

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 20 August 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 Kurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

PRESENT: Ms Shanti Ditter (Presiding Member),
Mrs Jennie Boisvert
Mr Roger Freeman
Mr Brenton Burman
Mr Alexander (Sandy) Wilkinson

APOLOGIES:

OFFICERS PRESENT: Mr Paul Weymouth, Assessment Manager
Mr Andrew Raeburn, Acting Team Leader Planning
Mrs Amy Barrat, Acting Senior Planning
Ms Lily Francis, Development Administration Officer

Nominations were called for an acting Presiding Member in the absence of Ms Shanti Ditter. Brenton Burman nominated Jennie Boisvert.

MOVED: Brenton Burman SECONDED: Roger Freeman

CARRIED UNANIMOUSLY

CONFLICT OF INTEREST:

Alexander Wilkinson declared a conflict of interest for Item 8.
Jennie Boisvert declared a conflict of interest for Item 10 and 13.

CONFIRMATION OF MINUTES:

MOVED: Alexander Wilkinson

SECONDED: Brenton Burman

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 16 July 2019, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/19/2019/C3 – 55-65 DUTHY STREET, MALVERN 5061 (UNLEY PARK)

Application was withdrawn from the agenda.

ITEM 2

DEVELOPMENT APPLICATION – 090/735/2018/C2 – 2 CAMBRIDGE TERRACE, UNLEY 5061 (UNLEY)

Mr Will Chapman, representor, addressed the panel regarding the above mentioned application. Mr Joe Parente, applicant, supported by Mr Marcus Rolfe from URPS spoke in support of the above mentioned application.

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/735/2018/C2 at 2 Cambridge Terrace, Unley 5061 for alterations and additions to dwelling including freestanding garage and colorbond fencing along side and rear 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. 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. The following tree protection measures shall be incorporated into the development and maintained thereafter at all times:

- Excavation for the garage support columns shall be undertaken using non-destructive techniques such as air-spading or hand trenching and under the supervision of Council's Arborist;
- Permeable paving shall be used for the garage floor and driveway with the paving laid above-ground (i.e. requiring no excavation); and
- All services (i.e. stormwater pipes and electrical gables) to the garage shall be provided above-ground.

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.
- 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.

CARRIED UNANIMOUSLY

At 7:24pm Ms Shanti Ditter entered the meeting.

ITEM 3

DEVELOPMENT APPLICATION – 090/341/2019/C2 – 4 PALMERSTON ROAD, UNLEY SA 5061 (UNLEY)

Mrs Judith Turner, representor, addressed the panel regarding the above mentioned application. Mr Phil Brunning on behalf of the applicant, spoke in support of the application.

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/341/2019/C2 at 4 Palmerston Road, Unley SA 5061 to 'Erect replacement tennis court 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.

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.

CARRIED UNANIMOUSLY

ITEM 4

DEVELOPMENT APPLICATION – 090/180/2019/DIV – 31A FISHER STREET, MYRTLE BANK 5064 (FULLARTON)

An alternative recommendation was put to the panel as follows:

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/180/2019/DIV at 31A Fisher Street, Myrtle Bank 5064 for Land Division - Torrens Title - Create two allotments from one existing, carry out demolition and alterations to existing dwelling including carport to boundary; and construct two storey dwelling presenting to Sedgeford Road should be DEFERRED to allow the applicant to consider:

- Providing car parking and vehicle access for the existing dwelling from Sedgeford Road;and
- A reduction in the upper floor area to enable a hipped roof at the rear to maintain a single storey presentation on all four sides.

CARRIED

ITEM 5

DEVELOPMENT APPLICATION – 090/291/2019/C2 – 89 FREDERICK STREET, UNLEY 5061 (UNLEY)

Mr Peter and Mrs Pekki Mallio, representors, addressed the panel regarding the above mentioned application. Mr Marek and Helen Mikucki, owners, spoke on behalf of the applicant in support of the application.

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/291/2019/C2 at 89 Frederick Street, Unley to 'Carry out alterations and construct additions on the boundary, includes verandah and carport', 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:

* Denotes Change

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. 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).
2. That all external materials and finishes shall be the same as or complementary to the existing dwelling on the site.
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.

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.
- That the chimneys be retained
- That the original pottery and slate verandah be retained and any restoration works be carried out in consultation with Councils Heritage Advisor.

