

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 11 December 2018  
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 Kaurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

**PRESENT:**

Mr Brenton Burman (Presiding Member)  
Ms Nicole Dent  
Mr Roger Freeman  
Mrs Ann Nelson  
Mrs Jennie Boisvert

**APOLOGIES:**

**OFFICERS PRESENT:**

Mr Andrew Raeburn, Acting Team Leader Planning  
Mrs Amy Barratt, Acting Senior Planner  
Ms Lily Francis, Development Administration

**CONFLICT OF INTEREST:**

Nil

**CONFIRMATION OF MINUTES:**

MOVED: Roger Freeman

SECONDED: Nicole Dent

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 20 November 2018, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

## **ITEM 1**

### **DEVELOPMENT APPLICATION – 090/403/2018/C2 – 420 FULLARTON ROAD, MYRTLE BANK 5064 (FULLARTON)**

Gabrielle Healy, supported by Ian Lloyd, Fiona Basedow on behalf of Heather Pile and Gary Jeffrey, representors, and Fabian Barrone of Future Urban on behalf of the applicant addressed the panel regarding the above mentioned application.

An alternative recommendation was put to the panel as follows:

MOVED: Roger Freeman

SECONDED: Jennie Boisvert

That Development Application 090/303/2018/C2 at 420 Fullarton Road, Highgate SA 5064 to 'Construct a three storey residential flat building containing 11 dwellings', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The bulk and scale of the proposed development would not be compatible with development in the locality and would result in visual intrusion and overshadowing of neighbouring properties, contrary to Council Wide (Residential) PDC 23 and 24.
- The proposed front, side and rear boundary setbacks of the development would fail to comply with PDC 6 of the Major Roads Policy Area 14 and Council Wide (Residential) PDC 13.
- The density of the proposed development would be excessive and result in an overdevelopment of the site that would not be consistent with the desired character of PDC 5 of the Major Roads Policy Area 14.
- The on-site car parking provision would be insufficient and would result in parking congestion within the surround streets, contrary to Council Wide (Transportation) PDC 19 and 20.

**CARRIED UNANIMOUSLY**

## **ITEM 2**

### **DEVELOPMENT APPLICATION – 090/602/2018/C3 – 123 FISHER STREET, FULLARTON SA 5063 (FULLARTON)**

Katherine Pontifex, representor and Jason Sack of Living Choice Fullarton, applicant, supported by Simon Channon from URPS addressed the panel regarding the above mentioned application.

MOVED: Nicole Dent

SECONDED: Ann Nelson

That Development Application 090/602/2018/C3 at 123 Fisher Street, Fullarton SA 5063 for 'Variation to 090/366/2010/C1/4/C - Public access to existing on-site wellness and health services 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

\* Denotes Change

conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.

2. Public access to the health and wellness facilities on the site shall be restricted to between the hours of 7:30am to 5pm (any day) and to a maximum of five (5) non-residents at any one time.

**CARRIED**

**ITEM 3**

**DEVELOPMENT APPLICATION – 090/566/2018/C2 – CHARLES STREET, FORESTVILLE (STREET TREE)**

MOVED: Jennie Boisvert

SECONDED: Ann Nelson

That Development Application 090/566/2018/C2 at Charles Street, Forestville to 'Remove regulated street tree Eucalyptus sideroxylon (Red Ironbark) (Outside of 57 Charles Street, Forestville)', 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. That the removal of the subject regulated tree Eucalyptus sideroxylon (Red Ironbark) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That 2 replacement trees must be planted to replace the Regulated tree within twelve (12) months of the date of the development approval. The replacement trees shall be selected from the attached list. The applicant shall advise Council in writing when the replacement trees are planted. The replacement trees shall not be planted within 10 metres of a dwelling or in-ground swimming pool. The owner of the land the subject of this authorisation shall maintain the replacement trees in good health and condition at all times and shall replace any such tree if it dies forthwith.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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**.

**CARRIED UNANIMOUSLY**

**ITEM 4**

**DEVELOPMENT APPLICATION – 090/496/2018/C2 – 21 NORTHGATE STREET,  
UNLEY PARK SA 5061 (UNLEY PARK)**

Tony D’Ettorre, applicant, supported by David Fabris addressed the panel regarding the above mentioned application.

