

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 16 June 2015  
at 7.00pm in the Civic Centre, Unley**

**NOMINATION OF ACTING PRESIDING MEMBER FOR 16 JUNE 2015 MEETING:**

The Acting Manager Development called for nominations for an Acting Presiding Member for the meeting.

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Jennifer Boisvert be elected as the Acting Presiding Member for the City of Unley Development Assessment Panel meeting for 16 June 2015.

**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:**

Mrs Ann Nelson  
Ms Barbara Norman  
Ms Jennifer Boisvert  
Mr Rufus Salaman  
Mr Rob Sangster

**APOLOGIES:**

Mr Brenton Burman (Presiding Member)  
Mr Roger Freeman (Deputy Presiding Member)

**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 the representor for Item 10 – 51 Porter Street, Parkside and Item 12 – 28A Malvern Avenue, Malvern, are known to him but that he has not discussed the applications with them and he does not believe this represents a conflict of interest.

**CONFIRMATION OF MINUTES:**

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 19 May 2015, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/948/2014/C2 – 9 PERCY STREET,  
MILLSWOOD 5034 (UNLEY PARK)**

Mr Greg Vincent on behalf of Mr Andrew Smith and Mr David Smith, representors, and Mr Garth Heynen on behalf of Mr David Bickmore, applicant, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Rufus Salaman

That Development Application at 9 Percy Street, Millswood SA 5034 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. External privacy screening devices along northern, eastern, southern elevations and the balcony must be installed to avoid overlooking prior to occupation to a minimum height of 1700mm above floor level with such screening to be kept in place at all times.
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.

- 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 8463 3555 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**.
- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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**

**ITEM 2**

**DEVELOPMENT APPLICATION – 090/319/2015/DIV – 6 RESTORMAL AVENUE, FULLARTON SA 5063 (PARKSIDE)**

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application at 6 Restormal Avenue, Fullarton SA 5063 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.  
The alteration of internal drains to the satisfaction of SA Water is required. An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non standard.  
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 \$12976 into the Planning and Development Fund (2 allotments @ \$6488/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, 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**

### **ITEM 3**

#### **DEVELOPMENT APPLICATION – 090/249/2015/C2 – 6 RESTORMAL AVENUE, FULLARTON SA 5063 (PARKSIDE)**

Mr Phillip Brunning and Mr Ian Wigg, representor, and Mr Spyros Paraskevopoulos on behalf of Arco Architecture, applicant, addressed the Panel regarding the above item.

#### **Suspension of Meeting Procedures**

The Acting Presiding Member, with a two thirds majority of the Panel, adjourned the meeting for a short period of time at 8.01pm to enable the Panel to read additional information.

Meeting procedures resumed at 8.05pm.

MOVED: Barbara Norman

SECONDED: Rufus Salaman

That Development Application at 6 Restormal Avenue, Fullarton SA 5063 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. Water discharged from the development site should not exceed the rate of discharge from the site as it existed in pre-development conditions. Further details shall be provided to the satisfaction of Council prior to the issue of Development Approval.
4. 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.

## 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.
- 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 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://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.
- 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.
- 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.
- 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 4**

**DEVELOPMENT APPLICATION – 090/379/2015/DIV – 1 RESTORMAL AVENUE, FULLARTON 5063 (PARKSIDE)**

MOVED: Ann Nelson

SECONDED: Rob Sangster

That Development Application at 1 Restormal Avenue, Fullarton 5063 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:**

2. 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:**

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

For SA Water to proceed with the assessment of this application, the developer will need to advise SA Water of their preferred servicing option. Information of our servicing options can be found at:  
<http://www.sawater.com.au/SAWater/DevelopersBuilders/ServicesForDevelopers/Custom+Connections+Centre.htm>. For any queries please contact SA Water Land Developments on 7424 1119. An investigation will be carried out to determine if the connection/s to your development will be costed as standard.

