

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 17 October 2017
at 7.00pm in the Unley Council Chambers,
181 Unley Road, 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
Mr Rufus Salaman

APOLOGIES:

Mrs Ann Nelson

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:

Rufus Salaman declared a conflict of interest in relation to Item 6 – 11 Moorhouse Avenue, Myrtle Bank, as the engineering design for the development has been carried out by his employer, Herriot Consulting.

CONFIRMATION OF MINUTES:

MOVED: Roger Freeman

SECONDED: Rufus Salaman

That the Minutes of the City of Unley Development Assessment Panel meeting held on Tuesday, 19 September 2017, as printed and circulated be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ADOPTION OF MEETING PROCEDURES:

MOVED: Roger Freeman

SECONDED: Nicole Dent

That the tabled Council Assessment Panel Meeting Procedures be adopted.

CARRIED UNANIMOUSLY

ELECTION OF DEPUTY PRESIDING MEMBER:

Withdrawn.

ITEM 1

DEVELOPMENT APPLICATION – 090/17/2017/C2 – 10 DUNKS STREET, PARKSIDE SA 5063 (UNLEY)

MOVED: Roger Freeman

SECONDED: Nicole Dent

That Development Application at 10 Dunks Street, Parkside SA 5063 for 'Variation to 090/205/2016/C2 - internal alterations to include non-habitable mezzanine (install translucent film to northern high level windows) and alter carport walls', 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 northern high level windows be treated to avoid overlooking by being fitted with translucent film, with such translucent film to be kept in place permanently. Further, that the translucent film shall be installed within three (3) months of the date of the subject Planning Consent (090/17/2017/C2).
3. Further details of the translucent film product be provided to Council's satisfaction prior to the issue of Development Approval.
4. The conditions, where pertinent, of the Planning Consent Development Application Number 090/205/2016/C2 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

CARRIED

***ITEM 2**

DEVELOPMENT APPLICATION – 090/480/2017/C2 – 9 & 11 OSMOND TERRACE, FULLARTON SA 5063 (FULLARTON)

Mr Stephen Fox, representor, and Mr Fabian Barone on behalf of Mr James Guo, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Rufus Salaman

That Development Application at 9 & 11 Osmond Terrace, Fullarton SA 5063 for 'Land Division - Torrens Title - Create 3 allotments from 2 existing', 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.

LAND DIVISION CONSENT CONDITIONS:

1. That the existing building on **Lot 102** be demolished prior to the issue of the Section 51 Certificate by the Development Assessment Commission.

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 H0060184).
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 \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell 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 Development Assessment Commission for Land Division Certificate purposes.

CARRIED UNANIMOUSLY

ITEM 3

DEVELOPMENT APPLICATION – 090/481/2017/C2 – 9 & 11 OSMOND TERRACE, FULLARTON SA 5063 (FULLARTON)

Mr Stephen Fox, representor, and Mr Fabian Barone on behalf of Mr James Guo, applicant, addressed the Panel regarding the above item.

MOVED: Nicole Dent

SECONDED: Rufus Salaman

That Development Application at 9 & 11 Osmond Terrace, Fullarton SA 5063 for 'Land Division - Community Title - Create 5 allotments from 1 existing', 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.

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 H0060176).
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.
The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/ applicant.
- Payment of \$26704 into the Planning and Development Fund (4 allotments @ \$6676/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell 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 Development Assessment Commission for Land Division Certification purposes.

