

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday 14 December  
2021 at Civic Centre, Council Chambers**

**KAURNA ACKNOWLEDGEMENT**

*Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.*

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yaitya, parnuku tapa purruna yalarra puru purruna.\**

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 traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

\*Kurna Translation provided by Kurna Warra Karrpanthi

**PRESENT:** Mr Brenton Burman (Presiding Member)  
Ms Colleen Dunn  
Mrs Emma Wright  
Mr Ross Bateup

**APOLOGIES:** Mr Michael McKeown

**OFFICERS PRESENT:** Mr Don Donaldson, Assessment Manager  
Ms Amy Barratt, Acting Senior Planning Officer  
Ms Lily Francis, Administration Officer

**CONFLICT OF INTEREST:** Nil

**CONFIRMATION OF MINUTES:**

MOVED: Emma Wright

SECONDED: Colleen Dunn

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 16 November 2021 as printed and circulated, be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/213/2021/C2 – 73 WELLER STREET, MILLSWOOD SA 5034 (UNLEY)**

Mr George Stathopoulos, Mr Michael Richardson of Masterplan, representors, addressed the Panel regarding the above-mentioned application. Mr Garth Heynen of Heynen Planning Consultants spoke on behalf of applicant, in support of the application.

MOVED: Ross Bateup

SECONDED: Brenton Burman

That Development Application 090/213/2021/C2 at 73 Weller Street, Millswood SA 5034 for the 'Demolition of existing building and construct a 2 storey detached dwelling, garage, verandah, swimming pool and outbuilding.' 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 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.
4. 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.

5. That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure prior to the operation of said equipment. 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.
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.

### **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 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.
- 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).
- The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
- The 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#>

**CARRIED**

**ITEM 2**

**DEVELOPMENT APPLICATION – 090/111/2019/C2 – 9-11 UNLEY ROAD, PARKSIDE SA 5063 (UNLEY)**

MOVED: Colleen Dunn

SECONDED: Emma Wright

That Development Application 090/111/2019/C2 at 9-11 Unley Road, Parkside SA 5063 to alterations and additions to existing motor repair station, 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. The vehicle parking areas as detailed within the approved plans shall be kept free and available for parking at all times and shall not be used as workshop space unless otherwise approved in writing by Council.
3. Eastern elevation cladding is to be constructed and installed per the agreed terms as detailed in email provided to Unley Council staff dated 3 November 2021 in that;
  - the required panel mix design reference is H360.
  - the mix consists of an off-white Type HE cement, select sand and standard light coloured aggregates and should achieve Type B colour uniformity.
  - precast wall panels are exposed, off-form concrete using Class 1 formwork with a wet, sand blast finish to the external cast face
4. The car parking areas to be maintained at all times to the reasonable satisfaction of Council.
5. That the northern 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.
6. 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. 6. 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 The car parking areas to be maintained at all times to the reasonable satisfaction of Council.

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

- Waste Management - the size of the proposed waste and recycle bins (240L and 360L respectively) are subject to Council's endorsement of the Waste Management Plan that is being reviewed. Increased bin sizes are included in the Waste Management Plan and if supported, will be available for shared use at small-medium complexes in the City of Unley. If not supported, the alternative may be a suitable number of 140L and 240L bins for the proposed development. Therefore, approval of the current Waste Management Plan is subject to larger bins being approved by Council in the near future.
- Waste Management - the developers, before the buildings become operational, must liaise with Council to organise:
  - an inspection by Council's Waste Management Officer to confirm that the approved waste management system has been installed and associated planning conditions are complied with; and
  - where a Council supplied waste collection service is being provided, to enable Council to supply and set up bins, possibly signage and other infrastructure, and to confirm a suitable location for hard rubbish collection, should tenants choose to book a collection.
- 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 3**  
**DEVELOPMENT ID – 21014757**  
**40 CHELTENHAM ROAD, HIGHGATE SA 5063**

MOVED: Emma Wright

SECONDED: Colleen Dunn

Mr Ross Sweet, Mr Simon Grose on behalf of Pete Thornton, and Mr Ian Green, addressed the Panel regarding the above mentioned application. Mr Phil Brunning and Mick Hoopmann, addressed the Panel in support of the application on behalf of the applicant Concordia College.

