

CITY OF UNLEY

DEVELOPMENT ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 20 August 2013
at 7.00pm in the Civic Centre, Unley**

ACKNOWLEDGEMENT

We acknowledge that the land we meet on today is the traditional land of the Aboriginal people and that we respect their spiritual relationship with their country.

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

PRESENT:

Mr Terry Tysoe (Presiding Member)
Mr Brenton Burman (Deputy Presiding Member)
Ms Nicole Dent
Mrs Ann Nelson
Mr Don Palmer
Mr Rufus Salaman
Mr Rob Sangster

APOLOGIES:

OFFICERS PRESENT:

Mr Paul Weymouth, Manager Development
Mr Donny Michel, Team Leader Planning
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST: None

CONFIRMATION OF MINUTES:

MOVED: Rob Sangster

SECONDED: Don Palmer

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 16 July 2013, as printed and circulated be taken as read and signed as a correct record.

CARRIED

ITEM 1

DEVELOPMENT APPLICATION – 090/303/2013/C3 – 236 GLEN OSMOND ROAD, FULLARTON 5063 (PARKSIDE)

MOVED: Brenton Burman

SECONDED: Rufus Salaman

That Development Application 090/303/2013/C3 at 236 Glen Osmond Road, Fullarton 5063 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. That on or before 20 August 2016, the temporary use of the land for the purposes of car storage shall cease, whereupon the pre-existing lawful use of the land as a service trade premises shall revive.
3. The subject site will be used only for the purposes of car storage.
4. The subject site shall not be staffed and the building will not be put to any administrative or sales use.
5. There shall be no bulk car transporters or car delivery carry out on the subject site.
6. There shall be no sign writing of vehicles which could mistakenly be assumed to represent a car sales yard or vehicle showroom facility.
7. That the landscaping, as approved be established within 3 months of the granting of Development Approval and that the landscaping be generally maintained to the reasonable satisfaction of Council at all times.
8. The hours of operation of the premises not exceed the following periods:
 - Monday to Saturday 7am to 5.30pm
9. There shall be no more than 28 vehicles stored on the subject site at any one time.
10. That immediate remedial measure shall be taken if, in the opinion of Council, adverse impact is being caused to the amenity of the locality due to any noise nuisance or otherwise.

NOTES PERTAINING TO PLANNING CONSENT:

- 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**.
- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.

CARRIED

ITEM 2

DEVELOPMENT APPLICATION – 090/199/2013/NC – 6-8 BARTLEY CRESCENT, WAYVILLE SA 5034 (GOODWOOD)

MOVED: Don Palmer

SECONDED: Rob Sangster

That Development Application 090/199/2013/NC at 6-8 Bartley Crescent, Wayville SA 5034 be GRANTED Planning Consent subject to the CONCURRENCE of the Development Assessment Commission and subject to the following conditions:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 7am and 7pm on Monday to Friday.
3. That the proposed entry and exit points shall be signed appropriately and include internal pavement marking arrows to ensure the desired traffic flow through the site.
4. That all line marking, traffic signs and traffic control devices shall conform to Australian Standards.
5. Suitable wheel stops or bump bars be placed in all parking spaces to prevent damage to fences and landscaping on the site, prior to use of the car parking area.
6. The car parking areas to be maintained at all times to the reasonable satisfaction of Council.
7. The driveway and car parking areas to be surfaced, drained and marked to the reasonable satisfaction of Council prior to the development being occupied.
8. That no signs be erected or displayed without the prior consent of the Council.
9. Final details of the landscaping plan be provided to the satisfaction of Council prior to the issue of Building Rules Consent. This shall include the provisions for the planting of semi-mature trees and shrubs (minimum height of 1.5m) in the battered landscape area fronting Rose Terrace.
10. That the collection of stormwater from all large non-permeable surfaces (roofs and car parks) should be designed such that it allows for on-site collection and treatment and used internally and for on-site irrigation of landscaped areas. Any stormwater discharge from the site shall be to an approved stormwater discharge point (within Council's Stormwater Pipe Network). Further details shall be provided to the satisfaction of Council prior to the issue of Building Rules Consent.
11. Prior to commencement of works, the developer shall nominate a Construction Manager or Site Supervisor who is available to receive calls from any resident within the adjacent area regarding any complaint the resident may have in relation to construction practices. The developer shall provide signage on-site, providing contact details for the Construction Manager or Site Supervisor.

12. An assessment of the warrant to maintain an Emu crossing to Bartley Crescent shall be undertaken by the applicant in consultation with Council.

In the event that there is an existing identified warrant to maintain an Emu crossing to Bartley Crescent at the time of acting upon this Development Plan Consent, then the costs of relocating the Emu crossing shall be borne by the applicant or the party with the benefit of this authorisation.

Alternatively, in the event that the investigation identifies that there is no warrant to retain an existing Emu crossing, then the cost of the removing and making good the crossing shall be borne by the applicant or the person with the benefit of this authorisation at the time of acting upon the consent.
13. That the applicant shall meet all costs associated with the potential removing of any existing street tree on Bartley Crescent and the planting of replacement trees.
14. The development and balance of the land shall only have one access direct to/from Greenhill Road, located adjacent to the western boundary of the site.
15. The access to/from Greenhill Road shall operate on a left in, left out basis only.
16. All vehicles shall enter and exit the site in a forward direction.
17. Sufficient car parking consistent with AS/NZS 2890.1.2004 and 2890.6.2009 shall be provided to service the development.
18. Commercial vehicle manoeuvring areas shall be consistent with AS/NZS 2890.2.2002.
19. No element of LED or LCD display is to be included in the design of signage associated with the development.
20. Signage associated with the development shall not contain any element that flashes scrolls, moves or changes.
21. Sight distance at the Greenhill Road access point shall be maximised. Any tree or other physical obstruction shall be removed or relocated to ensure safe operation of the access.
22. Car parking shall be banned between Greenhill Road/ Bartley Crescent junction and the access point to maximize sight distance at the access and minimize vehicular conflict adjacent the junction. Additionally, car parking shall be banned for at least 6.0m west of the new access point.
23. No stormwater from this development is permitted to discharge on-surface to Greenhill Road, Bartley Crescent and/ or Rose terrace. In addition, any existing drainage of the road shall be accommodated in the development and that any alterations to road drainage infrastructure as a result of this development are to be at the expense of the developer.
24. The hours of operation for the general public and training purposes must not exceed 7.00am to 7.00pm Monday to Friday.