CARRIED UNANIMOUSLY

ITEM 4

**DEVELOPMENT APPLICATION – 090/237/2017/C2 – 9 & 11 OSMOND TERRACE,
FULLARTON SA 5063 (FULLARTON)**

Mr Stephen Fox, representor, and Mr Fabian Barone on behalf of Yong Guo, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Rufus Salaman

That Development Application at 9 & 11 Osmond Terrace, Fullarton SA 5063 to 'Erect carport to existing dwelling, construct one two storey dwelling and five single storey dwellings with verandahs and garages on common boundaries and erect combined fence and retaining wall up to 2.4m in height and remove two (2) street trees', 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 all upper floor windows aside from the north facing windows be treated to avoid overlooking prior to occupation by being fitted with permanently fixed nonopenable 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. 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.
4. 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.
- 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 trees. The work shall 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**.
- 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

***ITEM 5**

DEVELOPMENT APPLICATION – 090/398/2017/C2 – 135-137 LEICESTER STREET, PARKSIDE SA 5063 (UNLEY)

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application at 135-137 Leicester Street, Parkside SA 5063 for 'Variation to 090/127/2017/C2 – Delete balcony screen to western dwelling (137 Leicester St)', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- Omitting the obscure glass screen from the balcony will not provide sufficient visual privacy to the private open space and habitable room windows of neighbouring properties to the east and west.

CARRIED UNANIMOUSLY

Rufus Salaman declared a conflict of interest in relation to Item 6 – 11 Moorhouse Avenue, Myrtle Bank, as the engineering design for the development has been carried out by his employer, Herriot Consulting, and left the meeting at 7.57pm.

ITEM 6

DEVELOPMENT APPLICATION – 090/375/2017/C2 – 11 MOORHOUSE AVENUE, MYRTLE BANK SA 5064 (FULLARTON)

MOVED: Nicole Dent

SECONDED: Roger Freeman

That Development Application at 11 Moorhouse Avenue, Myrtle Bank SA 5064 to 'Construct two, 2 storey detached dwellings with garages on the common boundaries, 1 fronting Moorhouse Avenue and 1 fronting Washington Avenue', 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. 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 all upper floor windows not fronting either Moorhouse Avenue or Washington Avenue 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 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.
5. New planting shown on the approved site plan shall be implemented within the first available planting season after commencement of the use and be maintained thereafter to the satisfaction of the Council with diseased or dead plants replaced promptly with like species.

NOTES PERTAINING TO PLANNING 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**.
- 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.
- 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 details of any air conditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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.

- 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

Rufus Salaman returned to the meeting at 7.59pm

ITEM 7

DEVELOPMENT APPLICATION – 090/517/2017/C2 – 4 BEECH AVENUE, UNLEY SA 5061 (UNLEY)

MOVED: Roger Freeman

SECONDED: Nicole Dent

That Development Application at 4 Beech Avenue, Unley SA 5061 to 'Carry out alterations and construct single storey additions on common boundary including verandah and shed', 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 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 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**.
- 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 – 090/472/2017/C2 – 85 VICTORIA STREET, FORESTVILLE 5035 (CLARENCE PARK)

Mr Mitchell Browne on behalf of Mr Terry Browne, representor, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Nicole Dent

That Development Application at 85 Victoria Street, Forestville 5035 to 'Erect a carport at rear on common boundaries', 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. 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. The carport 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 PLANNING 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**.
- 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.
- 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 9

DEVELOPMENT APPLICATION – 090/268/2017/C2 – 41 MILLSWOOD CRESCENT, MILLSWOOD 5034 (CLARENCE PARK)

MOVED: Nicole Dent

SECONDED: Rufus Salaman

That Development Application at 41 Millswood Crescent, Millswood 5034 to 'Remove leanto and verandah, carry out alterations and construct addition to common boundary, carport and swimming pool', 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. 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 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 which is at least 5 metres from a habitable room window on an adjoining property prior to the operation of said equipment.

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

OTHER BUSINESS

The Manager Development and Regulatory suggested that it would be beneficial to the Panel to have a workshop on DPA2. A date for the workshop will be advised.

MATTERS FOR COUNCIL'S CONSIDERATION

None.

CLOSURE

The Presiding Member declared the meeting closed at 8.09pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 21/11/2017.

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PRESIDING MEMBER

DATED / /

NEXT MEETING

Tuesday, 21 November 2017