

CITY OF UNLEY

DEVELOPMENT ASSESSMENT PANEL

**Minutes of meeting held Monday, 20 August 2012
at 7.00pm in the Civic Centre, Unley**

ACKNOWLEDGEMENT

We acknowledge that the land we meet on today is the traditional land of the Aboriginal people and that we respect their spiritual relationship with their country.

We also acknowledge that the Aboriginal people are the custodians of the Adelaide region and that their cultural and heritage beliefs are still important to the living Aboriginal people today.

MEMBERS: Mr Brenton Burman (Deputy Presiding Member)
Dr Lissa Van Camp
Mr Don Palmer
Mr Roger Freeman
Mr Rob Sangster

APOLOGIES: Mr Terry Tysoe (Presiding Member)
Mr Rufus Salaman

OFFICERS PRESENT: Mr David Litchfield, General Manager Economic
Development & Planning
Mr Paul Weymouth, Manager Development
Mr Donny Michel, Team Leader Planning
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST:

Rob Sangster advised that he does know Malcolm Mackinnon (the representor for Item 4) however does not consider this represents a conflict of interest.

CONFIRMATION OF MINUTES:

MOVED: Don Palmer

SECONDED: Lissa Van Camp

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Monday 16 July 2012, as printed and circulated, be taken as read and signed as a correct record.

CARRIED

ITEM 1

**DEVELOPMENT APPLICATION – 090/170/2012/C3 – 363 UNLEY ROAD,
MALVERN 5061 (UNLEY PARK)**

This item was WITHDRAWN by Administration.

ITEM 2

**DEVELOPMENT APPLICATION – 090/257/2012/C3 – 337 UNLEY ROAD,
MALVERN 5061 (UNLEY PARK)**

MOVED: Lissa Van Camp

SECONDED: Don Palmer

That Development Application 090/257/2012/C3 at 337 Unley Road, Malvern 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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:
 - Monday to Wednesday and Friday 7am to 7pm
 - Thursday 7am to 9pm
 - Sunday 11am to 6pm
3. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 7am and 7pm Monday to Friday. No vehicles larger than a medium rigid vehicle shall enter the site at any time.
4. That all loading and unloading shall be carried out wholly within the site.
5. That no storage of goods occur in the car park at any time.

NOTES PERTAINING TO PLANNING 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**.
- 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

ITEM 3

DEVELOPMENT APPLICATION – 090/770/2011/C3/A – 335-337 UNLEY ROAD, MALVERN 5061 (UNLEY PARK)

Mr Michael Hutchinson and Mr Trevor Routley on behalf of Routley Holdings Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Rob Sangster

That Development Application 090/770/2011/C3/A at 335-337 Unley Road, Malvern 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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. Any advertisements erected on the subject land only being those exempt from Development Approval pursuant to the Development Regulation 2008 and Local Government Act 1999.
3. The landscaping, as approved by the 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 1.0 metre in height at the time of planting.
4. The Hours of operation of the premises not exceed the following periods:
 - Monday to Wednesday, Friday 7am to 7pm
 - Thursday 7am to 9pm
 - Sunday 11am to 6pm
5. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 7am and 7pm Monday to Friday. No vehicles larger than a medium rigid vehicle shall enter the site at any time.
6. That all loading and unloading shall be carried out wholly within the site.
7. That no storage of goods occur in the car park at any time.

Variation to 090/770/2011/C3

8. 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.
9. The conditions, where pertinent, of the Planning Consent Development Application Number 090/770/2011/C3 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

NOTES PERTAINING TO PLANNING 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**.
- 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 8463 3555 or refer to their web site at 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 4

DEVELOPMENT APPLICATION – 090/512/2012/C2 – 36 NORTHGATE STREET, UNLEY PARK 5061 (UNLEY PARK)

Rob Sangster advised that he does know Malcolm Mackinnon (the representor for Item 4) however does not consider this represents a conflict of interest.

Mr Greg Vincent on behalf of Mr Michael Bennett, applicant, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Roger Freeman

That Development Application 090/512/2012/C2 at 36 Northgate Street, Unley Park 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council including correspondence from Masterplan dated 6 July 2012 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 conditions, where pertinent, of any Development Decisions in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

CARRIED

ITEM 5

DEVELOPMENT APPLICATION – 090/384/2012/C3 – UNIT 1 / 48 KING WILLIAM ROAD, GOODWOOD SA 5034 (UNLEY)

MOVED: Roger Freeman

SECONDED: Don Palmer

That Development Application 090/384/2012/C3 at Unit 1 / 48 King William Road, Goodwood SA 5034 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 Monday to Saturday
 - 9am to 9pm Sunday
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.

NOTES PERTAINING TO PLANNING 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**.

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/761/2011/C2 – 190-194 GLEN OSMOND ROAD, FULLARTON 5063 (PARKSIDE)

MOVED: Don Palmer

SECONDED: Rob Sangster

That Development Application 090/761/2011/C2 at 190-194 Glen Osmond Road, Fullarton 5063 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 driveway and car parking areas to be surfaced, drained and marked to the reasonable satisfaction of Council prior to the development being occupied.
3. That details and location of on-site waste disposal facilities and methods, including times of waste collection, be submitted for the approval of Council prior to the commencement of construction of the premises. Further, that the approved facilities be installed and operative prior to the occupation of the building.
4. The hours of operation not exceed 8.00am to 9.00pm on any day.
5. That a maximum number of four (4) Practitioners shall operate on site at any time.
6. The access shall be suitably designed to facilitate two-way movements of a B99 vehicle and have sufficient tapers to allow simultaneous ingress/egress movements without impeding the function and safety of Glen Osmond Road.

