

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday 21 July 2026 6:00PM
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
Ms Colleen Dunn
Mr Terry Sutcliffe
Ms Yvonne Svensson
Mr David Brown

APOLOGIES:

OFFICERS PRESENT:

Mr Tim Bournier, Team Leader Planning
Ms Lauren Cooke, Planning Officer
Ms Hannah Leadbeter, Cadet Planning Officer

CONFLICT OF INTEREST:

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. Whilst I am familiar with the locality, I have had no input/involvement with this development. I do not consider I have a conflict of interest (or a perceived conflict of interest) in relation to this project.

ITEM 3 - CONFIRMATION OF MINUTES:

MOVED: Colleen Dunn

SECONDED: David Brown

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 16 June 2026, as printed and circulated, be taken as read and signed as a correct record.

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

- 56 Third Avenue Forestville – Dwelling alterations and two storey addition including partial demolition of the existing dwelling, demolition of a carport and construction of an outbuilding (garage), Refused by CAP

MOVED: Terry Sutcliffe

SECONDED: Colleen Dunn

That the report be noted and received.

CARRIED UNANIMOUSLY

ITEM 7.1 – 56 THIRD AVENUE, FORESTVILLE SA 5035 – 25030545

The Presiding Member invited the applicant to address the Panel in relation to Item 7.1 – 56 Third Avenue, Forestville SA 5035 – 25030545.

Matthew King from URPS and William Moukachar from Precision Homes, spoke on behalf of the applicant in support of the application. Andrew Clifton (the landowner) and Eric Wong from URPS were in attendance.

ITEM 7.1 – 56 THIRD AVENUE, FORESTVILLE SA 5035 – 25030545 – INTO CONFIDENCE

MOVED: Terry Sutcliffe

SECONDED: Yvonne Svensson

It is recommended that the Council Assessment Panel resolve 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:
 - Tim Bournier, Team Leader Planning | Assessment Manager
 - Lauren Cooke, Planning Officer
 - Hannah Leadbeter, Cadet Planning 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 believe on reasonable grounds will take place.

CARRIED UNANIMOUSLY

ITEM 7.1 – 56 THIRD AVENUE, FORESTVILLE SA 5035 – 25030545

MOVED: Terry Sutcliffe

SECONDED: David Brown

It is recommended that the Council Assessment Panel resolve that:

Set aside the decision of the Council Assessment Panel to refuse Development Application 25030545 and replace with an alternate decision.

AND

Authorises the Assessment Manager to inform the Environment, Resources and Development Court that the City of Unley Council Assessment Panel supports the compromise plans, subject to the following conditions and notes:

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

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.

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.

CARRIED

ITEM 7.1 – 56 THIRD AVENUE, FORESTVILLE SA 5035 – 25030545 – OUT OF CONFIDENCE

MOVED: David Brown

SECONDED: Colleen Dunn

It is recommended that the Council Assessment Panel resolve 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 report and attachments for item 7.1 remain confidential on the basis that the information contained therein concerns actual litigation being the appeal in ERD-26-000057
3. That the decision for ITEM 7.1 – 56 THIRD AVENUE, FORESTVILLE SA 5035 – 25030545 is released to the public.
4. Formal proceedings recommence with the gallery to be reopened to the public.

CARRIED UNANIMOUSLY

OTHER BUSINESS:

The Presiding Member declared the meeting closed at 6.32pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 21 July 2026.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday 18 August 2026