

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of meeting held Monday, 20 February 2012  
at 7.00pm in the Civic Centre, Unley**

**ACKNOWLEDGEMENT**

We acknowledge that the land we meet on today is the traditional land of the Aboriginal people and that we respect their spiritual relationship with their country.

We also acknowledge that the Aboriginal people are the custodians of the Adelaide region and that their cultural and heritage beliefs are still important to the living Aboriginal people today.

**MEMBERS:**

Mr Terry Tysoe (Presiding Member)  
Mr Roger Freeman  
Mr Brenton Burman  
Mr Rob Sangster  
Mr Don Palmer  
Mr Rufus Salaman

**APOLOGIES:**

Dr Lissa van Camp

**OFFICERS PRESENT:**

Mr Donny Michel, Team Leader Planning  
Ms Fiona Koutsikas, Senior Planning Officer  
Ms Rachel Theile, Development Administration  
Ms Michelle Penta, Acting Customer Liaison Officer –  
Development

**CONFIRMATION OF MINUTES**

MOVED: Don Palmer

SECONDED: Rufus Salaman

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Monday 23 January 2012, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED**

## **ITEM 1**

### **DEVELOPMENT APPLICATION – 090/551/2011/C2 – 5 HALMON AVENUE, EVERARD PARK 5035 (GOODWOOD)**

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/551/2011/C2 at 5 Halmon Avenue, Everard park 5035 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. All stormwater from the building and site shall be disposed of so as to not adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.
3. That a schedule of materials and finishes, including sample of the proposed sandstone veneer, be provided to the satisfaction of Council prior to the issue of Building Rules Consent.
4. That the following design elements be reflected on the plans prior to the issue of Building Rules Consent: a gap of approximately 200mm between the underside of the main roof eaves and the top of the garage parapet; and the masonry piers for the front fence be expressed on the outside to reflect typical interwar fence styles.

#### **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.

**CARRIED**

## **ITEM 2**

### **DEVELOPMENT APPLICATION – 090/479/2011/C2 – 1 HEXHAM AVENUE, MYRTLE BANK 5064 (FULLARTON)**

MOVED: Roger Freeman

SECONDED: Rob Sangster

That Development Application 090/479/2011/C2 at 1 Hexham Avenue, Myrtle Bank 5064 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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.

#### **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.
- 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 3**

#### **DEVELOPMENT APPLICATION – 090/746/2011/C2 – 175 & 177 KING WILLIAM ROAD, HYDE PARK 5061 (UNLEY)**

Ms J Nicholls and Mr Paul Saunders on behalf of Mr Con Angelopoulos, representors, and Mr Phil Brunning, Mr Jamie Botten on behalf of Duke Family Pty Ltd, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Don Palmer

That Development Application 090/746/2011/C2 at 175 & 177 King William Road, Hyde Park 5061 is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent for the following reasons:

- The development does not conserve, rehabilitate and complement the historic character of the King William Road Policy Area.
- The development exceeds two storeys in height.
- The development involves the demolition of a Contributory Item that has heritage value and is not structurally unsafe or so unsound as to be unreasonably economically rehabilitated
- The Development has the potential to impact on the integrity and setting of a designated Heritage Place and Contributory Items.
- The Development does not conserve, enhance and reinforce the desired historic character of contributory and significant existing buildings and the streetscape of the King William Road Policy Area.

**CARRIED**

### **ITEM 4**

#### **DEVELOPMENT APPLICATION – 090/562/2011/C2 – 12 MEREDYTH AVENUE, MILLSWOOD 5034 (GOODWOOD SOUTH)**

Mr Brunnthaler, representor, and Mr Matt King on behalf of Mr Andrew Kantzavelos, applicant, addressed the Panel regarding the above item.

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/562/2011/C2 at 12 Meredyth Avenue, Millswood 5034 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 materials, dimensions and set-outs for the masonry pier and visible timber elements for the proposed carport shall match the original verandah in all respects.

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 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:**

- 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.
- 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).

**CARRIED**

**ITEM 5**

**DEVELOPMENT APPLICATION – 090/730/2011/C2 – 53 COMMERCIAL ROAD, HYDE PARK 5061 (UNLEY PARK)**

MOVED: Roger Freeman

SECONDED: Don Palmer

That Development Application 090/730/2011/C2 at 53 Commercial Road, Hyde Park 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 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. 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**.
- 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).

