

CITY OF UNLEY

DEVELOPMENT ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 17 January 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)
Mr Roger Freeman (Deputy Presiding Member)
Ms Barbara Norman
Ms Jennifer Boisvert
Mr Rufus Salaman
Mr Rob Sangster

APOLOGIES:

Mrs Ann Nelson

OFFICERS PRESENT:

Mr Donny Michel, Acting Manager Development
Mr Grant Croft, Acting Team Leader Planning
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST:

Rob Sangster advised that, in relation to Item 1 – 8 Heywood Avenue, Unley Park, that he has known the representors, Elizabeth and Roger Daw, for years but that he does not consider this a conflict of interest.

Brenton Burman advised that, in relation to Item 10 – 88 King William Road, Goodwood, that he has been a patient of the medical centre and dentist for many years, but that he does not consider this a conflict of interest.

CONFIRMATION OF MINUTES:

MOVED: Roger Freeman

SECONDED: Barbara Norman

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 13 December 2016, as printed and circulated be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 1

DEVELOPMENT APPLICATION – 090/708/2016/C2 – 8 HEYWOOD AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)

Mr John Keeves on behalf of Ms Felicity Daws, representor, and Mr Matt King, Mr Michael Palamountain and Mr Eric Pagnozzi on behalf of Lares Homes Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Jennifer Boisvert

That Development Application at 8 Heywood Avenue, Unley Park SA 5061 to 'Demolish existing dwelling and associated outbuilding including swimming pool and construct a 2 storey dwelling with garage to common boundary, above ground swimming pool and spa, decking and removal of a Council 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. That the development herein approved shall be undertaken in accordance with the amended plans and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That all recommendations contained in the arborist report prepared by Michael Palamountain from Tree Environs PTY LTD dated 29 August 2016 shall be complied with to the satisfaction of Council.
3. That person or company making use of this consent shall engage a qualified arborist to ensure compliance with the Tree Report prepared by Michael Palamountain from Tree Environs PTY LTD dated 29 August 2016.4.
4. The person or company making use of this consent shall contact Council to enable a full inspection of the Tree Protection Zone by Council officers prior to demolition work commencing once the tree protection zones are established.
5. 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.
6. 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.
7. 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.

8. That the existing crossover shall be closed and reinstated with kerb and water table in accordance with Council requirements, and at the applicant's expense, prior to occupation of the development.

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.
- 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.
- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- The applicant shall contact Council's Infrastructure Section on 8372 5460 to arrange for the removal of the street tree. The work shall be carried out 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 2

DEVELOPMENT APPLICATION – 090/567/2016/C3 – 60-62 FISHER STREET, 11 WATSON STREET AND 14 FREW STREET, FULLARTON SA 5063 (FULLARTON)

MOVED: Rob Sangster

SECONDED: Rufus Salaman

That Development Application at 60-62 Fisher Street, 11 Watson Street and 14 Frew Street, Fullarton SA 5063 to 'Extend existing carpark associated with an aged care facility', 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 car parking areas to be maintained at all times to the reasonable satisfaction of Council.

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 3

**DEVELOPMENT APPLICATION – 090/742/2016/DIV – 138A CROSS ROAD,
HIGHGATE SA 5063 (FULLARTON)**

MOVED: Barbara Norman

SECONDED: Jennifer Boisvert

That Development Application at 138A Cross Road, Highgate SA 5063 for 'Land Division - Torrens Title - Create 2 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.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS are as follows:

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

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.

2. 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.
3. 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 4

**DEVELOPMENT APPLICATION – 090/743/2016/DIV – 138A CROSS ROAD,
HIGHGATE SA 5063 (FULLARTON)**

MOVED: Jennifer Boisvert

SECONDED: Barbara Norman

That Development Application at 138A Cross Road, Highgate SA 5063 for 'Land Division - Community Title - Create 4 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.
2. The obsolete crossover should be closed and reinstated to Council standard kerb and gutter at the applicant's expense.
3. All vehicle manoeuvring areas should remain clear of any impediments (such as meters, vegetation and letterboxes).

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.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS are as follows:

- The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0050567)
SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non standard.
- Payment of \$20,028 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.

