

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 21 March 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)  
Mrs Ann Nelson  
Ms Barbara Norman  
Ms Jennifer Boisvert  
Mr Rufus Salaman  
Mr Rob Sangster

**APOLOGIES:**

None

**OFFICERS PRESENT:**

Mr Paul Weymouth, Manager Development  
Mr Donny Michel, Team Leader Planning  
Ms Michelle Penta, Development Administration

**CONFLICT OF INTEREST:**    None

**CONFIRMATION OF MINUTES:**

MOVED: Ann Nelson

SECONDED: Barbara Norman

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 21 February 2017, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**ITEM 1**

**DEVELOPMENT APPLICATION – 090/858/2016/DIV – 9 URRBRAE AVENUE, MYRTLE BANK 5064 (FULLARTON)**

Ms Emily Lathlean, representor, and Mr Pat Papalia on behalf of Five Star Homes, applicant, addressed the Panel regarding the above item.

MOVED: Jenny Boisvert

SECONDED: Roger Freeman

That Development Application at 9 Urrbrae Avenue, Myrtle Bank 5064 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.
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 the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0051691).  
The internal drains shall be altered to the satisfaction of the SA Water Corporation.  
SA Water advises 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.
2. Payment of \$6676 into the Planning and Development fund (1 allotment @ \$6676/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 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 2**

**DEVELOPMENT APPLICATION – 090/860/2016/C2 – 9 URRBRAE AVENUE, MYRTLE BANK 5064 (FULLARTON)**

Ms Emily Lathlean and Mr Ian Hurrell, representors, and Mr Pat Papalia on behalf of Five Star Homes, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Rob Sangster

That Development Application at 9 Urrbrae Avenue, Myrtle Bank 5064 to 'Divide land, demolish existing dwelling and construct 3 double storey dwellings including garages, masonry front fence and retaining walls / fencing', 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. Prior to issue of Development Approval a stormwater management plan shall be submitted to the reasonable satisfaction of Council that includes stormwater flow calculations demonstrating post development flow rates not exceeding pre-development flow rates.
4. That the front gates adjacent the northern boundary be setback sufficient distance to ensure a vehicle does not protrude on to the road carriageway. Further detail to be provided to the satisfaction of Council prior to the issue of development approval.

**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.
- 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 1300 366 424 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.

**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.  
  
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 \$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](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 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**

**ITEM 3**

**DEVELOPMENT APPLICATION – 090/444/2016/DIV – 162 CROSS ROAD, MALVERN 5061 (UNLEY PARK)**

MOVED: Rufus Salaman

SECONDED: Jenny Boisvert

That Development Application at 162 Cross Road, Malvern 5061 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.

2. All access shall be gained via the common property access only. No additional access onto Cross Road shall be permitted.
3. The driveway shall be a minimum of 6.0 metres wide at both the boundary line and the kerbline to enable simultaneous two-way vehicle movements. The crossover and driveway shall be parallel to each other.
4. The 6.0 x 6.0 metre shared access area and all shared manoeuvring areas shall be clear of impediments (including fencing, meters, letterboxes, vegetation & parked cars) shall be maintained at all times adjacent any Cross Road boundary to this site.
5. Pedestrian sight lines at the access point shall be in accordance with AS/NZS2890.1:2004 figure 3.3.
6. All vehicles shall enter and exit Cross Road in a forward direction.
7. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Cross Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

#### **LAND DIVISION CONSENT CONDITIONS:**

8. 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 SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0046613).
- Payment of \$25952 into the Planning and Development Fund (4 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 (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.

#### **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 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**.

**CARRIED UNANIMOUSLY**

**ITEM 4**

**DEVELOPMENT APPLICATION – 090/192/2016/C2 – 162 CROSS ROAD, MALVERN 5061 (UNLEY PARK)**

MOVED: Jenny Boisvert

SECONDED: Rufus Salaman

That Development Application at 162 Cross Road, Malvern 5061 to 'Construct five, two storey dwellings with associated garages and verandahs and erect 2m high front masonry fence', 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 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. The access to Cross Road shall be constructed in general accordance with Verrocchi Building Design Site Plan, Project No. ZYB.039, Drawing No. 02, Revision D, dated 2/12/16.
5. The access shall be 6.0 metres wide at the Cross Road property boundary.
6. The access point shall be suitably flared to Cross Road to allow convenient ingress and egress movements in order to minimise disruption to the free flow of traffic.
7. The shared driveway and internal manoeuvring areas shall be clear of all obstructions including meters, letterboxes, landscaping and visitor parking.
8. All vehicles shall enter and exit the site in a forward direction.
9. The obsolete crossovers on Cross Road shall be reinstated to Council standard kerb and gutter at the applicants cost.
10. The applicant shall ensure that all stormwater generated by the proposal is appropriately collected and disposed of without jeopardising the safety of the adjacent arterial road network.
11. Final design of the crossover shall be provided to 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.
- 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**.
- 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.
- 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 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 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 revised Integrated Transport and Land Use Plan (approved by the Minister for Transport and Infrastructure on 6 July 2015) identifies an upgrade to the Cross Road / Duthy Street / Harrow Terrace intersection in the medium (6-15+ years) timeframe. The implementation and timing of this upgrade is ultimately subject to the availability of funding. Although further planning will be required to determine the exact widening requirements, it is presently envisaged that a strip of land up to 4.5 metres in width may be required from the Cross Road frontage of this site for future upgrading of the said intersection.

**CARRIED UNANIMOUSLY**

### **\*ITEM 5**

### **DEVELOPMENT APPLICATION – 090/361/2016/C1 – 2 CROSS STREET, FULLARTON 5063 (FULLARTON)**

MOVED: Rob Sangster

SECONDED: Barbara Norman

That Development Application 090/361/2016/C1 at 2 Cross Street, Fullarton SA 5063 to 'Remove regulated tree - Eucalyptus spatulata (Swamp Mallet)', is not at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. That the removal of the subject regulated tree (Swamp Mallet) 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. Payment of \$171 for Regulated Tree removal is required to be paid into the Council's Urban Trees Fund within 30 days of the date of the development approval (an invoice will be attached to the development approval).

#### **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.
- 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 8.32 pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 18/4/2017.

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**PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING  
Tuesday, 18 April 2017