

**CITY OF UNLEY**  
**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Monday, 11 November 2019  
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:** Ms Shanti Ditter (Presiding Member)  
Mrs Jennie Boisvert  
Mr Roger Freeman  
Mr Brenton Burman  
Mr Alexander (Sandy) Wilkinson

**APOLOGIES:** Nil

**OFFICERS PRESENT:** Mr Gary Brinkworth, Assessment Manager  
Mr Andrew Raeburn, Acting Team Leader Planning  
Ms Amy Barratt, Acting Senior Planner  
Ms Michelle Penta, Development Administration

**CONFLICT OF INTEREST:** Nil

**CONFIRMATION OF MINUTES:**

MOVED: Jennie Boisvert

SECONDED: Roger Freeman

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 15 October 2019, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 1**

**DEVELOPMENT APPLICATION - 090/584/2018/C3 - 7A & 9 GLENFERRIE AVENUE AND 30 & 32 CROSS ROAD, MYRTLE BANK (FULLARTON)**

Mr Joe Hooper, representor, Mr Tom Crompton on behalf of Mark Hogan & Jennifer Haynes, representor, addressed the panel regarding the above-mentioned application. David Barone (Jensen Plus) and Andrew Kirkbride (Architect) spoke on behalf of the applicant in support of the application.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/584/2018/C3 at 7A & 9 Glenferrie Avenue and 30 & 32 Cross Road, Myrtle Bank to 'Construct two storey nursing home additions at 7A and 9 Glenferrie Avenue and vary Development Approval 400/2013/C3 at 30 and 32 Cross Road by undertaking internal alterations (increasing the total number of nursing home beds across the site to 100)' 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 all landscaping shall be planted in accordance with the approved plan (Overall Landscape Plan prepared by Jensen Plus, Rev B P3319C dated August 2019). The landscaping shall be planted within three (3) months of the occupancy of the development and any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping and replace any plants which may become diseased or die.
3. 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.
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.
5. That all upper level floor windows and balconies shall be treated to avoid overlooking prior to occupation by being fitted with either raised sills, permanently fixed non-openable obscure glazed panels or solid privacy screens to a minimum height of 1700mm above floor level with such glazing or screens to be kept in place at all times. Details of privacy treatments shall be provided to the reasonable satisfaction of Council prior to Development Approval.
6. Beds shall be provided within the nursing home complex for no more than 100 people at any one time.

7. The existing crossover to Glenferrie shall be removed and the kerb and channel be reinstated to the reasonable satisfaction of Council and at the cost of the applicant.
8. The pedestrian gate to Glenferrie Avenue shall be locked except to allow pedestrians to exit the site in the event of an emergency.
9. A Construction Environmental Management Plan (CEMP) shall submitted to and approved by Council prior to the issue of Development Approval. The CEMP shall be prepared in and implemented in accordance with current industry standards – including the Local Nuisance and Litter Control Act 2016, the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and were applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction. The management plan should incorporate, without being limited to the following matters:
  - Timing, staging and methodology of the construction process and working hours;
  - Traffic management strategies;
  - Control and management of construction noise, vibration, dust and mud;
  - Management of infrastructure services during construction and re-establishment of local amenity and landscaping;
  - Stormwater and groundwater management during construction;
  - Site security, fencing and safety and management of impact on local amenity for residents, traffic and pedestrians;
  - Disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
  - Protection and cleaning of roads and pathways;
  - Overall site clean-up;
  - Work in the public realm;
  - Hoardings; and
  - Tradesperson vehicle parking.
10. A Traffic Management Plan for the construction period of the development shall be submitted to and approved by Council prior to the commencement of construction. The plan shall detail the types, volumes and distribution of traffic (including trade vehicles) and how they will be managed. All traffic movements shall be in accordance with this plan.

#### **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](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.
- 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.

## **ITEM 2**

### **DEVELOPMENT APPLICATION - 090/589/2019/C2 - 17 & 19-21 FOSTER STREET, PARKSIDE SA 5063 (PARKSIDE)**

Mr Francis Barrie, representor, Mr Sean Power on behalf of Elizabeth Hogan, representor, addressed the panel regarding the above-mentioned application. Mr Mark Nield (Architect) and Mr Matt King from URPS spoke on behalf of the applicant in support of the application.

