

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday March 17<sup>th</sup> 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 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 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  
Mr Terry Sutcliffe  
Ms Yvonne Svensson  
Mr David Storey

**APOLOGIES:**

Ms Colleen Dunn  
Mr David Brown

**OFFICERS PRESENT:**

Mr Tim Bourner, Assessment Manager  
Ms Amelia De Ruvo, Senior Planning Officer  
Mr Matthew Falconer, Planning Consultant  
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.

**ITEM 3 - CONFIRMATION OF MINUTES:**

MOVED: Terry Sutcliffe

SECONDED: David Storey

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 17 February 2026, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 4.1 – 55 Sheffield Street Malvern - 25033637**

Leonie Hampton, representor, addressed the Panel regarding the above-mentioned application.

Phillip Brunning, from Phillip Brunning and Associates, spoke on behalf of the representor Iain Arnold and Simone Rossi, regarding the above-mentioned application.

Matthew King from URPS and Sean Humphries from Black Rabbit, spoke on behalf of the applicant in support of the application.

MOVED: Terry Sutcliffe

SECONDED: David Storey

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 25033637, by Craig Weaver 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**

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 4**

No groundwater is to be discharged into Council's stormwater system.

### **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**

A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

### **Condition 7**

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 8**

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.

### **Condition 9**

That appropriate measures shall be taken (aiming of lights, fittings of louvres, baffles, shields or the like) to control and limit light falling on surrounding properties and that the lights shall be turned off between 10pm and 6am Monday to Sunday.

## **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**

Numerous parts of the Council area have low lying water tables. Where there is sub-surface development occurring, groundwater can be encountered. Issues related to the disposal of this groundwater, either temporarily or permanently, can cause damage to surrounding Council infrastructure and cause problems for adjoining landowners. Where groundwater is encountered during the construction of the development, it will be necessary for measures to be taken to ensure the appropriate containment and disposal of any groundwater.

#### **Advisory Note 6**

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 7**

The applicant/developer is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure the activities on the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.

#### **Advisory Note 8**

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 9**

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 10**

The construction of the 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 the City of Unley website Forms & Applications – Driveway Crossover Specifications.

<https://www.unley.sa.gov.au/Page/Forms-Applications>

### **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*.

### **Advisory Note 12**

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 13**

If there are any works undertaken within the Notional Root Zone of any street tree, Council's City Arborist should be contacted prior to the commencement of any works. Council's City Arborist can be contacted via 8372 5111 or [PoBox1@unley.sa.gov.au](mailto:PoBox1@unley.sa.gov.au)

### **Advisory Note 14**

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 15**

Please be advised that your application involves work that may impact on the stability of neighbouring land. Pursuant to section 139 of the Planning, Development and Infrastructure Act 2016, you are reminded of your obligations to:

- a. 20 business days before the building is commenced, caused to be served on the owner of the affected land a notice of intention to perform the building work and the nature of that work; and
- b. Take precautions as may be prescribed to protect the affected land or premises, carry out such other building work in relation to that land or premises as that adjoining owner is authorised by the Planning, Development and Infrastructure (General) *Regulations 2017* to require.

**CARRIED UNANIMOUSLY**

*Matthew Falconer left the meeting at 6:42pm.*

**ITEM 4.2 – 72 Mary Street Unley – 25027337**

Julie Kuerschner, representor, addressed the Panel regarding the above-mentioned application.

Chris Vounasis from Future Urban, Jason Schulz from Dash Architects, Matthew John from Cambridge Group, spoke on behalf of the applicant in support of the application.

