

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday 10 May 2022
at Civic Centre, Council Chambers**

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yaitya, parnuku tapa purruna yalarra puru purruna.**

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 traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

*Kurna Translation provided by Kurna Warra Karrpanthi

PRESENT:

Mr Brenton Burman
Ms Colleen Dunn
Mr Michael McKeown
Mr Ross Bateup
Dr Jennifer Bonham

APOLOGIES:

Mrs Emma Wright

OFFICERS PRESENT:

Mr Don Donaldson, Assessment Manager
Mr Mark Troncone, Planning Officer
Mr Nicholas Bolton, Cadet Planning Officer

CONFLICT OF INTEREST: Nil

CONFIRMATION OF MINUTES:

MOVED: Colleen Dunn

SECONDED: Ross Bateup

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 15 March 2022 as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

60 PARK STREET HYDE PARK SA 5061– 21024341

Sandy Wilkinson, representor, addressed the Panel regarding the abovementioned application. The applicant, Kosta Barkoukis, spoke in support of the application.

Council's Consultant Engineer, Charlie Caruso from SCA Engineers, answered various questions from Panel members regarding the structural integrity of the façade of the existing building.

MOVED: Colleen Dunn

SECONDED: Jennifer Bonham

It is recommended that the Council Assessment Panel/SCAP resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21024341, by Kosta Barkoukis and Despina Patrikos is granted Planning Consent subject to the following conditions:

Planning Conditions

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 and the development shall be undertaken to the satisfaction of Council.
2. Except where varied by this approval, all other conditions, approved plans and details relating to Development Application 090/263/2020/C2 continue to apply to this amended development.

Land Division Consent

Conditions imposed by SPC Planning Services under Section 122 of the Act

3. Payment of \$7908.00 into the Planning and Development Fund (1 allotment/s @ \$7908.00 /allotment). Payment may be made via credit card (Visa or MasterCard) online at plan.sa.gov.au, over the phone on 7109 7018, or cheques may be made payable to the State Planning Commission, marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001.
4. A final plan complying with the requirements for plans 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 Planning Commission for Land Division Certificate purposes.

Conditions imposed by South Australian Water Corporation under Section 122 of the Act

5. SA Water's water and sewer network is available for connection in this area. An investigation will need to be undertaken to determine infrastructure needs, appropriate fees and charges.

The financial requirements of SA Water shall be met for the provision of water and sewer supply services.

ADVISORY NOTES

General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—

- a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
- b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

LOST

MOVED: Michael McKeown

SECONDED: Ross Bateup

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21024341, by Kosta Barkoukis and Despina Patrikos is **refused** Planning Consent for the following reasons:
 - The demolition of the existing building is at variance to PO 7.1 of the Historic Area Overlay as:
 - (a) The front elevation of the existing building has not been substantially altered and could be reasonably restored in a manner consistent with the original building style; and
 - (b) The structural integrity or safe condition of the original building is not beyond reasonable repair.
 - The form, proportions and façade detailing of the proposed development would not suitably reference the contextual conditions of the locality or complement the prevailing historic characteristics of the historic area, contrary to DO 1 and PO 1.1, 2.1, 2.2 and 2.3 of the Historic Area Overlay.

CARRIED

MATTERS FOR COUNCIL CONSIDERATION

Nil

The Presiding Member declared the meeting closed at 7:16PM

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 21 June 2022.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday 21 June 2022