MOVED: Jennie Boisvert

SECONDED: Brenton Burman

That Development Application 090/589/2019/C2 at 17 & 19-21 Foster Street, Parkside SA 5063 to 'Carry out alterations to existing aged care facility and undertake a change of use to 17 Foster St (from detached dwelling to dwelling and aged care facility) including the demolition of swimming pool, sheds, verandah and construction of an aged care addition (comprising of 4 rooms, lounge and storage areas)', 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. A Construction Environmental Management Plan (CEMP) shall submitted to and approved by Council prior to the issue of Development Approval. The CEMP shall be prepared in and implemented in accordance with current industry standards – including the Local Nuisance and Litter Control Act 2016, the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and were applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction.

The management plan should incorporate, without being limited to the following matters:

- Timing, staging and methodology of the construction process and working hours;
- Traffic management strategies;
- Control and management of construction noise, vibration, dust and mud;
- Management of infrastructure services during construction and re-establishment of local amenity and landscaping;
- Stormwater and groundwater management during construction;
- Site security, fencing and safety and management of impact on local amenity for residents, traffic and pedestrians;

- Disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
- Protection and cleaning of roads and pathways;
- Overall site clean-up;
- Work in the public realm;
- Hoardings; and
- Tradesperson vehicle parking.

#### **NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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.
- 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.

**CARRIED UNANIMOUSLY**

#### **ITEM 3**

#### **DEVELOPMENT APPLICATION - 090/411/2019/C2 - 12 LANOR AVENUE, MILLSWOOD SA 5034 (GOODWOOD)**

██████████ and ██████████, representor, Mr Thomas Hurr on behalf of Ms Natalie Brittain, representor, addressed the Panel regarding the above-mentioned application. Mr Matt King from URPS spoke on behalf of the applicant in support of the application.

MOVED: Sandy Wilkinson

SECONDED: Roger Freeman

That Development Application 090/411/2019/C2 at 12 Lanor Avenue, Millswood SA 5034 to 'Demolish existing dwelling and construct single storey dwelling including basement, verandah and garage on 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 development does not enhance the desired character of distinctive and primarily coherent streetscapes by retaining and complementing the siting, form and key elements as required by Objective 1 in the Residential Streetscape Zone
- The development does not respect the streetscape context and contribute positively to the desired character in terms of siting, form and key elements as required by the Desired Character in the Residential Streetscape Zone and Policy Area 9.4.
- The development does not suitably reference the contextual conditions of the locality in terms of scale and form of buildings relative to tier setbacks as required by Principle 10 in the Residential Streetscape Zone

- The building facade is not composed in a more traditional manner adopting key building elements, and detailing complementing the characteristic architectural styles as required by Principle 1 1 in the Residential Streetscape Zone.
- The development does not maintain or enhance the streetscape attributes comprising siting, form and key elements as required by the Desired Character in Residential Streetscape Zone
- The dwelling should be setback in line with adjacent dwellings as required by Principle 6 (Residential Development)
- The dwelling should be setback 3m from side boundaries as required by Principle 13 (Residential Development)
- The proposed replacement dwelling would not make a comparable or more positive contribution to desired character than the existing dwelling, contrary to PDC 6 of the Zone.

**CARRIED UNANIMOUSLY**

#### **ITEM 4**

#### **DEVELOPMENT APPLICATION - 090/457/2019/C2 - 22 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)**

Mr Phil Brunning on behalf of Mr & Mrs Bills and Mrs Kay Bills, representor, and Mr Ian Hercus, representor, addressed the Panel regarding the above-mentioned application. Ms Brianne Mills (Architect) and Mr Matt King from URPS spoke on behalf of the applicant in support of the application.

#### **ALTERNATIVE RECOMMENDATION: ITEM 4 – 22 Whistler Avenue, Unley Park**

MOVED: Sandy Wilkinson

SECONDED: Roger Freeman

That Development Application 090/457/2019/C2 at 22 Whistler Avenue Unley Park to 'Demolish existing dwelling and construct single storey dwelling including garage, verandahs, in-ground swimming pool and fencing', 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 dwelling is not compatible with the prevailing form and character of the area.
- The proposed dwelling does not suitably reference the contextual conditions of the locality nor contribute positively to the desired character in terms of the scale and form of buildings in the immediate locality (PDC 10).
- The proposed dwelling does not complement the form and pitch of prevailing roof forms in the locality (PDC 34 Residential Development Council Wide).
- The proposed dwelling does not adequately reference the prevailing setbacks.

- The proposed garage does not adopt a recessive building presence and is not setback from the main dwelling façade as a minor element.

**LOST**

The original recommendation was put to the Panel.