NOTES PERTAINING TO PLANNING 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 5

DEVELOPMENT APPLICATION – 090/406/2016/C2 – 138A CROSS ROAD, HIGHGATE SA 5063 (FULLARTON)

MOVED: Roger Freeman

SECONDED: Rob Sangster

That Development Application at 138A Cross Road, Highgate SA 5063 to 'Demolish existing dwelling and construct five (5) double storey dwellings, one (1) with vehicle access off West Tce and with works to 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. That all upper floor windows aside from the south facing windows of residence 1 and 2 and the internal (driveway) facing windows of dwellings 1-4 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 1.7m high privacy screening be erected along all sides of the upper level balconies associated with dwellings 3 and 4 prior to occupation. Further details to be provided to Council's satisfaction prior to the issue of Development Approval.
5. To accommodate any simultaneous two-way vehicular movements, a 6.0 x 6.0 metre shared access area adjacent the Cross Road boundary shall remain clear of any impediments to vehicle movement at all times.
6. The final access design shall be a minimum of 6.0 metres in width at the property boundary, flaring to the road. A minimum 1.0 metres separation to the existing street trees shall be provided.
7. the obsolete crossover shall be closed and reinstated to Council standard kerb and gutter at the applicants expense.
8. All vehicles shall enter and exit the site in a forward direction.
9. All shared manoeuvring areas shall remain free of any impediments (such as meters, fencing, garden beds and parked vehicles).
10. On-site car parking spaces shall be designed in accordance with AS/NZS 2890.1:2004.

NOTES PERTAINING TO PLANNING CONSENT:

- 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.
- 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.
- 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

ITEM 6

DEVELOPMENT APPLICATION – 090/874/2016/C2 – 82 CHELTENHAM STREET, MALVERN SA 5061 (UNLEY PARK)

Mr Chris Mellors and Ms Virginia Ward, representors, and Ms Katrina Oliver on behalf of Scott Salisbury Homes, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Barbara Norman

That Development Application at 82 Cheltenham Street, Malvern SA 5061 to 'Construct single storey dwelling with verandahs and garage on common boundary and install in-ground swimming pool / spa and 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. 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 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 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.
- 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**.

- 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 UNANIMOUSLY

ITEM 7

DEVELOPMENT APPLICATION – 090/973/2016/C1 – 14 ROBERTS STREET, UNLEY SA 5061 (UNLEY)

MOVED: Roger Freeman

SECONDED: Rob Sangster

That Development Application at 14 Roberts Street, Unley SA 5061 to 'Variation to 090/615/2015/C2 - Remove a non-regulated Lilly Pilly 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. That the development herein approved shall be undertaken in accordance with the amended plans and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. The conditions, where pertinent, of Development Approval 090/615/2015/C2 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

CARRIED

ITEM 8

DEVELOPMENT APPLICATION – 090/188/2016/C2 – 24 EDMUND AVENUE, UNLEY SA 5061 (UNLEY)

Mr Roc D'Onofrio, applicant, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Jennifer Boisvert

That Development Application at 24 Edmund Avenue, Unley SA 5061 for 'Demolition of a contributory item in a conservation zone and other structures', 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 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.

CARRIED UNANIMOUSLY

ITEM 9

DEVELOPMENT APPLICATION – 090/904/2016/C1 – 42 OXFORD TERRACE, UNLEY SA 5061 (UNLEY)

Ms Kristina Constantopoulos and Mr George Constantopoulos, applicants, addressed the Panel regarding the above item.

MOVED: Barbara Norman

SECONDED: Jennifer Boisvert

That Development Application at 42 Oxford Terrace, Unley SA 5061 to 'Erect 1.8m front brush and colorbond fence with sliding iron gate', is seriously at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent subject to the following reasons:

- The design, height, position and materials of the proposed boundary fencing and gate are not consistent with the desired character of the zone and policy area, or the development pattern of the immediate area and would thereby harm the character and appearance of the historic conservation area; contrary to Residential Historic (Conservation) Zone PDC 1 and 15 and Council Wide PDC 117 of the Unley Development Plan.

CARRIED

***ITEM 10**

DEVELOPMENT APPLICATION – 090/618/2016/C1 – 88 KING WILLIAM ROAD, GOODWOOD SA 5034 (UNLEY)

Mr Danny Mulvihill on behalf of Hyde Park Clinic Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Jennifer Boisvert

That Development Application 090/618/2016/C1 at 88 King William Road, Goodwood SA 5034 for 'Removal of regulated tree - *Corymbia citriodora* (Lemon Scented Gum)', should be DEFFERED to allow the applicant and respective parties associated with the car park time to consider improvement to landscaping to the car park.

The resolution was put and **TIED**.

On the casting vote of the Presiding Member the resolution was **CARRIED**.

ITEM 11

DEVELOPMENT APPLICATION – 090/958/2016/NC – 414 UNLEY ROAD, UNLEY PARK SA 5061 (UNLEY PARK)

MOVED: Roger Freeman

SECONDED: Jennifer Boisvert

That pursuant to Section 17(3)(b) of the Development Regulations 2008, the Development Assessment Panel determines to proceed with an assessment of Development Application 090/958/2016/NC at 414 Unley Road, Unley Park which seeks to 'Demolish existing motor showroom and service area and construct new showroom'.

CARRIED UNANIMOUSLY

CLOSURE

The Presiding Member declared the meeting closed at 9.12pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 21/2/2017.

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PRESIDING MEMBER

DATED / /

NEXT MEETING

Tuesday, 21 February 2017