

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 12 December 2017
at 7.00pm in the Unley Council Chambers,
181 Unley Road, Unley**

ACKNOWLEDGEMENT

We would like to acknowledge this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

PRESENT:

Mr Brenton Burman (Presiding Member)
Ms Nicole Dent
Mr Roger Freeman
Mrs Ann Nelson
Mr Rufus Salaman (arrived at 7.02pm)

APOLOGIES:

OFFICERS PRESENT:

Mr Paul Weymouth, Manager Development and Regulatory
Mr Donny Michel, Team Leader Planning
Mr Andrew Raeburn, Senior Planner
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST: None.

CONFIRMATION OF MINUTES:

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday, 21 November 2017, as printed and circulated be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/350/2017/C3 – UNLEY PARK SPORTS COMPLEX, 8 NORTHGATE STREET, UNLEY PARK SA 5061 (UNLEY PARK)

Ms Sophia Watt, representor, addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Roger Freeman

That Development Application at Unley Park Sports Complex, 8 Northgate Street, Unley Park SA 5061 to 'Install four (4) lighting towers for croquet lawn', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 lighting shall be constructed and maintained in accordance with Australian Standard AS/NZ 4282-1997.
3. The use of the lights shall be restricted to a maximum of three (3) nights per week and must not be used after 10:00pm.

CARRIED UNANIMOUSLY

ITEM 2

DEVELOPMENT APPLICATION – 090/584/2017/C2 – 2 ERSKINE STREET, GOODWOOD 5034 (UNLEY)

Ms Trudi Shine, Mr Douglas Strain and Mr Lee Sorensen, representors, and Mr Marc James and Ms Marcelle James, applicants, addressed the Panel regarding the above item.

MOVED: Nicole Dent

SECONDED: Ann Nelson

That Development Application at 2 Erskine Street, Goodwood 5034 to 'Carry out alterations, construct single storey additions to existing dwelling and erect new 2m high fence to the south, north and west boundaries and a new 1.5 metre high front fence with gate', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 DEVELOPMENT PLAN 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 1300 366 424 or refer to their web site at 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.
- 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 UNANIMOUSLY

ITEM 3

DEVELOPMENT APPLICATION – 090/698/2017/C2 – 45 YOUNG STREET, PARKSIDE SA 5063 (PARKSIDE)

Mr Paul Whittington, representor, and Mr Travis Nearmy, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Roger Freeman

That Development Application at 45 Young Street, Parkside SA 5063 to 'Remove lean to and outbuildings, construct extension to rear, re-roof and renovate single storey detached dwelling. Demolish and replace in ground pool', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 total stormwater volume requirement (detention and retention) for the development herein approved shall be determined in accordance with the volume requirements and discharge rates specified in Table 3.1 and 4.1 in the City of Unley Development and Stormwater Management Fact Sheet dated 15 January 2017. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.

4. 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.
5. 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.
6. That all external materials and finishes shall be the same as or complementary to the existing building(s) on the site.

NOTES PERTAINING TO DEVELOPMENT PLAN 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.
- 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 1300 366 424 or refer to their web site at 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.

CARRIED UNANIMOUSLY

***ITEM 4**

**DEVELOPMENT APPLICATION – 090/605/2017/C2 – 8 COOTRA AVENUE,
FULLARTON SA 5063 (PARKSIDE)**

Mr Alex Lazarevich, representor, and Mr Houssam Abiad and Ms Ava Abiad, owners, addressed the Panel regarding the above item.

MOVED: Nicole Dent

SECONDED: Rufus Salaman

That Development Application at 8 Cootra Avenue, Fullarton SA 5063 for 'Variation to 090/511/2016/C2 - To remove the permanently fixed non openable translucent glazed panels from upper floor windows for the upper level void area for both dwellings' should be DEFERRED and the applicant be requested to consider amendments to the application to ensure a reasonable level of privacy is maintained to adjacent residential properties.

