

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Wednesday January 28th 6:00PM
at Civic Centre, Council Chambers**

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinthi, ngadlu Kaurna yartangka inparrinthi. Ngadlurlu parnuku tuwila yartangka tampinthi.

*Ngadlurlu Kaurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinthi. Parnuku yailtya, parnuku tapa purruna yalarra puru purruna. **

We would like to acknowledge this land that we meet on today is the Traditional Lands for the Kaurna people and that we respect their spiritual relationship with their Country.

We also acknowledge the Kaurna people as the Traditional Custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

*Kaurna Translation provided by Kaurna Warra Karrpanthi

PRESENT: Mr Brenton Burman
Mr Terry Sutcliffe
Mr David Brown
Mr David Storey

APOLOGIES: Ms Colleen Dunn
Ms Yvonne Svensson

OFFICERS PRESENT: Mr Tim Bourner, Assessment Manager
Ms Lauren Cooke, Planning Officer
Ms Hannah Leadbeter, Cadet Planning Officer
Mr Shawn Shepley, Development Administration Officer

CONFLICT OF INTEREST – Item 4.3 – 28, 29, Lot 4 & Lot 68 Norman Terrace Everard Park, 24 & 28 Fourth Avenue Everard Park

Brenton Burman addressed the panel and gallery with the following:

- I am a resident of Third Avenue, Forestville. My home is outside of the Locality and the 'Adjacent Land' (shown in Figure 3 of the agenda item – Page 115).
- My neighbours have lodged representations in relation to the application.
- I do not consider that I have a conflict of interest or a perceived conflict of interest in relation to this item.

David Storey addressed the panel and gallery to declare that he does live within close proximity of the subject site, Lot 68 Everard Park, 24 and 28 Fourth Avenue. His proximity to the subject site is not within the locality and does not pose a formal conflict.

David Brown addressed the panel and gallery with a speech as transcribed below

In accordance with the Code of Conduct I wish to outline I am familiar with the subject site in Item 4.3 through my previous employment with the City of Unley up to the end of 2023.

Through 2019 and 2020 I was involved in the change to the zoning policy for the site. On behalf of Council, I managed a Council Development Plan Amendment (Privately Funded), including public consultation, reporting to Council for determination in March 2020 and Minister of Planning final approval in October 2020.

I believe that my former employment with the Council gives rise to no direct or indirect personal or pecuniary interest in the subject matter of this development application now under consideration; nor does that former employment give rise to any bias from affiliation, disposition or personal views that would preclude me from participating as a CAP member in the consideration & determination of this development application.

ITEM 3 - CONFIRMATION OF MINUTES:

MOVED: Terry Sutcliffe

SECONDED: David Brown

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 16 December 2025, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 4.1 – 44 Palmerston Road Unley - 25021099

Mario Armiento, representor, addressed the Panel regarding the above-mentioned application.

Chelsea Tully from URPS and Louisa Rebellato from Architects Ink, spoke on behalf of the applicant in support of the application.

MOVED: Terry Sutcliffe

SECONDED: David Brown

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 25021099, by Peter Gorayski is granted Planning Consent subject to the following conditions:

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

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times to the satisfaction of the Relevant Authority.

Condition 3

The permanently fixed obscure glazing as shown on the approved plans and elevation drawings forming part of this consent, must be installed prior to the commencement of use of the building. The permanently fixed obscure glazing must be maintained in good condition and must be maintained as effective privacy controls thereafter.

Condition 4

All stormwater from the building and site shall be disposed of so as not to 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.

Condition 5

The planting and landscaping identified on the approved plans must be completed in the first planting season concurrent with or following commencement of the use of the dwelling. Such planting and landscaping shall be irrigated and maintained thereafter with any plants which

become diseased or die must be replaced within the next available growing season with suitable species.

Condition 6

That wastewater 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.

Condition 7

Noise generated from ancillary pool and/or spa equipment must not exceed specified noise levels to limit loss of amenity to adjoining properties. 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 of an adjoining dwelling.

ADVISORY NOTES

Planning Consent

Advisory Note 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.

Advisory Note 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.

Advisory Note 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.

Advisory Note 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).

Advisory Note 5

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 6

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.

Advisory Note 7

You are advised that it is an offence to undertake *tree damaging activity* in relation to a regulated or significant tree without the prior consent of Council. *Tree damaging activity* means:

- The killing or destruction of a tree; or
- The removal of a tree; or
- The severing of branches, limbs, stems or trunk of a tree; or
- The ringbarking, topping or lopping of a tree; or
- Any other substantial damage to a tree, (including severing or damaging any roots), and includes any other act or activity that causes any of the foregoing to occur but does not include maintenance pruning that is not likely to affect adversely the general health and appearance of a tree.

Advisory Note 8

Any works undertaken on Council owned land (including but not limited to works relating to reserves, crossing places, landscaping, footpaths, street trees and stormwater connections and underground electrical connections), shall require a separate authorisation from Council. Further information and/or specific details can be obtained by contacting Council's Asset Management department on 8372 5111.

Advisory Note 9

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.

Advisory Note 10

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 11

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

CARRIED UNANIMOUSLY

ITEM 4.2 – 56 Third Avenue Forestville – 25030545

Item withdrawn

ITEM 4.3 – 28, 29, Lot 4 & Lot 68 Norman Terrace Everard Park, 24 & 28 Fourth Avenue Everard Park – 25027176

Monica Zinndorf, representor, addressed the Panel regarding the above-mentioned application.

Wendy Tait, representor, addressed the Panel regarding the above-mentioned application.

Andrew Tait, representor, addressed the Panel regarding the above-mentioned application.

Vivian and Shaun Anderson, representor, addressed the Panel regarding the above-mentioned application.

Michael Buchtmann, representor, addressed the Panel regarding the above-mentioned application.

Rosi Reschke and Vincent Scotland, representor, addressed the Panel regarding the above-mentioned application.

Jeffrey Potter, representor, addressed the Panel regarding the above-mentioned application.

Zoe Garnaut from Ekistics, Melissa Mellen from MFY Traffic, Lisel McLeay from GD studia spoke on behalf of the applicant in support of the application.

MOVED: Terry Sutcliffe

SECONDED: David Brown

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the Planning, Development and Infrastructure Act 2016.
2. Development Application Number 25027176, by EV Park Developments Pty Ltd is DEFERRED to seek the following information:
 - Waste collection methods for the dwellings fronting Ross Street
 - Visitor car parking designation within the private laneway
 - Use of front yards of the dwellings fronting Ross Street
 - Further detail on privacy treatments for the front balconies of the dwellings fronting Ross Street
 - Detailed design and schedule of colours and materials for the dwellings and associated fencing fronting Ross Street
 - Streetscape elevation and renders demonstrating the streetscape massing of the dwellings fronting Ross Street
 - Clarity regarding the proposed public open space and vesting

CARRIED UNANIMOUSLY

ITEM 6.1 - APPLICATIONS BEFORE THE ERD COURT – SUMMARY OF COURT APPEALS

The Team Leader Planning provided an update on the following appeals lodged to the ERD Court:

- 3 Lynton Avenue, Millswood – Demolition of a Representative building.
- 17 Birks Street, Parkside – Alterations to an existing dwelling.

MOVED: David Storey

SECONDED: Terry Sutcliffe

That the report be noted and received.

CARRIED UNANIMOUSLY

The Presiding Member declared the meeting closed at 8.36pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 17 February 2026.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday 17 February 2026