NOTES PERTAINING TO PLANNING CONSENT:

- 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 developer or owner.
- 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.
- 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 8463 3555 or refer to their web site at www.lsc.sa.gov.au.
- 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.
- The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.
- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.
- The Metropolitan Adelaide Road Widening plan shows that a strip of land to 4.5m in width may be required from Greenhill road frontage of this site or the possible future upgrading of the Greenhill Road/ King William Road intersection, together with a possible 4.5m x 4.5 metres cut-off from the Greenhill Road/ Bartley Crescent corner. The consent of the Commissioner of Highways is required to all building works on or within 6.0m of the possible requirement.
- No structural works for the current proposal are within the possible requirement or consent area. Subsequently, Consent is not requires in this instance. However, future development of the northern portion of the site will need to have consideration of the above possible requirement.

CARRIED

ITEM 3

DEVELOPMENT APPLICATION – 090/254/2013/C2 – DAVEY STREET, PARKSIDE

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/254/2013/C2 at Davey Street, Parkside is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. That the removal of the subject regulated tree (*Sydney Blue Gum*) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That 2 replacement trees must be planted to replace the Regulated tree within twelve (12) months of the date of the development approval. The replacement trees shall not be planted within 10 metres of a dwelling or in ground swimming pool. The owner of the land the subject of this authorisation shall maintain the replacement trees in good health and condition at all times and shall replace any such tree if it dies forthwith.

NOTES PERTAINING TO PLANNING CONSENT:

- 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**.
- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.

CARRIED

ITEM 4

DEVELOPMENT APPLICATION – 090/231/2013/C2 – 91 WINCHESTER STREET, MALVERN 5061 (UNLEY PARK)

Application WITHDRAWN at the request of the Applicant.

ITEM 5

DEVELOPMENT APPLICATION – 090/369/2013/C2 – 144 KING WILLIAM ROAD, HYDE PARK 5061 (UNLEY)

MOVED: Rufus Salaman

SECONDED: Don Palmer

That Development Application 090/369/2013/C2 at 144 King William Road, Hyde Park 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. The hours of operation of the premises not exceed the following period:
 - 7:00am to 10:00pm Monday to Friday;
 - 7:00am to Midnight Saturday to Sunday.
3. The premises not cater for nor accommodate more than 58 persons at any one time.
4. A waste disposal enclosure shall be installed and operative to Council's satisfaction prior to the occupation of the development. Further details to be provided to the satisfaction of Council prior to the issue of Building Rules Consent.
5. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 7am and 7pm on any day.
6. That signage be erected visible from King William Road to identify the location of the rear car park to patrons of the restaurant. Further details to be provided to the satisfaction of Council prior to the issue of Development Approval.

NOTES PERTAINING TO PLANNING CONSENT:

- The applicant should ensure that the development conforms to the Food Act 2001, Food Regulations 2002 and the Australian Food Safety Standard.
- A hand wash facility with a supply of warm potable water for hand washing shall be provided.
- The Applicant shall comply with the Environmental Protection Authority Guidelines for exhaust ventilation in commercial and institutional kitchens and the requirements within the Environmental Protection Act (Air Quality Policy 1994).

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/499/2013/C1 – 105 GOODWOOD ROAD, GOODWOOD 5034 (GOODWOOD)

MOVED: Don Palmer

SECONDED: Ann Nelson

That Development Application 090/499/2013/C1 at 105 Goodwood Road, Goodwood 5034 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. The hours of operation of the premises not exceed the following period:
 - 11:00am – 3:00pm Monday to Friday
 - 5:00pm – 10:00pm Monday to Thursday
 - 5:00pm – 11:00pm Friday to Sunday
3. The premises not cater for nor accommodate more than 42 persons at any one time.
4. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 7am and 7pm on any day.
5. A waste disposal enclosure shall be installed and operative to Council's satisfaction prior to occupation of the development. Further details to be provided to Council's satisfaction prior to the issue of Building Rules Consent.

NOTES PERTAINING TO PLANNING CONSENT:

- The applicant should ensure that the development conforms to the Food Act 2001, Food Regulations 2002 and the Australian Food Safety Standard.
- That the development shall comply with the Food Act (2001) and Food Safety Standards.
- A hand wash facility with a supply of warm potable water for hand washing shall be provided.
- The Applicant shall comply with the Environmental Protection Authority Guidelines for exhaust ventilation in commercial and institutional kitchens and the requirements within the Environmental Protection Act (Air Quality Policy 1994).

CARRIED

OTHER BUSINESS

MOVED: Brenton Burman

SECONDED: Don Palmer

That the Development Assessment Panel request Council to review its Car Parking Development Plan Policy and the Car Parking Contribution Fund with a view to determining how to better encourage integrated and efficient car parking within Council's retail and commercial areas.

CLOSURE

The Presiding Member declared the meeting closed at 7.35pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 17/9/2013.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 17 September 2013