CARRIED UNANIMOUSLY

***ITEM 5**

DEVELOPMENT APPLICATION – 090/562/2017/C2 – 709-711 SOUTH ROAD, BLACK FOREST SA 5035 (CLARENCE PARK)

Ms Catherine Byrne, representor, and Mr Rhys Davies and Mr David Kwong, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application at 709-711 South Road, Black Forest SA 5035 to 'Demolish existing buildings and construct a child care centre with associated car parking and fencing', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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. Prior to the issue of Development Approval, the applicant must provide the Council, to the Council's reasonable satisfaction:
 - an updated preliminary site assessment report which states, unequivocally, that there is no site contamination present and that the site is suitable for its intended use; or
 - a site contamination audit report (as defined in the Environment Protection Act 1993) prepared by a site contamination auditor accredited under Division 4 of Part 10A of the Environment Protection Act 1993 which confirms that all contaminated materials have been removed and that the site is suitable for its intended use.
3. The capacity of the premises shall be no greater than 67 children at any one time.
4. The hours of operation of the premises not exceed the following periods:
Monday to Friday - 7am to 7pm
5. 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 and any connection to the street water table is subject to application and shall be in accordance with any requirements and to the satisfaction of Council.
6. Prior to the issue of Development Approval, a stormwater management plan shall be provided to the reasonable satisfaction of Council that includes details of stormwater flow calculations demonstrating post development flow rates do not exceed pre-development flow rates.
7. All fencing shall be clear of the 4.5 x 4.5 metres corner cut-off at the South Road / Byron Road corner. Any vegetation within this area shall be low growing (i.e. ≤1.0 metres tall) in order to maintain sight lines at this location.
8. All access to/from the site shall be gained via Byron Road only. No direct vehicular access to/from South Road shall be permitted.

9. The existing South Road crossover shall be permanently closed and reinstated to Council standard kerb and gutter at the applicant's expense prior to operation of the development.
10. The largest vehicle permitted on site shall be a 6.4 metre Small Rigid Vehicle (SRV).
11. All vehicles shall enter and exit the site in a forward direction.
12. Signage associated with the development shall not contain any element that flashes scrolls, moves or changes.
13. Any illuminated signage shall be limited to a low level of illumination ($\leq 150\text{cd/m}^2$) in order to minimise distraction and discomfort to road users.
14. All signage on the site and all external building finishes shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
15. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
16. Stormwater run-off shall be collected on-site and discharged without jeopardizing the integrity and safety of South Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.
17. That the proposed fence along the eastern common shall be constructed in accordance with the recommendation in the Resonate Acoustics Report prior to the operation of the Child care centre.
18. That a bicycle parking rail shall be provided near the entrance. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.

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 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.
- 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 details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- The granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes or regulations. The applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.

- This site is partially affected by a possible requirement shown on the Metropolitan Adelaide Road Widening Plan (MARWP) for a 4.5 x 4.5 metre cut-off at the South Road / Byron Road corner of this site for future road purposes. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the possible requirement. As part of the proposed building is within the consent area, consent will be required. Accordingly, the attached consent form should be completed and forwarded to DPTI along with three copies of the stamped approved plan for processing.

CARRIED UNANIMOUSLY

ITEM 6

DEVELOPMENT APPLICATION – 090/716/2017/C2 – 20 OXFORD STREET, HYDE PARK 5061 (UNLEY PARK)

Mr Omiros Aslanidis and Mr Theodore Aslanidis, representors, and Ms Jenny Anderson, owner, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Ann Nelson

That Development Application at 20 Oxford Street, Hyde Park 5061 to 'Construct new rear boundary fence', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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.

NOTES PERTAINING TO DEVELOPMENT PLAN 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 1300 366 424 or refer to their web site at 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 UNANIMOUSLY

ITEM 7

DEVELOPMENT APPLICATION – 090/753/2017/C2 – 10 MALCOLM STREET, MILLSWOOD SA 5034 (UNLEY PARK)

Mr Ross Bourne, representor, and Mr Tony Kelly on behalf of D'Andrea and Associates (SA) Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Nicole Dent

That Development Application at 10 Malcolm Street, Millswood SA 5034 to 'Carry out alterations and construct single storey additions including ensuite on eastern common boundary', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 DEVELOPMENT PLAN 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 1300 366 424 or refer to their web site at 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.
- 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**.
- Your attention is drawn to the requirements of **Development Regulation 76C- Fire Safety Requirements - Brush Fences**.

