

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 16 May 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)  
Mr Roger Freeman (Deputy Presiding Member)  
Ms Jennifer Boisvert  
Mr Rufus Salaman  
Mr Rob Sangster

**APOLOGIES:**

Mrs Ann Nelson

**OFFICERS PRESENT:**

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

**CONFLICT OF INTEREST:**

None.

**CONFIRMATION OF MINUTES:**

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 18 April 2017, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**\*ITEM 1**

**DEVELOPMENT APPLICATION – 090/20/2017/NC – 85 WATTLE STREET,  
FULLARTON SA 5063 (FULLARTON)**

Mr Stephen Hesketh and Ms Elizabeth Hesketh, representors, and Ms Jaqueline Meaney, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Jennifer Boisvert

That Development Application at 85 Wattle Street, Fullarton SA 5063 for “Pop up market’ up to six days per year (Saturday 10:00am - 3:30pm) with a maximum of 20 stalls at any one time (temporary approval for a maximum of three years)’, 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;

**PLANNING 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 approval to use the subject land for the purpose of a temporary ‘pop up’ market is limited to three (3) years from the date of the first market, being 10<sup>th</sup> February 2018, at which time the use of the land for such purpose shall cease in the absence of a further consent under the Development Act 1993 being sought and obtained from Council.
3. That immediate remedial measures shall be taken if, in the opinion of Council, adverse impact is being caused to the amenity of the locality due to any noise nuisance or otherwise.
4. The hours of operation of the development not exceed the following period:
  - 10:00am to 3:30pm on Saturday (up to six times per annum only).
5. That no live music shall occur.
6. That the premises not cater nor accommodate more than 20 stalls (including a maximum of five food for consumption stalls) at any one time.
7. With the exception of the food related stalls for consumption, as identified in the accompanying documentation, the sale of ‘produce’ is not permitted on the premises at any time.
8. That the “2m by 1m” temporary sign be erected a maximum of six days prior to the Market and removed within 24 hours of event closure.
9. That stall holders do not begin ‘setting up’ before 8:00am on Market day.

**NOTES PERTAINING TO PLANNING CONSENT:**

- The applicant should ensure that the proposed development and food stalls comply with all food safety requirements under the Food Act 2001 and Food Safety Standards.

- The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations and the applicant (or person with the benefit of this consent) should comply with those requirements.

**CARRIED**

**ITEM 2**

**DEVELOPMENT APPLICATION – 090/958/2016/NC – 414-416 UNLEY ROAD, UNLEY PARK SA 5061 (UNLEY PARK)**

Mr Phillip Brunning and Mr Chris Greening, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Rufus Salaman

That Development Application at 414-416 Unley Road, Unley Park SA 5061 to 'Demolish existing vehicle showroom and service area and construct new vehicle showroom to common boundaries, including upper level storage area, on-site carparking, signage attached to the building, a free standing illuminated pylon sign fronting Unley Road, a free standing flagpole for advertising and the removal of one (1) 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 CONCURRENCE of the Development Assessment Commission (DAC) and subject to the following conditions:

**PLANNING CONSENT DETAILS OF DECISION:**

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents, including the 'Statement of Effect' prepared by *Phillip Brunning*, dated February 2017, 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. 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.
4. The driveway and car parking areas to be surfaced and drained to the reasonable satisfaction of Council prior to the development being occupied.
5. That all loading and unloading shall be carried out wholly within the site.
6. Deliveries to the site shall only occur between 9:00am and 5:30pm.
7. A Demolition and Construction Management Plan is required to the satisfaction of Council prior to the issue of Development Approval and shall include details such as:
  - Car parking and access arrangements for tradespersons;
  - Siting of materials storage;
  - Site offices;
  - Work in the Public Realm;
  - Hoarding;

