

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 17 April 2018
at 7.00pm in the Unley Council Chambers,
181 Unley Road, Unley**

ACKNOWLEDGEMENT

We would like to acknowledge this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

PRESENT: Mr Brenton Burman (Presiding Member)
Ms Nicole Dent
Mr Roger Freeman
Mrs Ann Nelson
Mr Rufus Salaman

APOLOGIES:

OFFICERS PRESENT: Mr Paul Weymouth, Manager Development and Regulatory
Mr Donny Michel, Team Leader Planning
Mr Andrew Raeburn, Senior Planner
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST: None.

CONFIRMATION OF MINUTES:

MOVED: Ann Nelson

SECONDED: Roger Freeman

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday, 20 March 2018, as printed and circulated be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/43/2015/C2 – 364 FULLARTON ROAD, FULLARTON SA 5063 (FULLARTON)

Mr Nick Simos, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Nicole Dent

That Development Application 090/43/2015/C2 at 364 Fullarton Road, Fullarton SA 5063 to 'Construct four, two storey dwellings with associated garages and verandahs, 1.6m high masonry front fence', 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. All fencing shall be clear of the 4.5 x 4.5 metre corner cut-off at the Fullarton Road / Wattle Street corner. Any vegetation within this area shall be low growing (i.e. ≤1.0 metres tall) in order to maintain sight lines at this location.
3. All vehicle access to/from the site shall be gained via Wattle Street and comply with AS/NZS 2890.1:2004, Fig. 3.1 'Prohibited Locations of Access Driveways'.
4. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the Fullarton Road. Any alterations to the road drainage infrastructure required to facilities this shall be at the applicant's cost.
5. The White cedar *Melia azedarach* shall be protected in accordance with the accompanying documentation including the Arborist Report written by Ian Crowe (dated 19th August 2015 and 24th September 2015) and the proposed site plan. A Tree Protection Zone (TPZ) of 8.16 metres radius from the centre of the subject tree with the following activities excluded from this TPZ -
 - Excavation of any kind i.e. trenching
 - Cultivation;
 - Storage;
 - Preparation of chemicals, including preparation of cement products;
 - Parking of vehicles and plant;
 - Dumping of waste;
 - Placement of fill i.e. soil;
 - Soil level/grade changes;
 - Installation of utilities and signs;
 - Physical damage to any part of the tree including leaves, branches, stems trunk or roots
6. The Tree Protection Zone must be defined by the installation of a chain wire mesh fence or the like, held in place with concrete feet so as not to enter the ground. The chain wire mesh fence should be clearly signed TREE PROTECTION ZONE – NO ACCESS.

7. Signage in accordance with AS1742.2 and AS2890.1 shall be installed in order to:
 - discourage exit from the property via the eastern driveway,
 - discourage entry into the property via the western driveway,
 - discourage right turns out of the property from the western driveway.
8. Signage shall be installed for the eastern access as follows;
 - A 'no entry' sign facing the dwellings (i.e. stopping people from leaving via the eastern access).
9. Signage shall be installed for the western access as follows;
 - A 'no entry' sign(s) on the exterior fence (stopping vehicles turning in) which are visible for both eastbound and westbound traffic;
 - A 'left only' sign facing the dwellings (indicating they cannot turn right out).
 - A 'left arrow' pavement marking reinforcing that they must only turn left (not mandatory)
10. That the upper floor windows (excluding northern 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.
11. 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.
12. 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.
13. The western egress should be constructed with a minimum width of 3.5m Further, it is to provide a clearance between the fence columns and the driveway of 2.0m (on both sides of the egress) as demonstrated in accompanying email dated 5 April from Melissa Mellen, Figure 1. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.

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**.
- The site is affected by a requirement shown on the Metropolitan Adelaide Road Widening Plan (MARWP) for a 4.5 x 4.5 metre cut-off at the Fullarton Road / Wattle Street corner of this site for future road purposes. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the possible requirement. However, as the development is outside of the corner cut, consent is not required in this instance.

CARRIED UNANIMOUSLY

ITEM 2

DEVELOPMENT APPLICATION – 090/926/2017/C2 – 25 CULROSS AVENUE, MYRTLE BANK 5064 (FULLARTON)

Ms Fiona Basedow, Ms Maxine Gibbs on behalf of Zeng he Chen and Mu ling Ni, and Mr David Pisoni on behalf of Ms Heather Pile, Mr Terry Connell and Ms Maralyn Connell, representors, and Mr Michael Richardson and Mr Ben Wilson on behalf of Civecon Developments, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application 090/926/2017/C2 at 25 Culross Avenue, Myrtle Bank 5064 to 'Demolish existing dwelling and construct a part two, part three storey residential flat building containing eight dwellings and resulting in the removal of one street tree', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The proposed development is not considered to be of a high urban design quality, would lack cohesion, appear visually bulky and would be disruptive with its setting. The development would thereby fail to adequately comply with the desired character of the Major Road Policy Area 14;
- The proposed development would function in a very similar manner to row-dwellings and on this basis it is considered that the proposed allotment sizes of between 83m² to 188m² and the frontage widths of dwellings 2-7, would be significant less than the quantitative recommendations under the Major Road Policy Area 14;
- There is insufficient area provided on-site for the storage and collection of waste and recycling materials, contrary to Council Wide (Medium and high Rise Development (3 or More Storeys)) Principle of Development Control 26 and 27;
- The proposed private open spaces would be below the recommended minimum size, would not be easily accessible from the main living spaces of the dwellings, would have poor solar orientation and would be impacted by noise associated with Fullarton Road. The proposed private open spaces would generally provide a poor standard of private open space for future occupants and would be contrary to Council Wide (Residential Development) Principle of Development Control 20;
- The proposed development would fail to provide adequate deep soil zones to accommodate new trees with large canopies in accordance with Council Wide (Medium and high Rise Development (3 or More Storeys)) Principle of Development Control 23;
- The southern boundary setbacks would fail to comply with the recommended setbacks under the development plan and would result in the building appearing unreasonably visually intrusive when viewed from the residential units directly to the south, contrary to Council Wide (Residential Development) Principle of Development Control 13; and
- The extent of overshadowing that would result from the development would have a significant and unreasonable impact upon the winter sunlight afforded to the private open space associated with unit 1/412 Fullarton Road, contrary to Council Wide (Residential Development) Principle of Development Control 41.

CARRIED UNANIMOUSLY

OTHER BUSINESS

None.

MATTERS FOR COUNCIL'S CONSIDERATION

None.

CLOSURE

The Presiding Member declared the meeting closed at 8.07pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 15/5/2018.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 15 May 2018