hazards (Flooding – Evidence Required) Overlay PO 1.1 will be relevant for the subsequent detailed assessment of this application, should the outline consent be approved.

Councils' records indicate the area is subject to the 1 in 100-year flood event, albeit noting that the location of the proposed development appears to be outside of the area of anticipated inundation.

The mining operation within the area has a life span of a minimum of 75 years. Any future impacts from expansions to the Mining operation may cause further conflict with residential development, to which Council cannot currently provide any assessment of.

Council is aware of a possible Code Amendment to the Resource Extraction Protection Area (REPA) Overlay, with an aim to protect quarries/ mines from residential encroachment by implementing a 500m protective buffer. The aim of this is to prevent incompatible development (residential housing) within proximity to mining operations. Having reviewed the Code Amendment Register on the PlanSA website, it appears that an official Code Amendment process has commenced.

Council therefore recommends that the State Planning Commission consider if a future REPA Code Amendment is likely, consideration of how this will impact the outline consent and subsequent detailed application.

In summary, theoretically the land use itself is something which is not contemplated in the Rural Living Zone, however based on density and the site specifics is something that could be supported with further information subject to planning considerations and potential risks are appropriately addressed through the assessment process.

Should you wish to discuss any of the elements of Councils submission please do not hesitate to contact Justine Perry - Team Leader Planning on 8397 7361 or justine.perry@cttg.sa.gov.au

Yours sincerely,



Ryan McMahon
Chief Executive Officer – City of Tea Tree Gully