

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 22 December 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 Kurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

**PRESENT:** Ms Shanti Ditter (Presiding Member)  
Mrs Jennie Boisvert  
Mr Rufus Salaman  
Mr Brenton Burman

**APOLOGIES:** Mr Roger Freeman  
Mr Sandy Wilkinson

**OFFICERS PRESENT:** Mr Gary Brinkworth, Assessment Manager  
Mr Don Donaldson, Team Leader Planning  
Ms Michelle Penta, Administration Officer

**CONFLICT OF INTEREST:**

Mr Rufus Salaman declared a perceived conflict of interest for Item 1 – as the building certification had been done by the Company in which he is employed. Mr Salaman would remain for the discussion and deliberation for this item.

**CARRIED UNANIMOUSLY**

**CONFIRMATION OF MINUTES:**

MOVED: Brenton Burman                      SECONDED: Jennie Boisvert

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 15 December 2020 as printed and circulated, be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/85/2018/C2 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)**

MOVED: Jennie Boisvert                      SECONDED: Rufus Salaman

That Development Application 090/85/2018/C1 at 20 Whistler Avenue, Unley Park SA 5061 to 'Erect outbuilding and undertake tree damaging activity', 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 will not be undertaken with the minimum adverse affect on the health of two Significant trees; and
- It has not been demonstrated that reasonable alternative development options and design solutions have been considered to minimise inappropriate tree-damaging activities occurring

**CARRIED UNANIMOUSLY**

**ITEM 2**

**DEVELOPMENT APPLICATION – 090/795/2020/C2 – 3 MERLON AVENUE, BLACK FOREST SA 5035**

MOVED: Brenton Burman                      SECONDED: Jennie Boisvert

That Development Application 090/795/2020/C2 at 3 Merlon Avenue, Black Forest SA 5035 to 'Erect verandah at rear (within 600mm of 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:

**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. 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.

**CARRIED UNANIMOUSLY**

**ITEM 3**

**DEVELOPMENT APPLICATION – 090/397/2020/C2 – 1 VICTORIA AVENUE,  
UNLEY PARK SA 5061 (UNLEY PARK)**

Mr Phil Harnett from URPS together with his client Christopher Kelly addressed the panel opposed to the above-mentioned application.

Mr Phil Brunning from PBA together with his client David Rohrsheim the applicant, addressed the panel in support of the application.

MOVED: Brenton Burman

SECONDED: Rufus Salaman

That Development Application 090/397/2020/C2 at 1 Victoria Avenue, Unley Park SA 5061 to 'Erect 2.8m high boundary 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.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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).

- 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.

**CARRIED**

**ITEM 4**

**DEVELOPMENT APPLICATION – 090/487/2020/C1 – 43 MALCOLM STREET, MILLSWOOD SA 5034 (UNLEY PARK)**

Mr Mark Elliott the applicant, addressed the panel in support of the application.

MOVED: Brenton Burman

SECONDED: Jennie Boisvert

That Development Application 090/487/2020/C1 at 43 Malcolm Street, Millswood SA 5034 to 'Remove regulated tree - Corymbia maculata (Spotted Gum)', should be GRANTED Planning Consent subject to the following conditions.

**DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:**

- That the removal of the subject significant tree (Corymbia maculata) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
- Payment of \$268.50 for Significant Tree removal is required to be paid into the Council's Urban Trees Fund within 30 days of the date of the development approval (an invoice will be attached to the development approval).

**CARRIED**

**OTHER BUSINESS**

Nil

**MATTERS FOR COUNCIL'S CONSIDERATION**

The Presiding Member declared the meeting closed at 7.50pm

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 19 January 2021

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**PRESIDING MEMBER**

**DATED**     /     /

NEXT MEETING  
Tuesday, 19 January 2021