

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 15 September 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 Roger Freeman
Mr Alexander (Sandy) Wilkinson
Mr Brenton Burman

APOLOGIES: Nil

OFFICERS PRESENT: Mr Gary Brinkworth, Assessment Manager
Mr Don Donaldson, 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 18 August 2020 as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/399/2020/C2 – 3A OAKLEY AVENUE, FORESTVILLE SA 5035 (CLARENCE PARK)

Cr Don Palmer addressed the Panel on behalf of Tom, Errolyn and Mary-Anne Stacey, representor, regarding the above-mentioned application.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/399/2020/C2 at 3A Oakley Avenue, Forestville SA 5035 to 'Construct new single storey dwelling including garage on common boundaries, verandah and install in-ground swimming pool', 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 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.
4. That waste water from the swimming pool shall be discharged to the sewer, and not be allowed to flow onto adjoining properties or the street water table under any circumstances.
5. That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure prior to the operation of said equipment. Noise generated from ancillary pool and/or spa equipment must not exceed the maximum noise level recommended by the EPA. For this purpose, noise

* Denotes Change

generated from ancillary pool / spa equipment shall not exceed 52 db(a) between 7am and 10pm and 45 db(a) between 10pm and 7am on any day, b measured from a habitable room window or private open space of an adjoining dwelling.

6. Prior to the issue of full development approval an amended landscaping plan shall be submitted to and approved by Council.

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**.
- 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.
- 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 UNANIMOUSLY

ITEM 2

DEVELOPMENT APPLICATION – 090/835/2019/C2 – 293 FULLARTON ROAD, PARKSIDE 5063 (PARKSIDE)

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/835/2019/C2 at 293 Fullarton Road, Parkside 5063 to 'Construct a two-storey detached dwelling; three, two-storey row dwellings; a two-storey residential flat building containing four dwellings, a two-storey residential flat building containing five dwellings; a four storey residential flat building containing 33 dwellings; and associated car parking, landscaping and removal of four regulated trees 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 and landscaping (other than paving at footpath level) shall be located outside of a 2.0 metres x 2.0 metres corner cut-off at the Fullarton Road/Olive Street corner and a 2.0 metres x 3.3 metres corner cut-off at the Fullarton Road/Birks Street corner. Any fencing or vegetation located along the Fullarton Road frontage between the Fullarton Road/Birks Street corner cut-off and the fence to the south shall be either of an open nature or no taller than 1.0m.
3. All vehicular access to the site shall be via Olive Street and Birks Street only and located in accordance with the approved plans.
4. Sight lines between the first access on Birks Street and the Fullarton Road/Birks Street junction shall be maximised in order to minimise vehicular conflict. Accordingly, any fencing/vegetation along the Fullarton Road and Birks Street frontages of the front yard associated with the first row dwelling (including the corner cut-off) shall be of an open nature or no taller than 1.0m.
5. A Traffic Management Plan for the construction period of the development shall be produced to the satisfaction of DPTI and Council prior to the commencement of construction. This plan shall detail the types, volumes and distributions of traffic and how they will be managed. All traffic movements shall be in accordance with this plan.
6. Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.
7. All stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent road network. Any alterations to drainage infrastructure required to facilitate this shall be at the applicant's cost.
8. 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.
9. The landscaping details approved by Council shall be established prior to the occupation of the development and shall be irrigated, maintained and nurtured at all times with any diseased or dying plants being replaced.
10. The development shall be undertaken in accordance with the tree protection measures set out in the approved Tree Environs report dated 17 December 2019.
11. Waste collection shall be undertaken in accordance with the Approved Waste Management Plan prepared by Colby Phillips and dated 6 May 2020.
12. Any waste collection services shall only occur Monday to Friday between the hours of 7am and 10pm.

13. 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#>
14. A Demolition and Construction Management Plan is required to the satisfaction of Council prior to the issue of Development Approval and shall include details such as:
 - Car parking and access arrangements for tradespersons
 - Siting of materials storage
 - Site offices
 - Work in the Public Realm
 - Hoarding
 - Site amenities
 - Traffic requirements including construction access/egress and heavy vehicle routes
 - Reinstatement of infrastructure
 - Protection measures for regulated trees to be retained
15. Temporary debris and sediment control measures shall be installed to ensure that debris, soil, soil sediments and litter are maintained within the construction site. At no time shall debris, soil, soil sediments and litter from the construction site enter Council's drainage system, road network or neighbouring properties. Pollution prevention measures shall be in accordance with the "Environmental Protection Authority's Stormwater Pollution Prevention Codes of Practice":
 - For the Community
 - For the Local, State and Federal Government
 - For the Building and Construction Industry

