

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 22 January 2019
at 6.00pm 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 Paul Weymouth, Assessment Manager
Mr Donnie Michel, Team Leader Planning
Mrs Amy Barratt, Planning Officer
Ms Lily Francis, Development Administration Officer

CONFLICT OF INTEREST:

Nil

CONFIRMATION OF MINUTES:

MOVED: Jennie Boisvert

SECONDED: Ann Nelson.

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 18 December 2018, as printed and circulated be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/641/2018/C2 – 67 EAST AVENUE, CLARENCE PARK 5034 (CLARENCE PARK)

Mr Walter Lennerth, representor and Mr Gregg Jenkins of Heynen Planning Consultants on behalf of the applicant, addressed the panel regarding the above mentioned application.

MOVED: Jennie Boisvert

SECONDED: Nicole Dent

That Development Application 090/641/2018/C2 at 67 East Avenue, Clarence Park 5034 for 'Combined Application - Land Division - Torrens Title: Create 2 Allotments from 1; and carry out partial demolition, alterations and single storey additions including a verandah and replacement of existing roof to existing dwelling', 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.

LAND DIVISION CONSENT CONDITIONS:

3. That the existing rear dwelling addition (as per Glasshouse Drawing No PL101, Rev A) and garage be demolished prior to the issue of the Section 51 Certificate by the State Commission Assessment Panel. (All demolition is subject to separate Development Approval.)

NOTE: Pursuant to Section 51 of the Development Act 1993, all outstanding requirements and conditions in relation to this approval must be met to the reasonable satisfaction of Council before the required Certificate is issued by the State Commission Assessment Panel.

STATE COMMISSION ASSESSMENT PANEL CONDITIONS are as follows:

- The financial requirements of SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0076110).
The alteration of internal drains to the satisfaction of SA Water is required.
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

- Payment of \$7253 into the Planning and Development Fund (1 allotment(s) @ \$7253/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
- A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certification purposes.

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 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.
- 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 also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.
- 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 UNANIMOUSLY

ITEM 2

DEVELOPMENT APPLICATION – 090/640/2018/C2 – 40 HILL STREET, PARKSIDE SA 5063 (PARKSIDE)

MOVED: Nicole Dent

SECONDED: Ann Nelson

That Development Application 090/640/2018/C2 at 40 Hill Street, Parkside SA 5063 to construct alterations and additions to dwelling, including an upper storey, carport, verandah, front gates and removal of 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. 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 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.
4. That the upper floor windows be treated to avoid overlooking prior to occupation by being fitted with either permanently fixed non-openable obscure glazed panels or horizontal screens (as detailed on Elevations Plan, Drawing No. 05-029-P08 dated 13/12/18 prepared by Atelier Bond) to a minimum height of 1700mm above floor level with such glazing or screens to be kept in place at all times.
5. That the landscaping, as approved by the Council (Site Plan prepared by Atelier Bond, Drawing No. 05-029-P01 dated 23/11/2018), be established prior to occupation of the development and that the landscaping and site be generally maintained to the reasonable satisfaction of Council at all times.

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.
- 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.

- 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 3

DEVELOPMENT APPLICATION – 090/754/2018/C2 – 33 GEORGE STREET, PARKSIDE SA 5063 (PARKSIDE)

Ms Cindy Kohler on behalf of Kelly Childs, representor, and George and Joanna Manolacos, applicant, addressed the panel regarding the above mentioned application.

MOVED: Roger Freeman

SECONDED: Jennie Boisvert

That Development Application 090/754/2018/C2 at 33 George Street, Parkside SA 5063 to 'Carry out alterations and construct a two storey addition to an existing habitable outbuilding', 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 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 associated outbuilding addition subject of this Approval shall only be used for purposes and activities ancillary to the residential use of the property and at no time be used for any commercial and/or industrial purpose.

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

CARRIED UNANIMOUSLY

ITEM 4

DEVELOPMENT APPLICATION – 090/839/2018/C2 – CONCORDIA COLLEGE, 45 CHELTENHAM STREET, HIGHGATE SA 5063 (FULLARTON)

Mr Phil Brunning on behalf of Concordia College, applicant, supported by Mick Hoopman addressed the panel regarding the above mentioned application.

MOVED: Ann Nelson

SECONDED: Jennie Boisvert

That Development Application 090/839/2018/C2 at Concordia College, 45 Cheltenham Street, Highgate SA 5063 for 'Changes to and continued use of existing car park (variation to Condition 2 and 3 of 090/733/2015/C2)' 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 approved landscaping shall be planted at the first available planting season 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.

CARRIED UNANIMOUSLY

ITEM 5

DEVELOPMENT APPLICATION – 090/710/2018/C2 – 176 GREENHILL ROAD, PARKSIDE SA 5063 (PARKSIDE)

MOVED: Ann Nelson

SECONDED: Roger Freeman

That Development Application 090/710/2018/C2 at 176 Greenhill Road, Parkside SA 5063 to 'Alter and extend existing car park' 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 surface runoff from car parking and hardstand areas shall be directed through a suitably sized on-site pollutant treatment device or WSUD system capable of removing oils, silts, greases, and gross pollutants to Council satisfaction prior to discharge to Council's stormwater drainage system.

