

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 20 October 2015  
at 7.00pm 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)  
Mr Roger Freeman (Deputy Presiding Member)  
Mrs Ann Nelson  
Ms Barbara Norman  
Ms Jennifer Boisvert  
Mr Rufus Salaman  
Mr Rob Sangster

**APOLOGIES:**

**OFFICERS PRESENT:**

Mr Paul Weymouth, Manager Development  
Mr Donny Michel, Team Leader Planning  
Ms Rachel Theile, Development Administration

**CONFLICT OF INTEREST:**

**CONFIRMATION OF MINUTES:**

MOVED: Barbara Norman

SECONDED: Rufus Salaman

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 15 September 2015, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**REQUEST TO BE HEARD**

**ITEM 1 - DEVELOPMENT APPLICATION – 090/490/2015/CNIL – 118 GLEN OSMOND ROAD & 2 DAVEY STREET, PARKSIDE SA 5063 (PARKSIDE)**

MOVED: Rufus Salaman

SECONDED: Jennifer Boisvert

That the Panel resolved to hear the applicant in relation to Item 1 - 118 Glen Osmond Road & 2 Davey Street, Parkside, however the Presiding Member declined to allow the applicant to distribute photos of the adjoining resident's garages in accordance with meeting procedure 16.3.

**CARRIED UNANIMOUSLY**

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/490/2015/CNIL – 118 GLEN OSMOND ROAD & 2 DAVEY STREET, PARKSIDE SA 5063 (PARKSIDE)**

Mr John Koumi, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Rob Sangster

That Development Application at 118 Glen Osmond Road & 2 Davey Street, Parkside SA 5063 for 'Variation to 090/1219/2001/DX – Designation of the use of car parking spaces.', 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.

**CARRIED**

**ITEM 2**

**DEVELOPMENT APPLICATION – 090/287/2015/C3/A – CARMELITE MONASTERY, 380 GLEN OSMOND ROAD, 4-12 CROSS ROAD AND 7 SPENCE AVENUE, MYRTLE BANK SA 5064 (FULLARTON)**

Mr Greg Vincent on behalf of Southern Cross Care (SA & NT) Inc, applicant, addressed the Panel regarding the above item.

MOVED: Jennifer Boisvert

SECONDED: Rufus Salaman

That Development Application at Carmelite Monastery, 380 Glen Osmond Road, 4-12 Cross Road and 7 Spence Avenue, Myrtle Bank SA 5064 for 'Variation to existing authorisation 'Demolition of existing dwellings (x8), removal of 4 regulated trees and 1 significant tree and the construction of a 4-storey nursing home and ancillary facilities (090/287/2015/C3)' – Amendment to construct additional storey (total 5-storey building)', 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. Waste collection services shall be from basement level only and shall only occur Monday to Friday between the hours of 7am and 10pm.
4. Deliveries to the site shall only be received at basement level and only occur between 7am and 10pm Monday to Friday and 9am to 7pm on Saturday and Sunday.
5. Signs restricting vehicles to 5km/h shall be appropriately placed within the car parking and basement areas.
6. That the collection of stormwater from all large non-permeable surfaces (roofs and car parks) should be designed such that it allows for on-site collection, treatment and detention and used internally and for on-site irrigation of landscaped areas. Any stormwater discharge from the site shall be to an approved stormwater discharge point (within Council's Stormwater Pipe Network) and to the satisfaction of Council's engineers. Further details shall be provided to the satisfaction of Council prior to the issue of Development Approval.
7. The construction of the crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at the full cost to the applicant.
8. 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
  - Site amenities
  - Traffic requirements including construction access/egress and heavy vehicle routes

- Reinstatement of infrastructure
  - Protection measures for significant landscape elements
9. Temporary debris and sediment control measures shall be installed to ensure that debris, soil, soil sediments and litter are maintained within the construction site. At no time shall debris, soil, soil sediments and litter from the construction site enter Council's drainage system, road network or neighbouring properties. Pollution prevention measures shall be in accordance with the "Environmental Protection Authority's Stormwater Pollution Prevention Codes of Practice":
- For the Community
  - For the Local , State and Federal Government
  - For the Building and Construction Industry
- In the event that soil, dust or construction debris enter Council's road network, it shall be removed by the end of the next business day.
10. The hours of construction shall be limited to the following:
- Monday to Friday – 7:00 am to 7:00pm;
  - Saturday – 7:00 am to 1:00 pm
- All reasonable efforts shall be made to limit the emission of noise during construction and shall comply with the provisions of the Environmental Protection Act and Regulations, 1993.
11. Prior to commencement of works, the developer shall nominate a Construction Manager or Site Supervisor who is available to receive calls from any resident within the adjacent area regarding any complaint the resident may have in relation to construction practices. The developer shall provide signage on-site, providing contact details for the Construction Manager or Site Supervisor.
12. That a detailed landscape management plan be submitted to and approved by Council prior to full Development Approval being issued, which indicates the species and location of proposed trees and shrubs on the site, details of all new fencing and boundary treatments and tree protection measures, including tree protection zones for all regulated and significant trees.
13. That the landscaping, as approved by 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.
14. 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.
15. That full details of external colours, finishes and materials to be used (samples provided if necessary) be submitted to and approved by the Council, prior to commencement of construction.
16. The applicant shall meet all costs associated with the removal of the street trees on Spence Avenue and the planting of two mature replacement trees.
17. Amended plans showing the following details shall be provided to the satisfaction of the Council prior to full Development Approval being issued:
- Car parking spaces at grade having a 600mm vehicle overhang and a width of 2.6 metres
  - Provision of onsite bicycle parking for staff and residents