In the event that soil, dust or construction debris enter Council's road network, it shall be removed by the end of the next business day.
16. Prior to commencement of works, the developer shall nominate a Construction Manager or Site Supervisor who is available to receive calls from any resident within the adjacent area regarding any complaint the resident may have in relation to construction practices. The developer shall provide signage on-site, providing contact details for the Construction Manager or Site Supervisor.
17. That full details of external colours, finishes and materials to be used (samples provided if necessary) be submitted to and approved by the Council, prior to commencement of construction.
18. The applicant shall meet all costs associated with the removal of the street tree on Birks Street.
19. Amended plans showing the following details shall be provided to the satisfaction of the Council prior to full Development Approval being issued:
 - Screening and obscured glazing of the west facing upper floor balconies and windows of the detached dwelling

- Screening and obscured glazing of the south facing upper floor balconies and windows of the residential flat buildings fronting Olive Street.
- The disabled car parking bay moved from the at-grade car parking area to the under-croft car parking area of the four storey building. The bay should be located near to the internal lobby entrance.

NOTES PERTAINING TO PLANNING CONSENT:

- The subject site is affected by a requirement shown on the Metropolitan Adelaide Road Widening Plan (MARWP) for a 4.5 metres x 4.5 metres cut-off at the Fullarton Road/Birks Street and Fullarton Road/Olive Street corners of this site for possible future road purposes. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all new building works located on or within 6.0 metres of the possible requirement.
- As the development encroaches within the portion of above road widening areas, the applicant should fill out the attached consent form and return it to DPTI with 3 copies of the approved plans
- 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.
- 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.
- The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.
- The hours of construction shall be limited to the following:
 - Monday to Friday – 7:00 am to 7:00pm;
 - Saturday – 7:00 am to 1:00 pm

All reasonable efforts shall be made to limit the emission of noise during construction and shall comply with the provisions of the Environmental Protection Act and Regulations, 1993.

LOST

Mr Fabian Barone and Mr Phil Weaver, addressed the Panel on behalf of the applicant in support of the application.

MOVED: Alexander Wilkinson

SECONDED: Jennie Boisvert

That Development Application 090/835/2019/C2 at 293 Fullarton Road, Parkside 5063 to 'Construct a two-storey detached dwelling; three, two-storey row dwellings; a two-storey residential flat building containing four dwellings, a two-storey residential flat building containing five dwellings; a four storey residential flat building containing 33 dwellings; and associated car parking, landscaping and removal of four regulated trees is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent subject for the following reasons:

- The four-storey residential flat building would exceed the building height recommended by PDC 7 of the Major Roads Policy Area 14.
- The front boundary setback (Fullarton Road) of the four-storey residential flat building would be less than stipulated by PDC 7 of the Major Roads Policy Area 14 and not enable retention of the regulated trees.
- The on-site car parking provided for the residential flat buildings would be less than stipulated by table Un/5 of the Unley Development Plan and would result in on-street car parking congestion.
- The front boundary setback, scale and two storey form of the detached dwelling would not complement the desired character expressed by the Residential Streetscape (Built Form) Zone and would harm the character and appearance of the streetscape enabling.

CARRIED

ITEM 3

DEVELOPMENT APPLICATION – 090/283/2020/C2 – 62 MARLBOROUGH STREET, MALVERN 5061 (UNLEY PARK)

Mr Richard White, representor, and Mr Matthew King on behalf of the applicant, addressed the Panel regarding the above mentioned application.

MOVED: Alexander Wilkinson

SECONDED:

That Development Application 090/283/2020/C2 at 62 Marlborough Street, Malvern 5061 to demolish all buildings and construct new two storey dwelling including verandahs, swimming pool, erect front fencing and remove existing street tree 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 stormwater management plan detailing the total stormwater volume requirements (detention and retention) for the development being 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.
- An amended front fencing plan being provided indicating a fencing height of 1.2 metres.

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. 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#>

4. That the upper floor windows be treated to avoid overlooking prior to occupation by being fitted with restricted opening windows (to maximum opening of 125mm) translucent glazed panels (not film coated) to a minimum height of 1700mm above floor level with such translucent glazing and restricted opening to be kept in place at all times.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- The applicant shall contact Council's Infrastructure Section on 8372 5460 to arrange for the removal of the street tree. The work shall be carried out by Council at full cost to the applicant. The removal and replacement of the subject tree, will total \$3,057.40 + GST.
- 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.
- 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 motion lapsed for want of a seconder.

The original motion was put to the Panel as follows:

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/283/2020/C2 at 62 Marlborough Street, Malvern 5061 to demolish all buildings and construct new two storey dwelling including verandahs, swimming pool, erect front fencing and remove existing street tree 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 stormwater management plan detailing the total stormwater volume requirements (detention and retention) for the development being 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.