MOVED: Jennie Boisvert

SECONDED: Brenton Burman

That Development Application 090/457/2019/C2 at 22 Whistler Avenue, Unley Park SA 5061 to 'Demolish existing dwelling and construct single storey dwelling including garage, verandahs, in-ground swimming pool 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. 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 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. 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. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to council web site for the City of Unley Driveway Crossover specifications <https://www.unlev.sa.gov.au/forms-and-applications#>
7. That final design details of the post and beam footing system (or similar) for the guest wing, and location of services for the dwelling shall be provided to the satisfaction of Council arborist prior to the issue of development approval.

8. The development should be undertaken in accordance with the Australian Standard 4970-2009 Protection of trees on development sites as the primary guiding principles when working within a 12.00 metres radius from the centre of the 'significant' Algerian Oak.
9. Any pruning of the significant Algerian Oak should be agreed and undertaken with the supervision of Council's Arborist in attendance. All agreed pruning works should be undertaken by suitably qualified personnel.
10. Protective fencing should be erected in accordance with the Arborman Tree Solutions 'Tree Protection Plan', dated 15 October 2019, and to the satisfaction of Council's Arborist.
11. Protective fencing should be erected in accordance with the recommendations contained within AS 4970-2009 and should be retained in place for the duration of the development.
12. Appropriate signage should be placed around the edge of the Tree Protection Zone (TPZ) and be visible within the development site. The lettering on the signs should comply with the recommendations contained within Appendix C of AS 4970—2009.
13. All demolition should occur from the eastern aspect of the TPZ, with external walls dismantled into the existing dwelling footprint. No demolition machinery or equipment must enter the TPZ. The concrete paving around the base of the Algerian Oak must be removed by hand with a qualified arborist in attendance.

#### **NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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.
- 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](http://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.

**CARRIED**



**ITEM 5**

**DEVELOPMENT APPLICATION - 090/449/2019/C2 -3 FOREST AVENUE BLACK FOREST SA 5035 (CLARENCE PARK)**

MOVED: Brenton Burman

SECONDED: Sandy Wilkinson

That Development Application 090/449/2019/C2 at 3 Forest Avenue, Black Forest SA 5035 to 'Convert garage to studio and loft store and extend existing 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:

**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](http://www.lsc.sa.gov.au).

**CARRIED UNANIMOUSLY**

**ITEM 6**

**DEVELOPMENT APPLICATION - 090/416/2019/DIV - 52, 52A & 52B FOREST AVENUE BLACK FOREST 5035 (CLARENCE PARK)**

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/416/2019/DIV at 52, 52A & 52B Forest Avenue Black Forest 5035 for 'Land Division - Torrens Title - Creating three allotments from one existing, and construct 3 new 2 storey detached dwellings including garages on 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. 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. 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. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to council web site for the City of Unley Driveway Crossover specifications <https://www.unley.sa.gov.au/forms-and-applications#>
4. That the existing crossover shall be closed and reinstated with kerb and water table in accordance with Council requirements, and at the applicant's expense, prior to occupation of the development.
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 approved landscaping shall be established prior to the occupation of the development and shall be irrigated, maintained and nurtured at all times with any dead, diseased or dying plants being replaced within the next available growing season and to the reasonable satisfaction of the Council.
7. A minimum clearance of 1 .0 metre between driveway crossover(s) and existing street tree(s) be provided.
8. That the construction of the driveway crossovers shall minimise any disruption to the root system of the affected street tree(s) growing adjacent the properties with no severing of roots with a diameter greater than 50 mm.
9. That the upper floor windows, (excluding western and southern elevations for dwellings one, southern and eastern elevations for dwelling two, and eastern elevation as well as the front window on southern elevation for dwelling three) 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.
10. Prior to the issue of full development approval, an amended site works and drainage plan shall be submitted to and approved by Council that accurately details the building envelope and design of dwelling three, as shown on the approved site plan.

## **NOTES PERTAINING TO DEVELOPMENT PLAN 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 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).

## **NOTES PERTAINING TO LAND DIVISION CONSENT:**

### **STATE COMMISSION ASSESSMENT PANEL CONDITIONS** are as follows:

- The financial requirements of SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0087078).  
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.  
SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.
- Payment of \$14506 into the Planning and Development Fund (2 allotment/s @ \$7253/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders 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**

## **ITEM 7**

### **DEVELOPMENT APPLICATION - 090/80/2019/C2 - 5 HACKETT AVENUE, MILLSWOOD 5034 (CLARENCE PARK)**

Mr Don Palmer on behalf of Mr Greg Willson, representor, addressed the Panel regarding the above-mentioned application. Mr Michael Richardson from Masterplan, on behalf of the applicant, spoke in support of the application.