- Space 6 in the staff car parking area needs to be clearly marked for 'small car only'
  - Bollards placed in the middle of the shared space next to the disable parking spaces both in the secure parking area and in the visitor parking area.
18. All structures and ancillary infrastructure associated with the development (including but not limited to fire boosters, utility meters, electrical transformers) shall be located clear of the possible road widening area defined in Figure 2 of the MFY Traffic and Parking Report so as to minimise impediments to possible road networks.
19. All obsolete crossovers shall be reinstated to Council standard kerb and gutter at the applicant's cost. This work shall be completed prior to the occupation of the development.
20. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Cross Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.
21. A site induction of all contractors and staff undertaking the works shall be undertaken and include information about the heritage significance and listing of the place. The site induction should highlight good heritage practice and what to do if works vary from the approval. A generic site induction is attached for reference.
- Reason for condition: To ensure all persons working on the project are aware of the heritage significance of State heritage place.
22. The fencing around the proposed building, to the east and north, shall be designed and installed so that it can easily be removed on completion of the subject stage of development.
- Reason for condition: To facilitate re-integration of the grounds of the State heritage place with the development site.
23. That 11 replacement trees must be planted to replace the four (4) Regulated trees and one (1) Significant tree within twelve (12) months of the date of the development approval. The replacement trees shall be selected from the attached list. The applicant shall advise Council in writing when the replacement trees are planted. The owner of the land the subject of this authorisation shall maintain the replacement trees in good health and condition at all times and shall replace any such tree if it dies forthwith.

***Variation to existing authorisation 'Demolition of existing dwellings (x8), removal of 4 regulated trees and 1 significant tree and the construction of a 4-storey nursing home and ancillary facilities (090/287/2015/C3)' – Amendment to construct additional storey (total 5-storey building)***

24. 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).

## 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 existing brush fence along the southern boundary of No.5A Spence Avenue should be replaced in accordance with the recommendations of the Acoustic Report by Bestec (April 2015), with the agreement of the land owner.
- 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.
- 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 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 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 site is affected by possible requirements show on the Metropolitan Adelaide Road Widening Plan (MARWP). The consent of the Commissioner of Highways should be sought for all building works on or within 6.0 metres of the possible requirements shown on MARWP.
- Future subdivision of the current land parcel comprising the State heritage place is considered incompatible with its heritage values, based on information presented in the 2014 Draft Conservation Management Condition Report. Any proposal for future subdivision should be preceded by a more detailed investigation of appropriate curtilage parameters that demonstrates an adequate protection of the visual setting of the State heritage place and significant views to and from it, so as to preserve the landmark qualities of the listed buildings in their changing context.
- The owner is encouraged to explore continued use options for the grounds and heritage buildings so that casual surveillance of the heritage place can assist with security, and maintenance needs are quickly identified and remedied.
- Any changes to the proposal on which this report is based may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal described in the planning documentation.

- Any changes to the proposal on which this report is based may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal described in the planning documentation.
- In accordance with Regulation 43 of the *Development Regulations 2008*, please send the Department of Environment, Water and Natural Resources a copy of the Decision Notification.
- Council is requested to inform the applicant of the following requirements of the *Heritage Places Act 1993*.
  - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
  - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department of Environment, Water and Natural Resources.

- Council is requested to inform the applicant of the following requirements of the *Aboriginal Heritage Act 1988*.
  - (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

**CARRIED**

**\*ITEM 3**

**DEVELOPMENT APPLICATION – 090/358/2015/C2 – 182 FISHER STREET, MALVERN SA 5061 (UNLEY PARK)**

Mr Simon Phillips and Mr Peter Jellings on behalf of Ms Loretta Condoluci, representors, and Mr Con Bastiris, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Rob Sangster

That Development Application at 182 Fisher Street, Malvern SA 5061 to 'Carry out alterations and construct addition including basement, verandah and shed on common boundaries and install in-ground swimming pool', should be DEFERRED and the applicant requested to:

1. Consider amendments to reduce the height and length of the walls located on or near the eastern and western boundaries of the site.
2. Consider a reduction in the height and proximity of the fire place adjacent the western boundary.

