

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday 21 December
2021 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 (Presiding Member)
Ms Colleen Dunn
Mrs Emma Wright
Mr Ross Bateup
Mr Michael McKeown

APOLOGIES:

Nil

OFFICERS PRESENT:

Mr Don Donaldson, Assessment Manager
Mr Mark Troncone, Planning Officer
Ms Lily Francis, Administration Officer

CONFLICT OF INTEREST: Nil

CONFIRMATION OF MINUTES:

MOVED: Emma Wright

SECONDED: Colleen Dunn

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 14 December 2021 as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

21003112 – 4 LEAH STREET FORESTVILLE

Mr Peter Meline and Mr John Dunbar, representors, addressed the Panel regarding the above-mentioned application. Mr Grazio Maiorano from URPS supported by Rodney Davies from Goodman Fielder spoke in support of the application.

MOVED: Michael McKeown

SECONDED: Colleen Dunn

RECOMMENDATION

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 21003112, by Goodman Fielder Pty Ltd 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 (if any) and the development shall be undertaken to the satisfaction of Council.
2. The external surface of the silos and associated plant equipment shall be kept clean and tidy at all times to the reasonable satisfaction of Council.

3. The silos shall not be externally illuminated unless otherwise approved by Council.

CARRIED UNANIMOUSLY

ITEM 2

21017966 – 4 CLARENCE STREET HYDE PARK

Mr Tim Pozza and Mr Konstantinos Barkoukis, representors, addressed the Panel regarding the above-mentioned application. Mr Greg Vincent from Masterplan and Mr David Morris, applicant, spoke in support of the application.

MOVED: Colleen Dunn

SECONDED: Michael McKeown

RECOMMENDATION

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 21017966, by David Morris is granted Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

Payment of an amount calculated in accordance with the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 be made into the relevant urban trees fund (or if an urban trees fund has not been established for the area where the relevant tree is situated, or the relevant authority is the Commission or an assessment panel appointment by the Minister or a joint planning board, the Planning and Development Fund) in lieu of planting 1 or more replacement trees. Payment must be made prior to the undertaking of development on the land.

Condition 3

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

Condition 4

The approved landscaping shall be established prior to the occupation of the development and shall be irrigated, maintained and nurtured with any dead, diseased or dying plants being replaced within the next available growing season and to the reasonable satisfaction of the Council.

Condition 5

All stormwater from the building and site shall be disposed of so as not to 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.

Condition 6

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

Condition 7

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.

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. 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).

Planning Notes

City of Unley Driveway Crossover specifications:

- Driveways Crossovers are Not to be constructed from concrete over the footpath area between the kerb to boundary.

- Driveways and boundary levels at fence line must be between 2% and 2.5% above kerb Height
- Crossover not to exceed 2.5% or 1:40 cross fall gradient from boundary to kerb invert .
- If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an existing crossover.
- The redundant driveway crossover or part of, is required to be closed and returned back to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed.

CARRIED

ITEM 3 21022942 – 2 BELGRAVE COURT PARKSIDE

Ms Darina Hoffman and Mr Mathis Birkner, representors, addressed the Panel regarding the above mentioned application. Mr Marcus Rolfe and Ms Teresa James from URPS spoke in support of the application.

MOVED: Michael McKeown

SECONDED: Ross Bateup

RECOMMENDATION

Approval

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 21022942, by Spiro Papaemanouil is granted Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS - Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

All stormwater from the building and site shall be disposed of so as not to 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.

Condition 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.

Condition 4

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

Condition 5

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

Condition 6

Prior to the issue of full Development Approval, a detailed landscaping plan indicating the species and location of proposed trees and shrubs on the site, shall be submitted to and approved by Council.

Once approved, the landscaping must be established prior to the occupation of the development and shall be irrigated, maintained and nurtured with any dead, diseased or dying plants being replaced within the next available growing season and to the reasonable satisfaction of the Council.

Condition 7

That a 1.7m high privacy screen be erected along the eastern side of the balcony to Dwelling 2 prior to occupation. Further details to be submitted to and approved by Council prior to the issue of full Development Approval.

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. 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—

* Denotes Change

- 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).

Planning Consent

Advisory Note 1

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.

Advisory Note 2

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.

Advisory Note 3

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 reminded that unless specifically stated, conditions in previous relevant development approvals remain active.

Advisory Note 4

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.

Advisory Note 5

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.

It is noted that the proposed crossover is located within 0.5m of a street light. It is recommended that the width of the northern section of the crossover is reduced so that a 0.5m clearance to the street light is provided. Council will not make changes to on-street lighting to improve access to the property if difficulty is experienced.

Advisory Note 6

The applicant shall undertake their own investigations as to whether the electrical services pit can be made trafficable or requires relocation at the applicant's expense.

Advisory Note 7

The concrete driveway area shall be returned to footpath with matching footpath pavers at the applicant's expense.

Advisory Note 8

Additional kerbing that wraps around from the eastern edge of the new crossover to the eastern property boundary shall be designed and constructed in consultation with Council at the applicant's expense.

Advisory Note 9

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.

Advisory Note 10

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.

Advisory Note 11

The applicant shall pay an amount of \$2221.85 to Council to cover works in the road reserve, including but not limited to tree removal, stump removal, specimen purchase, tree replacement, and site preparation.

CARRIED UNANIMOUSLY

OTHER BUSINESS

CITY OF UNLEY COUNCIL ASSESSMENT PANEL MEETING DATES FOR 2022

MOVED: Michael McKeown

SECONDED: Colleen Dunn

That the proposed times and dates for the Council Assessment Panel meetings during 2022 be approved.

CARRIED UNANIMOUSLY

MATTERS FOR COUNCIL CONSIDERATION

Nil

[Note: These minutes are unconfirmed until 18 January 2022

The Presiding Member declared the meeting closed at 7:42pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 18 January 2022.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 18 January 2022