

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 21 November 2017
at 7.00pm in the Unley Council Chambers,
181 Unley Road, Unley**

**NOMINATION OF ACTING PRESIDING MEMBER FOR 21 NOVEMBER 2017
MEETING:**

The Team Leader Planning called for nominations for an Acting Presiding Member for the meeting.

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Ann Nelson be elected as the Acting Presiding Member for the City of Unley Council Assessment Panel meeting for 21 November 2017.

CARRIED

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:

Ms Nicole Dent
Mrs Ann Nelson
Mr Rufus Salaman

APOLOGIES:

Mr Brenton Burman (Presiding Member)
Mr Roger Freeman

OFFICERS PRESENT:

Mr Paul Weymouth, Manager Development and Regulatory
Mr Donny Michel, Team Leader Planning
Mr Andrew Raeburn, Senior Planner
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST: None.

CONFIRMATION OF MINUTES:

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday, 17 October 2017, as printed and circulated be taken as read and signed as a correct record.

CARRIED

ITEM 1

DEVELOPMENT APPLICATION – 090/228/2017/C2 – 22 DUNKS STREET, PARKSIDE SA 5063 (UNLEY)

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application at 22 Dunks Street, Parkside SA 5063 to 'Demolish existing dwelling and construct single storey dwelling with verandah and garage on common boundary and remove one (1) street 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:

PLANNING 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.
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.

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.
- 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.
- 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.

- 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.
- The applicant shall contact Council's Infrastructure Section on 8372 5460 to arrange the removal of the street tree. The work may be carried out by the 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 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 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 2

DEVELOPMENT APPLICATION – 090/680/2017/C2 – 5A HIGH STREET, UNLEY PARK SA 5061 (UNLEY PARK)

Ms Amy Gibson, Mr Mark Gibson, and Mr John Laubsch on behalf of Mr Will Laubsch, representors, and Mr Adam Mehicic, owner, and Mr Domenic Condina, applicant, addressed the Panel regarding the above item.

MOVED: Nicole Dent

SECONDED: Rufus Salaman

That Development Application at 5A High Street, Unley Park SA 5061 to 'Erect verandah to common boundary including boundary wall', 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 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 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 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**.

CARRIED UNANIMOUSLY

ITEM 3

DEVELOPMENT APPLICATION – 090/591/2017/C2 – 9 PERCY STREET, MILLSWOOD SA 5034 (UNLEY PARK)

Mr Andrew Smith, representor, and Mr Garth Heynen and Mr Dave Bickmore, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application at 9 Percy Street, Millswood SA 5034 for 'Variation to existing application 090/948/2014/C2 - Remove screening from one (1) southern upper floor window', 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 the Development Approval Application Number 090/948/2014/C2 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

CARRIED UNANIMOUSLY

ITEM 4

DEVELOPMENT APPLICATION – 090/558/2017/C3 – 5 / 261-267B GOODWOOD ROAD, KINGS PARK SA 5034 (UNLEY PARK)

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application at 5 / 261-267B Goodwood Road, Kings Park SA 5034 for 'Variation to application 090/427/2015/NC - To vary Condition 6 by increasing the number of persons the premises can accommodate from 60 to 100 whilst maintaining the capacity to 60 persons 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.
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. The premises not cater for nor accommodate more than 100 persons at any one time.
4. That the restaurant area not cater for nor accommodate more than 60 seats at one time.

CARRIED UNANIMOUSLY

ITEM 5

DEVELOPMENT APPLICATION – 090/413/2017/C2 – 13 NELSON STREET, FULLARTON SA 5063 (PARKSIDE)

Mr Michael Pilkington, applicant, addressed the Panel regarding the above item.

MOVED: Nicole Dent

SECONDED: Rufus Salaman

That Development Application at 13 Nelson Street, Fullarton SA 5063 to 'Demolish existing dwelling; construct two storey dwelling (on Lot 128) with associated garage to common southern boundary, and underground rainwater tank' 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:

PLANNING 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 (excluding western elevation) 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 with windows having a minimum cill height of 1700mm above floor level.

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.
- 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 6

DEVELOPMENT APPLICATION – 090/218/2017/C2 – 1 DOVER STREET, MALVERN SA 5061 (UNLEY PARK)

MOVED: Nicole Dent

SECONDED: Rufus Salaman

That Development Application at 1 Dover Street, Malvern SA 5061 for 'Land Division - Torrens Title - Boundary realignment', 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.

LAND DIVISION CONSENT CONDITIONS:

1. That the existing building on site be demolished prior to the issue of the Section 51 Certificate by the Development Assessment Commission. (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 Development Assessment Commission.

NOTES PERTAINING TO LAND DIVISION CONSENT:

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS are as follows:

- The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0057198).
The alteration of internal drains to the satisfaction of SA Water is required.
Subject to our new process, 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.
- 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 Development Assessment Commission for Land Division Certification purposes.

CARRIED UNANIMOUSLY

ITEM 7

DEVELOPMENT APPLICATION – 090/414/2017/C1 – 3 MACKLIN STREET, HYDE PARK SA 5061 (UNLEY PARK)

Mr Lino Ceccon and Ms Sandra Sebben, applicants, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application 090/414/2017/C1 at 3 MacKlin Street, Hyde Park SA 5061 for 'Removal of significant tree - Eucalyptus camaldulensis (River Red Gum)', be DEFERRED and the applicant be requested to provide technical advice to demonstrate that any reasonable remedial treatments and measures would be ineffective.

CARRIED UNANIMOUSLY

OTHER BUSINESS

None.

MATTERS FOR COUNCIL'S CONSIDERATION

None.

CLOSURE

The Presiding Member declared the meeting closed at 8.24pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 12/12/2017.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday, 12 December 2017