CARRIED UNANIMOUSLY

ITEM 6

DEVELOPMENT APPLICATION – 090/22/2019/C1 – 23 INVERGOWRIE AVENUE, HIGHGATE SA 5063 (FULLARTON)

Mr David Hill, applicant, addressed the panel regarding the above mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Roger Freeman

SECONDED: Jennie Boisvert

That Development Application 090/22/2019/C1 at 23 Invergowrie Avenue, Highgate SA 5063 to 'Remove significant tree - Eucalyptus camaldulensis (River Red Gum)', should be DEFERRED for the following reasons:

- That the applicant seek further technical arboriculture advice on options to minimise the risk of limb failure (ie. Tree pruning/cabling)
- For administration to arrange Council's Arborist (or representative) to attend the Council Assessment Panel meeting to answer any technical arboriculture questions.

CARRIED UNANIMOUSLY

ITEM 7

DEVELOPMENT APPLICATION – 090/85/2018/C2 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)

Mr Ian Hercus, applicant, addressed the panel regarding the above mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/85/2018/C1 at 20 Whistler Avenue, Unley Park SA 5061 to 'Erect outbuilding and undertake tree damaging activity', should be DEFERRED to allow the applicant to consider:

- Alternative construction techniques to minimise the potential impact on the nearby significant tree.

CARRIED UNANIMOUSLY

At 8:41pm Alexander Wilkinson left the meeting.

ITEM 8

DEVELOPMENT APPLICATION – 090/166/2019/NC – 2 CROSS ROAD, MYRTLE BANK SA 5064 (FULLARTON)

MOVED: Brenton Burman

SECONDED: Jennie Boisvert

That Development Application 090/166/2019/NC at 2 Cross Road, Myrtle Bank SA 5064 to 'Erect three illuminated signs to existing 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 CONCURRENCE of the State Commission Assessment Panel and 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. The illuminated signs shall be limited to a low level of illumination so as to minimise distraction to motorists (< 150d/m²).

CARRIED UNANIMOUSLY

At 8:42pm Alexander Wilkinson returned to the meeting.

ITEM 9

CONFIDENTIAL MOTIONS FOR ITEM 10 - PLANNING APPEAL – ERD COURT ACTION NO ERD-18-197 - (DA 090/568/2017/C2) 66 ANZAC HIGHWAY EVERARD PARK AND ITEM 11 – PLANNING APPEAL - ERD COURT ACTION NO ERD-19-97 (DA 090/671/2018/C2) 2 BELGRAVE AVENUE PARKSIDE AND ITEM 12– PLANNING APPEAL – ERD COURT ACTION NO ERD – 19-79 (DA 090/739/2018/C2) 17 OPHIR STREET GOODWOOD AND ITEM 13 – PLANNING APPEAL – ERD COURT ACTION NO ERD-19-42 (DA 090/875/2018/C3) – GOODWOOD OVAL, 1 CURZON AVENUE

MOVED: Brenton Burman

SECONDED: Jennie Boisvert

That:

1. The report be received.
2. Pursuant to Regulation 13(2) (a) (ix) of the Planning, Development and Infrastructure (General) Regulations 2017, as amended, the Council Assessment Panel orders the public be excluded with the exception of the following:
 - Megan Berghuis, General Manager Community
 - Paul Weymouth, Manager Development and Regulatory
 - Andrew Raeburn, Acting Team Leader Planning
 - Amy Barratt, Acting Senior Planning Officer
 - Lily Francis, Development Administration Officer

on the basis that considerations at the meeting should be conducted in a place open to the public has been outweighed on the basis that the information relating to actual litigation or litigation that the Panel believes on reasonable grounds will take place.

CARRIED UNANIMOUSLY

At 8:42 Jennie Boisvert left the meeting.

ITEM 10

**DEVELOPMENT APPLICATION – 090/568/2017/C2 – 66 ANZAC HIGHWAY,
EVERARD PARK SA 5035 (GOODWOOD)**

MOVED: Brenton Burman

SECONDED: Roger Freeman

- A. That the report be received; and
- B. That the Environment Resources and Development Court be advised that regarding Development Application 090/568/2017/C2 at 66 Anzac Highway, Everard Park SA that the Council Assessment Panel supports the compromise 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.

STATE COMMISSION ASSESSMENT PANEL CONDITIONS are as follows:

1. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0062527).

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.

S A Water Corporation further advise that the developer should inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at FULL cost to the owner/applicant.

2. Payment of \$27,320.00 into the Planning and Development Fund (4 allotment/s @ \$6830 /allotment).

Payment may be made by credit card via the internet at 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, by cheque or credit card, 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 Certificate purposes.

CARRIED UNANIMOUSLY

At 8:45pm Jennie Boisvert returned to the meeting.

