

**CITY OF UNLEY**

**DEVELOPMENT ASSESSMENT PANEL**

**Minutes of Meeting held Monday 9 May 2011  
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  
Dr Lissa Van Camp  
Mr Brenton Burman  
Mr Don Palmer  
Mr Rufus Salaman

**APOLOGIES:**

Mr Rob Sangster

**OFFICERS PRESENT:**

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

**CONFIRMATION OF MINUTES**

MOVED: Don Palmer

SECONDED: Rufus Salaman

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Monday 11 April 2011, as printed and circulated, be taken as read and signed as a correct record.

**CARRIED**

**Item 1**

**Development Application – 090/860/2009/C2 – 17 & 17A George Street, Parkside (Parkside)**

MOVED: Don Palmer

SECONDED: Brenton Burman

That Development Application 090/860/2009/C2 at 17 & 17A George Street, Parkside 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. 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. Further, that trees used in landscaping of the site be at least 1.0 metre in height at the time of planting.
4. That all upper floor windows except for the western 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. Further details to be provided prior to issue of Building Rules Consent.

**NOTES PERTAINING TO PLANNING CONSENT:**

- 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 developer or owner.
- It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor prior to the commencement of any building work.

- The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555 or refer to their web site at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).
- That details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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. An application to install or amend a crossing place must be made to Council on the appropriate application form.
- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.

**CARRIED**

## **Item 2**

### **Development Application – 090/1081/2010/C2 – 11 Addison Road, Black Forest 5035 (Goodwood South)**

Robert and Lexie Maxfield, Micheal Hooper, representors, and Yu Tao, applicant, addressed the panel in respect for this item.

MOVED: Don Palmer

SECONDED: Rufus Salaman

That Development Application 090/1081/2010/C2 at 11 Addison Road, Black Forest 5035 is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent on the grounds that the proposed development is contrary to the Unley (City) Development Plan, Council Wide Principles of Development Control 4, 5, 24 and Performance Criteria 122 in that the proposed multiple dwelling;

- Does not provide sufficient space in and around the building for vehicle parking and recreation areas (with the exception of outdoor recreation space);
- Is not orderly and does not create a pleasant environment in which to live.

**CARRIED**

**Item 3**

**Development Application – 090/206/2011/C2 – 58 Essex Street (South),  
Goodwood 5034 (Goodwood)**

Mark Plummer, representor, addressed the panel in respect for this item.

MOVED: Lissa van Camp

SECONDED: Brenton Burman

That Development Application 090/206/2011/C2 at 58 Essex Street (South), Goodwood 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. That the removal of the subject significant tree (Corymbia citriodora Lemon Scented Gum) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).

**NOTES PERTAINING TO 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**.

**CARRIED**

**Item 4**

**Development Application – 090/16/2011/C2 – 3 Hampton Street (North),  
Goodwood SA 5034 (Goodwood)**

Linda Secomb, representor, and Michael Pipinias, applicant, addressed the panel in respect for this item.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/16/2011/C2 at 3 Hampton Street (North), Goodwood 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. 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 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.

**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).

**CARRIED**

**Item 5**

**Development Application – 090/115/2011/C2 – 11 Woodhurst Avenue, Hyde Park 5061 (Unley Park)**

Lyndall Stone, representor, and Greg Vincent on behalf of Burns for Carports, applicant, addressed the panel in respect for this item.

MOVED: Lissa van Camp

SECONDED: Roger Freeman

That Development Application 090/115/2011/C2 at 11 Woodhurst Avenue, 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. 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.

**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 6**

**Development Application – 090/149/2011/C2 – 65 Northgate Street, Unley Park 5061 (Unley Park)**

Victoria Whittington and Helen Whittington, representors, and Peter Panayotopoulos, applicant, addressed the panel in respect for this item.

MOVED: Rufus Salaman

SECONDED: Brenton Burman

That Development Application 090/149/2011/C2 at 65 Northgate Street, Unley 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. That the removal of the subject significant tree (*Eucalyptus camaldulensis* “River Red Gum”) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That a semi-mature replacement tree (minimum height of 1.5 metres) be replanted of a suitable species as determined in consultation with Council’s arborist within 6 months of the date of this consent. Should the tree die or be removed for any reason a replacement tree of the same species to be replanted.

**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**

Prior to debate on this item, Rufus Salaman and Don Palmer declared a conflict of interest as the Glen Osmond Creek Concept Plan had previously been considered by Council, and left the meeting at 7.54pm.

**Item 7**

**Development Application – 090/272/2011/C2 – Drainage Reserve, 2Z Maud Street, Unley SA 5061 (Parkside)**

Alison Collins, respresenter, and Matthew Kildea on behalf of the City of Unley, applicant, addressed the panel in respect for this item.

MOVED: Lissa van Camp

SECONDED: Brenton Burman

That Development Application 090/272/2011 at Drainage reserve, 2Z Maud Street, Unley, 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED Planning Consent subject to the following condition:

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

**CARRIED**

Rufus Salaman and Don Palmer returned to the meeting at 8.02pm.

**Item 8**

**Development Application – 090/931/2010/C2 – 42 Kenilworth Road, Parkside 5063 (Parkside)**

David Lockyer, Catherine Donaghy, representors, and Megan Leydon, