

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 15 July 2014  
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:**

Nil

**OFFICERS PRESENT:**

Mr Paul Weymouth, Manager Development  
Mr Donny Michel, Team Leader Planning  
Mr Grant Croft, Senior Planning Officer  
Ms Amy Barratt, Planning Officer  
Ms Rachel Theile, Development Administration

**CONFLICT OF INTEREST:**

Don Palmer declared a conflict of interest in relation to Item 1 – 2-4 MacKlin Street, Parkside as the owner is also an elected member of Council and is well known to him. Don Palmer also declared a conflict of interest in relation to Item 2 – 66-74 Unley Road & 202 Young Street, Unley as he has a commercial relationship with the solicitor representing one of the representors.

Rufus Salaman declared a conflict of interest in relation to Item 1 – 2-4 MacKlin Street, Parkside as the owner is also an elected member of Council and is well known to him.

Rob Sangster declared a conflict of interest in relation to Item 1 – 2-4 MacKlin Street, Parkside as the owner is also an elected member of Council and is well known to him.

Nicole Dent declared for Item 2 – 66-74 Unley Road & 202 Young Street, Unley that her employer is currently working on a project with the representor's acoustic engineer but that she does not believe this represents a conflict of interest.

Brenton Burman declared a conflict of interest in relation to Item 7 – 10 McGowan Avenue, Unley as he has a long standing friendship with the planning consultant appearing for the representor.

**CONFIRMATION OF MINUTES:**

MOVED: Don Palmer

SECONDED: Ann Nelson

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 17 June 2014, as printed and circulated be taken as read and signed as a correct record.

**CARRIED**

Don Palmer, Rufus Salaman and Rob Sangster declared a conflict of interest in relation to Item 1 – 2-4 MacKlin Street, Parkside as the owner is also an elected member of Council and is well known to them and left the meeting at 7.03pm.

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/183/2014/C2 – 2-4 MACKLIN STREET, PARKSIDE 5063 (PARKSIDE)**

Mr Bob Jennings on behalf of Mr Andrew Gould, Ms Julie Bastoni, and Mr Balbir Randhawa, representors, and Mr Alan Rumsby on behalf of D'Andrea & Associates, applicant, and Mr John Koumi, owner, addressed the Panel regarding the above item.

MOVED: Brenton Burman

SECONDED: Nicole Dent

That Development Application 090/183/2014/C2 at 2-4 MacKlin Street, Parkside 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. To minimise the impact of stormwater runoff to Macklin Street, the applicant shall provide a stormwater management plan that incorporates on site detention to the reasonable satisfaction of Council's engineer prior to the issue of Development Approval
3. That all north, east and west facing upper floor windows and the south facing upper floor windows of dwellings 2 and 3 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.
4. That the landscaping be established prior to occupation of the development and that the landscaping and site be generally maintained to the reasonable satisfaction of Council 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.
- 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).
- Residential Parking Permits will not be issued to residents of community or strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.

**CARRIED**

Don Palmer, Rufus Salaman and Rob Sangster returned to the meeting at 7.46pm.

Don Palmer declared a conflict of interest in relation to Item 2 – 66-74 Unley Road & 202 Young Street, Unley as he has a commercial relationship with the solicitor representing one of the representors and left the meeting at 7.47pm.

### **ITEM 2**

#### **DEVELOPMENT APPLICATION – 090/347/2014/C2 – 66-74 UNLEY ROAD & 202 YOUNG STREET, UNLEY 5061 (UNLEY)**

Ms Shanti Ditter on behalf of Mr Simon Lumsden and Mr Tim Campbell on behalf of Meditarre Pty Ltd, representors, and Mr Nathan Franklin, Mr Alex Morabito and Ms Karen Stewart, applicant, addressed the Panel regarding the above item.

MOVED: Nicole Dent

SECONDED: Rob Sangster

That Development Application 090/347/2014/C2 at 66-74 Unley Road & 202 Young Street, Unley 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. That the development herein approved shall be undertaken in accordance with the amended plans and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. The conditions, where pertinent, of the Planning Consent Development Application Number 090/720/2013/C2 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

3. The hours of operation of the premises not exceed the following period:
  - 7:00am to 6:30pm Monday to Friday;
  - 8:00am to 5:00pm Saturday
  - No trading on Sunday
4. Dog grooming shall be undertaken between the hours of 9:00am and 4:00pm Monday to Saturday only.
5. That the western door to the 'wash room' and 'pen 3' shall remain closed at all times other than to allow staff access and egress to these areas. There shall be no customer access to these areas.
6. The number of Canines on the premises at any given time shall not exceed 20.
7. Waste disposal vehicles only service the development between the hours of 7am and 7pm on any day (excluding Sunday).
8. That waste be collected and removed from the premises at least twice a week from the rear of the site.
9. That the applicant shall comply with SA Water Trade Waste Pre-treatment requirements and any devices required to be installed shall be operational within 2 months of the date of Development Approval.

**CARRIED**

Don Palmer returned to the meeting at 8.32pm.

**ITEM 3**

**DEVELOPMENT APPLICATION – 090/303/2014/C3 – 15 BIRKDALE AVENUE,  
CLARENCE PARK 5034 (GOODWOOD SOUTH)**

MOVED: Brenton Burman

SECONDED: Ann Nelson

That Development Application 090/303/2014/C3 at 15 Birkdale Avenue, Clarence Park 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. That the lights shall be turned off between the hours of 10pm and 7am on Monday to Sunday.

**NOTES PERTAINING TO PLANNING CONSENT:**

- 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).
- 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.

**CARRIED**

**ITEM 4**

**DEVELOPMENT APPLICATION – 090/277/2014/C2 – 21 KNEEBONE STREET, GOODWOOD 5034 (UNLEY)**

Ms Bev McFarlane, representor, and Mr Christopher Physentzou, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Ann Nelson

That Development Application 090/277/2014/C2 at 21 Kneebone Street, 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. That the development herein approved shall be undertaken in accordance with the amended plans and details accompanying the application including correspondence from Chris Physentzou dated 10/6/2014 to the satisfaction of Council except where varied by conditions below (if any).
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 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.
4. That the western boundary fence (south of the garage) shall be 1.8m high.

**NOTES PERTAINING TO PLANNING CONSENT:**

- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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 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 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 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.
- The applicant shall contact Council's Infrastructure Section on 8372 5460 to arrange for the removal of the street tree. The work shall be carried out by Council at full cost to the **applicant**.
- 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.

**CARRIED**

**ITEM 5**

**DEVELOPMENT APPLICATION – 090/944/2013/C2 – 319 YOUNG STREET, WAYVILLE 5034 (GOODWOOD)**

MOVED: Ann Nelson

SECONDED: Brenton Burman

That Development Application 090/944/2013/C2 at 319 Young Street, Wayville 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:
  - Sunday to Wednesday 8.00am to 10.30pm.
  - Thursday 8.00am to 12 midnight.
  - Friday to Saturday 8.00am to 12.30am the following day.
3. No live or recorded music other than background music will be permitted after 10.30pm.
4. A maximum of 100 patrons will be permitted in the area marked "Function Room" on the attached plan stamped by City of Unley 23 May 2006.
5. A representative of the Association shall be present within the car parking area for a period of 30 minutes after the end of liquor service at events to ensure that all patrons depart in a manner that minimises any likely noise disturbance.
6. Signage is to be displayed at the exits from the building, both front and rear, requesting that people leaving the premises do so quietly and to respect neighbours.
7. Signage is to be displayed at the front of the property inviting guests to use the rear car park on occasions when night time activities are proposed.

8. The conditions, where pertinent, of any Development Decisions in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

**CARRIED**

**ITEM 6**

**DEVELOPMENT APPLICATION – 090/287/2014/C2 – 33 WINCHESTER STREET, HIGHGATE 5063 (FULLARTON)**

Ms Helen Kumnick, representor, and Mr Richard Reardon on behalf of Reardon Constructions Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Rufus Salaman

That Development Application 090/287/2014/C2 at 33 Winchester Street, Highgate SA 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 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.
3. 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.
4. As the applicant is undertaking work on or near the boundary, the applicant shall ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

**NOTES PERTAINING TO PLANNING CONSENT:**

- 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).
- 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.

- 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**.

**CARRIED**

Brenton Burman declared a conflict of interest in relation to Item 7 – 10 McGowan Avenue, Unley as he has a long standing friendship with the planning consultant appearing for the representor and left the meeting at 8.53pm.

**ITEM 7**

**DEVELOPMENT APPLICATION – 090/154/2014/C2 – 10 MCGOWAN AVENUE, UNLEY 5061 (UNLEY)**

Mr Mario Russo on behalf of M Guerriero, representor, and Mr Gregory Dickson and Mr Simon Dickson, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application 090/154/2014/C2 at 10 McGowan Avenue, Unley 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. 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.
- 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 airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.

**CARRIED**

Brenton Burman returned to the meeting at 9.04pm.

**ITEM 8**

**DEVELOPMENT APPLICATION – 090/343/2014/C2 – 3 REGENT STREET, MILLSWOOD 5034 (UNLEY PARK)**

MOVED: Don Palmer

SECONDED: Brenton Burman

That Development Application 090/343/2014/C2 at 3 Regent Street, 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. The associated outbuilding subject of this Approval shall only be used for purposes and activities ancillary to the residential use of the property and at no time be used for any commercial and/or industrial purpose.

**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 9**

**DEVELOPMENT APPLICATION – 090/188/2014/C1 – ROYAL AGRICULTURAL & HORTICULTURAL SHOWGROUNDS, 68 GOODWOOD ROAD, WAYVILLE SA 5034 (GOODWOOD)**

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/188/2014/C1 at Royal Agricultural & Horticultural Showgrounds, 68 Goodwood Road, 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. That the monopole shall be painted in the following colour, Watty N53 grey/blue colour.

**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 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.
- 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 development as described does not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment.
- Crane operations associated with construction shall be the subject of separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction. Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA).

- Restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft flight paths

**CARRIED**

**CLOSURE**

The Presiding Member declared the meeting closed at 9.14pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 19/8/2014.

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**PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING  
Tuesday, 19 August 2014