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.

2. Payment of \$12976 into the Planning and Development Fund (2 allotment(s) @\$6488/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://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 Level 5, 136 North Terrace, 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 5**

**DEVELOPMENT APPLICATION – 090/246/2014/C2 – 1 RESTORMAL AVENUE, FULLARTON 5063 (PARKSIDE)**

Mr Phillip Brunning and Mr Ian Wigg on behalf of Mr Phil Calvert and Dr Marni Calvert, representors, and Mr Marcus Rolfe on behalf of D'Andrea & Associates (SA) Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Barbara Norman

That Development Application at 1 Restormal Avenue, Fullarton 5063 is not seriously at variance with the provisions of the City of Unley Development Plan and subject to the deposit by the Registrar-General of a plan of a division giving effect to DA/246/2014/C2 within 12 months of today's date, GRANT development plan consent for:

**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. Water discharged from the development site should not exceed the rate of discharge from the site as it existed in pre-development conditions. Further details shall be provided to the satisfaction of Council prior to the 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.
4. That the eastern, western and southern 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.

**NOTES PERTAINING TO PLANNING CONSENT:**

- 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.
- 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 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 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).
- 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.

**CARRIED**

**ITEM 6**

**DEVELOPMENT APPLICATION – 090/962/2014/C2 – 2 HAGUE AVENUE, HYDE PARK SA 5061 (UNLEY PARK)**

Mr Graham Burns on behalf of Gerd and Sandra Renneisen, representors, and Mr Phillip Brunning on behalf of G & K Davis, applicant, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Rufus Salaman

That Development Application at 2 Hague Avenue, Hyde Park SA 5061 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 south facing window of bedroom three (3) be treated to avoid overlooking prior to occupation by being fitted with 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. The window shall only be able to be opened from the east side and to a maximum of 45 degrees, to the satisfaction of Council.
4. That the 1.7m high privacy screening, as shown on the approved plan, be erected and maintained in place at all times prior to the occupation of the dwelling.



**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 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 7**

**DEVELOPMENT APPLICATION – 090/546/2014/C2 – 16 HEXHAM AVENUE, MYRTLE BANK 5064 (FULLARTON)**

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application at 16 Hexham Avenue, Myrtle Bank 5064 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 driveway width for each dwelling be not greater than 3.5 m (including where it meets the front boundary connecting to the street crossover) in order to increase the area set aside for soft landscaping in the front yards.
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. That all north, south and west facing 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.
5. Water discharged from the development site should not exceed the rate of discharge from the site as it existed in pre-development conditions. Further details shall be provided to the satisfaction of Council prior to the issue of Development Approval.

**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.
- 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 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).
- 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.
- 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 8**

**DEVELOPMENT APPLICATION – 090/731/2014/C2 – 71 ROBSART STREET,  
PARKSIDE SA 5063 (PARKSIDE)**

MOVED: Ann Nelson

SECONDED: Rufus Salaman

That Development Application at 71 Robsart Street, Parkside SA 5063 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 eastern and western 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. Water discharged from the development site should not exceed the rate of discharge from the site as it existed in pre-development conditions. Further details shall be provided to the satisfaction of Council prior to the issue of Development Approval.
4. 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:

- 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.
- 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.
- 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 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 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://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.

**CARRIED**

## **ITEM 9**

### **DEVELOPMENT APPLICATION – 090/95/2015/C2 – 34 TREVELYAN STREET, WAYVILLE 5034 (UNLEY)**

Ms Leeanne Head on behalf of Ms Marika Tiggemann, representor, and Mr Tom Hatley on behalf of Vartzokas Architects, applicant, addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Barbara Norman

That Development Application at 34 Trevelyan Street, Wayville 5034 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 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.
3. That further details of the 1.75m high privacy screening along the northern, southern and western sides of the upper level balcony be provided to Council's satisfaction prior to the issue of Development Approval and be constructed prior to occupation.
4. 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 PLANNING CONSENT:**

- 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.
- 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 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://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.