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. 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#>
4. That the upper floor windows be treated to avoid overlooking prior to occupation by being fitted with restricted opening windows (to maximum opening of 125mm) translucent glazed panels (not film coated) to a minimum height of 1700mm above floor level with such translucent glazing and restricted opening to be kept in place at all times.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- The applicant shall contact Council's Infrastructure Section on 8372 5460 to arrange for the removal of the street tree. The work shall be carried out by Council at full cost to the applicant. The removal and replacement of the subject tree, will total \$3,057.40 + GST.
- 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.
- 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.

CARRIED UNANIMOUSLY

ITEM 4

DEVELOPMENT APPLICATION – 090/369/2020/C2 – 2 CLYDE STREET, PARKSIDE SA 5063 (UNLEY)

Mr Brian Green, representor, addressed the Panel regarding the above mentioned application. Mr Mark Revink, applicant, spoke in support of the application.

MOVED: Alexander Wilkinson

SECONDED:

That Development Application 090/369/2020/C2 at 2 Clyde Street, Parkside SA 5063 to 'Demolish rear leanto, carry out alterations and construct single storey additions to common boundaries', be DEFERRED to allow the applicant to provide:

- Additional information regarding the location of the proposed extension in relation to an adjoining window on 4 Clyde Street Parkside.

The motion lapsed for want of a seconder.

The original recommendation was put back to the Panel:

MOVED: Roger Freeman

SECONDED: Jennie Boisvert

That Development Application 090/369/2020/C2 at 2 Clyde Street, Parkside SA 5063 to 'Demolish rear leanto, carry out alterations and construct single storey additions to common 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. 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.

* Denotes Change

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.
- 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 UNANIMOUSLY

ITEM 5

DEVELOPMENT APPLICATION – 090/335/2020/C2 – 32 CROMER PARADE, MILLSWOOD SA 5034 (CLARENCE PARK)

MOVED: Jennie Boisvert

SECONDED: Alexander Wilkinson

That Development Application 090/335/2020/C2 at 32 Cromer Parade, Millswood SA 5034 to 'Demolish rear of dwelling, garage, carport and outbuildings, carry out alterations and construct additions including verandah and carport 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.
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.
- 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 UNANIMOUSLY

ITEM 6

**DEVELOPMENT APPLICATION – 090/391/2020/C2 – 43 ROSE TERRACE,
WAYVILLE SA 5034 (GOODWOOD)**

Mr Sam Jennings, representor, addressed the Panel regarding the above-mentioned application. Ms Lindsey Ballard, applicant, spoke in support of the application.

MOVED: Brenton Burman

SECONDED: Jennie Boisvert

That Development Application 090/391/2020/C2 at 43 Rose Terrace, Wayville SA 5034 to 'Carry out alterations including demolish rear lean-to and existing sheds, construct new single storey rear additions to common boundaries and erect garage to common 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.

LOST

An alternative recommendation was put to the Panel as follows:

MOVED: Roger Freeman

SECONDED: Alexander Wilkinson

That Development Application 090/391/2020/C2 at 43 Rose Terrace, Wayville SA 5034 to 'Carry out alterations including demolish rear lean-to and existing sheds, construct new single storey rear additions to common boundaries and erect garage to common boundaries' is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent subject to the following conditions:

- The proposed site coverage exceeds the stipulation of PDC 17
- The proposal fails to provide adequate private open space, contrary to PDC 20.
- The proposed development would result in unreasonable overshadowing of the adjoining property, contrary to PDC 41

CARRIED

ITEM 7

DEVELOPMENT APPLICATION – 090/366/2020/C1 – 20 GILBERT STREET, GOODWOOD SA 5034 (GOODWOOD)

Mr Dion Salvemini, applicant, addressed the Panel regarding the above-mentioned applicant.

MOVED: Roger Freeman

SECONDED: Alexander Wilkinson

That Development Application 090/366/2020/C1 at 20 Gilbert Street, Goodwood SA 5034 to 'Remove one Significant Tree – River Red Gum', should be DEFERRED to allow Panel members to inspect the subject site

CARRIED UNANIMOUSLY

ITEM 8

DEVELOPMENT APPLICATION – 090/421/2020/C2 – 12 ERSKINE STREET, GOODWOOD 5034 (UNLEY)

MOVED: Alexander Wilkinson

SECONDED:

That Development Application 090/421/2020/C2 at 12 Erskine Street, Goodwood 5034 to 'Demolish existing dwelling and construct single storey dwelling including verandah, garage and picket fence' is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent subject to the following:

- The proposal does not substantiate the case for demolition in accordance with PDC 6

The motion lapsed for want of a seconder.

