

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday 19 July 2022  
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  
Mr Ross Bateup  
Ms Carol Muzyk  
Ms Emma Wright

**APOLOGIES:**

Mr Michael McKeown

**OFFICERS PRESENT:**

Mr Gary Brinkworth, Assessment Manager  
Mr Mark Tronccone, Planning Officer  
Mr Nicholas Bolton, Cadet Planning Officer  
Mr Timothy Bourner, Senior Planning Officer  
Ms Sandy Beaton, Development Administration Officer

**CONFLICT OF INTEREST: Nil**

**CONFIRMATION OF MINUTES:**

MOVED: Carol Muzyk

SECONDED: Colleen Dunn

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 21 June 2022 as printed and circulated, be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 1 - 17-23 FOSTER STREET, PARKSIDE SA 5063 – 22015437**

John Forward & Barb Renton, representor, addressed the panel regarding the above-mentioned application.

Marc Duncan from Future Urban spoke on behalf of the applicant with assistance from Maris Naish, CEO St Louis Aged Care Parkside, and Mark Nield from On Architecture in support of the application.

MOVED: Ross Bateup

SECONDED: Carol Muzyk

It is recommended that the Council Assessment Panel/SCAP 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
2. Development Application Number 22015437, by St Louis Aged Care C-/ Future Urban is granted Planning Consent subject to the following conditions:

**RESERVED MATTERS:**

The following matter(s) have been reserved pursuant to Section 102 (3) of the Planning, Development, and Infrastructure Act 2016 and sub-delegated to Council planning staff for a determination, prior to the issue of Development Approval:

1. Prior to the issue of full Development Approval, a detailed landscaping plan indicating the species and location of proposed additional trees and shrubs on the site inclusive of the location of the external bollard lighting, shall be submitted to and approved by Council.

## CONDITIONS

### Planning Consent

#### Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

#### Condition 2

That all landscaping shall be planted in accordance with the approved plans (as prepared by ON Architecture, Rev A dated 09/02/2022). 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.

#### Condition 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. The stormwater shall be managed in accordance with the approved Stormwater Management Plan (as prepared by Jack Adcock Consulting Pty Ltd dated 04/05/2022 and quoted with job reference number JAC220043).

#### Condition 4

That the acoustic fencing associated with the car park be erected prior to commissioning of the car park. The fence should be constructed in accordance with the approved acoustic report (as prepared by Echo Acoustic Consulting dated 27/04/2022 and quoted with job reference number 20-3).

#### Condition 5

Waste collection and general delivery vehicles shall only service the development between the hours of 7am and 7pm on any day. General delivery vehicles (not including waste collection vehicles) shall utilise the on-site loading area.

#### Condition 6

External bollard lighting for the approved car park shall be restricted to that necessary for security purposes only (with a maximum height of 1.2m) 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.

## ADVISORY NOTES

### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

#### Planning Consent

##### Advisory Note 1

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.

##### Advisory Note 2

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).

##### Advisory Note 3

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.

##### Advisory Note 4

Driveway crossovers shall be designed to reflect the following:

- Driveways crossovers are not to be constructed from concrete over the footpath area between the kerb to boundary.
- Driveways and boundary levels at fence line must be between 2% and 2.5% above kerb height
- Crossover not to exceed 2.5% or 1:40 cross fall gradient from boundary to kerb invert .
- If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an existing crossover.

- The redundant driveway crossover or part of, is required to be closed and returned back to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed.

**CARRIED UNANIMOUSLY**

**UNLEY COUNCIL ASSESSMENT PANEL – ANNUAL REPORT 2021-2022**

MOVED: Carol Muzyk

SECONDED: Colleen Dunn

That the report be received and confirmed at the next Council meeting with the addition of clarity around which deputy attended each meeting.

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS:**

Nil

**MATTERS FOR COUNCIL CONSIDERATION**

Nil

The Presiding Member declared the meeting closed at 7:29pm

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 16 August 2022.

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**PRESIDING MEMBER**

**DATED**     /     /

NEXT MEETING  
Tuesday 16 August 2022