

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 23 January 2018  
at 7.00pm in the Unley Council Chambers,  
181 Unley Road, Unley**

**NOMINATION OF ACTING PRESIDING MEMBER FOR 23 JANUARY 2018 MEETING:**

The Team Leader Planning called for nominations for an Acting Presiding Member for the meeting.

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Roger Freeman be elected as the Acting Presiding Member for the City of Unley Council Assessment Panel meeting for 23 January 2018.

**CARRIED**

**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 Roger Freeman  
Mrs Ann Nelson  
Mr Rufus Salaman

**APOLOGIES:**

Mr Brenton Burman (Presiding Member)  
Ms Nicole Dent

**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: Rufus Salaman

SECONDED: Ann Nelson

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday, 12 December 2017, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/737/2017/C2 – 39 WILKINSON ROAD, PARKSIDE SA 5063 (PARKSIDE)**

Mr Andrew Sullivan and Ms Pamela McArthur, representors, and Mr Domenic Costanzo on behalf of Creative Home Renovations, applicant, addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Development Application 090/737/2017/C2 at 39 Wilkinson Road, Parkside SA 5063 to 'Carry out alterations and construct additions on the western common boundary, erect a verandah and a carport on the eastern common boundary and install in-ground swimming 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. 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. 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.
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.

## 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](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.
- 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.
- 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 2**

#### **DEVELOPMENT APPLICATION – 090/582/2017/C2 – 13 ADDISON ROAD, BLACK FOREST SA 5035 (CLARENCE PARK)**

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Development Application 090/582/2017/C2 at 13 Addison Road, Black Forest SA 5035 to 'Construct upper level addition' 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 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.

**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 details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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 – 090/41/2017/C2 – 101A KING WILLIAM ROAD, UNLEY SA 5061 (UNLEY)**

Mr Michael Osborn, Mr Ben Wilson and Mr Elli Cakar, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application at 101A King William Road, Unley SA 5061 for 'Change of use from shop to restaurant and bar, carry out alterations to existing building including; extend building to western boundary, convert existing garage (to restaurant), construct addition to southern boundary and erect 2.5m high fencing', be DEFERRED to allow the applicant to:

- Undertake amendments to the development application to reduce the onsite car parking demand.
- Undertake discussions with Council's Assets Department regarding the potential for on street waste servicing and deliveries.

**CARRIED**

**ITEM 4**

**DEVELOPMENT APPLICATION – 090/232/2017/C2 – 7-9 DOUGLAS STREET, PARKSIDE SA 5063 (UNLEY)**

Mr Max Pritchard on behalf of J. Cormie, applicant, addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Development Application 090/232/2017/C2 at 7-9 Douglas Street, Parkside SA 5063 to 'Demolish existing dwelling and construct new dwelling including lower level with garage and install in-ground swimming pool and new front 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.
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. 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.
4. 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.
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.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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.
- 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](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**.

\* Denotes Change

- 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.
- 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.
- 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**

**OTHER BUSINESS**

None.

**MATTERS FOR COUNCIL'S CONSIDERATION**

None.

**CLOSURE**

The Presiding Member declared the meeting closed at 8.12pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 20/2/2018.

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**PRESIDING MEMBER**

**DATED**     /     /

NEXT MEETING  
Tuesday, 20 February 2018