**CARRIED**

**ITEM 6**

**DEVELOPMENT APPLICATION – 090/807/2011/C2 – 21 INVERGOWRIE AVENUE, HIGHGATE 5063 (FULLARTON)**

Mr Emilio Ciampi, representor, and Mr Brad Cowain, owner, addressed the Panel regarding the above item.

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/807/2011/C2 at 21 Invergowrie Avenue, Highgate 5063 is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent for the following reasons:

- The proposal fails to satisfy Council Wide Principle of Development Control 19; and
- The proposal fails to satisfy Council Wide Performance Criteria 97.

**CARRIED**

**ITEM 7**

**DEVELOPMENT APPLICATION – 090/955/2011/C2 – 84A NORTHGATE STREET,  
UNLEY PARK 5061 (UNLEY PARK)**

Mr Graham Burns on behalf of Ms Alison Evans and Mr Glenn Davis, and Ms Maria Levy, representors, and Mr Michael Loucas on behalf of Loucas Zahos Architects, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Rufus Salaman

That Development Application 090/955/2011/C2 at 84A Northgate Street, Unley Park 5061 is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent for the following reasons:

- The development does not present as single storey to the streetscape and is not located within the roof form.
- The building does not contribute positively to the Desired Character in the following manner:
  - Does not maintain and respect the built form and scale of contributory items.
- The western wall on boundary exceeds 4.0m in length and will detrimentally impact upon the visual amenity of the adjoining properties.

**LOST**

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/955/2011/C2 at 84A Northgate Street, Unley Park 5061 should be DEFERRED to allow administration to seek further advice from an independent heritage consultant in relation to the application.

**CARRIED**

## **ITEM 8**

### **DEVELOPMENT APPLICATION – 090/802/2011/C2 – 42 PALMERSTON ROAD, UNLEY 5061 (UNLEY)**

Prior to debate on this item, Rufus Salaman declared a conflict of interest due to him previously giving advice to the applicant and left the meeting at 9.34pm.

Mr John Vrynios, on behalf of Ms Helen Karounos and himself, and Mr Simon Grose on behalf of Ms Rebecca Holman, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Rob Sangster

That Development Application 090/802/2011/C2 at 42 Palmerston Road, Unley 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 upper floor windows (excluding the north-orientated 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. 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 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.
6. That the external finishes and colours of the proposed addition be nominated to the satisfaction of Council prior to the issue of the Building Rules consent

#### **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**.
- 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.
- 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**

Rufus Salaman returned to the meeting at 9.47pm.

#### **ITEM 9**

#### **DEVELOPMENT APPLICATION – 090/879/2011/C3 – 3 VALMAI AVENUE, KINGS PARK 5034 (UNLEY PARK)**

Mr Greg Vincent on behalf of Mr Owen Covick, representor, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Roger Freeman

That Development Application 090/879/2011/C3 at 3 Valmai Avenue, Kings Park 5034 should be DEFERRED to allow administration to seek an assessment of the proposal against AS 4282 (Control of the Obtrusive Effects of Light Spill) from an independent lighting engineer.

**CARRIED**

## **ITEM 10**

### **DEVELOPMENT APPLICATION – 090/23/2011/C2 – 181 YOUNG STREET AND 78 UNLEY ROAD, UNLEY (UNLEY)**

MOVED: Don Palmer

SECONDED: Rob Sangster

That Development Application 090/23/2011/C2 at 181 Young Street and 78 Unley Road, Unley is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 hours of operation and capacity of the premises not exceed the following:  
  
Hours of operation -  
Monday to Wednesday – 9:00am to 9:30pm  
Thursday – 9:00am to 11:00pm  
Friday – 9:00am to 9:30pm  
Saturday – 9:00am to 5:30pm  
Sunday – 9:00am to 1:00pm  
  
Maximum capacity -  
Monday to Thursday – 80 people  
Friday – 40 people  
Saturday – 80 people  
Sunday – 40 people  
  
The above shall only be exceeded for Special Events to be held on a maximum of six (6) occasions per year on Fridays and Saturdays only and between the hours of 8:00pm to 1:00am, maximum capacity 100 people.
3. All mechanical services, including amplified music, be designed and operated so that no nuisance or inconvenience is caused to occupiers of the buildings in the locality.
4. No signs to be erected or displayed without prior consent of Council.
5. Internal music levels shall not exceed 74dBA in the small studio and 79dBA in the large studio in accordance with Option 1 of the Sonus Report, S3830C1, January 2012. The measurements shall occur in the middle of both studios.
6. The system settings to ensure the internal music levels in Condition 5 are not exceeded shall be determined in conjunction with an acoustic engineer and reported on to the satisfaction of Council within a period of 2 months from the issue of Development Approval and prior to a Special Event occurring. The system shall be operated in accordance with the established settings.

