

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 15 December 2020
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: Nil

OFFICERS PRESENT: Mr Gary Brinkworth, Assessment Manager
Mr Don Donaldson, Team Leader Planning
Mr Andrew Raeburn, Senior Planner
Ms Lily Francis, Administration Officer

CONFLICT OF INTEREST:

Ms Jennie Boisvert declared a conflict of interest for Item 1 - Unley Oval due to being a Elected Member of the Unley Council and a perceived conflict of interest for Item 5 – 60 Opey Avenue due to owning a property in the vicinity.

Ms Shanti Ditter declared a conflict of interest for Item 2 – 22 Marlborough Street and Item 3 – Arkaba Shopping Centre due to having a close relationship with individuals who made a representation.

There was a call for nominations for a deputy Presiding Member due to these conflicts of interests.

Roger Freeman nominated Brenton Burman.

CARRIED UNANIMOUSLY

At 7:07pm Jennie Boisvert left the meeting.

ITEM 1

DEVELOPMENT APPLICATION – 090/606/2020/C3 – UNLEY OVAL, TRIMMER TERRACE, UNLEY SA 5061 (UNLEY)

Ms Kerry Mason, Mrs Laura Pieraccini, Mrs Val Nairn, Mrs Ros Islip and Mr James Yu, representors, addressed the Panel opposed to the above-mentioned application. Ms Amanda Price-McGregor from Green Light Planning and Mr Alan Jones from the City of Unley spoke in support of the application.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/606/2020/C3 at Unley Oval, Trimmer Terrace, Unley SA 5061 for alterations and additions to the Oatey Stand including a three-storey addition to the south, alterations to the western (Trimmer Terrace) façade; and the creation of offices, meeting rooms and multi-purpose spaces for use as sporting clubrooms, functions and events for a maximum of 250 persons 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. A Construction Environment Management Plan (CEMP) for the proposed development shall be provided to the satisfaction of Council prior to commencement of construction. The CMP 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 significant trees and other landscape features

* Denotes Change

3. Details of acoustic treatments for mechanical plant in accordance with the recommendations of the Environmental Noise Assessment (30 April 2020) prepared by Resonate shall be provided to the satisfaction of Council prior to Development Approval. It must be demonstrated that external noise from the mechanical plant would meet the goal noise levels of the *Environment Protection (Noise) Policy 2007*.
4. That no goods, materials or equipment associated with the approved development shall be stored outside of the grandstand building or designated storage areas.
5. The operating hours of the multi-purpose area on the upper floor of the grandstand building shall be restricted to between the following hours:
 - 8.00am to 11.00pm Monday to Thursday
 - 8.00am to 12.30am Friday and Saturday
 - 8.00am to 12.00am Sunday
6. The capacity of the capacity of the multi-purpose area on the upper floor of the grandstand building shall not exceed 250 persons at any one time (both seated and standing).
7. The multi-purpose area, offices and meeting rooms shall not be offered for separate hire for private functions (i.e. birthdays, weddings and meetings) that are not related to the leaseholder or community organisations. Community organisations shall not occupy the premises without a Council Hirers Agreement.
8. Entertainment during all events involving amplified music shall be fully contained within the designated event area, with all window and door openings to be closed shut at all times when amplified music is played.
9. The in-house amplified sound system within the multi-purpose area shall be fitted with a calibrated noise volume limiter 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.
10. All materials, goods and refuse shall at all times be loaded and unloaded within the confines of the subject land. Delivery vehicles shall only access the site between the hours of 7.30am and 6.00pm on any day.
11. External lighting directly associated with the grandstand building shall 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.

12. An additional eight (8) bicycle racks shall be provided and installed within proximity of the grandstand prior to the commencement of the approved development.

CARRIED UNANIMOUSLY

The meeting was adjourned from 8:02pm to 8:06pm
At 8:06pm Shanti Ditter left the meeting and Jennie Boisvert returned to the meeting.
Brenton Burman took on the role of chairing the meeting.

ITEM 2

DEVELOPMENT APPLICATION – 090/522/2020/C2 – 22 MARLBOROUGH STREET, MALVERN SA 5061 (UNLEY PARK)

Mr Mark Kwiatkowski addressed the Panel on behalf of the applicant Grantley Bell.

MOVED: Alexander Wilkinson

SECONDED:

That Development Application 090/522/2020/C2 at 22 Marlborough Street, Malvern SA 5061 to 'Carry out alterations and construct two storey addition' is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reason:

- The upper level addition would not integrate sympathetically into the existing dwelling design, would result in the dwelling appearing as a two-storey dwelling and would not maintain the existing streetscape character

The motion lapsed for want of a seconder.

MOVED: Jennie Boisvert

SECONDED: Roger Freeman

That Development Application 090/522/2020/C2 at 22 Marlborough Street, Malvern SA 5061 to 'Carry out alterations and construct two storey addition' 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 the upper floor windows (excluding upper level windows surrounding the stairway landing and void which are 1.5m above finished floor level) 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.

CARRIED

ITEM 3

DEVELOPMENT APPLICATION – 090/622/2020/C2 – ARKABA SHOPPING CENTRE, 180 GLEN OSMOND ROAD, FULLARTON SA 5063

Mr Sam McInnes from Hurley Hotel Group and Mr Greg Vincent from Masterplan addressed the Panel.

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/622/2020/C2 at Arkaba Shopping Centre, 180 Glen Osmond Road, Fullarton SA 5063 to 'Establish 'hand car wash and detailing' with associated storage/reception building and canopies within the carpark of the existing shopping centre (south-western corner)' 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:

RESERVED MATTER

The following detailed information shall be submitted for further assessment and approval by Council as reserved matters under Section 33(3) of the Development Act 1993:

- a) Detailed plans demonstrating the acoustic absorption material to the canopy as recommended in the Environmental Noise Assessment, dated November 2020, prepared by Sonus (acoustic treatment as recommended on page 7).
- b) Details of the proposed finished colour of the shipping container.
- c) Detailed plans showing the gap between the wall and roof of the proposed canopy being closed.