ITEM 11

DEVELOPMENT APPLICATION – 090/671/2018/C2 – 2 BELGRAVE COURT, PARKSIDE 5063 (UNLEY)

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

C. That the report be received; and

D. That the Environment Resources and Development Court be advised that the Council Assessment Panel reaffirms its decision of 16 April 2019 as the compromise proposal does not adequately address the grounds for refusal.

LOST

MOVED: Brenton Burman

SECONDED: Roger Freeman

A. That the report be received; and

B. That the Environment Resources and Development Court be advised that regarding Development Application 090/671/2018/C2 at 2 Belgrave Court, Parkside SA 5063 that the Council Assessment Panel supports the compromise 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 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.
3. That the upper floor windows (except for those along the southern elevation) 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.
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.
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.

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.
- 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 reminded that unless specifically stated, conditions in previous relevant development approvals remain active.
- 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**.
- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.
- The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
- 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 12 **DEVELOPMENT APPLICATION – 090/739/2018/C2 – 17 OPHIR STREET,** **GOODWOOD SA 5034 (GOODWOOD)**

MOVED: Alexander Wilkinson

SECONDED: Roger Freeman

- C. That the report be received; and
- D. That the Environment Resources and Development Court be advised that the Council Assessment Panel reaffirms its decision of 16 April 2019 as the compromise proposal does not adequately address the grounds for refusal.

CARRIED UNANIMOUSLY

At 9:03pm Jennie Boisvert left the meeting.

ITEM 13

DEVELOPMENT APPLICATION – 090/875/2018/C3 – GOODWOOD OVAL, 1 CURZON AVENUE, MILLSWOOD 5034 (CLARENCE PARK)

MOVED: Brenton Burman

SECONDED: Roger Freeman

- A. That the report be received; and
- B. That the Environment Resources and Development Court be advised that regarding Development Application 090/875/2018/C3 at Goodwood Oval, 1 Curzon Avenue Millswood that the Council Assessment Panel supports the compromise subject to the following conditions:
 1. The Development must be undertaken in accordance with the following plans and details which form Exhibit A to these Orders, except where varied by any subsequent condition set out below (as relevant):
 - Locality Plan prepared by Wiltshire & Swain Architects, Sheet 01 of 12 dated 13 November 2018;
 - Existing Site Plan prepared by Wiltshire & Swain Architects, Sheet 02 of 12 dated 31 October 2018;
 - Existing Building prepared by Wiltshire & Swain Architects, Sheet 03 of 12 dated 31 October 2018;
 - Proposed Site Plan prepared by Wiltshire & Swain Architects, Sheet 04 of 12 dated 2 August 2019
 - Proposed Building Plans prepared by Wiltshire & Swain Architects, Sheet 05 of 12 dated 31 July 2019;
 - Elevations prepared by Wiltshire & Swain Architects, Sheet 06 of 12 dated 31 July 2019;
 - Store Extension (New vs Old) prepared by Wiltshire & Swain Architects, Sheet 07 of 12 dated 31 July 2019;
 - Materiality prepared by Wiltshire & Swain Architects, Sheet 08 of 12 dated 31 July 2019;
 - Proposed Landscape Plan prepared by Wiltshire & Swain Architects, Sheet 09 of 2 August 2019;
 - Furniture Plan prepared by Wiltshire & Swain Architects, Sheet 10 of 12 dated 31 July 2019;
 - Liquor License prepared by Wiltshire & Swain Architects, Sheet 11 of 12 dated 31 July 2019;
 - Shadow Diagram prepared by Wiltshire & Swain Architects, Sheet 12 of 12 dated 31 July 2019;
 2. A Construction Environment Management Plan (“CEMP”) for the Development must be prepared to the reasonable satisfaction of the Council and provided to it prior to the grant of development approval. The CEMP should identify potential issues and appropriate measures to minimise impacts and disruption to surrounding residents during the construction phase of the Development, such as:
 - hours of construction work;
 - responsible persons and complaints protocol;

