

CITY OF UNLEY

DEVELOPMENT ASSESSMENT PANEL

**Minutes of Meeting held Tuesday, 15 September 2015
at 7.00pm in the Civic Centre, 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:

OFFICERS PRESENT:

Mr Paul Weymouth, Manager Development
Mr Donny Michel, Team Leader Planning
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED: Rufus Salaman

SECONDED: Jennifer Boisvert

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Tuesday 18 August 2015, as printed and circulated be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

REQUEST TO BE HEARD

ITEM 8 - 118 GLEN OSMOND ROAD & 2 DAVEY STREET, PARKSIDE SA 5063 (PARKSIDE)

MOVED: Jennifer Boisvert

SECONDED: Ann Nelson

That the Panel resolved to hear Julie Bastoni and the applicant in relation to Item 8 – 118 Glen Osmond Road and 2 Davey Street, Parkside.

CARRIED

ITEM 1

DEVELOPMENT APPLICATION – 090/323/2015/C2 – 49 FAIRFORD STREET, UNLEY SA 5061 (UNLEY)

Mr Robert Wharton on behalf of Ms Anne Wharton and Mr Mark Paterson, representors, and Mr Chris George on behalf of Windsor Construct, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Ann Nelson

That Development Application at 49 Fairford Street, Unley SA 5061 to 'Install habitable outbuilding and shed structure to common boundaries (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 including correspondence from Chris George dated 18 August 2015 and 2 September 2015 except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. The associated outbuilding subject of this Approval shall only be used for purposes and activities ancillary to the residential use of the property and at no time be used for any commercial and/or industrial purpose.
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.

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.

CARRIED

ITEM 2

DEVELOPMENT APPLICATION – 090/352/2015/C2 – 34A FERGUSON AVENUE, MYRTLE BANK SA 5064 (FULLARTON)

Mr Mark Lively on behalf of Mr Christopher Bond, representor, and Ms Katrina Oliver on behalf of Scott Salisbury Homes, applicant, addressed the Panel regarding the above item.

MOVED: Jennifer Boisvert

SECONDED: Rufus Salaman

That Development Application at 34A Ferguson Avenue, Myrtle Bank SA 5064 to 'Construct two storey dwelling with verandah and garage on common 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 north (rear) and east (side) 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.
4. 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.
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.

NOTES PERTAINING TO PLANNING CONSENT:

- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.
- 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.
- 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 3

DEVELOPMENT APPLICATION – 090/428/2015/C2 – 120 FISHER STREET, FULLARTON 5063 (FULLARTON)

Ms Myra Hartshorne and Mr Dean Hartshorne, representors, and Ms Kelly Crowe, applicant, addressed the Panel regarding the above item.

MOVED: Ann Nelson

SECONDED: Barbara Norman

That Development Application at 120 Fisher Street, Fullarton 5063 to 'Remove existing lean-to and verandah, construct addition (section to eastern boundary), carport, and habitable outbuilding to common boundaries (northern and eastern)', 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 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.

- 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.

CARRIED UNANIMOUSLY

ITEM 4

DEVELOPMENT APPLICATION – 090/340/2015/C2 – 22 WOODHURST AVENUE, HYDE PARK SA 5061 (UNLEY PARK)

MOVED: Rob Sangster

SECONDED: Jennifer Boisvert

That Development Application at 22 Woodhurst Avenue, Hyde Park SA 5061 to 'Demolish existing dwelling and construct a two storey dwelling with verandah, in-ground swimming pool and garage to common 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 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. 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.
5. 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.
6. 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 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.
- 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**.
- Noise generated from ancillary pool and/or spa equipment must not exceed the maximum noise level recommended by the EPA. For this purpose, noise generated from ancillary pool / spa equipment shall not exceed 52 db(a) between 7am and 10pm and 45 db(a) between 10pm and 7am on any day, measured from a habitable room window or private open space of an adjoining dwelling.

CARRIED UNANIMOUSLY

ITEM 5

DEVELOPMENT APPLICATION – 090/402/2015/C2 – 34 AVENUE ROAD, HIGHGATE SA 5063 (FULLARTON)

MOVED: Rufus Salaman

SECONDED: Ann Nelson

That Development Application at 34 Avenue Road, Highgate SA 5063 to 'Construct new single storey dwelling including garage to common boundary and verandah', 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:

- 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.
- 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 UNANIMOUSLY

ITEM 6

DEVELOPMENT APPLICATION – 090/468/2015/C1 – WALFORD ANGLICAN SCHOOL FOR GIRLS, 316-320 UNLEY ROAD, HYDE PARK SA 5061 (UNLEY PARK)

Item WITHDRAWN by Administration.

ITEM 7

DEVELOPMENT APPLICATION – 090/356/2015/C1 – 5 NELSON STREET, FULLARTON SA 5063 (PARKSIDE)

Mr Jake Crowsley, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Barbara Norman

That Development Application 090/356/2015/C1 at 5 Nelson Street, Fullarton SA 5063 for 'Removal of a significant (Southern Blue Gum) tree', is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent for the following reasons:

- **PDC 224(a)(b)** - the subject tree is considered to be worthy of retention as it makes an important contribution to the character and amenity of the local area and forms a notable visual element;
- **PDC 226(a)(i)** – arboricultural advice provided by the applicant does not indicate that the subject tree is diseased and / or has a short life expectancy;
- **PDC 226(a)(ii)** – the subject tree is not considered to represent an unacceptable risk to public and / or private safety;

- **PDC 226(a)(iii)** – structural engineering advice indicates there is substantial damage to the existing dwelling (substantial structure of value), however the applicant has not demonstrated that it has reasonably explored other remedial treatments / measures.

CARRIED

ITEM 8

DEVELOPMENT APPLICATION – 090/490/2015/CNIL – 118 GLEN OSMOND ROAD & 2 DAVEY STREET, PARKSIDE SA 5063 (PARKSIDE)

Ms Julie Bastoni, adjoining neighbour, and Mr Garth Heynen on behalf of Pinnacle Properties Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Jennifer Boisvert

SECONDED: Barbara Norman

That Development Application at 118 Glen Osmond Road & 2 Davey Street, Parkside SA 5063 for 'Variation to 090/1219/2001/DX – Designation of the use of car parking spaces', be DEFERRED and the applicant requested to consider amendments to the development application to designate up to 4 car parking spaces within the car parking area of Lot 9 to be shared with the residential units on lot 10.

CARRIED

CLOSURE

The Presiding Member declared the meeting closed at 9.39pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 20/10/2015.

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PRESIDING MEMBER

DATED / /

NEXT MEETING

Tuesday, 20 October 2015