

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 18 July 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 Roger Freeman (Deputy Presiding Member)  
Ms Nicole Dent  
Mrs Ann Nelson  
Mr Rufus Salaman  
Mr Rob Sangster

**APOLOGIES:**

Ms Jennifer Boisvert  
Mr Brenton Burman (Presiding Member)

**OFFICERS PRESENT:**

Mr Donny Michel, Acting Manager Development & Regulatory  
Mr Andrew Raeburn, Acting Team Leader Planning  
Ms Rachel Theile, Development Administration

**CONFLICT OF INTEREST:**

Rufus Salaman advised that, in relation to Item 1 – 17 Victoria Avenue, Unley Park, the representor is known to him but that he does not consider this a conflict of interest.

Rufus Salaman also advised that, in relation to Item 2 - 47 Fairford Street, Unley, there was a deputation at a previous Council meeting regarding the tree but that he was not involved in the discussion and does not consider this a conflict of interest.

Rob Sangster advised that, in relation to Item 3 - 27 Sheffield Street, Malvern, that the representor is known to him but that he has not discussed the application with him and does not consider this a conflict of interest.

**CONFIRMATION OF MINUTES:**

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 20 June 2017, as printed and circulated be taken as read and signed as a correct record.

**CARRIED**

**CONFIRMATION OF NOTES FROM SITE INSPECTION - 47 FAIRFORD STREET, UNLEY**

MOVED: Ann Nelson

SECONDED: Rob Sangster

That the notes of the site inspection for 47 Fairford Street, Unley held on Monday 17 July 2017, be taken as read.

**CARRIED**

**\*ITEM 1**

**DEVELOPMENT APPLICATION – 090/38/2017/C2 – 17 VICTORIA AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)**

Mr Thomas Haddad on behalf of Mr Alick Haddad and Mrs Anne Haddad, representors, and Mr George Vanco on behalf of The Transpac Consultancy Group (SA) Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Ann Nelson

That Development Application at 17 Victoria Avenue, Unley Park SA 5061 for 'Variation to 090/625/2014/C1- To relocate and increase wall height and overall height of garage (retrospective)', 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 a 2.9m lattice screen or similar structure be erected along the northern boundary for the entire length of the proposed garage. Further details to be provided to the satisfaction of Council before the issue of Development Approval.

## NOTES PERTAINING TO PLANNING CONSENT:

- The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).
- 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 – 090/307/2017/C1 – 47 FAIRFORD STREET, UNLEY SA 5061 (UNLEY)**

Mr Jamie Botten and Ms Stephanie Nisyrios, applicant, addressed the Panel regarding the above item.

### **SUSPENSION**

Due to disruption from the gallery the Acting Presiding Member suspended the meeting at 8.21pm.

The meeting resumed at 8.25pm.

Discussion of Item 2 continued.

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application 090/307/2017/C1 at 47 Fairford Street, Unley SA 5061 for 'Removal of significant tree - Eucalyptus Camaldulensis (Red River Gum) from western boundary of residential property', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The subject tree is considered to make an important contribution to the character and amenity of the local area;
- The subject tree is considered to form a notable visual element to the landscape of the local area;
- The subject tree is considered to contribute to the habitat value of the local area;
- The subject tree is not diseased, nor considered to have a short life expectancy;
- The subject tree is not considered to represent an unacceptable risk to public and/or private safety;
- The subject trees are not considered to be causing, or threatening to cause, substantial damage to a substantial structure of value;
- The removal of the subject tree will result in potentially tree damaging activity to the adjacent tree (tree 1), which is also located on the subject site.

**LOST**

MOVED: Rob Sangster

SECONDED: Ann Nelson

That Development Application at 47 Fairford Street, Unley 5061 for the 'Removal of significant tree - Eucalyptus Camaldulensis (Red River Gum) from western boundary of residential property', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Development Approval subject to the following conditions:

1. That three (3) replacement trees must be planted to replace the Significant tree within twelve (12) months of the date of the development approval. The replacement trees shall be selected from the attached list. The applicant shall advise Council in writing when the replacement trees are planted. The replacement trees shall not be planted within 10 metres of a dwelling or in ground swimming pool. The owner of the land the subject of this authorisation shall maintain the replacement trees in good health and condition at all times and shall replace any such tree if it dies forthwith.
2. That the removal of the tree shall be undertaken by a qualified arborist and no damage shall occur to the nearby significant tree on the land (Eucalyptus Camaldulensis (Red River Gum) near the eastern boundary).

#### **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.
- 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**

#### **ITEM 3**

#### **DEVELOPMENT APPLICATION – 090/438/2016/C2 – 27 SHEFFIELD STREET, MALVERN SA 5061 (UNLEY PARK)**

MOVED: Rufus Salaman

SECONDED: Nicole Dent

That Development Application at 27 Sheffield Street, Malvern SA 5061 to 'Erect rear verandah on side boundary', 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.

#### **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](http://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**

#### **OTHER BUSINESS**

None

#### **MATTERS FOR COUNCIL'S CONSIDERATION**

None

#### **CLOSURE**

The Presiding Member declared the meeting closed at 8.41pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 15/8/2017.

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**PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING

Tuesday, 15 August 2017