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

\* Denotes Change

2. Development Application Number 21014757, by Concordia College is granted Planning Consent subject to the following reserved matters and conditions:

The following information shall be submitted for further assessment and approval by the City of Unley as reserved matters under Section 102(3) of the Planning, Development and Infrastructure Act 2016:

1. Design details of the acoustic treatments that are required to be incorporated into the development in accordance with the recommendations of the Environmental Noise Assessment (ENA) prepared by Resonate dated 28 October 2021.
2. A detailed stormwater management system and computations for the development that includes:
  - Flows to be restricted to pre-development with details for the outlet orifice to restrict flows to pre-development;
  - Post development flow that do not exceed pre-development at peak of the detention curve; and
  - Design details for the swale.
3. A Construction Management Plan (CMP) for the proposed development. The CMP should identify potential issues and appropriate measures to minimise impacts and disruption to surrounding residents and business owners during the construction phase of the development. The plan shall also detail the types, volumes and distributions of traffic and how they will be managed.

Pursuant to Section 127(1) of the Planning, Development and Infrastructure Act 2016, the Council reserves its decision on the form and substance of any further conditions of Development Plan Consent that it considers appropriate to impose in respect of the reserve matters outlined above.

### **Planning 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 driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation and shall be maintained in reasonable condition at all times to the satisfaction of Council.
3. All car parking areas shall be marked in a distinctive fashion to delineate the parking spaces, prior to the occupation of the development.
4. The proposed car parking layout and access areas and vehicle head clearances shall conform to Australian Standard AS 2890.1:2004- Off-street Car parking and Australian Standard 2890.6:2009 - Off-Street Parking for People with Disabilities.

5. The gymnasium approved herein shall be operated in accordance with the following:

<b>Activity</b>	<b>Hours</b>	<b>Numbers</b>
Events (up to 10 times per year)	Monday to Saturday 7.00 PM till 10.30 PM	Up to 300 persons per event
Training/Matches/ Dance Lessons	Monday to Friday 6 PM to 10 PM Saturday 8 AM to 6 PM Sunday 10 AM to 4 PM	Up to 80 persons at any one time
Canteen	Saturday 8 AM to 6 PM	Up to 30 persons at any one time
Weights Room	Monday to Friday 6 AM to 8 AM then 4 PM to 7.30 PM Saturday 6 AM to 10 AM	Up to 20 persons at any one time

6. Any music played during events shall achieve the requirements of the EPA Guideline “Development Proposal Assessment for Venues Where Music May be Played” at the nearest noise sensitive receptor.
7. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.
8. The tree protection measures outlined in recommendations of the Arboricultural Assessment and Report prepared by the Tree Surgery dated 18/04/21 shall be undertaken during demolition and construction of the development to the satisfaction of Council’s arborist.
9. External lighting 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.
10. Replacement trees must be planted within 12 months of completion of the development at the following rates:
- I. if the development relates to a regulated tree—2 trees to replace a regulated tree; or
  - II. if the development relates to a significant tree—3 trees to replace a significant tree.

Replacement trees cannot be include a species specified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, and cannot be planted within 10 metres of an existing dwelling or inground swimming pool.

- 11. The approved landscaping shall be established prior to the occupation of the development and shall be irrigated, maintained and nurtured with any dead, diseased or dying plants being replaced within the next available growing season and to the reasonable satisfaction of the Council.

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS**

Nil

**MATTERS FOR COUNCIL CONSIDERATION**

In granting consent to the Concordia College gymnasium development, the Panel advise the Council that it may be appropriate to consider a traffic management survey of the area prior to the opening of the gymnasium (as a benchmark of traffic demand in the vicinity of the College) and another survey after the gymnasium has been operating for a period.

The Presiding Member declared the meeting closed at 7:41pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 21 December 2021.

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**PRESIDING MEMBER**

**DATED**     /     /

NEXT MEETING  
Tuesday, 21 December 2021