7. The music levels in Condition 5 above shall only be exceeded for Special Events to be held on a maximum of six (6) occasions per year on Fridays and Saturdays only and between the hours of 8:00pm and 11:00pm only. Documentation shall be available at the request of Council to provide evidence of the number of Special Events in any 12 month period from the date of issue of Development Approval.
8. All external doors shall be closed when music is played.
9. All internal doors shall be closed when music is played within the Large Studio.
10. Waste disposal vehicles and general delivery vehicles only service the development between the hours of 8am and 6pm, Monday to Friday.
11. That there shall be a delay of 15 minutes between the dance classes.

**CARRIED**

**ITEM 11**

**DEVELOPMENT APPLICATION – 090/825/2010/C2/B – 83 ROSE TERRACE, WAYVILLE SA 5034 (GOODWOOD)**

Ms Anne Campbell, representor, addressed the Panel regarding the above item.

MOVED: Brenton Burman

SECONDED: Don Palmer

That Development Application 090/825/2010/C2/B at 83 Rose Terrace, Wayville SA 5034 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 landscaping, as approved by the Council, be established prior to occupation of the development and that the landscaping and site be generally maintained to the reasonable satisfaction of Council at all times.
3. That the upper floor window to the bathroom of the eastern residence shall be obscured glass.
4. That the ground floor window of the bathroom of the eastern residence shall be obscured glass.

***Variation to 090/825/2010/C1 – Increase width of garages***

5. The conditions, where pertinent, of the Planning Consent Development Application Number 090/825/2010/C2 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times.

**Variation to 090/825/2010/C2 – *Alter ground and first floor layout to residence 1***

6. The conditions, where pertinent, of the Planning Consent Development Application Number 090/825/2010/C2 in respect to the original overall development shall be complied with to the reasonable satisfaction of Council at all times except where varied by the amended plans and conditions below.

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

**CARRIED**

**ITEM 12**

**DEVELOPMENT APPLICATION – 090/920/2011/C2 – 52 OXFORD TERRACE, UNLEY 5061 (UNLEY)**

MOVED: Rufus Salaman

SECONDED: Don Palmer

That Development Application 090/920/2011/C2 at 52 Oxford Terrace, Unley 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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.
- 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).

**CARRIED**

#### **ITEM 13**

#### **DEVELOPMENT APPLICATION – 090/891/2011/C2 – 7 CLELAND AVENUE, UNLEY 5061 (UNLEY)**

MOVED: Rob Sangster

SECONDED: Rufus Salaman

That Development Application 090/891/2011/C2 at 7 Cleland Avenue, Unley 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 (except street elevation) 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 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 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.
- 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).
- Your attention is drawn to the requirements of **Development Regulation 76C- Fire Safety Requirements - Brush Fences**.

It is a requirement for the purpose of building rules assessment that brush fences (existing, proposed or altered) must be clearly identified on all documentation to be lodged for building rules consent. Brush fences within 3 metres of any dwelling will require development approval.

**CARRIED**

#### **ITEM 14**

#### **DEVELOPMENT APPLICATION – 090/47/2012/C1 – 24 URRBRAE AVENUE, MYRTLE BANK 5064 (FULLARTON)**

MOVED: Don Palmer

SECONDED: Roger Freeman

That Development Application 090/47/2012/C1 at 24 Urrbrae Avenue, Myrtle Bank 5064 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following conditions:

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 three (3) trees must be planted and maintained to replace the Regulated tree. The cost of planting is to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land. The replacement trees cannot be a tree within a species specified under regulation 6A(5)(b) of the *Development Regulations 2008*.

## **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**.
- 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 15**

#### **DEVELOPMENT APPLICATION – 090/39/2012/NC – 332 GOODWOOD ROAD, CLARENCE PARK 5034 (GOODWOOD SOUTH)**

MOVED: Don Palmer

SECONDED: Rufus Salaman

That pursuant to Development Regulation 17(3)(b) of the Development Regulations 2008, the Development Assessment Panel resolves to proceed with an assessment of Development Application 090/39/2012/NC at 332 Goodwood Road, Clarence Park 5034.

**CARRIED**

### **CLOSURE**

The Presiding Member declared the meeting closed at 1031pm.

.....  
**PRESIDING MEMBER**

NEXT MEETING

Monday, 19 March 2012