\* Denotes Change

- Site amenities;
  - Traffic requirements including construction access/egress and heavy vehicle routes;
  - Reinstatement of infrastructure;
  - Protection measures for significant landscape elements.
8. That a detailed plan of lighting shall be provided to the satisfaction of Council prior to the issue of full Development Approval. The plan shall include appropriate measures (aiming of lights, fitting of louvres, baffles, or shields or the like) to control or limit light falling on surrounding properties.
  9. The applicant shall meet all costs associated with the removal of the street tree on King Street.
  10. Waste disposal vehicles and general delivery vehicles only service the subject site between the hours of 7am and 7pm on any day.
  11. That a 2.4m high fence be erected along the western boundary adjacent 1 King Street, Unley Park. Further details to be provided to the satisfaction of Council prior to the issue of Development Approval.
  12. All built form (both above and below ground) and all service infrastructure such as utility metres, fire hydrants etc. shall be setback outside of the road widening areas as shown in Matthews Architects Proposed Site Plan (refer Job No. 16071, Drawing No. SK30, Revision F, dated 10/04/2017).
  13. Items such as fencing, bollards, lighting, vehicle display areas and signage may be permitted in these areas until road widening takes place. At that time all of these encroachments will need to be removed by the applicant at their cost upon the request of the Commissioner of Highways.
  14. The access points to King Street shall be constructed in general accordance with Matthews Architects Proposed Site Plan (refer Job No. 16071, Drawing No. SK30, Revision F, dated 10/04/2017).
  15. The customer access shall be a minimum of 6.0 metres in width to cater for simultaneous two-way vehicle movements.
  16. The customer gate shall remain open at all times during normal business hours.
  17. All vehicles shall enter and exit the site in a forward direction.
  18. All car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
  19. A dedicated turnaround area shall be provided for 8.8 metre Medium Rigid Vehicle.
  20. The largest vehicle permitted on site shall be restricted to 8.8 metre Medium Rigid Vehicle (as per AS2890.2-2002).
  21. The commercial parking areas shall conform to AS 2890.0-2002: Off-street commercial parking facilities.
  22. Signage associated with the development shall not contain any element of LED or LCD display that is viewable from the adjacent / nearby roads.
  23. Signage upon the site shall not contain any element that flashes, scrolls, moves or changes.

24. The signage associated with the development shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Subsequently, any illuminated sign shall be limited to a maximum luminance of  $\leq 200\text{cd/m}^2$ .
25. Signage associated with the development shall be finished in a material of low reflectivity to minimise the risk of sun/headlamp glare that may affect motorists perception of the road.
26. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent the subject land.

#### **NOTES PERTAINING TO PLANNING CONSENT:**

- The Metropolitan Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Unley Road and Cross Road frontages of this site for future upgrading of the adjacent intersection. 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. Accordingly, the attached consent form and three copies of the approved site plans must be provided to DPTI for consent purposes. Consent can be anticipated.
- 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.
- 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**.
- 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**.

**CARRIED UNANIMOUSLY**

#### **ITEM 3**

#### **DEVELOPMENT APPLICATION – 090/982/2016/C2 – 6 MILLSWOOD CRESCENT, MILLSWOOD SA 5034 (CLARENCE PARK)**

MOVED: Jennifer Boisvert

SECONDED: Rob Sangster

That Development Application at 6 Millswood Crescent, Millswood SA 5034 to 'Demolish existing outbuilding and construct habitable outbuilding to 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:

## **PLANNING 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 Root Zone Management measures (pre-development, during development and post development) are undertaken in full and in accordance with the Recommendation Section of Arborman Tree Solutions Pty Ltd report, dated 23<sup>rd</sup> February 2017, written by Jason Williams.
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.
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 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 1300 366 424 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).

**CARRIED UNANIMOUSLY**

### **ITEM 4**

#### **DEVELOPMENT APPLICATION – 090/27/2017/C2 – 33 MARLBOROUGH STREET, MALVERN 5061 (UNLEY PARK)**

Ms Eleni MacDonald and Mr Gerald Matthews on behalf of Mr Philip MacDonald, representor, and Mr Garth Heynen on behalf of Aura Prestige Homes, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application at 33 Marlborough Street, Malvern 5061 to 'Carry out alterations and construct a single storey addition including a carport and verandah, erect front gates, install an in-ground swimming pool and construct garden shed to house associated pool equipment', 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:

## **PLANNING 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 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 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.

## **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 1300 366 424 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.

**CARRIED UNANIMOUSLY**

## **ITEM 5**

### **DEVELOPMENT APPLICATION – 090/868/2016/C2 – 7 RICHARDS TERRACE, GOODWOOD 5034 (GOODWOOD)**

MOVED: Roger Freeman

SECONDED: Jennifer Boisvert

That Development Application at 7 Richards Terrace, Goodwood 5034 to 'Carry out alterations and construct additions including upper storey, verandah and carport on the 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:

## **PLANNING 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.

#### **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.
- 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).

**CARRIED UNANIMOUSLY**

#### **OTHER BUSINESS**

None

#### **MATTERS FOR COUNCIL'S CONSIDERATION**

None

#### **CLOSURE**

The Presiding Member declared the meeting closed at 8.10pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 20/6/2017.

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**PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING

Tuesday, 20 June 2017