The original recommendation was put to the Panel:

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/421/2020/C2 at 12 Erskine Street, Goodwood 5034 to 'Demolish existing dwelling and construct single storey dwelling including verandah, garage and picket 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:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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:

- An updated stormwater management plan to include Water Sensitive Urban Design such as a permeable paving system within paved areas of the development (namely the alfresco area). Further information can be found within the [City of Unley Development and Stormwater Management Policy](#) (part 4).

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 (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. 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#>

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

The Presiding Member adjourned the meeting at 9:19pm.

The Presiding Member resumed the meeting at 9:22pm.

CONFIDENTIAL MOTION FOR ITEM 10 and ITEM 11 – PLANNING APPEAL – ERD COURT ACTION NO ERD-20-000089 3 KELVIN AVE CLARENCE PARK (DA 14/2020/C2) & ERD COURT ACTION NO ERD-20-000079 5A BLACKETT ST GOODWOOD (DA 602/2019/C2)

MOVED: Brenton Burman

SECONDED: Jennie Boisvert

That:

1. The report be received.
2. Pursuant to Regulation 13(2) (a) (ix) of the Planning, Development and Infrastructure (General) Regulations 2017, as amended, the Council Assessment Panel orders the public be excluded with the exception of the following:
 - Gary Brinkworth, Manager Development and Regulatory
 - Don Donaldson, Team Leader Planning
 - Andrew Raeburn, Senior Planning Officer
 - Lily Francis, Development Administration Officer

CARRIED UNANIMOUSLY

ITEM 10
DEVELOPMENT APPLICATION – 090/14/2020/C2 – 3 KELVIN AVENUE, CLARENCE PARK SA 5034 (CLARENCE PARK)

MOVED: Brenton Burman

SECONDED: Roger Freeman

- A. That the report be received; and
- B. That the Environment Resources and Development Court be advised that regarding Development Application 090/14/2020/C2 for 3 Kelvin Avenue Clarence Park that the Council Assessment Panel supports the compromise subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

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 stormwater management plan detailing the total stormwater volume requirements (detention and retention) for the development being 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.

Conditions:

1. That the development shall be undertaken, to the Council's reasonable satisfaction, in accordance with the plans and details listed below, unless varied by the conditions that are listed herein:
 - 1.1 Regent Homes site plan drawing no. PD01 rev E dated 17.07.20
 - 1.2 Regent Homes lower floor drawing no. PD02 rev E dated 17.07.20
 - 1.3 Regent Homes upper floor drawing no. PD03 rev E dated 17.07.20
 - 1.4 Regent Homes elevations drawing no. PD04 and PD05 rev E dated 17.07.20
 - 1.5 Regent Homes landscape plan drawing no. PD09 rev E dated 17.07.20
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. 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.
4. 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.
- 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

ITEM 11

DEVELOPMENT APPLICATION – 090/602/2019/C2 – 5A BLACKETT STREET, GOODWOOD SA 5034 (GOODWOOD)

An alternative recommendation was put to the panel as follows:

MOVED: Jennie Boisvert

SECONDED: Alexander Wilkinson

- A. That the report be received; and
- B. That the Environment Resources and Development Court be advised that the Council Assessment Panel reaffirms its decision of 16th June 2020 as the compromise proposal does not adequately address the grounds for refusal. However, the Panel would support an alternative compromise to reduce the front boundary setback of the dwelling.

CARRIED UNANIMOUSLY

REMAIN IN CONFIDENCE MOTION FOR ITEM 10 and ITEM 11 – PLANNING APPEAL – ERD COURT ACTION NO ERD-20-000089 3 KELVIN AVE CLARENCE PARK (DA 14/2020/C2) & ERD COURT ACTION NO ERD-20-000079 5A BLACKETT ST GOODWOOD (DA 602/2019/C2)

MOVED: Jennie Boisvert SECONDED: Roger Freeman

That:

- 1. The report be received.
- 2. Pursuant to Regulation 13(2) (a) (ix) of the Planning, Development and Infrastructure (General) Regulations 2017, as amended
 - 2.1 The report and attachments for Items 10 and 11 remain confidential on the basis that the information contained therein concerns actual litigation being the appeal in ERD-20-000079 and ERD-20-000089
 - 2.2 The report and attachments will be kept confidential until such time as the appeal has been determined.

CARRIED UNANIMOUSLY

OTHER BUSINESS

CAP ANNUAL REPORT 2019/20

MOVED: Roger Freeman SECONDED: Brenton Burman

That the Council Assessment Panel endorse the Annual Report 2019/20 for presentation to the next Council meeting.

CARRIED UNANIMOUSLY

MATTERS FOR COUNCIL'S CONSIDERATION

The Presiding Member declared the meeting closed at 9:42pm

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 29 September 2020

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 29 September 2020