

CITY OF UNLEY

DEVELOPMENT ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 15 October 2013
at 7.00pm in the Civic Centre, Unley**

ACKNOWLEDGEMENT

We acknowledge that the land we meet on today is the traditional land of the Aboriginal people and that we respect their spiritual relationship with their country.

We also acknowledge that the Aboriginal people are the custodians of the Adelaide region and that their cultural and heritage beliefs are still important to the living Aboriginal people today.

PRESENT:

Mr Terry Tysoe (Presiding Member)
Mr Brenton Burman (Deputy Presiding Member)
Ms Nicole Dent
Mrs Ann Nelson
Mr Don Palmer
Mr Rufus Salaman
Mr Rob Sangster

APOLOGIES:

OFFICERS PRESENT:

Mr Paul Weymouth, Manager Development
Mr Donny Michel, Team Leader Planning
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST:

Nicole Dent declared a conflict of interest for Item 1 – 27 Eton St, Malvern, as the applicant's designer is her employer.

Ann Nelson declared a conflict of interest for Item 3 – 12 Birks Street, Parkside, as she has previously worked with one of the representors.

CONFIRMATION OF MINUTES:

MOVED: Brenton Burman

SECONDED: Don Palmer

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 17 September 2013, as printed and circulated be taken as read and signed as a correct record.

CARRIED

Nicole Dent declared a conflict of interest for Item 1 – 27 Eton St, Malvern, as the applicant's designer is her employer, and left the meeting at 7.02pm.

ITEM 1

DEVELOPMENT APPLICATION – 090/445/2013/C2 – 27 ETON STREET, MALVERN 5061 (UNLEY PARK)

Mr Martin Lockwood, Ms Dagmar Lockwood and Mr Mike Wark on behalf of Nicholas and Maria Hill, representors, and Mr David Holland on behalf of C & A Foundas, applicant, addressed the Panel regarding the above item.

MOVED: Brenton Burman

SECONDED: Rob Sangster

That Development Application 090/445/2013/C2 at 27 Eton Street, Malvern 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following 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. External privacy screening devices along the eastern and southern elevation must be installed to avoid overlooking prior to occupation to a minimum height of 1700mm above floor level with such screening to be kept in place at all times. Final details of louvre angles and dimensions to be provided to the satisfaction of Council prior to the issue of Development Approval.
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.

NOTES PERTAINING TO PLANNING 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 8463 3555 or refer to their web site at www.lsc.sa.gov.au.

- Noise generated from ancillary pool and/or spa equipment must not exceed the maximum noise level recommended by the EPA. For this purpose, noise 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, measured from a habitable room window or private open space of an adjoining dwelling.

CARRIED

Nicole Dent returned to the meeting at 7.34 pm.

ITEM 2

DEVELOPMENT APPLICATION – 090/600/2013/C2 – 61 FISHER STREET, MYRTLE BANK 5064 (FULLARTON)

Mr David Hawes, representor, and Mr Alan Rumsby on behalf of Enterprise Homes Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Nicole Dent

That Development Application 090/600/2013/C2 at 61 Fisher Street, Myrtle Bank 5064 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following 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. That the east facing upper floor windows for dwelling 1 and dwelling 2 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. That protection of the subject regulated tree (*Eucalyptus leucoxylon*) shall take place in accordance with the recommendations contained on page 5 of the arborist report by Ian Crowe dated 15 August 2013 to the satisfaction of Council except where varied by conditions below (if any).

NOTES PERTAINING TO PLANNING 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**.
- 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 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.

CARRIED

Ann Nelson declared a conflict of interest for Item 3 – 12 Birks Street, Parkside, as she has previously worked with one of the representors and left the meeting at 8.06pm.

ITEM 3

DEVELOPMENT APPLICATION – 090/368/2013/C2 – 12 BIRKS STREET, PARKSIDE 5063 (PARKSIDE)

Ms Dianne Evans and Mr Adrian Evans, representors, addressed the Panel regarding the above item.

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/368/2013/C2 at 12 Birks Street, Parkside 5063 is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent for the following reasons:

1. The proposal does not satisfy predominant allotment widths and sizes;
2. Side building setbacks including the collective side setbacks are at variance with those predominant within Precinct 8.4;
3. The proposal is at variance with Zone PDC 14(b)(iv), the proposal does not maintain the desired gap between buildings as set out in the desired character; and
4. The proposal is considered at variance with the displayed positive streetscape attributes, including rhythm of building siting, scale and proportions.

CARRIED

Ann Nelson returned to the meeting at 8.23pm.

ITEM 4

DEVELOPMENT APPLICATION – 090/476/2013/C2 – 2 MORESBY STREET, WAYVILLE 5034 (GOODWOOD)

Mr Rob Lynch, representor, and Mr Stuart Davis and Mr Mark Senior, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Rufus Salaman

That Development Application 090/476/2013/C2 at 2 Moresby Street, Wayville 5034 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following 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 conditions, where pertinent, of the Planning Consent Development Application Number 090/764/2011/C2 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

CARRIED

ITEM 5

DEVELOPMENT APPLICATION – 090/667/2013/C1 – 336 GOODWOOD ROAD, CLARENCE PARK 5034 (GOODWOOD SOUTH)

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application 090/667/2013/C1 at 336 Goodwood Road, Clarence Park 5034 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent **subject to the CONCURRENCE of the Development Assessment Commission and** subject to the following 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 conditions, where pertinent, of any Development Decisions in respect to the original overall development (090/1035/2009/NC) shall be complied with to the reasonable satisfaction of Council at all times.

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/231/2013/C2 – 91 WINCHESTER STREET, MALVERN 5061 (UNLEY PARK)

Mr Michael Tang, owner, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Ann Nelson

That Development 090/231/2013/C2 at 91 Winchester Street, MALVERN SA 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following 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.

NOTES PERTAINING TO PLANNING CONSENT:

- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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**.
- 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 8463 3555 or refer to their web site at www.lsc.sa.gov.au.

LOST

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development 090/231/2013/C2 at 91 Winchester Street, MALVERN SA 5061 be DEFERRED to:

- Enable a Panel site inspection to take place,
- Enable Council's Heritage Architect to undertake an assessment of the proposed new dwelling,
- Obtain legal advice regarding the interpretation of principle 6A(i) in the Historic Conservation Zone.

CARRIED

OTHER BUSINESS

The Development Assessment Panel request Council review principle 6A(i) in the Historic Conservation and Streetscape Zones as the Development Assessment Panel has had difficulty interpreting this provision.

CLOSURE

The Presiding Member declared the meeting closed at 9.18pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 19/11/2013.

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PRESIDING MEMBER

DATED / /

NEXT MEETING

Tuesday, 19 November 2013