MOVED: Yvonne Svensson

SECONDED: Nil

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 25027337, by Mary Paul Investments Pty Ltd C/- Future Urban is REFUSED Planning Consent subject to the following reasons:
  - Does not satisfy PO 2.1 URNZ. Developments of 2-3 levels, with taller buildings are to be located on suitably sized sites to manage massing and impacts to adjoining residential development. The site of 689m<sup>2</sup> with a width of 15.24m is in the centre of Mary St, which is a narrow road, predominately a single level area and adjacent to a local heritage building. The site is not suitable for a highly vertical rectangular 3 level building with limited articulation.
  - Does not meet Heritage Overlay PO 1.1. The proposal is adjacent to a local heritage place, and its height and bulk unduly dominates and impacts the setting of the cultural values of the place especially on its highly visible side elevation to 74 Mary St. The 3 straight levels create a large rectangular box. The lack of articulation /setbacks of upper levels contribute to its bulk and unreasonable encroachment to 74 Mary St Unley which is a single storey slate villa with bull nose verandah .
  - Does not meet PO 2.2 URNZ. The allotment is adjacent LHP and opposite ENZ. The proposal is not an orderly transition of built scale due to its excessive scale and height.
  - Does not sufficiently meet Design in Urban Area PO 12.1. The building does not contribute to the character of the local area by responding to local context, design, articulation, bulk and scale are in contrast to the predominate forms.

- Does not sufficiently meet Design in Urban Area 12.2. Architectural detail not sufficient at street level and does not provide a mixture of materials at lower building levels near the public interface to reinforce a human scale.
- Does not meet Design in Urban Areas PO 12.3. The building mass has not been adequately reduced by breaking up building elevations into distinct elements. Side elevations are highly visible to 74 Mary St Unley.

**The motion was LOST**

MOVED: David Storey

SECONDED: Terry Sutcliffe

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 25027337, by Mary Paul Investments Pty Ltd C/- Future Urban is GRANTED Planning Consent subject to the following Reserved Matters and Conditions:

**RESERVE MATTERS**

**Planning Consent**

**Reserve Matter 1**

Pursuant to Section 102 (3) of the *Planning, Development and Infrastructure Act 2016*, the following matters shall be reserved for further assessment, to the satisfaction of the Relevant Authority, prior to the granting of Development Approval of the relevant stage :

A comprehensive and detailed landscaping plan for the site be provided including the following details:

- *Specific icons or number references for the different species of plants; and*
- *All trees to be planted to satisfy the Urban Tree Canopy requirements shall be clearly identified by species & location.*

Note - Further conditions may be imposed on the Planning Consent in respect of the above matters.

**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 fixed obscured glazing and fixed obscure balcony balustrades, approved herein, must be installed prior to the occupation of the dwellings. The fixed obscured glazing and fixed obscure balcony balustrades shall be maintained in good condition as an effective privacy measure at all times to the satisfaction of the Relevant Authority.

**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 establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of the Relevant Authority at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.

**Condition 6**

A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

**Condition 7**

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained to the satisfaction of the Relevant Authority.

**Condition 8**

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

**Condition 9**

All stormwater from the buildings 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 10**

Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

**Condition 11**

All vehicles shall enter and exit the site in a forward direction.

### **Condition 12**

The vehicle turn around bay within the undercroft car park shall remain free and unrestricted at all times.

### **Condition 13**

Any lights on the subject land must be directed and screened so that overspill of light into the nearby properties is avoided and motorists are not distracted.

### **Condition 14**

The bin enclosure must be maintained in a clean and sanitary condition at all times. The occupiers of the dwellings must immediately remedy any accumulation of waste, odour or litter to the reasonable satisfaction of the Relevant Authority.

## **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**

The applicant/developer is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure the activities on the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.

### **Advisory Note 6**

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 7**

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 8**

The construction of the 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 the City of Unley website Forms & Applications – Driveway Crossover Specifications.

<https://www.unley.sa.gov.au/Page/Forms-Applications>

### **Advisory Note 9**

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 10**

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 11**

If there are any works undertaken within the Notional Root Zone of any street tree, Council's City Arborist should be contacted prior to the commencement of any works. Council's City Arborist can be contacted via 8372 5111 or [PoBox1@unley.sa.gov.au](mailto:PoBox1@unley.sa.gov.au)

### **Advisory Note 12**

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*.