It is a requirement for the purpose of building rules assessment that brush fences (existing, proposed or altered) must be clearly identified on all documentation to be lodged for building rules consent. Brush fences within 3 metres of any dwelling will require development approval.

CARRIED UNANIMOUSLY

ITEM 8

DEVELOPMENT APPLICATION – 090/410/2017/NC – 378 UNLEY ROAD, UNLEY PARK SA 5061 (UNLEY PARK)

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application at 378 Unley Road, Unley Park SA 5061 for 'Change of use from Bakery/Cafe to Bakery/Cafe/Restaurant and extend opening hours until 10pm', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the CONCURRENCE of the Development Assessment Commission and subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 approved use shall only operate within the following times:
 - 5:00am to 10:00pm Monday to Sunday (staff only); and
 - 7:30am to 10:00pm Monday to Sunday (retail trading hours).
3. Unless otherwise stated by the conditions above, the use of the land shall continue to operate in accordance with Development Authorisation 090/866/2007/NC dated 11 December 2009.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- Any planning advice notes as part of Development Authorisation 090/866/2007/NC dated 11 December 2009 remain relevant to this authorisation.

CARRIED UNANIMOUSLY

ITEM 9

DEVELOPMENT APPLICATION – 090/566/2017/DIV – 28A MALVERN AVENUE, MALVERN SA 5061 (UNLEY PARK)

MOVED: Roger Freeman

SECONDED: Nicole Dent

That Development Application at 28A Malvern Avenue, Malvern SA 5061 for 'Land Division - Torrens Title - Create 2 allotments from 1 existing', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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.

NOTES PERTAINING TO LAND DIVISION CONSENT:

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS are as follows:

- The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0062022).
The alteration of internal drains to the satisfaction of SA Water is required.
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
- Payment of \$6830 into the Planning and Development Fund (1 allotment (s) @ \$6830/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
- A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certification purposes.

CARRIED UNANIMOUSLY

ITEM 10

DEVELOPMENT APPLICATION – 090/506/2017/C2 – 28A MALVERN AVENUE, MALVERN SA 5061 (UNLEY PARK)

Mr Phillip Brunning on behalf of Mr Peter Limberis, applicant, addressed the Panel regarding the above item.

MOVED: Nicole Dent

SECONDED: Ann Nelson

That Development Application at 28A Malvern Avenue, Malvern SA 5061 to 'Construct 2 x two storey dwellings with verandahs, and garages on common boundaries, and install one (1) in-ground swimming pool, erect front and side fencing up to a height of 2.4m and remove one (1) street tree (self-seeded Ash Tree)', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 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.
3. That the total stormwater volume requirement (detention and retention) for the development herein approved shall be determined in accordance with the volume requirements and discharge rates specified in Table 3.1 and 4.1 in the City of Unley Development and Stormwater Management Fact Sheet dated 15 January 2017. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
4. That the upper floor windows (except for those along the southern elevation) 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.
5. 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.
6. 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:

- 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 granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes or regulations. The applicant is reminded that unless specifically stated, conditions in previous relevant development approvals remain active.
- It may be necessary to undertake a dilapidation report from a qualified structural engineer to ensure that buildings located on adjacent properties are protected during any demolition and construction works.
- 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 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.
- The applicant shall contact Council's Infrastructure Section on 8372 5460 to arrange the removal of the street tree. The work shall be carried out by the Council at no 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.

- 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**.
- 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.

