

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 18 August 2020
at 7.00pm in the Civic Centre, 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: Ms Shanti Ditter (Presiding Member)
Mrs Jennie Boisvert
Mr Roger Freeman
Mr Alexander (Sandy) Wilkinson
Mr Brenton Burman

APOLOGIES: Nil

OFFICERS PRESENT: Mr Gary Brinkworth, Assessment Manager
Mr Paul Weymouth, Acting Team Leader Planning
Mr Andrew Raeburn, Senior Planner
Ms Lily Francis, Administration Officer

CONFLICT OF INTEREST:

NIL

CONFIRMATION OF MINUTES:

MOVED: Jennie Boisvert

SECONDED: Brenton Burman

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 21 July 2020 as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/205/2020/C2 – 152 YOUNG STREET, PARKSIDE SA 5063 (UNLEY)

MOVED: Jennie Boisvert

SECONDED: Alexander Wilkinson

That Development Application 090/205/2020/C2 at 152 Young Street, Parkside SA 5063 to 'Carry out alterations and additions including restoration of existing building and installation of fencing and change of use to a residential flat building comprising of 3 x three storey dwellings', 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:

RESERVED MATTER

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

- A dilapidation survey of the building and a schedule of all repairs and conservation works required including final design of the fence to replicate the original front boundary picket fence.

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 existing crossover shall be closed and reinstated with kerb and water table in accordance with Council requirements, and at the applicant's expense, prior to occupation of the development.

CARRIED UNANIMOUSLY

ITEM 2

DEVELOPMENT APPLICATION – 090/327/2020/DIV – 18 ETHEL STREET, FORESTVILLE SA 5035 (GOODWOOD)

Mr James Deed on behalf of Jeffrey Schwartz, representor, Mr James Barrington, applicant, addressed the panel regarding the above mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/327/2020/DIV at 18 Ethel Street, Forestville SA 5035 for 'Land Division - Torrens Title - Create 3 allotments from one existing' is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

1. The size and street frontage width of the proposed allotments would be inconsistent with the predominant allotment sizes and widths within the area, contrary to Council Wide (Land Division) PDC 6(g), the Desired Character of Policy Area 8.1, and PDC 17 of the Zone.
2. The size and depth of the proposed allotments would be inconsistent with the development pattern within the locality, contrary to Council Wide (Land Division) PDCs 11 and 12.

CARRIED UNANIMOUSLY

ITEM 3

DEVELOPMENT APPLICATION – 090/777/2018/C2 – 18 ETHEL STREET, FORESTVILLE SA 5035 (GOODWOOD)

Mr John Barrington, applicant, addressed the panel regarding the above mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Jennie Boisvert

SECONDED: Brenton Burman

That Development Application 090/777/2018/C2 at 18 Ethel Street, Forestville SA 5035 to 'Construct 3 x two storey detached dwellings with associated carports, and decking' is DEFERRED for the following reasons:

- To allow the applicant the opportunity to provide correct amended plans.

CARRIED UNANIMOUSLY

ITEM 4

DEVELOPMENT APPLICATION – 090/247/2020/DIV – 70 CHELTENHAM STREET, MALVERN 5061 (UNLEY PARK)

Mr Marcus Rolf from URPS, on behalf of the applicant Mrs Nicole Liang, addressed the panel regarding the above-mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Alexander Wilkinson

SECONDED:

That Development Application 090/247/2020/DIV at 70 Cheltenham Street, Malvern 5061 for 'Land Division - Torrens Title - Create 2 allotments from 1', is at variance with the provisions of the City of Unley Development Plan and should be Refused Planning Consent for the following reasons:

1. The size of proposed allotment 200 would be inconsistent with the minimum allotment size of Policy Area 11.2.
2. The depth of proposed allotment 200 would be contrary to Council Wide PDC 20 (Land Division).

The motion lapsed for want of a seconder.

The original recommendation was put back to the panel:

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/247/2020/DIV at 70 Cheltenham Street, Malvern 5061 for 'Land Division - Torrens Title - Create 2 allotments from 1', 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.

LAND DIVISION CONSENT CONDITIONS:

2. That the existing building on site be demolished prior to the issue of the Section 51 Certificate by the State Commission Assessment Panel. (All demolition is subject to separate Development Approval.)

NOTE: Pursuant to Section 51 of the Development Act 1993, 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 Commission Assessment Panel.

STATE COMMISSION ASSESSMENT PANEL CONDITIONS are as follows:

- The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0096980).
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees. A sewer extension will be required for lot 200.
On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
- Payment of \$7616 into the Planning and Development Fund (1 allotment/s @ \$7616/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
- A final plan complying with the requirements for plans as 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 Commission Assessment Panel for Land Division Certificate purposes.

CARRIED

ITEM 5

DEVELOPMENT APPLICATION – 090/228/2020/C2 – 70 CHELTENHAM STREET, MALVERN 5061 (UNLEY PARK)

Mr Marcus Rolf from URPS, supported by, on behalf of Mrs Nicole Liang, addressed the panel regarding the above mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Alexander Wilkinson

SECONDED: Roger Freeman

That Development Application 090/228/2020/C2 at 70 Cheltenham Street, Malvern 5061 to 'Demolish existing dwelling and construct two, two storey detached dwellings including garaging on common boundaries', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

1. Proposed dwelling one would not enhance the desired character of the area due to the wall height, inconsistent form and key elements of the dwelling, contrary to Objectives 1 and 4, and PDCs 6 and 7 of the zone.
2. The upper level of proposed dwelling one would not appear inconspicuous when viewed from the street, contrary to PDC 9 of the zone.
3. The front boundary setback of proposed dwelling one would not be compatible with the desired streetscape character and would increase the prominence of the dwelling on the streetscape, contrary to Council Wide (Residential) PDC 5

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/304/2020/C2 – 12 KING WILLIAM ROAD, WAYVILLE 5034 (UNLEY)

MOVED: Brenton Burman

SECONDED: Jennie Boisvert

That Development Application 090/304/2020/C2 at 12 King William Road, Wayville 5034 for 'Partial demolition of lean-to structures and carry out alterations and construct single storey additions to existing office building on 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.