- hoarding security fencing;
 - traffic and parking management for construction vehicles;
 - dust and debris control;
 - stormwater runoff management;
 - site management and works accommodation;
 - litter control and waste management;
 - equipment and materials storage;
 - protection of regulated and significant trees and other landscape features;
3. The following building acoustic treatments (or equivalent) must be incorporated into the development and detailed on the Building Rules consent plans in accordance with the recommendations of the Music and Environmental Noise Assessment (November 2018) prepared by Sonus:
 - walls consisting of minimum 100mm thick masonry construction;
 - windows of minimum 10.38mm thick laminated glass sealed airtight when closed. Windows to the north elevation in the meeting room of the Development must be fixed closed;
 - roof and ceiling construction comprising:
 - minimum 0.42mm Base Metal Thickness sheet steel roofing;
 - 13mm thick plasterboard fixed under the purlins;
 - a layer of 60mm thick insulation of minimum density 10kg/m³ below the roof in the cavity;
 - a 19mm thick mineral fibre tile ceiling or acoustic equivalent. Suitable ceiling tiles include: Armstrong “Ultima”; and USG Boral “Radar Climaplus”; and
 - a layer of 100mm thick insulation of minimum density 60kg/m³ (Rockwool or similar) above the ceiling;
 4. Written confirmation that the acoustic treatments (or equivalent) required by condition 3 above have been completed must be provided to the Council by Sonus or another suitably qualified acoustic engineer/consultant prior to the occupation of the Development;
 5. Details of acoustic treatments for mechanical plant within the Development consistent with the recommendations of the Music and Environmental Noise Assessment (November 2018) prepared by Sonus must be provided to the Council and to its reasonable satisfaction prior to the grant of development approval. Written confirmation that these treatments have been installed within the Development and compliance with the Environmental Protection (Noise) Policy must be obtained from Sonus or another suitably qualified acoustic engineer/consultant and provided to the Council, to the reasonable satisfaction of the Council, prior to occupation of the Development;
 6. Details of on-site bicycle parking for the Development that includes suitably located and designed racks/rails for a minimum of 10 bicycles must be provided to the reasonable satisfaction of Council prior to the grant of development approval;
 7. All landscaping must be planted in accordance with the Proposed Landscape Plan prepared by Wiltshire & Swain Architects, Sheet 09 of 12 dated 2 August 2019 and within three (3) months of the occupancy of the Development

occurring. Landscaping must be cultivated, tended and nurtured and any plants which may become diseased or die must be replaced, to the reasonable satisfaction of the Council;

8. All existing trees to be retained in accordance with the following approved plans and documentation shall be protected during development:
 - Existing Site Plan prepared by Wiltshire & Swain Architects, Sheet 02 of 12 dated 31 October 2018;
 - Proposed Landscape Plan prepared by Wiltshire & Swain Architects, Sheet 09 of 12 dated 2 August 2019;
 - Tree Assessment prepared by Symatree dated October 2018 and updated Council Arborist Advice 31 July 2019;
9. Further to condition 8 above, prior to any earthworks occurring on the site, fencing must be erected around the Tree Protection Zones of each tree to be retained as identified at condition 2.8 above, to the reasonable satisfaction of the Council;
10. During construction, storage of goods, materials or equipment may occur in accordance with the CEMP prepared as per condition 2 above. After construction has been completed, no goods, materials or equipment associated with the Development may be stored outside of the grandstand building;
11. That the operating hours of the bar, dining and first floor clubroom areas within the grandstand building, being times when persons may purchase or otherwise be served food or a beverage, are restricted to between the following hours:
 - 8.00am to 9.00pm Monday to Wednesday;
 - 8.00am to 11.00pm Thursday and Friday;
 - 8.00am to 12.00 Midnight Saturday;
 - 10.00am to 10.00pm on Sunday;
 - 1.00am closure on New Years Day;
 - closed on Good Friday and Christmas Day;
12. During all sporting events (being on-field sporting events arranged by the occupants of the Development for the purposes of training or competition) held on the Goodwood Oval by an occupant of the Development:
 - not more than 150 persons are permitted to be within the first floor clubrooms at any one time (whether seated and standing); and
 - not more than 84 persons are permitted to be within the tiered viewing area;
13. During non-sporting events (including but not limited to social events, club nights, fundraisers and the like arranged by the occupants of the Development for its members):
 - no more than 150 persons in total are permitted to be within the combined area of the clubrooms and tiered viewing area; and
 - no more than 30 persons are permitted to be within the tiered viewing area;
 - Outdoor paved areas near the canteen must not be used during non-sporting events;