CARRIED

ITEM 11

DEVELOPMENT APPLICATION – 090/81/2017/C2 – 53 DAVENPORT TERRACE, WAYVILLE 5034 (GOODWOOD)

MOVED: Roger Freeman

SECONDED: Nicole Dent

That Development Application at 53 Davenport Terrace, Wayville 5034 to 'Carry out alterations to existing dwelling, erect verandah within 600mm of common boundary; front fence (retrospective); construct two storey outbuilding containing garage and dependent accommodation, and carport to common boundaries', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 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.
3. That the 'temporary fence' identified on the 'site plan and elevations' dated 31/10/2017 be removed prior to the occupation of the dependent accommodation and no further 'dividing' fencing be erected at any time.
4. 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.
5. That the total stormwater volume requirement (detention and retention) for the development herein approved shall be determined in accordance with the volume requirements and discharge rates specified in Table 3.1 and 4.1 in the City of Unley Development and Stormwater Management Fact Sheet dated 15 January 2017. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
6. The services associated with the dependent accommodation shall be shared with the main dwelling on the subject land.

7. The occupants of the dependent accommodation will be limited to direct relatives (parents, grandparents, children grandchildren) etc. of the occupants of the associated main dwelling.
8. The finished floor level of the garage hereby approved shall be no greater than 75mm above the level of the adjacent Lane level.

NOTES PERTAINING TO DEVELOPMENT PLAN 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**.
- 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 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

CARRIED UNANIMOUSLY

ITEM 12

DEVELOPMENT APPLICATION – 090/494/2017/DIV – 31A FISHER STREET, MYRTLE BANK 5064 (FULLARTON)

Mr Adam Williams on behalf of Sampheavit Khchao and Sio Khchao, applicant, addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Nicole Dent

That Development Application at 31A Fisher Street, Myrtle Bank 5064 for 'Land Division - Torrens Title - Create two allotments from one existing', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The proposed division is at odds with relevant Residential A560 Zone Objectives and Desired Character with particular regard to the minimum allotment size;
- The proposed division is at odds with the predominant area and shape of sites in the immediate locality; and
- The construction and alteration to Council infrastructure for the purposes of direct vehicle access is not supported by Administration.

CARRIED

ITEM 13

DEVELOPMENT APPLICATION – 090/396/2017/C2 – 31A FISHER STREET, MYRTLE BANK 5064 (FULLARTON)

Mr Adam Williams on behalf of TK Building Design, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Ann Nelson

That Development Application at 31A Fisher Street, Myrtle Bank 5064 to 'Demolish dependant accommodation, garage and carport; carry out alterations to existing dwelling; construct carport in association with existing dwelling; and construct two storey dwelling fronting Sedgeford Avenue including garage to common boundary', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The proposed development is at variance to relevant Objectives and Principles of Development Control for the RA560 Zone;
- The proposed development is at variance with the Desired Character of the RA560 Zone;
- The proposed development does not achieve adequate setbacks proportional to the proposed height of the structure and will have a negative visual impact upon adjoining properties;
- The proposed development falls significantly short with respect to site area; and
- The proposed vehicle access points are detrimental to the health of existing street trees.

CARRIED UNANIMOUSLY

***ITEM 14**

DEVELOPMENT APPLICATION – 090/364/2017/C3 – 236 GLEN OSMOND ROAD, FULLARTON SA 5063 (PARKSIDE)

MOVED: Nicole Dent

SECONDED: Ann Nelson

That Development Application at 236 Glen Osmond Road, Fullarton SA 5063 to 'Construct two storey mixed use building with undercroft car parking, ground level consulting room and upper floor indoor recreation centre (fitness studio), and remove one street tree', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 site shall be served by a single two-way access point direct to/from Glen Osmond Road. No additional vehicular access shall be permitted. No additional access to/from Glen Osmond Road should be permitted.

