

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday 16 November
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 Michael McKeown

APOLOGIES:

Mr Ross Bateup (for lateness)

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 19 October 2021 as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/223/2021/C2 – 80-94 GOODWOOD ROAD, GOODWOOD SA 5034 (GOODWOOD)

MOVED: Michael McKeown

SECONDED: Colleen Dunn

That Development Application 090/223/2021/C2 at 80-94 Goodwood Road, Goodwood SA 5034 for 'Integrated service station comprising ancillary convenience store with drive through; 12 fuel dispensers; fencing; and signage' 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 reserve matters and conditions:

RESERVED MATTERS

The following detailed information shall be submitted for further assessment and approval by Council as reserved matters under Section 33(3) of the Development Act 1993:

- Details of all mechanical plant to be used on site and an acoustic assessment demonstrating compliance with the *Environment Protection (Noise) Policy 2007*.

DEVELOPMENT PLAN CONSENT 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. A Construction Environmental Management Plan is required to the satisfaction of Council prior to the issue of Development Approval and shall include details such as:
 - Car parking and access arrangements for tradespersons
 - Siting of materials storage
 - Site offices
 - Work in the Public Realm
 - Hoarding
 - Site amenities
 - Traffic requirements including construction access/egress and heavy vehicle routes

* Denotes Change

- Reinstatement of infrastructure
 - Site contamination management (prepared by a suitably qualified and experienced site contamination consultant and in accordance with EPA guideline "*Construction Environmental Management Plans (CEMP)*" updated September 2019 (https://www.epa.sa.gov.au/files/12330_guide_cemp.pdf)).
3. Onsite fuel deliveries shall only occur between 8am and 9pm on any day.
 4. Onsite waste collection and deliveries shall only occur between 9am and 7pm on a Sunday or public holiday, and 7am to 7pm on other days.
 5. Onsite gas decanting shall only occur between 11am and 4pm on any day.
 6. The approved landscaping shall be established prior to the operation 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.
 7. Prior to the issue of development approval, an amended stormwater management plan shall be provided to Council showing a drainage strip provided at the southern vehicle access from Goodwood Road. Once approved, the development must be constructed in accordance with the stormwater management plan.
 8. 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. The applicant must contact the Council's Assets Management team prior to construction.
 9. Any redundant crossovers shall be returned to kerb and channel to the satisfaction of Council's Assets Management Team.
 10. 'Left turn only' signs and appropriate arrow treatments on the road/pavement surface shall be provided at all vehicle exits from the site to the reasonable satisfaction of Council.
 11. The development shall be constructed and operated in accordance with the recommendations contained within the Environmental Noise Assessment prepared by Sonus dated March 2021; expect where varied by specific conditions or the amendments to the western boundary fence design, as shown on Proposed Site Plan SK06 Rev H prepared by Hodge Collard and Landscaping Plan dated 2 November 2021 prepared by DAS Studio.

Department of Infrastructure and Transport conditions

12. All vehicular access shall be gained in accordance with the Site Plan produced by Sagero, Project No. SA200097, Issue A, dated March 2021.
13. All vehicles shall enter and exit the site in a forward direction.
14. The driveway crossovers on Goodwood Road shall be located a minimum of 1 metre from any existing light pole located on the adjacent footpath.
15. Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.
16. Signage shall not flash, scroll, move, change or imitate a traffic control device, with the exception of the LED fuel price signs, which may change on an as-needs basis.
17. Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the arterial road network shall be limited to a low level of illumination (i.e. < 150Cd/m²), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m²) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

18. Signage shall, in the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
19. Stormwater run-off shall be collected on-site and discharged without impacting the integrity and safety of Goodwood Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Environment Protection Authority conditions

20. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.

21. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refuelling.
22. Prior to operation, all underground fuel storage tanks must be double-walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.
23. Prior to operation, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system, designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.
24. Stormwater runoff from all hardstand areas (including the refuelling and fuel delivery areas) must be managed in accordance with the provided 'Stormwater Plan, Notes, Legend and Schedule, Grading Plan and Details', prepared by Sagero (Drawing number SA200097, C01A, C02A, CO3A) and must be directed via grates and grade changes to a SPEL Purceptor full retention oil/water separator (no bypass function) that:
 - a) has as a minimum spill capture capacity of 10,000 litres
 - b) reduces oil content in the outlet to less than 5 mg/L at all times (as confirmed by independent third party scientific testing)
 - c) operates effectively in the event of a power failure.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here:
http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence
- A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- If in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, or harm to water that is not trivial, the applicant may need to remediate the contamination in accordance with EPA guidelines.
- If at any stage contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens

groundwater (pursuant to section 83A of the Environment Protection Act 1993) must be submitted to the EPA.

- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site: <http://www.epa.sa.gov.au>
- The Metropolitan Adelaide Road Widening Plan currently shows a possible requirement for a strip of land up to 2.13 metres in width from the Goodwood Road frontage of this site for the possible future widening of Goodwood Road. The consent of the Commissioner of Highways under *the Metropolitan Adelaide Road Widening Plan Act 1972* is required to all building works on or within 6 metres of the possible requirement.

CARRIED

ITEM 2

DEVELOPMENT APPLICATION – 090/853/2020/C2 – 18A ANGUS STREET, GOODWOOD SA 5034 (GOODWOOD)

Graham Burns on behalf of the applicant Oakford Homes, addressed the Panel regarding the above-mentioned application.

At 6:20pm Mr Ross Bateup arrived at the meeting.

MOVED: Michael McKeown

SECONDED: Ross Bateup

That Development Application 090/853/2020/C2 at 18a Angus Street Goodwood 5034 to 'construct single storey dwelling including front fencing and a garage to common boundary', 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 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#>
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.
4. 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.

* Denotes Change

5. Prior to the issue of development approval, an amended siteworks and drainage plan (showing amended dwelling configuration) shall be provided to Council.
6. The final design (dimensions and spacing of the infill between the pillars) of the 1.6m high front boundary open style fencing with an intended high degree of visual permeability as viewed from the street, shall be submitted to and be approved by Council, prior to the issue of Building Rules Consent.
7. A minimum clearance of 1.0 metre between driveway crossover(s) and existing street tree(s) be provided.

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 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.

CARRIED

ITEM 3

DEVELOPMENT APPLICATION – 090/207/2021/C1 – 41 WESTALL STREET, HYDE PARK SA 5061 (UNLEY PARK)

Mr Andrew Tokley, applicant, addressed the Panel regarding the above mentioned application.

MOVED: Colleen Dunn

SECONDED: Emma Wright

That Development Application 090/207/2021/C1 at 41 Westall Street, Hyde Park SA 5061 for 'Remove significant tree - Araucaria Heterophylla (Norfolk Island Pine)', 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. Payment \$288.00 for Significant Tree removal is required to be paid into the Council's Urban Trees Fund within 30 days of the date of the development approval (an invoice will be attached to the development approval).

CARRIED

ITEM 4

21023149- 73 ALBERT STREET GOODWOOD

Mr Nigel Del Fabbro and Mrs Karen Del Fabbro, representors, addressed the Panel regarding the above mentioned application. Mr Fabian Barone from Future Urban & Milly Nott from Urban Habitats, spoke in support of the application.

MOVED: Michael McKeown

SECONDED: Colleen Dunn

That the Council Assessment Panel as the Relevant Authority resolved 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 21023149, by Urban Habitats Projects 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

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 3

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 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.

Land Division Consent

* Denotes Change

Condition 1

That the existing building on site be demolished prior to the issue of the Section 138 Certificate by the State Commission Assessment Panel.

NOTE: Pursuant to Section 138 of the Planning, Development and Infrastructure Act 2016, all outstanding requirements and conditions in relation to this approval must be met to the reasonable satisfaction of Council before the required Certificate is issued by the State Planning Commission.

Conditions imposed by South Australian Water Corporation under Section 122 of the Act

Condition 2

SA Water's water and sewer network is available for connection in this area. An investigation will need to be undertaken to determine infrastructure needs, appropriate fees and charges.

The financial requirements of SA Water shall be met for the provision of water and sewer supply services.

Condition 3

Please note for Torrens Title developments that it is the developers responsibility to ensure that all internal pipework, water and wastewater, is contained within the new allotment boundaries.

Condition 4

if a connection/s off an existing main is required, an investigation will need to be carried out to determine if the connection/s to your development will be standard or non-standard costs.

Conditions imposed by SPC Planning Services under Section 122 of the Act

Condition 5

Payment of \$7908.00 into the Planning and Development Fund (1 allotment/s @ \$7908.00 /allotment). Payment may be made via credit card (Visa or MasterCard) online at plan.sa.gov.au, over the phone on 7109 7018, or cheques may be made payable to the State Planning Commission, marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001.

Condition 6

A final plan complying with the requirements for plans set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

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. 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

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.

CARRIED UNANIMOUSLY

OTHER BUSINESS

The Assessment Manager confirmed that two meetings of the Panel are scheduled for next month: the 14 December and 21 December.

MATTERS FOR COUNCIL CONSIDERATION

The Presiding Member declared the meeting closed at 7:32pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 14 December 2021

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 14 December 2021