

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 15 May 2018
at 7.00pm in the Unley Council Chambers,
181 Unley Road, Unley**

NOMINATION OF ACTING PRESIDING MEMBER FOR 15 MAY 2018 MEETING:

The Team Leader Planning called for nominations for an Acting Presiding Member for the meeting.

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Roger Freeman be elected as the Acting Presiding Member for the City of Unley Council Assessment Panel meeting for 15 May 2018.

CARRIED

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 Roger Freeman
Ms Nicole Dent
Mrs Ann Nelson
Mr Rufus Salaman

APOLOGIES:

Mr Brenton Burman (Presiding Member)

OFFICERS PRESENT:

Mr Paul Weymouth, Manager Development and Regulatory
Mr Donny Michel, Team Leader Planning
Mr Andrew Raeburn, Senior Planner
Ms Lily Francis, Development Administration

CONFLICT OF INTEREST:

None.

CONFIRMATION OF MINUTES:

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday, 17 April 2018, as amended be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/586/2017/C2 – 28 CULVERT STREET, PARKSIDE SA 5063 (UNLEY)

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application 090/586/2017/C2 at 28 Culvert Street, Parkside SA 5063 to 'Construct two storey dwelling including balcony; front fence; cellar; and garage to northern and eastern boundaries' 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. That the upper floor windows on the western 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.
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 applicant shall submit details of all surface materials for driveways, pathways, courtyards etc. and these shall include permeable materials wherever possible. These details shall be provided to the satisfaction of Council prior to issue of Development Approval.

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.

- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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.

CARRIED UNANIMOUSLY

ITEM 2

DEVELOPMENT APPLICATION – 090/201/2017/C2 – 66 ANZAC HIGHWAY, EVERARD PARK SA 5035 (GOODWOOD)

Ms Shelaya Boothey, Mr Bruce Larwood, Ms Colleen Tilbrook and Mr Scott Lintern, representor, and Mr Garth Heyen and Mr Thomas Wilson on behalf of the applicant addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Development Application 090/201/2017/C2 at 66 Anzac Highway Everard Park for 'The construction of a residential flat building consisting of six, three storey dwellings' be DEFERRED to allow the applicant an opportunity to consider amendments to the proposed development to address the following planning issues:

- Improvements to the landscaping adjacent the southern boundary
- An increase in the building setback from the southern boundary to reduce the bulk of the building and extent of overshadowing
- Clarification of the access to the northern carpark of dwelling 1
- Further details on the balcony treatment to prevent overlooking from the south western elevation.

CARRIED

ITEM 3

DEVELOPMENT APPLICATION – 090/568/2017/C2 – 66 ANZAC HIGHWAY, EVERARD PARK SA 5035 (GOODWOOD)

Ms Shelaya Boothey, representor, and Mr Garth Heyen and Mr Thomas Wilson on behalf of the applicant addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Development Application 090/568/2017/C2 at 66 Anzac Highway Everard Park for 'Land Division – Community Title – Create 6 allotments from 1 existing' be DEFERRED to allow the applicant an opportunity to consider amendments to the design of the allotments and common area to increase the setbacks and landscaping from the southern boundary.

CARRIED

ITEM 4

DEVELOPMENT APPLICATION – 090/933/2017/C2 – 84 PORTER STREET, PARKSIDE SA 5063 (UNLEY)

Ms Kay Anstassianlis, representor and Mr Tony Kelly on behalf of Mr Rick D'Andrea addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application 090/933/2017/C2 at 84 Porter Street, Parkside SA 5063 to 'Demolish existing dwelling and construct new two storey dwelling with verandahs and erect new 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. 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.
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. A Dilapidation Report from a qualified structural engineer is required to be submitted to Council, prior to or at the time of application for Provisional Building Rules Consent, to ensure that buildings located on adjacent properties are protected during any demolition and construction works.

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.
- 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**.
- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.
- 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.
- The applicant is reminded to ensure that during the Building Rules Assessment, consideration of appropriate means of ensuring that the southern boundary wall be detailed so as to avoid adverse impact on the northern boundary wall of the building to the south and preclude the ingress of damp or moisture between the fabric of the two buildings.

CARRIED UNANIMOUSLY

ITEM 5

DEVELOPMENT APPLICATION – 090/115/2018/C2 – 60 WINCHESTER STREET, MALVERN SA 5061 (UNLEY PARK)

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Development Application 090/115/2018/C2 at 60 Winchester Street, Malvern SA 5061 to 'Carry out alterations and construct single storey addition including verandah and outbuilding' 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 associated outbuilding subject of this Approval shall only be used for purposes and activities ancillary to the residential use of the property and at no time be used for any commercial and/or industrial purpose.
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.

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.
- 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 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.

CARRIED UNANIMOUSLY

ITEM 6

DEVELOPMENT APPLICATION – 090/210/2018/C1 – 9 HALMON AVENUE, EVERARD PARK SA 5035 (GOODWOOD)

MOVED: Ann Nelson

SECONDED: Nicole Dent

That Development Application 090/210/2018/C1 at 9 Halmon Avenue, Everard Park SA 5035 to 'Erect 1.8m high brush front fence and side fencing forward of the dwelling' 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 fence height and transparency is at variance with the Residential Streetscape Built Form Zone Objectives and related Principle of Development Control which seek essentially low and open style fencing compatible with the style of the associated dwelling;

* Denotes Change

- The proposed fence height and transparency is at variance with related Council Wide Principles of Development Control

CARRIED

ITEM 7

DEVELOPMENT APPLICATION – 090/683/2017/C1 – 184-186 GREENHILL ROAD, PARKSIDE SA 5063 (PARKSIDE)

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application 090/683/2017/C1 at 184-186 Greenhill Road, Parkside SA 5063 to remove one (1) significant tree - Eucalyptus cladocalyx (Sugar Gum) and three (3) regulated trees - two Corymbia citriodora (Lemon Scented Gums) and one Eucalyptus cladocalyx (Sugar Gum) is not seriously at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The trees make an important contribution to the character and amenity of the local area and form a notable visual element to the landscape of the local area.
- The trees are in good health and structure and have a useful life expectancy.
- The trees do not represent an unacceptable risk to public or private safety.
- The trees are not causing damage to a building or causing or threatening to cause substantial damage to a substantial building or structure of value.
- The proposal is at variance to the following provisions of the Unley Development Plan:
 - Council Wide Objective 1, 2 and 3 of the Regulated and Significant Tree Section; and
 - Council Wide Principle of Development Control 1, 2, 5, 6, 7 and 8 of the Regulated and Significant Tree Section.

CARRIED UNANIMOUSLY

OTHER BUSINESS

None.

MATTERS FOR COUNCIL'S CONSIDERATION

None.

CLOSURE

The Presiding Member declared the meeting closed at 9:14pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 29/5/2018

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday 29 May 2018