* Denotes Change

3. The Glen Osmond Road access shall be a minimum of 6.0 metres in width at the property boundary and extend at this width for a minimum of 6.0 metres into the site.
4. The access shall be graded in accordance with the GTA Ramp Assessment dated 11 October 2017.
5. The access point shall comply with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' as defined in AS/NZ 2890.1 :2004.
6. All vehicles shall enter and exit the site in a forward direction.
7. The largest vehicle permitted on site shall be a 6.4 metre Small Rigid Vehicle (SRV).
8. All vehicles larger than B99 passenger vehicles shall access the site outside of peak parking periods.
9. Any illuminated signage associated with this development shall be limited to a low level of illumination so as to minimise distraction to motorists (,;200cd/m2).
10. Any signage associated with this development that is visible from the adjacent roads shall not contain any element that flashes, scrolls, moves or changes.
11. Any signage associated with this development shall be finished in a material of low reflectivity to minimise the risk of sun and head lamp glare for motorists.
12. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
13. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Glen Osmond Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.
14. 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.
15. Prior to the issue of Development Approval, a stormwater management plan shall be provided to the reasonable satisfaction of Council that includes details of stormwater flow calculations demonstrating post development flow rates do not exceed pre-development flow rates.
16. Prior to the issue of full Development Approval, a detailed landscaping plan and planting schedule to the reasonable satisfaction of Council, must be submitted to and approved by Council. The landscape plan must indicate the species and location of proposed trees and shrubs on the site.
17. That the landscaping, as approved by the Council, 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. Further, that trees used in landscaping of the site be at least 1.5 metres in height at the time of planting.
18. New planting shown on the approved landscaping plan shall be implemented within the first available planting season after commencement of the use and be maintained thereafter to the satisfaction of the Council with diseased or dead plants replaced promptly with like species.
19. That appropriate measures shall be taken (aiming of lights, fittings of louvres, baffles, shields or the like) to control and limit light falling on surrounding properties and that the lights shall be turned off no later than 10.00pm on Monday to Sunday.

20. That 1.7m high privacy screening be erected along the west and south side balconies prior to occupation. Further details of the screening to be provided to Council's satisfaction prior to the issue of Development Approval.
21. That the south facing top 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.
22. The general hours of operation of the premises not exceed the following times:
 - Monday – Friday: 6:30am – 9:00pm
 - Saturday: 8:00am – 6:00pm
 - Sunday 9:00am – 4:00pmClasses within the fitness studio shall operate during the following times:
 - 6:30am – 7:20am
 - 1:10pm – 2:00pm
 - 6:10pm – 7:00pm
 - 7:10pm – 8:00pm
 - 8:10pm – 9:00pm
23. No signs to be erected or displayed without prior consent of Council.
24. Prior to the issue Development Approval, a full schedule of external materials and colours, to the reasonable satisfaction of Council, shall be submitted to and approved.
25. The rear staircase shall only be used for staff, and prior to operation of the use, signage shall be installed that directs customers to use the staircase and lift access to the front of the building.

NOTES PERTAINING TO DEVELOPMENT PLAN 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 1300 366 424 or refer to their web site at 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.
- 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**.
- 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 granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes or regulations. The applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.

CARRIED UNANIMOUSLY

ITEM 15

COUNCIL ASSESSMENT PANEL PROPOSED MEETING DATES FOR 2018

MOVED: Rufus Salaman

SECONDED: Roger Freeman

That the Council Assessment Panel (CAP) in 2018 meet on the third Tuesday of every month at 7.00pm in the Council Chambers, 181 Unley Road, Unley, in accordance with the meeting schedule outlined below (with the exception of January and December 2018):

Tuesday 23 January 2018
Tuesday 20 February 2018
Tuesday 20 March 2018
Tuesday 17 April 2018
Tuesday 15 May 2018
Tuesday 19 June 2018
Tuesday 17 July 2018
Tuesday 21 August 2018
Tuesday 18 September 2018
Tuesday 16 October 2018
Tuesday 20 November 2018
Tuesday 11 December 2018

CARRIED UNANIMOUSLY

OTHER BUSINESS

MOVED: Nicole Dent

SECONDED: Ann Nelson

That the tabled Council Assessment Panel Meeting Procedures, as amended, be adopted.

CARRIED UNANIMOUSLY

The Manager Development and Regulatory thanked the Panel for their contribution over the last year. The Presiding Member thanked Council staff and wished everyone a 'Merry Christmas'.

MATTERS FOR COUNCIL'S CONSIDERATION

None.

CLOSURE

The Presiding Member declared the meeting closed at 9.55pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 23/1/2018.

.....
PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 23 January 2018