**CARRIED UNANIMOUSLY**

**ITEM 10**

**DEVELOPMENT APPLICATION – 090/81/2015/C2 – 51 PORTER STREET,  
PARKSIDE SA 5063 (UNLEY)**

Mr Ian Mould, representor, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Rufus Salaman

That Development Application at 51 Porter Street, Parkside SA 5063 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. Water discharged from the development site should not exceed the rate of discharge from the site as it existed in pre-development conditions. Further details shall be provided to the satisfaction of Council prior to the 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.
- 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**.
- 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 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).
- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.

**CARRIED UNANIMOUSLY**

### **ITEM 11**

### **DEVELOPMENT APPLICATION – 090/726/2014/C1 – 23 JASPER STREET, HYDE PARK SA 5034 (UNLEY PARK)**

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application 090/726/2014/C1 at 23 Jasper Street, Hyde Park SA 5061 is not seriously at variance with the provisions of the Development Plan because the proposed development seeks removal of significant tree based on risk concerns, as expressly anticipated by provisions of the Unley Development Plan.

Furthermore, the application should be GRANTED Development Plan Consent subject to the following conditions of consent:

1. That the removal of the subject significant tree (*Eucalyptus Cladocalyx* – Sugar Gum) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That 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.

**CARRIED UNANIMOUSLY**

**ITEM 12**

**DEVELOPMENT APPLICATION – 090/120/2015/C2 – 28A MALVERN AVENUE, MALVERN SA 5061 (UNLEY PARK)**

Mr Andrew Black, representor, and Mr Peter Limberis, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Barbara Norman

That Development Application at 28A Malvern Avenue, Malvern SA 5061 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.
4. No regulated/significant tree on the site may be damaged in any way (including roots) during demolition and/or construction.

5. A comprehensive report, prepared by a suitably qualified arborist, must be provided to the satisfaction of Councils arborist prior to issue of full Development Approval. This report must detail the following:
- An assessment of the proposed development in line with section 3.3.4 of the standard;
  - An assessment of all level changes proposed in the TPZ;
  - Encroachment calculations into the TPZ of the subject tree, including that of the driveway;
  - A tree protection plan to ensure the tree is protected throughout all phases of the project, including ground protection measures and fencing plan;
  - A technical specification for ground protection measures recommended with locations accurately detailed in the tree protection plan.

**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.
- 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 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).
- 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.
- 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 13**

**DEVELOPMENT APPLICATION – 090/50/2015/C2 – 21 GEORGE STREET,  
PARKSIDE SA 5063 (PARKSIDE)**

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application at 21 George Street, PARKSIDE SA 5063 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.

## **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 8463 3555 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**.
- 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 14**

### **DEVELOPMENT APPLICATION – 090/366/2015/NC – 25-27 WINCHESTER STREET, HIGHGATE 5063 (FULLARTON)**

MOVED: Ann Nelson

SECONDED: Rob Sangster

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 090/366/2015/NC at 25-27 Winchester Street, HIGHGATE.

**CARRIED**

## **OTHER BUSINESS**

The Panel wanted to raise with Council concerns about the Institutional Zoning boundaries of all Schools in the City of Unley. Over time Schools have expanded and this has often led to the purchase of residential properties around the school in Residential Zones. The schools would then try to develop these properties for related school activities.



The Panel often has to assess applications associated with schools that fall outside of the current Institutional Zone boundaries. These applications are often non-complying development. The Panel wanted to raise with Council from a Policy point of view, that Council should engage with all schools about their long term plans and possibly review the Institutional Zoning boundaries around all schools in The City of Unley. The Panel thinks just to report this to Council.

## **CLOSURE**

The Presiding Member declared the meeting closed at 10.15pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 21/7/2015.

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**PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING  
Tuesday, 21 July 2015