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. The development must be undertaken in accordance with the following plans and details, except where varied by any subsequent condition set out below (as relevant):
 - 1.1. Site plan prepared by InProperty Design, Job No. 630, Revision A;
 - 1.2. Proposed plan prepared by InProperty Design, Job No. 630, Revision A;
 - 1.3. Elevation plan prepared by InProperty Design, Job No. 630, Revision A;
 - 1.4. Environmental noise assessment prepared by Sonus, dated November 2020, Ref S6715C2
 - 1.5. Masterplan statements dated 20th November 2020 and 26th August 2020, prepared by Julie Jansen
2. The hours of operation of the premises not exceed the following period:
 - 7am to 6pm Monday - Friday
 - 7am to 5pm on Saturdays
 - 8am to 5pm on Sundays

3. The acoustic treatment as recommended on page 6 and 7 of the Environmental Noise Assessment prepared by Sonus (dated November 2020), shall be undertaken prior to occupation of the development and maintained to Council's satisfaction at all times thereafter.

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 (including SA Water Trade Waste Pre-treatment requirements). The applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.

CARRIED UNANIMOUSLY

At 8:40pm Shanti Ditter returned to the meeting and resumed chairing the meeting.

ITEM 4

DEVELOPMENT APPLICATION – 090/406/2020/C2 – 74 KING WILLIAM ROAD, GOODWOOD SA 5034 (UNLEY)

Mr Tony Mazzamauro, representor, addressed the Panel regarding the above-mentioned application. Mr Marc Duncan and Mr Jason Turner from Sonus spoke in support of the application.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/406/2020/C2 at 74 King William Road, Goodwood SA 5034 for 'Change of use from shop to office and events space' be DEFERRED to allow the applicant to address truck movements within the site, to provide further information on waste collection arrangements; and provide additional information and clearer indication on the operation of the site, including outdoor activities and proposed market activities.

CARRIED

The meeting was adjourned 9:24pm to 9.27pm.

ITEM 5

DEVELOPMENT APPLICATION – 090/459/2020/C2 – 60 OPEY AVENUE, HYDE PARK SA 5061

Mr Matthew Falconer addressed the Panel regarding the above-mentioned application.

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/459/2020/C2 at 60 Opey Avenue Hyde Park SA 5061 to 'Demolish existing dwelling and structures, construct single storey dwelling, carport (to boundary) and front fence' is at variance with the provisions of the City of Unley Development Plan and should be REFUSED for the following reason:

- The proposed replacement dwelling does not make a comparable or more positive contribution to the desired character of the zone and policy area than the building to be demolished, contrary to the PDC 6 of the zone.

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/724/2020/C2 – 66 DOVER STREET, MALVERN SA 5061 (UNLEY PARK)

Mr David Brock, representor, addressed the Panel regarding the above-mentioned property. Mr Bradley Hutchins spoke in support of the application.

MOVED: Jennie Boisvert

SECONDED: Brenton Burman

That Development Application 090/724/2020/C2 at 66 Dover Street, Malvern SA 5061 to 'Carry out alterations and construct additions including a verandah and an extension to the existing carport on 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.
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(2000L retention, 1000L detention). 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.

- 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.

CARRIED UNANIMOUSLY

ITEM 7

DEVELOPMENT APPLICATION – 090/703/2020/C2 – 9A GORDON ROAD, BLACK FOREST SA 5035 (CLARENCE PARK)

MOVED: Jennie Boisvert

SECONDED: Roger Freeman

That Development Application 090/703/2020/C2 at 9A Gordon Road, Black Forest SA 5035 to 'Erect combined carport and shed', 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.
- 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.

CARRIED UNANIMOUSLY

ITEM 8

DEVELOPMENT APPLICATION – 090/663/2020/C2 – 1 / 22 WELLER STREET, GOODWOOD SA 5034 (GOODWOOD)

Mr Jonathan Lardner, representor, addressed the Panel regarding the above-mentioned application. Mr Mark Kwiatkowski spoke in support of the application.

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/663/2020/C2 at 1 / 22 Weller Street, Goodwood SA 5034 to 'Demolish rear addition, carport and shed; carry out alterations and construct additions on boundaries including a verandah, carport and front fence', 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:

RESERVED MATTER

The following detailed information shall be submitted for further assessment and approval by Council as reserved matters under Section 33(3) of the Development Act 1993:

- a) Details of the front boundary fencing not exceeding a maximum height of 1.5 metres.

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 (2000L retention, 1000L detention). Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
4. Further details regarding the front fence is to be provided to Council's satisfaction prior to the 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.
- 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.
- 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.

CARRIED

CONFIRMATION OF MINUTES:

MOVED: Jennie Boisvert SECONDED: Brenton Burman

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 17 November 2020 as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

OTHER BUSINESS

ITEM 9

COUNCIL ASSESSMENT PANEL PROPOSED MEETING DATES FOR 2021

MOVED: Roger Freeman SECONDED: Alexander Wilkinson

That until the end of its term, the Council Assessment Panel continue to meet on the third Tuesday of every month at 7:00pm in the Council Chambers, 181 Unley Road Unley.

CARRIED UNANIMOUSLY

MATTERS FOR COUNCIL'S CONSIDERATION

The Presiding Member declared the meeting closed at 10:20pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 22 December 2020

.....
PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 22 December 2020