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 UNANIMOUSLY

ITEM 7

DEVELOPMENT APPLICATION – 090/98/2020/NC – 356 FULLARTON ROAD, FULLARTON 5063 (PARKSIDE)

Ms Anthea Mackenzie, on behalf of the applicant, addressed the panel regarding the above mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Alexander Wilkinson

SECONDED:

That Development Application 090/98/2020/NC at 356 Fullarton Road, Fullarton 5063 to 'Construct new single storey detached dwelling including verandah and garage on common boundary', be DEFERRED for the following reasons:

- To allow the applicant to consider increasing the wall height of the dwelling to complement the wall height of the adjacent dwellings

The motion lapsed for want of a seconder

The original motion was put back to the panel:

MOVED: Brenton Burman

SECONDED: Jennie Boisvert

That Development Application 090/98/2020/NC at 356 Fullarton Road, Fullarton 5063 to 'Construct new single storey detached dwelling including verandah and garage on 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.

* Denotes Change

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.

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.
- 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 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.
- 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 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.

CARRIED

ITEM 8

DEVELOPMENT APPLICATION – 090/219/2020/C1 – 1 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)

MOVED: Brenton Burman

SECONDED: Alexander Wilkinson

That Development Application 090/219/2020/C1 at 1 Whistler Avenue, Unley Park SA 5061 for 'Bridge replacement and retaining works on creek' 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 development herein approved shall be carried out in accordance with the recommendations of Atlas 'Pre-development tree assessment and report' dated 27 March 2020 and any excavation within the tree protection zones of the nearby trees must be undertaken in the presence of Council's Arborist.
3. The proposed works should not have a detrimental impact on the bed and bank stability of the watercourse; inhibit the natural flow regime of the watercourse; adversely affect the migration of aquatic biota; or increase the risk of flooding.
4. When using machinery onsite: there should be a minimum distance of 20 meters between a watercourse and fuelling; and any fuel should be stored well away from the watercourse and its floodplain.
5. During the course of the works: erosion and sediment control measures should be installed, such as but not limited to, catch/diversion drains, re-vegetation, hay bale barriers, filter fences, sediment traps and basins that will prevent soil moving off the site during periods of rainfall; excavated material should be removed and securely stored away from the watercourse to ensure that it does not return to the watercourse through the use of erosion control measures such as sediment fences to avoid the movement of the soil. The operation of any machinery and use of equipment should take place from the banks(at the lowest gradient if possible) of the watercourse, and not within the stream channel, to reduce mobilisation of sediment and better damage and existing access or minimum disturbance routes should be used wherever possible.
6. Upon completion of the works any soil excavated for the purpose of this proposal should be replaced and compacted to prevent accelerated erosion; any excess excavated material should be disposed of appropriately offsite; and o any collected debris and sediment must be cleared and disposed of appropriately offsite.
7. Any materials used for concrete works should not be deposited, directly or indirectly, washed into, or contact water, in or around the watercourse. Concrete materials cast in place must remain inside sealed formed structures.
8. Any use of rocks for erosion control work should be sufficiently sized to suit the stream power and keyed into the bed and banks to prevent erosion and movement of the rocks. Any rock voids are to be backfilled with an appropriate medium compact to 95% of modified maximum dry density.
9. Any geotextiles used should be fit for purpose and anchored to prevent failure.

- 10 Where engineered fill is to be placed within, on the banks, or on the floodplain of a watercourse, measures should be taken to ensure that it is free of weed/alien species to prevent further weed invasion to surrounding areas. Consideration should also be taken in regards to the soil climate (particularly pH and structure) that will be suitable for species used a part of the re-vegetation plans.
- 11 The demolition process of the existing bridge should not result in erosion or bank destabilisation or sedimentation of the watercourse. Consideration should be given to: the use of shoring and underpinning and to the effects of changes in soil conditions as a result of the demolition work; and ensuring the state of the structures to be demolished and all its components are maintained in a safe and structurally stable condition, so as to prevent the unexpected collapse of part or all the structure.
- 12 Site rehabilitation works should include re-vegetation using suitable locally indigenous plant species. Advice on suitable species can be obtained from a local natural resources office.
- 13 Construction should not be undertaken within minimum of 3 days before and/or during a high rainfall event (20mm or greater) or during periods of no or low water flow to reduce the risk of damage to the watercourse bed and banks. Weather forecasts reported by the Bureau of Meteorology are available on-line and the seven day forecast must be checked before work commences.

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**.

CARRIED UNANIMOUSLY

OTHER BUSINESS

PDI Act has been delayed till 2021.

MATTERS FOR COUNCIL'S CONSIDERATION

The Presiding Member declared the meeting closed at 8:45pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 15 September 2020

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PRESIDING MEMBER

DATED / /

NEXT MEETING

Tuesday, 15 September 2020

* Denotes Change