

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 22 January 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.

**MEMBERS:**

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

**APOLOGIES:**

Mr Rufus Salaman

**OFFICERS PRESENT:**

Mr David Litchfield, General Manager of Economic Development & Planning  
Mr Donny Michel, Acting Manager Development  
Ms Fiona Koutsikas, Acting Team Leader Planning  
Ms Rachel Theile, Development Administration

**CONFLICT OF INTEREST:** None

**CONFIRMATION OF MINUTES:**

MOVED: Don Palmer

SECONDED: Rob Sangster

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Monday 17 December 2012, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED**

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/824/2012/C2 – 3 NEWMAN STREET, FORESTVILLE 5035 (GOODWOOD)**

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/824/2012/C2 at 3 Newman Street, Forestville 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. All stormwater from the building and site shall be disposed of so as to not 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. That the upper floor windows (except west-facing windows) be treated to avoid overlooking prior to occupation by being fitted with permanently fixed non-openable translucent glazed panels (not film coated) to a minimum height of 1700mm above floor level with such translucent glazing to be kept in place at all times.

**NOTES PERTAINING TO PLANNING CONSENT:**

- 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.
- 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.
- 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**.
- 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](http://www.lsc.sa.gov.au).
- That details of any air-conditioning requiring approval under the Development Act shall be submitted to and approved by Council.

**CARRIED**

**ITEM 2**

**DEVELOPMENT APPLICATION – 090/938/2012/C2 – 8 PALMERSTON ROAD, UNLEY 5061 (UNLEY)**

Mr Kyle Armstrong, Ms Robin Donaldson on behalf of Mr Peter Wells, and Mr Phil Brunning on behalf of Ms Robin Donaldson and Mr Alastair Donaldson, representors, and Mr George Manos on behalf of Botten Levinson, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Brenton Burman

That Development Application 090/938/2012/C2 at 8 Palmerston Road, Unley is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent for the following reasons:

- The development does not support and enhance the desired character of Policy Area 9.7.
- The development does not retain and enhance the streetscape contribution of the building.
- The dwelling is not considered to be structurally unsafe or so unsound as to be unreasonably economically rehabilitated.

**CARRIED**

**ITEM 3**

**DEVELOPMENT APPLICATION – 090/872/2012/C3 – 6-8 BARTLEY CRESCENT, WAYVILLE SA 5034 (GOODWOOD)**

Mr Clayton Langley and Mr Martin Cooper, representors, and Mr Greg Vincent and Mr Richard Hearn on behalf of Resthaven Incorporated, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Ann Nelson

That Development Application 090/872/2012/C3 at 6-8 Bartley Crescent, Wayville SA 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. 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.
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.

**[Note: These minutes are unconfirmed until 19/2/2013]**

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.
25. That the final details of plans showing locker facilities and shower on each floor for cyclist shall be provided to Council prior to or at the time of application for Provisional Building Rules Consent.

#### **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](http://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 required 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 4**

#### **DEVELOPMENT APPLICATION – 090/876/2012/C2 – 19 INVERGOWRIE AVENUE, HIGHGATE 5063 (FULLARTON)**

MOVED: Rob Sangster

SECONDED: Ann Nelson

That Development Application 090/876/2012/C2 at 19 Invergowrie Avenue, Highgate 5063 is not seriously at variance with the provisions of the Development Plan and should be 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. All stormwater from the building and site shall be disposed of so as to not 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. That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure which is at least 5 metres from a habitable room window on an adjoining property prior to the operation of said equipment.
4. That waste water from the swimming pool shall be discharged to the sewer, and not be allowed to flow onto adjoining properties or the street water table under any circumstances.

**NOTES PERTAINING TO PLANNING CONSENT:**

- Noise generated from ancillary pool and/or spa equipment must not exceed the maximum noise level recommended by the EPA. For this purpose, noise generated from ancillary pool / spa equipment shall not exceed 52 db(a) between 7am and 10pm and 45 db(a) between 10pm and 7am on any day, measured from a habitable room window or private open space of an adjoining dwelling.
- 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](http://www.lsc.sa.gov.au).

**CARRIED**

**ITEM 5**

**DEVELOPMENT APPLICATION – 090/886/2012/C2 – 8 COULTER AVENUE, BLACK FOREST 5035 (GOODWOOD SOUTH)**

Ms Nicola Lewis and Mr Martin Lewis, representors, and Mr Christopher Morris and Ms Julie Morris, applicant, addressed the Panel regarding the above item.

MOVED: Brenton Burman

SECONDED: Rob Sangster

That Development Application 090/886/2012/C2 at 8 Coulter Avenue, Black Forest 5035 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. All stormwater from the building and site shall be disposed of so as to not 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.

**NOTES PERTAINING TO PLANNING CONSENT:**

- 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](http://www.lsc.sa.gov.au).
- 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 6**

**DEVELOPMENT APPLICATION – 090/883/2012/C2 – 13 KATHERINE STREET, FULLARTON 5063 (PARKSIDE)**

MOVED: Don Palmer

SECONDED: Rob Sangster

That Development Application 090/883/2012/C2 at 13 Katherine Street, 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. All stormwater from the building and site shall be disposed of so as to not 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. That the upper floor windows shall be treated to avoid overlooking prior to occupation by being fitted with permanently fixed non-openable translucent glazed panels (not film coated) to a minimum height of 1700mm above floor level with such translucent glazing to be kept in place at all times.



**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**.
- 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](http://www.lsc.sa.gov.au).

**CARRIED**

**ITEM 7**

**DEVELOPMENT APPLICATION – 090/624/2012/C2 – 6 WOOLDRIDGE AVENUE, MILLSWOOD 5034 (UNLEY PARK)**

MOVED: Rob Sangster

SECONDED: Ann Nelson

That Development Application 090/624/2012/C2 at 6 Wooldridge Avenue, Millswood 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. All stormwater from the building and site shall be disposed of so as to not 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. That the northern, eastern and western upper floor windows be treated to avoid overlooking prior to occupation by being fitted with permanently fixed non-openable translucent glazed panels (not film coated) to a minimum height of 1700mm above floor level with such translucent glazing to be kept in place at all times.

**NOTES PERTAINING TO PLANNING CONSENT:**

- 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.

**[Note: These minutes are unconfirmed until 19/2/2013]**

- 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**.
- 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](http://www.lsc.sa.gov.au).
- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.

**CARRIED**

#### **ITEM 8**

#### **DEVELOPMENT ASSESSMENT PANEL - AMENDMENT TO MEETING PROCEDURES**

MOVED: Don Palmer

SECONDED: Brenton Burman

That the Development Assessment Panel (DAP) amends paragraph 15.1 of its Meeting Procedures in accordance with Attachment 2 with respect to the circumstances in which it will hear representation in respect of Category 2 applications.

**CARRIED**

#### **OTHER BUSINESS**

MOVED: Brenton Burman

SECONDED: Don Palmer

That the Development Assessment Panel (DAP) move to amend the meeting date of the October 2013 meeting from the 22 October to 15 of October to align with the third Tuesday of the month schedule.

**CARRIED**

**CLOSURE**

The Presiding Member declared the meeting closed at 9.00pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 19/2/2013.

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**PRESIDING MEMBER**

**DATED**     /     /

NEXT MEETING  
Tuesday, 19 February 2013