

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 29 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 Brenton Burman
Mr Rufus Salaman

APOLOGIES: Mr Alexander (Sandy) Wilkinson

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: Roger Freeman

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

CARRIED UNANIMOUSLY

ITEM 1

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

MOVED: Jennie Boisvert

SECONDED: Rufus Salaman

That Development Application 090/366/2020/C1 at 20 Gilbert Street, Goodwood SA 5034 to 'Remove one Significant Tree – River Red Gum', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The Significant Tree provides important aesthetic and environmental benefit, and therefore should be retained in accordance with Council Wide Significant Trees Objective 3;
- The Significant Tree makes an important contribution to the character and amenity of the local area, and forms a notable visual element to the landscape of the local area, and therefore should be retained in accordance with Regulated and Significant Trees PDC 6;
- It has not been demonstrated that the Significant Tree is diseased and its life expectancy is short, nor does it represents an unacceptable risk to public or private safety, nor is it causing or threatening to cause substantial damage to a substantial building or structure of value, contrary to Regulated and Significant Trees PDC 8.

CARRIED

ITEM 2

DEVELOPMENT APPLICATION – 090/197/2020/C3 – 306 GLEN OSMOND ROAD, FULLARTON 5063 (FULLARTON)

Mr Alf Petito, Mrs Julie Petito, representors addressed the Panel regarding the above mentioned application. Mr Joshua Skinner from URPS supported by Ms Thy Nguyen, addressed the Panel in support of the application.

MOVED: Roger Freeman

SECONDED: Jennie Boisvert

That Development Application 090/197/2020/C3 at 306 Glen Osmond Road, Fullarton 5063 for 'Variation to 090/1151/2004/C3 – Vary condition 6 by relocating waste bins in association with alterations to carpark; and install additional flue', be DEFERRED to allow Council Administration to seek further engineering advice to limit odour emissions and dust particles from the subject flue.

CARRIED UNANIMOUSLY

ITEM 3

DEVELOPMENT APPLICATION – 090/698/2019/C2 – 10A VALMAI AVENUE, KINGS PARK SA 5034 (UNLEY PARK)

MOVED: Brenton Burman

SECONDED: Rufus Salaman

That Development Application 090/698/2019/C2 at 10A Valmai Avenue, Kings Park SA 5034 to 'Demolish the existing dwelling and construct new two storey dwelling including double garage and verandahs' 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. That the upper floor windows (except the ensuite windows and south facing windows) 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. The upper floor ensuite windows shall be translucent glazed panels with a restrictor limiting the opening to no greater than 125mm.
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. 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#>

5. Prior to the issue of development approval, the applicant shall provide a stormwater management plan to the reasonable satisfaction of Council prior to the issue of development approval 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.

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.
- 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 – 090/775/2019/C2 – 196 GLEN OSMOND ROAD & 1A GLADSTONE STREET, FULLARTON SA 5063 (PARKSIDE)

Mr Lou Fantasia, on behalf of the applicant, addressed the Panel in support of the application.

MOVED: Jennie Boisvert

SECONDED: Roger Freeman

That Development Application 090/775/2019/C2 at 196 Glen Osmond Road & 1A Gladstone Street, Fullarton SA 5063 to 'Construct four (4) two-storey dwellings at the rear of 196 Glen Osmond Road with access via 1A Gladstone Street' 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:

- Details of an acoustic boundary fence adjacent to the North Western side of the driveway handle shall be submitted to and approved by Council prior to the issue of full development approval.

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. That the upper floor habitable room windows be treated to avoid overlooking prior to occupation by being fitted with either 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; or 'high level' windows including a minimum sill height of 1700mm above floor level.
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. 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#>
5. Prior to the issue of full Development Approval, a detailed landscaping plan for the site shall be submitted to and approved by Council. The landscaping plan shall indicate the species and location of proposed trees and shrubs, and

* Denotes Change

the driveway/common area shall include a permeable paving system (or similar Water Sensitive Urban Design solution – refer [City of Unley Development and Stormwater Management Policy](#) part 4).

Once approved, the landscaping must be established prior to the occupation of the development and shall be irrigated, maintained and nurtured at all times with any dead, diseased or dying plants being replaced within the next available growing season and to the reasonable satisfaction of the 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.
- Residential Parking Permits will not be issued to residents of Community or Strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.

CARRIED UNANIMOUSLY

ITEM 5

DEVELOPMENT APPLICATION – 090/417/2020/C2 – 9 CAMBRIDGE TERRACE, UNLEY SA 5061 (UNLEY)

Mr Michael Lambert, on behalf of Mrs Robyn Lambert, addressed the Panel regarding the above-mentioned application. Mr Manuel Kopsaftis and Kaylah Kopsaftis addressed the Panel in support of the application.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/417/2020/C2 at 9 Cambridge Terrace, Unley SA 5061 to 'Carry out alterations and construct upper floor addition with balcony', 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.

CARRIED UNANIMOUSLY

ITEM 6

DEVELOPMENT APPLICATION – 090/346/2020/C2 – 16 MOORHOUSE AVENUE, MYRTLE BANK 5064 (FULLARTON)

Mr Patrick Tierney, representor, addressed the Panel regarding the above-mentioned application.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/346/2020/C2 at 16 Moorhouse Avenue, Myrtle Bank 5064 to 'Erect 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.

CARRIED

ITEM 7

DEVELOPMENT APPLICATION – 090/264/2020/C2 – 4 MARION STREET, UNLEY SA 5061 (PARKSIDE)

Mr Hamish Franks and Mrs Hannah Franks, representors, addressed the Panel regarding the above-mentioned application. Mr Andrew Morgan and Mr Phil Brunning on behalf of the applicant addressed the Panel in support of the application.

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/264/2020/C2 at 4 Marion Street, Unley SA 5061 to demolish the existing lean to and garage, carry out alterations and construct additions on common boundary, including basement, verandah and garage with upper level and fencing 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. That the east facing upper floor windows of the garage 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.
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 the applicant provide a stormwater management plan to the reasonable satisfaction of Council prior to issue of development approval 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.

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. 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 8

DEVELOPMENT APPLICATION – 090/694/2019/CNIL/A – 8 ROBERTS STREET, UNLEY SA 5061 (UNLEY)

MOVED: Roger Freeman

SECONDED: Rufus Salaman

That Development Application 090/694/2019/CNIL/A at 8 Roberts Street, Unley SA 5061 to vary condition 2 for DA 090/694/2019/C2 (Demolish existing dwelling and construct two storey dwelling including garage and verandah) satisfies 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. That the upper floor windows 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.
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. The approved landscaping shall be established prior to the occupation of the development and shall be irrigated, maintained and nurtured at all times with any dead, diseased or dying plants being replaced within the next available growing season and to the reasonable satisfaction of the Council.

Variation to 09/694/2019/C2 – Vary Condition 2

1. That the upper floor windows (excluding those windows to the south eastern hallway, study, and north eastern staircase) 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 1700 mm above floor level with such translucent glazing to be kept in place at all times.
2. That the development herein approved shall be undertaken in accordance with the amended plans and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).

* Denotes Change

3. The conditions, where pertinent, of the Planning Consent Development Application Number 090/694/2019 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

CARRIED UNANIMOUSLY

OTHER BUSINESS

The Assessment Manager advised the Panel that delegations for the PDI Act will be reported to the Panel over the next few months.

MATTERS FOR COUNCIL'S CONSIDERATION

The Presiding Member declared the meeting closed at 9:04pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 20 October 2020

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 20 October 2020