

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 5 February 2019
at 6.00pm in the Civic Centre, 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
Mrs Jennie Boisvert

APOLOGIES:

OFFICERS PRESENT:

Mr Paul Weymouth, Assessment Manager
Mr Andrew Raeburn, Acting Team Leader Planning
Mrs Amy Barratt, Acting Senior Planning Officer
Ms Lily Francis, Development Administration Officer

CONFLICT OF INTEREST:

Nil

CONFIRMATION OF MINUTES:

MOVED: Ann Nelson

SECONDED: Jennie Boisvert

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 22 January 2019, as printed and circulated be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/530/2018/C3 – 84-92 DUTHY STREET, MALVERN 5061 (UNLEY PARK)

Mr Phil Brunning spoken on behalf of Mrs Jan Madsen, Mrs Robyn Donaldson, Ros Islip on behalf of Focus and Mrs Penelope Wildy, representors, spoke against the above mentioned application. Mr Geoff Roach and Mr Tim Thompson, representors, spoke in support of the above mentioned application. Emma Barnes from Planning Studio spoke on behalf of the applicants, Jess and Darren Packer.

Jennie Boisvert moved and Ann Nelson seconded to have the meeting adjourned at 7:43pm to allow the applicant time to discuss changes to the recommended planning consent conditions.

The meeting resumed at 7:48pm.

MOVED: Roger Freeman

SECONDED: Ann Nelson

That Development Application 090/530/2018/C3 at 84-92 Duthy Street, Malvern 5061 for 'Change in land use from existing shop and associated wood fired oven to restaurant at 84-92 (tenancy C & D) Duthy Street, Unley' 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 change in land use from existing shop and associated wood fired oven to restaurant and associated wood fired oven for the premises at 84-92 (tenancy C & D) Duthy Street, Unley 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 use hereby authorised shall not be open to the public outside the following hours.
 - Monday: 7am to 4:30pm
 - Tuesday: 7am to 4:30pm
 - Wednesday: 7am to 8pm
 - Thursday: 7am to 10pm
 - Friday: 7am to 10pm
 - Saturday: 7am to 10pm
 - Sunday: 7am to 8pm
3. The existing oven shall only operate as follows:
 - a) wood-fired operation shall only occur between 10am to 5.30pm, Monday to Sunday. For the sake of clarity, the term "operation" includes lighting the oven and extinguishing any lit wood but does not include any incidental embers, smoke emissions, haze or the like which may occur afterwards;
 - b) gas-fired operation may occur in accordance with the operating hours of the development specified in Condition 2 above.

* Denotes Change

4. The wood-fired operation shall only use dry, well-seasoned hardwood timber and the air damper shall be adjusted to allow enough airflow to provide oxygen for combustion.
5. All wood to be stored under cover and stacked loosely to allow air to circulate freely.
6. There shall be no food or drink served in the courtyard area.
7. The courtyard area shall not be used by patrons beyond 8pm (excluding access to the toilets).
8. That the premises shall accommodate a maximum of 50 seats for patron dining within the building.
9. Waste shall be stored in waste collection bins located along the western boundary adjacent the rear driveway and shall be collected between the hours of 7am and 7pm Monday to Saturday.
10. All deliveries shall occur between the hours of 8am and 4pm on any day between Monday and Saturday.
11. All deliveries associated with the authorised development shall occur on-site within the rear common driveway or utilising available on-street car parking on Duthy Street. No delivery vehicle shall block or obstruct other vehicle movements within the locality, including the driveways of other properties.
12. All lighting and any reflective surfaces shall be direct and/or shaded to ensure no light spill or glare upon another property.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- The applicant should ensure that the proposed development conforms to the Food Act 2001, Food Regulations 2002 and the Australian Food Safety Standard.
- This authorisation does not include consent for additional advertisements. A separate consent will be required for further advertisements that constitute “development”.
- The applicant should ensure that the proposed development conforms to the Local Litter and Nuisance Control Act.

CARRIED UNANIMOUSLY

OTHER BUSINESS

Ann Nelson requested Council Traffic Management Department investigate the possibility of a loading zone and/or timed parking limitations along Duthy Street and the surrounding streets.

MOVED: Ann Nelson

SECONDED: Jennie Boisvert

CARRIED UNANIMOUSLY

CLOSURE

The Presiding Member declared the meeting closed at 8:06pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 19 February 2019.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 19 February 2019