14. The tiered viewing area and paved area adjacent the canteen must not be used later than 10.00pm on any day under any circumstances;
15. The clubroom area (excluding the meeting room) must not be offered for any separate hire for private functions (i.e. birthdays, weddings and meetings, including for sporting club members) or otherwise functions that are not related to the club activities of the occupants of the Development;
16. Entertainment during non-sporting events involving amplified music must be fully contained within the designated clubroom area, with no access or use of the tiered viewing area and all window and door openings to be closed shut at all times when amplified music is played. Amplified music systems must use a system or solution that limits noise levels to comply with condition 18;
17. The in-house amplified sound system within the clubrooms shall be fitted with a calibrated noise volume limiter that regulates all amplified speech and music and that is set at a level that would achieve the requirements of the EPA Guideline "Development Proposal Assessment for Venues Where Music May be Played" at the nearest noise sensitive receptor(s);
18. Music noise levels must comply with noise limits in EPA Guideline "Development Proposal Assessment for Venues Where Music May be Played" at the nearest noise sensitive receptor(s) at all times;
19. All materials, goods and refuse shall at all times be loaded and unloaded within the confines of the subject site and must not occur on the adjacent public road;
20. Delivery vehicles may only access the site between the hours of 7.30am and 6.00pm on any day;
21. All solid waste must be stored in bins/containers having a close-fitting lid in accordance with the waste management details outlined in the Traffic & Waste Management Report prepared by InfraPlan dated November 2018;
22. Bins and other waste containers must be kept within the designated storage areas and collection of waste shall be carried out at least once a week by a private contractor (medium size vehicle) within the approved delivery hours in condition 20 above;
23. External lighting around the grandstand building must be restricted to that necessary for security purposes only and be designed, directed and shielded in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting so as to cause no adverse light overspill nuisance to nearby properties, to the reasonable satisfaction of the Council; and
24. Access to and from the clubroom function area after 10.00pm shall primarily be via the door on the western side of the building to Curzon Ave, while allowing for disabled access and egress via the doors on the northern side.

CARRIED UNANIMOUSLY

At 9:05pm Jennie Boisvert returned to the meeting.

ITEM 14

CONFIDENTIAL MOTIONS FOR ITEM 10 - PLANNING APPEAL – ERD COURT ACTION NO ERD-18-197 - (DA 090/568/2017/C2) 66 ANZAC HIGHWAY EVERARD PARK AND ITEM 11 – PLANNING APPEAL - ERD COURT ACTION NO ERD-19-97 (DA 090/671/2018/C2) 2 BELGRAVE AVENUE PARKSIDE AND ITEM 12– PLANNING APPEAL – ERD COURT ACTION NO ERD – 19-79 (DA 090/739/2018/C2) 17 OPHIR STREET GOODWOOD AND ITEM 13 – PLANNING APPEAL – ERD COURT ACTION NO ERD-19-42 (DA 090/875/2018/C3) – GOODWOOD OVAL, 1 CURZON AVENUE

MOVED: Brenton Burman SECONDED: Alexander Wilkinson

That:

1. The report be received.
2. Pursuant to Regulation 13(2) (a) (ix) of the Planning, Development and Infrastructure (General) Regulations 2017, as amended

2.1 The

- Minutes
- Report
- Attachments

For:

- ITEM 10 - PLANNING APPEAL – ERD COURT ACTION NO ERD-18-197 - (DA 090/568/2017/C2) 66 ANZAC HIGHWAY EVERARD PARK
- ITEM 11 – PLANNING APPEAL - ERD COURT ACTION NO ERD-19-97 (DA 090/671/2018/C2) 2 BELGRAVE AVENUE PARKSIDE
- ITEM 12 – PLANNING APPEAL – ERD COURT ACTION NO ERD – 19-79 (DA 090/739/2018/C2) 17 OPHIR STREET GOODWOOD
- ITEM 13 – PLANNING APPEAL – ERD COURT ACTION NO ERD-19-42 (DA 090/875/2018/C3) – GOODWOOD OVAL, 1 CURZON AVENUE MILLSWOOD

remain confidential on the basis that the information contained therein concerns actual litigation being the appeals in ERD-18-197, ERD-19-97, ERD-19-79 and ERD-19-42

- 2.2 The report and attachments will be kept confidential until such time as the appeal has been determined.

CARRIED UNANIMOUSLY

COUNCIL ASSESSMENT PANEL - ANNUAL REPORT

MOVED: Alexander Wilkinson

SECONDED: Roger Freeman

That the Council Assessment Panel Annual Report be endorse and provide to Council for consideration at the next available meeting.

CARRIED UNANIMOUSLY

MATTERS FOR COUNCIL CONSIDERATION

That Council administration provide a report that outlines statistics from the last five years on:

- The number of contributory dwellings in the Historic Conservation Zone that have been approved for demolition by CAP or under staff delegation
- The number of character dwellings within the Streetscape Zone that have been approved for demolition by CAP or under staff delegation
- The number of significant that have been approved for removal by CAP or under staff delegation.

CLOSURE

The Presiding Member declared the meeting closed at 9:18pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 17 September 2019

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PRESIDING MEMBER

DATED / /

NEXT MEETING

Tuesday, 17 September 2019