

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Tuesday, 15 November 2016  
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 Rachel Theile, Development Administration

**CONFLICT OF INTEREST:**

Ann Nelson advised that the representor for Item 6 – 12 Roberts Street, Unley was previously a work colleague but that she does not believe this represents a conflict of interest.

Brenton Burman advised that one of the representors for Item 1 – 1 Way Avenue, Myrtle Bank was a work colleague at a previous employer but that 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 18 October 2016, as printed and circulated be taken as read and signed as a correct record.

**CARRIED UNANIMOUSLY**

**\*ITEM 1**

**DEVELOPMENT APPLICATION – 090/638/2016/C2 – 1 WAY AVENUE, MYRTLE BANK SA 5064 (FULLARTON)**

Mr Dario Centrella, representor, and Mr Scott Meek, applicant, addressed the Panel regarding the above item.

MOVED: Jennifer Boisvert

SECONDED: Barbara Norman

That Development Application at 1 Way Avenue, Myrtle Bank SA 5064 to 'Construct new two storey dwelling, including pergolas and in-ground swimming pool', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

**PLANNING CONSENT DETAILS OF DECISION:**

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. All stormwater from the building and site shall be disposed of so as to not adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.
3. That the southern 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.
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.
5. 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.
6. Final details of boundary fencing to be provided to the satisfaction of Council prior to the issue of Development Approval.

## 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 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.
- 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).
- 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 2**

#### **DEVELOPMENT APPLICATION – 090/511/2016/C2 – 8 COOTRA AVENUE, FULLARTON SA 5063 (PARKSIDE)**

Mr Alex Lazarevich, representor, Mr Houssam Abiad, owner, and Mr Andrew Di Bacco, applicant, addressed the Panel regarding the above item.

MOVED: Rob Sangster

SECONDED: Jennifer Boisvert

That Development Application at 8 Cootra Avenue, Fullarton SA 5063 for 'Construct two, 2 storey dwellings each with garages on common side 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 the upper floor windows to bedroom 4 and the windows for the upper level void areas for both dwellings 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. Further details to 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**.
- 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.
- 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.
- 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.
- 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**

## **ITEM 3**

### **DEVELOPMENT APPLICATION – 090/662/2016/C2 – 165 YOUNG STREET, PARKSIDE SA 5063 (UNLEY)**

Mr Geoffrey Wood and Ms Susan Wood, representors, and Mr John Besir, owner, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Jennifer Boisvert

That Development Application at 165 Young Street, Parkside SA 5063 to 'Carry out single storey alterations and construct additions to boundary including carport and verandah to existing dwelling.', 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 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](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 4**

**DEVELOPMENT APPLICATION – 090/641/2016/C2 – 41 FREDERICK STREET,  
CLARENCE PARK SA 5034 (CLARENCE PARK)**

Mr Greg Stagg and Ms Alvira Stagg, representors, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Jennifer Boisvert

That Development Application at 41 Frederick Street, Clarence Park SA 5034 to 'Carry out alterations and construct addition to common boundary', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED for the following reasons:

- The addition does not maintain a reasonable level of visual amenity to neighbouring properties.
- The addition does not maintain an adequate level of natural light and daylight to habitable room windows of neighbouring properties.
- The addition exceeds 4m in length and 3m in height.
- The addition does not maintain the proportions and presentation of the main dwelling building, and visual separation, in the streetscape.

**CARRIED UNANIMOUSLY**

**ITEM 5**

**DEVELOPMENT APPLICATION – 090/574/2016/C2 – 6 MACKLIN STREET, HYDE PARK SA 5061 (UNLEY PARK)**

Mr Robert Sawley, owner, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application at 6 MacKlin Street, Hyde Park SA 5061 to 'Demolish existing dwelling and construct new single storey dwelling with verandah, privacy screen on northern boundary, swimming pool and garage with mezzanine level', 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. The construction of the crossing place(s)/alteration to existing crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant.
4. 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.

5. Further details and a sample of the proposed screening material on the north side boundary are required to be submitted to and approved by Council prior to full development approval being granted. Once approved, the development shall be undertaken in accordance with the details.

**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 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 6**

**DEVELOPMENT APPLICATION – 090/783/2016/C2 – 12 ROBERTS STREET, UNLEY  
SA 5061 (UNLEY)**

MOVED: Jennifer Boisvert

SECONDED: Rob Sangster

That Development Application at 12 Roberts Street, Unley SA 5061 to 'Construct single storey dwelling with associated garage along the southern common boundary with boundary fencing along the northern and southern 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.

**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 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.

\* Denotes Change

- 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 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 7**

**DEVELOPMENT APPLICATION – 090/398/2016/C2 – 57 ETON STREET, MALVERN 5061 (UNLEY PARK)**

Mr John Dal Santo, applicant, addressed the Panel regarding the above item.

MOVED: Barbara Norman

SECONDED: Roger Freeman

That Development Application at 57 Eton Street, Malvern 5061 to 'Construct single storey dwelling (over existing tennis court) with verandah and garage on boundary, new fencing and removal of street tree (on Rugby St)', 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 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.

**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](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.
- 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 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 8**

**DEVELOPMENT APPLICATION – 090/808/2016/C2 – YOUNG STREET, PARKSIDE (PARKSIDE)**

Mr Lee Anderson on behalf of the City of Unley, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Ann Nelson

That Development Application 090/808/2016/C2 at Young Street, Parkside to 'Remove significant street tree - *Ficus macrophylla* (Moreton Bay Fig) (outside unit 1/71 Young Street, Parkside)', 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 removal of the subject significant tree (*ficus macrophylla*) 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 \$256.50 for Significant 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).

**CARRIED UNANIMOUSLY**

## **CLOSURE**

The Presiding Member declared the meeting closed at 9.09pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 13/12/2016.

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## **PRESIDING MEMBER**

**DATED**       /       /

NEXT MEETING

Tuesday, 13 December 2016