MOVED: Nicole Dent

SECONDED: Ann Nelson

That Development Application 090/496/2018/C2 at 21 Northgate Street, Unley Park SA 5061 to ‘Demolish the existing dwelling; and construct two storey dwelling including undercroft garage, verandahs, in-ground swimming pool and front 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 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 eastern and western habitable upper floor windows be treated to avoid overlooking prior to occupation by being fitted with permanently fixed non-openable translucent glazed panels to a minimum height of 1700mm above floor level with such translucent glazing to be kept in place at all times.
3. That privacy screening be erected to the upper level habitable room windows on the northern and southern elevations prior to occupation. The screening shall be permanently fixed to a minimum height of 1700mm above floor level with further details to be provided to Council’s satisfaction 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.
5. That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure prior to the operation of said equipment.
6. 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.
7. That the total stormwater volume requirement (detention and retention) for the development herein approved shall be determined 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. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
8. The Significant Ginkgo Bibola Tree located on the adjoining land shall be protected throughout the demolition and construction of the development in accordance with the tree protection measures and recommendations as detailed in the Adelaide Tree Surgery Report, prepared by Mark Elliott.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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](http://www.lsc.sa.gov.au).
- Your attention is drawn to the requirements of **Development Regulation 76C- Fire Safety Requirements - Brush Fences**.
  - It is a requirement for the purpose of building rules assessment that brush fences (existing, proposed or altered) must be clearly identified on all documentation to be lodged for building rules consent. Brush fences within 3 metres of any dwelling will require development approval.

**CARRIED**

**ITEM 5**

**DEVELOPMENT APPLICATION – 090/343/2018/C2 – 74 MAUD STREET, UNLEY SA 5061 (UNLEY)**

MOVED: Jennie Boisvert

SECONDED: Ann Nelson

That Development Application 090/343/2018/C2 at 74 Maud Street, Unley SA 5061 to carry out alterations and construct a single storey addition on common boundary and verandah 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 total stormwater volume requirement (detention and retention) for the development herein approved shall be determined 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. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
3. 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.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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](http://www.lsc.sa.gov.au).
- It may be necessary to undertake a dilapidation report from a qualified structural engineer to ensure that buildings located on adjacent properties are protected during any demolition and construction works.
- 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.

**CARRIED UNANIMOUSLY**

**ITEM 6**

**DEVELOPMENT APPLICATION – 090/576/2018/C2 – 1A RAVENSTHORPE AVENUE, MILLSWOOD SA 5034 (CLARENCE PARK)**

Mrs Judith Hogg, applicant, addressed the panel regarding the above mentioned application.

MOVED: Roger Freeman

SECONDED: Jennie Boisvert

That Development Application 090/576/2018/C2 at 1A Ravensthorpe Avenue, Millswood SA 5034 to 'Erect 2.2m high boundary fencing (along part of northern common boundary only)' 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.

**NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:**

- 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](http://www.lsc.sa.gov.au).
- 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.

**CARRIED UNANIMOUSLY**

**ITEM 7**

**COUNCIL ASSESSMENT PANEL PROPOSED MEETING DATES FOR 2019**

MOVED: Jennie Boisvert

SECONDED: Nicole Dent

That the Council Assessment Panel (CAP) in 2019 meet on the third Tuesday of every month at 7.00pm in the Council Chambers, 181 Unley Road, Unley, in accordance with the meeting schedule outlined below (with the exception of January and December 2019):

Tuesday 22 January 2019 (fourth Tuesday)  
Tuesday 19 February 2019  
Tuesday 19 March 2019  
Tuesday 16 April 2019  
Tuesday 21 May 2019  
Tuesday 18 June 2019  
Tuesday 16 July 2019  
Tuesday 20 August 2019  
Tuesday 17 September 2019  
Tuesday 15 October 2019  
Tuesday 19 November 2019  
Tuesday 10 December 2019 (second Tuesday)

**CARRIED UNANIMOUSLY**

**CLOSURE**

The Presiding Member declared the meeting closed at 9:08pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 18 December 2018

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**PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING

Tuesday, 18 December 2018