3. The approved landscaping shall be established prior to the commencement of the car parking use 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.
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#>

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/295/2018/C2 – 59 MARLBOROUGH STREET, MALVERN SA 5061 (UNLEY PARK)

Tom Game and Dean Nicole on behalf of the applicant addressed the panel regarding the above mentioned application.

MOVED: Roger Freeman

SECONDED: Jennie Boisvert

That Development Application 090/295/2018/C2 at 59 Marlborough Street, Malvern SA 5061 to remove and replace verandah, carry out dwelling alterations and construct addition and verandah, garage to boundary, new boundary fencing, install swimming pool and remove Significant Tree is not seriously at variance with the provisions of the City of Unley Development Plan. The application should be REFUSED Planning Consent for the following reasons:

1. The 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.
2. The tree is in good health and structure and has a useful life expectancy.
3. The tree does not represent an unacceptable risk to public or private safety.
4. The tree is not causing damage to a building or causing or threatening to cause substantial damage to a substantial building or structure of value.
5. The siting and design of the proposed development would undermine the health and longevity of the tree and lead to a tree damaging activity.
6. The proposal is at variance to the following provisions of the Unley Development Plan:
 - Council Wide Objective 3 of the Regulated and Significant Tree Section; and
 - Council Wide Principle of Development Control 4, 5, 6, 7, 8 and 9 of the Regulated and Significant Tree Section.

LOST

An alternative recommendation was put to the panel as follows:

MOVED: Ann Nelson

SECONDED: Nicole Dent

That Development Application 090/295/2018/C2 at 59 Marlborough Street, Malvern SA 5061 to remove and replace verandah, carry out dwelling alterations and construct addition and verandah, garage to boundary, new boundary fencing, install swimming pool and remove Significant 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:

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. 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.
4. That the landscaping, as approved by the Council shall be established prior to occupation of the development and that the landscaping and site be generally maintained to the reasonable satisfaction of Council at all times.
5. 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.
6. That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure prior to the operation of said equipment.
7. Payment of \$256.50 for Significant Tree removal is required to be paid into the Council's Urban Trees Fund within 30 days of the date of the development approval (an invoice will be attached to the development approval).

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.
- 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.
- 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

ITEM 7

DEVELOPMENT APPLICATION – 090/700/2018/C1 – 40 MARLBOROUGH STREET, MALVERN 5061 (UNLEY PARK)

This application was removed from the agenda at the request of the applicant.

ITEM 8

DEVELOPMENT APPLICATION – 090/605/2017/C2 – 8 COOTRA AVENUE, FULLARTON SA 5063 (PARKSIDE)

Chris Vounasis of Future Urban and Houssam Abiad on behalf of the applicant, addressed the panel regarding the above mentioned application.

MOVED: Ann Nelson

SECONDED: Jennie Boisvert

That Development Application 090/605/2017/C2 at 8 Cootra Avenue, Fullarton SA 5063 for 'variation to development application 090/511/2016/C2 to remove the permanently fixed non-openable translucent glazed panels from upper floor windows to the upper level void area of both dwellings and installation of partially obscure screening on top of the top of the lower level side and rear walls of the dwellings. Remove Condition 3 of approval', 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 conditions, where pertinent, of any Development Decisions in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.
3. Further details of the screens shall be provided to the satisfaction of Council prior to the issue of Development Approval.
4. Privacy screening shall be installed prior to occupation and maintained there after.

CARRIED UNANIMOUSLY

ITEM 9

DEVELOPMENT APPLICATION – 090/543/2018/NC – 30 MAPLE AVENUE, FORESTVILLE SA 5035 (GOODWOOD)

MOVED: Roger Freeman

SECONDED: Ann Nelson

That Development Application 090/543/2018/NC at 30 Maple Avenue, Forestville SA 5035 to construct two storey building on common boundaries containing warehouse with associated office and display is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the CONCURRENCE of the State Commission Assessment Panel and 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. An additional street tree shall be planted and the existing crossover shall be closed and reinstated with kerb and water table in accordance with Council requirements, at the applicant's expense, prior to occupation of the development.
4. A detailed stormwater management system and computations for the development shall be provided to the satisfaction of Council prior to the issue of Development Approval.
5. All surface runoff from car parking and hardstand areas shall be directed through a suitably sized on-site pollutant treatment device or WSUD system capable of removing oils, silts, greases, and gross pollutants to Council satisfaction prior to discharge to Council's stormwater drainage system.
6. The driveway and car parking areas to be surfaced, drained and marked to the reasonable satisfaction of Council prior to the development being occupied.
7. The car parking areas to be maintained at all times to the reasonable satisfaction of Council.
8. The landscaping, as approved by the Council, be established prior to occupation of the development, and that the landscaping and site be generally maintained to the reasonable satisfaction of Council at all times. Further, that trees used in landscaping of the site be at least 1.0 metre in height at the time of planting.

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.

CARRIED UNANIMOUSLY

MATTERS FOR COUNCIL CONSIDERATION

Roger Freeman requested Council look at the suitability of the zoning along East and Frederick and whether it should remain in the Residential Streetscape Zone.

CLOSURE

The Presiding Member declared the meeting closed at 8:37pm

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 5 February 2019.

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PRESIDING MEMBER

DATED / /

NEXT MEETING

Tuesday, 5 February 2019