3. Consider installation of a green wall or landscaping adjacent the western boundary.

**CARRIED UNANIMOUSLY**

**ITEM 4**

**DEVELOPMENT APPLICATION – 090/366/2015/NC – CONCORDIA COLLEGE, 45 CHELTENHAM STREET AND 25-27 WINCHESTER STREET, HIGHGATE SA 5063 (FULLARTON)**

Mr Oleh Bilyk, representor, and Mr Marcus Rolfe and Mr Mick Hoopman, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application at Concordia College, 45 Cheltenham Street and 25-27 Winchester Street, Highgate SA 5063 for 'Stage 1 – Erect temporary transportable to be used as an office/classroom at 27 Winchester Street and demolish existing dwelling and erect temporary site offices / amenities at 25 Winchester Street

Stage 2 - Construction of a permanent carpark to be used in association with the existing educational establishment (Concordia College)', 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 Stage 1, which comprises the temporary classrooms and site offices, be removed from the site on or before 30 June 2018;
3. That Stage 2, which comprises the permanent car-park facility, be completed by 30 June 2019.
4. The driveway and car parking areas to be surfaced, drained and marked to the reasonable satisfaction of Council prior to the development being occupied.
5. The car park along Winchester Street will be open at 7:00am and closed by 6:30pm on school days. Outside of these times the car park must be open for the duration of events, functions or sporting activities that are being held on the school grounds, and persons attending the school shall be encouraged to use it.
6. The car park shall be maintained at all times to the reasonable satisfaction of Council.
7. That suitable wheel stops or bump bars be placed in all parking spaces to prevent damage to fences and landscaping on the site be completed, prior to use of the car parking area.



8. That a detailed landscaping plan, which indicates the species and location of proposed trees and shrubs on the site, be submitted and to the satisfaction of Council prior to the issue of full Development Approval.

**CARRIED**

Jennifer Boisvert left the meeting at 9.12pm.

Jennifer Boisvert returned to the meeting at 9.14pm.

**\*ITEM 5**

**DEVELOPMENT APPLICATION – 090/407/2015/C2 – 18 TORRENS AVENUE,  
FULLARTON 5063 (FULLARTON)**

Mr Don Palmer on behalf of Ms Annette Scurrah, representor, and Mr Troy McNamara on behalf of Mr Kym Dowling, applicant, and Mr Reinis Dancis, owner, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application at 18 Torrens Avenue, Fullarton 5063 to 'Carry out alterations including demolition of existing lean-to and garage and construct additions including upper storey, alfresco area, verandah and carport on 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 all upper floor windows (excluding those on the eastern elevation) be treated to avoid overlooking prior to occupation by being fitted with translucent glazed panels (not film coated) to a maximum opening of 150mm (top hinge awning windows) with such translucent glazing to be kept in place at all times.
4. That the lattice screen height on the proposed rear boundary fence be increased by 200mm to achieve a total fence height of 2.4m. Further details to be provided to the satisfaction of Council prior to the 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.

\* Denotes Change

- 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 details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.

**CARRIED UNANIMOUSLY**

**ITEM 6**

**DEVELOPMENT APPLICATION – 090/465/2015/NC – UNIT 3 / 296 GOODWOOD ROAD, CLARENCE PARK SA 5034 (CLARENCE PARK)**

MOVED: Rob Sangster

SECONDED: Ann Nelson

That Development Application at Unit 3 / 296 Goodwood Road, Clarence Park SA 5034 for 'Change of use - convert residential section of premises to offices', 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. The hours of operation of the premises not exceed the following period:
  - 7am to 10pm on any day.
3. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 7am and 7pm Monday to Friday.

**CARRIED UNANIMOUSLY**

**ITEM 7**

**DEVELOPMENT APPLICATION – 090/427/2015/NC – 5 / 261-267B GOODWOOD ROAD, KINGS PARK SA 5034 (UNLEY PARK)**

Mr Jeff Griffiths, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Roger Freeman

That Development Application at 5 / 261-267B Goodwood Road, Kings Park SA 5034 for 'Change of use to restaurant (maximum 60 seats)', 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 a car parking plan that complies with AS 2890 and AS 1742 is provided to the satisfaction of Council prior to issue of Development Approval.
3. The driveway and car parking areas to be surfaced, drained and marked to the reasonable satisfaction of Council prior to the development being occupied.
4. The car parking areas to be maintained at all times to the reasonable satisfaction of Council.
5. Opening hours for the premises not exceed the following period:
  - 5:00pm to 9:30pm on any day.
6. The premises not cater for nor accommodate more than 60 persons at any one time.
7. That Council approval be sought for the erection of a suitable sign on the subject land indicating the provision of parking to the rear of the site, and that the approved sign be erected prior to occupation of the building.
8. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 7am and 7pm on any day.
9. That the commercial range hood and exhaust flue comply with relevant Australian Standards to the satisfaction of Council.
10. That security lights shall be provided prior to occupation in accordance with AS2890-1 2004. The lighting shall be designed and installed to ensure it does not cause any nuisance for adjacent residential properties.

**NOTES PERTAINING TO PLANNING CONSENT:**

- The applicant should ensure that the proposed development conforms with the relevant Food Act and Food Safety Standards.

**CARRIED UNANIMOUSLY**

**CLOSURE**

The Presiding Member declared the meeting closed at 9.49pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Thursday 5/11/2015.

.....  
**PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING  
Thursday, 5 November 2015