As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.

7. All vehicles shall enter and exit the site in a forward direction.
As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.
8. The parking areas shall conform to AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.

As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.

9. The obsolete crossover on Glen Osmond Road shall be reinstated to Council standard kerb and gutter at the applicants cost.
As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.
10. No stormwater from this development shall be permitted to discharge on-surface to Glen Osmond Road. In addition, any existing drainage of the road shall be accommodated by the development and any alterations to road drainage infrastructure as a result of this development shall be at the expense of the developer.

As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.

11. Any signage on this site visible from Glen Osmond Road shall not contain any element that flashes, scrolls or moves.
As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.
12. Any signage on this site visible from Glen Osmond Road shall not contain any element of LED or LCD display.

As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.

13. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.

As directed by The Commissioner of Highways in accordance with Section 37 of the Development Act 1993.

NOTES PERTAINING TO PLANNING CONSENT:

- It is also pointed out that the Metropolitan Adelaide Road Widening Plan shows that a strip of land up to 2.13m in width may be required from Glen Osmond Road frontage of the subject property along with a 4.5m x 4.5m corner cut off from the Gladstone Street / Glen Osmond Road corner. Under the Metropolitan Adelaide Road Widening Plan Act, consent from the Commissioner of Highways is required for all building works on or within 8.13m of the existing Glen Osmond Road property boundary. As there are no new buildings works being undertaken within this requirement consent is hereby granted.
- 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.

CARRIED

ITEM 7

DEVELOPMENT APPLICATION – 090/347/2012/C2 – 20 ETHEL STREET, FORESTVILLE 5035 (GOODWOOD)

Mr John Outhred on behalf of Outhred English and Associates Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Don Palmer

That Development Application 090/347/2012/C2 at 20 Ethel Street, Forestville 5035 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 driveway and car parking areas to be surfaced, drained and marked to the reasonable satisfaction of Council prior to the development being occupied.
4. That the landscaping, as approved by the Council, be established prior to occupation of the two bedroom apartment 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.
5. That 1.7m high privacy screening be erected along the western side of the balcony prior to occupation. Further details to be provided to Council's satisfaction prior to the issue of Development Approval.
6. That the south (rear) facing 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.
7. That a render colour sample be provided to the satisfaction of Council's consulting architect prior to the issue of development approval.

NOTES PERTAINING TO PLANNING CONSENT:

- 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 8463 3555 or refer to their web site at 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**.

CARRIED

ITEM 8**DEVELOPMENT APPLICATION – 090/302/2012/C2 – 33 NORTHGATE STREET, UNLEY PARK 5061 (UNLEY PARK)**

MOVED: Lissa Van Camp

SECONDED: Rob Sangster

That Development Application 090/302/2012/C2 at 33 Northgate Street, Unley Park 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 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 8463 3555 or refer to their web site at www.lsc.sa.gov.au.

CARRIED**ITEM 9****DEVELOPMENT APPLICATION – 090/1100/2010/C2 – 2 FIRST AVENUE, FORESTVILLE 5035 (GOODWOOD)**

MOVED: Don Palmer

SECONDED: Lissa Van Camp

That Development 090/1100/2010/C2 – 2 First Avenue, FORESTVILLE SA 5035 (UNLEY) is not at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 on-site ground-water monitoring well shall be decommissioned by a South Australian licensed driller in accordance with SA government policies and guidelines and accepted industry practice prior to occupation.

NOTES PERTAINING TO PLANNING 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**.
- 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 8463 3555 or refer to their web site at 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.
- A Site Contamination Audit Report prepared by D. McCarthy details the following:
 - The site is suitable for unrestricted use including sensitive land uses, and is also suitable for the proposed less sensitive medium density residential development proposed for the site.
 - No further site remediation is required.
- Future residents of the subject site should be made aware that the factory opposite the subject land operates under existing use rights within the Residential Streetscape (Built Form) Zone.

CARRIED

ITEM 10
DEVELOPMENT APPLICATION – 090/967/2011/C2 – MALCOLM STREET,
MILLSWOOD SA 5034

MOVED: Rob Sangster

SECONDED: Don Palmer

That Development Application 090/967/2011/C2 at Malcolm Street, Millswood is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. That the removal of the subject significant tree *Ulmus Procere* (*English Elm*) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That a replacement tree shall be planted and maintained to replace the Significant tree within three (3) months of the Significant tree being removed.

NOTES PERTAINING TO PLANNING CONSENT:

- 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

ITEM 11
DEVELOPMENT ASSESSMENT PANEL – ANNUAL REPORT TO COUNCIL

MOVED: Roger Freeman

SECONDED: Don Palmer

That it be recommended to Council that:

1. The Draft Annual Report of the Development Assessment Panel as enclosed (Attachment 1) be endorsed and provided to Council for consideration at the next available meeting.

CARRIED

CLOSURE

The Presiding Member declared the meeting closed at 7.46pm.

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PRESIDING MEMBER

NEXT MEETING

Monday, 17 September 2012