## **ALTERNATIVE RECOMMENDATION: ITEM 7 – 5 Hackett Avenue Millswood**

An alternative recommendation was put to the Panel as follows:

MOVED: Jennie Boisvert

SECONDED: Sandy Wilkinson

That Development Application 090/80/2019/C2 at 5 Hackett Avenue Millswood to 'Demolish existing dwelling, construct new single storey dwelling with garage, alfresco, install inground swimming pool, masonry fencing and remove street tree (Argyle Avenue)', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The dwelling does not sufficiently meet front boundary setback requirements (to Argyle Avenue).
- The proposed dwelling does not adequately address the Hackett Avenue frontage;
- The proposed development does not achieve adequate 'gap between buildings' as recommended by the Zone and Policy Area Desired Character;
- The proposed development fails to provide adequate and functional private open space

**CARRIED**

## **ITEM 8**

### **DEVELOPMENT APPLICATION - 090/217/2019/C2 - 5 BLACKETT STREET, GOODWOOD SA 5034 (GOODWOOD)**

Mr Tony Kelly from Future Urban, on behalf of the applicant, spoke in support of the application.

MOVED: Sandy Wilkinson

SECONDED: Roger Freeman

That Development Application 090/217/2019/C2 at 5 Blackett Street, Goodwood SA 5034 to 'Construct two storey dwelling including verandah and double garage', is seriously at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent subject to the following reasons:

### **DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:**

1. The dwelling façade composition has insufficient regard to traditional form and key elements of the locality and desired character;
2. The double width driveway would impact the garden setting forwards of the dwelling, disrupt the garden streetscape presence, and would be incongruous with the locality and desired character;
3. The double width garage would not be a minor streetscape element, would be too visually dominant and would adversely impact the character and amenity of the locality;

4. The upper storey would not be inconspicuous and would be incongruous with the locality and desired character.

**CARRIED UNANIMOUSLY**

**ITEM 9**

**DEVELOPMENT APPLICATION - 090/183/2019/C3 - 21 EDMUND AVENUE, UNLEY  
SA 5061 (UNLEY)**

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/183/2019/C3 at 21 Edmund Avenue, Unley SA 5061 for redevelopment of existing petrol filling station, including alterations to existing building and signage 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 materials, refuse and goods including fuel shall at all times be loaded and unloaded within the confines of the subject land. Fuel delivery vehicles shall only access the site between the hours of 7.00am and 10.00pm on any day, with refuse collection and the delivery of goods to take place between the hours of 9.00am and 7.00pm on a Sunday or public holiday and between 7.00am and 7.00pm on any other day.
3. The operating hours of the service station approved herein shall be between 6.00am and 9.00pm on any day.
4. The landscaping approved herein (Landscaping Plan prepared by Startari dated 14/03/19) shall be planted prior to occupation/operation of the development and any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping and replace any plants which may become diseased or die.
5. No goods, materials or equipment associated with the approved development shall be stored outside of the control building or designated storage areas.
6. All solid waste shall be stored in bins/containers having a close fitting lid. The bins/containers shall be stored within the designated screened bin enclosure. Collection of waste shall be carried out at least once a week by a private contractor and within the approved collection hours.
7. The car parking layout shall satisfy the requirements of AS/NZS 2890.1-2004 OffStreet Car parking and AS/NZS 2890.6-2009 - Off-Street Parking for People with Disabilities.
8. Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.
9. The advertising displays shall not contain any elements that flash, scroll or move.

10. The internal illumination of the advertising displays shall be limited to a low level in order to minimise the impact on road safety.
11. Any obsolete crossover/s (or portions thereof) shall be replaced with upright kerb and gutter to Council's specifications at the applicant's expense prior to operation of the development.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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 of the applicant

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS**

MOVED: Brenton Burman

SECONDED: Sandy Wilkinson

That the Panel accepts the attached report.

**CARRIED UNANIMOUSLY**

The Presiding Officer, Shanti Ditter, thanked Council Administration for providing the alternative motions and would like to continue into the future with this process.

There will be upcoming training in relation to the CAP Panel and the Planning Design Code Changes.

**CLOSURE**

The Presiding Member declared the meeting closed at 10.12pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 10/12/19.

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**PRESIDING MEMBER**

**DATED** \_\_\_\_/\_\_\_\_/\_\_\_\_

**NEXT MEETING**

Tuesday, 10 December 2019