

# DECISION NOTIFICATION FORM

DEVELOPMENT ACT, 1993

15 November 2018

Y C Wong  
Marchese Partners Int.  
Level 1  
22-26 Peel Street  
ADELAIDE SA 5000

**RE: DEVELOPMENT APPLICATION NUMBER 090/173/2018/C1/A**

**FOR:** The construction of two, 2 storey residential flat buildings (The northern building will comprise 5 dwellings and the southern building will comprise 6 dwellings) with associated car parking and landscaping.

Variation to 090/173/2018/C2 - Remove balconies, reduce building height and rearrange internal layout.

**AT:** 392, 394A & 394 Unley Road, Unley Park SA 5061

Further to your proposed application for development as outlined above you are informed of the recent decision on applicable Consents, as follows:

## CONSENTS DETERMINATION

(THE 'DETAILS OF DECISION' SECTION *MUST* BE READ AND COMPLIED WITH)

NATURE OF CONSENTS	Lodgement Date	Consent Required	Consent	Consent Date
Development Plan Consent	7 March 2018	Required	Development Plan Consent Granted	23 July 2018
Development Plan Consent	19 September 2018	Required	Development Plan Consent Granted	15 November 2018
Building Rules Consent		Required		

**FURTHER APPROVALS ARE REQUIRED**  
**This is NOT a development approval - you cannot proceed**

**NO DEVELOPMENT, SITE WORKS, BUILDING WORK OR CHANGE IN LAND USE**  
shall be undertaken prior to seeking and receiving Approval for all the required Consents and  
the overall final Development Approval.

### **VARIATIONS AND AMENDMENTS**

In accordance with Section 39(7) of the Development Act, 1993, the approval of this variation has no effect on the operation of the relevant authorisation to which it relates and **does not extend** the period for which the relevant authorisation remains operative.

### **APPEALS**

If you are aggrieved by the decision or any condition imposed you may appeal to the Environment, Resources and Development Court within two months of receiving this Decision Notification. The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide 5000 (Postal Address: The Registrar, ERD Court, PO Box 2465, Adelaide SA 5001).

## DETAILS OF CONSENT

Reasons for this decision and/or the conditions imposed are set out hereunder:

### 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. 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.
3. That the total stormwater volume requirement (detention and retention) for the development herein approved shall be determined in accordance with the volume requirements and discharge rates specified in Table 3.1 and 4.1 in the City of Unley Development and Stormwater Management Fact Sheet dated 15 January 2017. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
4. That the upper floor windows (excluding eastern elevation) be treated to avoid overlooking prior to occupation by being fitted with permanently fixed non-openable translucent glazed panels (not film coated) to a minimum height of 1700mm above floor level with such translucent glazing to be kept in place at all times.
5. That 1.7m high privacy screening be erected along the northern and southern facing balconies prior to occupation. Further details to be provided to Council's satisfaction prior to the issue of Development Approval.
6. That a detailed landscaping plan, which indicates the species and location of proposed trees and shrubs on the site, shall be submitted to and approved to Council's satisfaction prior to the issue of Development Approval.
7. That a detailed landscaping plan, which indicates the species and location of proposed trees and shrubs on the site, shall be submitted to and approved by Council prior to issues of Development Approval
8. All vehicles shall enter and exit the site in a forward direction.
9. The access shall be a minimum of 6.0 metres in width at the property boundary and be appropriately flared to the kerbline. The common driveway shall also be a minimum of 6.0 metres in width.
10. All car parking and internal manoeuvring areas shall be in accordance with ASINZS 2890.1:2004 and ASINZS 2890.6:2009. In particular, pedestrian sightlines shall be in accordance with ASINZS 2890.1 :2004 Figure 3.3.
11. All redundant crossovers shall be permanently closed and reinstated to Council's standard kerb and gutter at the applicant's expense.

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

***Variation to 090/173/2018/C2 - Remove balconies, reduce building height and rearrange internal layout.***

1. That the development herein approved shall be undertaken in accordance with the amended plans and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. The conditions, where pertinent, of any Development Decisions in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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**.
- 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](http://www.lsc.sa.gov.au).
- 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.
- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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.
- The granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes or regulations. The applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.

**ENQUIRIES**

If you have any enquiries in respect to this Consent please contact Andrew Raeburn on 08 8372 5111.



**DELEGATED OFFICER**