### **Advisory Note 13**

Council will not consider removing any existing on-street parking spaces adjacent or opposite crossovers on Mary Street, Cleland Avenue, Queen Street or Tyne Place either during assessment or post Development Approval.

### **Advisory Note 14**

Residential Parking Permits will not be issued to residents of Community or Strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.

**CARRIED**

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

Only those panel members who heard the representations and participated in the discussion at the Council Assessment Panel meeting held Tuesday January 28<sup>th</sup> 2026 may consider the deferred matter. Therefore, Yvonne Svensson did not sit for this item.

The Presiding Member invited the applicant to provide an overview of the changes to the application in response to the deferred decision of the Panel.

Zoe Garnaut from Ekistics, Scott Colegate from Colegate & Co Architects spoke on behalf of the applicant for the application.

MOVED: Terry Sutcliffe

SECONDED: David Storey

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 GRANTED Planning Consent subject to the following conditions and reserved matters:

**RESERVE MATTERS**

**Planning Consent**

**Reserved Matter 1**

Pursuant to Section 102 (3) of the *Planning, Development and Infrastructure Act 2016*, the following matters shall be reserved for further assessment, to the satisfaction of the Relevant Authority, prior to the granting of Development Approval of the relevant stage:

A comprehensive and detailed landscaping plan for the site be provided including the following details:

- *All trees to be planted to satisfy the Urban Tree Canopy requirements and shall clearly identified by species & location.*

Note - Further conditions may be imposed on the Planning Consent in respect of the above matters.

**Reserved Matter 2**

Pursuant to Section 102 (3) of the *Planning, Development and Infrastructure Act 2016*, the following matters shall be reserved for further assessment, to the satisfaction of the relevant authority, prior to the granting of Development Approval Stage 1:

*Final stormwater management plan including the following:*

- *Final engineering drawings;*
- *Geo-testing to ensure that there will be no impact of the direction of flow of surface water and ground water, to the satisfaction of the Relevant Authority.*

- *Final details on the stormwater quality treatment devices and MUSIC (Model for Urban Stormwater Improvement Conceptualisation) analysis to be undertaken to the satisfaction of the Relevant Authority.*

Note - Further conditions may be imposed on the Planning Consent in respect of the above matters.

## **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.

### **Condition 4**

The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of the Relevant Authority at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.

### **Condition 5**

A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

### **Condition 6**

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

### **Condition 7**

Eighteen (18) replacement trees must be planted within 12 months of completion of the development.

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

Replacement trees must be maintained at all times and if a tree is diseased or dies it must be replaced with a similar species to the satisfaction of the Relevant Authority.

### **Condition 8**

Tree Protection Zones shall be provided for the regulated and significant trees on the site that are to be retained. The development must be undertaken in accordance with the Tree Protection Zone Guidelines, pages 44 - 50, as outlined within the *Arboricultural Impact Assessment and Development Impact Report*, prepared by Arborman Tree Solutions, dated 6<sup>th</sup> August 2025.

Additionally:

The Project Arborist must be on site to supervise all works within the Notional Root Zones of the retained regulated and significant trees;

- Documentation shall be provided to Council certifying all works within the Notional Root Zones have been completed in accordance with the plans within 24 hours of inspection;
- No major trenching shall occur within the Notional Root Zones and no services shall traverse the Tree Protection Zones;
- Signage shall be erected indicating that no building materials shall be stored or disposed of within the Notional Root Zones and vehicles shall not traverse over the area or be stored within the Notional Root Zones;
- Nothing shall be attached to the canopy of the regulated and significant trees by any means.
- It is recommended that the dead wood in the canopies be removed prior to construction and absolutely no live wood is to be removed;
- Any pruning of regulated or significant trees should be undertaken under the guidance of a qualified arborist.

