

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Wednesday April 15th 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 David Brown  
Mr Terry Sutcliffe  
Ms Yvonne Svensson

**APOLOGIES:**

**OFFICERS PRESENT:**

Mr Tim Bourner, Assessment Manager  
Ms Amelia DeRuvo, Senior Planning Officer  
Ms Hannah Leadbeter, Cadet Planning Officer  
Ms Sandy Beaton, Development Administration Officer

### **ITEM 3 - CONFIRMATION OF MINUTES:**

MOVED: Colleen Dunn

SECONDED: Yvonne Svensson

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 18 March 2025, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

### **ITEM 4.1 – 13 Raldon Grove, Myrtle Bank SA 5064 - 24018265**

Vicky and Sean Tasker, representor, addressed the Panel regarding the above-mentioned application.

Beth and Andrew Matters, representor, addressed the Panel regarding the above-mentioned application.

Ryan Horsnell, from Troppo and James Hayter, from Oxigen spoke on behalf of the Applicant in support of the application.

MOVED: Terry Sutcliffe

SECONDED: Colleen Dunn

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 24018265, by Peter Jones and Ryan Horsnell is GRANTED Planning Consent subject to the following reasons/conditions/reserved 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 Council.

##### **Condition 3**

The permanently fixed privacy screening 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 privacy screening 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

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 6

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 or private open space of an adjoining dwelling.

Condition 7

Tree Protection Zones shall be provided for the significant tree in the front yard of the subject site that is to be retained. The development must be undertaken in accordance with the recommendations of the arborist report prepared by Adelaide Arb Consultants, dated 28 January 2025, and any pruning of regulated or significant trees should be undertaken under the guidance of a qualified arborist.

Additionally:

- No major trenching shall occur within the Tree Protection Zone and no services shall traverse the Tree Protection Zone.
- All works within the Tree Protection Zone shall be undertaken using tree sensitive methodologies.
- Signage shall be erected indicating that no building materials shall be stored or disposed of within the Tree Protection Zone and vehicles shall not traverse over the area or be stored within the Tree Protection Zone.
- Nothing shall be attached to the canopy of the trees by any means.
- It is recommended that the dead wood in the canopy be removed prior to construction and absolutely no live wood is to be removed.

Condition 8

Replacement trees must be planted within 12 months of completion of the development at the following rates:

- i. if the development relates to a regulated tree—2 trees to replace a regulated tree;  
or
- ii. if the development relates to a significant tree—3 trees to replace a significant tree.

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.

## 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 development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the *Environmental (Noise) Policy 2007*.

#### 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

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 UNANIMOUSLY**

### **ITEM 4.2 – 45 Glenford Avenue, Myrtle Bank SA 5064 - 24020214**

Binbin Zhan, representor, addressed the Panel regarding the above-mentioned application.

Behrooz (Bez) Jafari, Applicant, spoke in support of the application.

MOVED: Yvonne Svensson

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 24020214 by Behrooz Jafari is GRANTED Planning Consent subject to the following reserved matter and 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 Council.

#### 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

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 5

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 6

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 Council at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.

#### Condition 7

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.

#### 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

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 8272 5111.

##### 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

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 8

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 9

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.

Advisory Note 10

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 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

- No current appeals

MOVED: Colleen Dunn

SECONDED: David Brown

That the report be noted and received.

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS:**

The Presiding Member declared the meeting closed at 6:54pm

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 20 May 2025.

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**PRESIDING MEMBER**

**DATED**     /     /

NEXT MEETING  
Tuesday 20 May 2025