### **Condition 9**

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

### **Condition 10**

No groundwater is to be discharged into Council's stormwater system.

### **Condition 11**

All stormwater from the buildings 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 12**

Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

### **Condition 13**

Temporary debris and sediment control measures shall be installed prior to the commencement of work on site, to ensure that debris, soil, soil sediments and litter are maintained within the construction site. At no time shall debris, soil, soil sediments and litter from the construction site enter Council's drainage system, road network or neighbouring properties.

**Condition 14**

The driveway, car parking and manoeuvring areas to be surfaced, drained and line marked in accordance with the approved plans and Australian Standards AS 2890.1:2004, 1742.2:2009 and 2890.6:2009, prior to occupation and commencement of use of the land and shall be maintained in good condition at all times to the satisfaction of the Relevant Authority.

**Condition 15**

All vehicles shall enter and exit the site in a forward direction.

**Condition 16**

That the collection of waste shall be by a private contractor and shall only service the development, between the hours of 7am and 7pm Monday to Friday. No waste collection is to occur on Saturday, Sunday or Public holidays.

**Condition 17**

Any lights on the subject land must be directed and screened so that overspill of light into the nearby properties is avoided and motorists are not distracted.

**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**

The applicant/developer is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure the activities on the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.

### **Advisory Note 6**

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 7**

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 8**

That the existing crossovers shall be closed and reinstated back to kerb and gutter in accordance with Council requirements and at the applicant's expense, prior to occupation of the development. Refer to the City of Unley website Forms & Applications – Application to Alter Public Roads and Driveway Crossover Specifications.  
<https://www.unley.sa.gov.au/Page/Forms-Applications>

### **Advisory Note 9**

The construction of the 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 the City of Unley website Forms & Applications – Driveway Crossover Specifications.  
<https://www.unley.sa.gov.au/Page/Forms-Applications>

### **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 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 12**

Numerous parts of the Council area have low lying water tables. Where there is sub-surface development occurring, groundwater can be encountered. Issues related to the disposal of this groundwater, either temporarily or permanently, can cause damage to surrounding Council infrastructure and cause problems for adjoining landowners. Where groundwater is encountered during the construction of the development, it will be necessary for measures to be taken to ensure the appropriate containment and disposal of any groundwater.

### **Advisory Note 13**

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 14**

If there are any works undertaken within the Notional Root Zone of any street tree, Council's City Arborist should be contacted prior to the commencement of any works. Council's City Arborist can be contacted via 8372 5111 or [PoBox1@unley.sa.gov.au](mailto:PoBox1@unley.sa.gov.au)

#### **Advisory Note 15**

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*.

#### **Advisory Note 16**

Council will not consider removing any existing on-street parking spaces adjacent or opposite crossovers on Norman Terrace, Fourth Avenue or Ross Street either during assessment or post Development Approval.

#### **Advisory Notes imposed by (Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 under Section 122 of the Act**

#### **Advisory Note 17**

Adelaide Airport Limited has no objection to the above proposal.

The Owner/Developer need to be advised of the following:

- a) The development as described at a maximum height of 44.451m Australian Height Datum (AHD) does not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. Any further proposed addition to the structure, including aerials or masts, must be subject to a separate assessment.
- b) Crane operations associated with construction shall be the subject of separate application. Cranes above 48.5m AHD will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.

Restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft flight paths

**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.
- 12 Bellevue Place, Unley Park - Variation to DA25009533 (new single storey detached dwelling) – variation to increase the overall height of the dwelling to 8.335m

MOVED: David Storey

SECONDED: Yvonne Svensson

That the report be noted and received.

**CARRIED UNANIMOUSLY**

The Presiding Member declared the meeting closed at 7.18pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 31 March 2026.

.....

**PRESIDING MEMBER**

**DATED**     /     /

NEXT MEETING  
Tuesday 31 March 2026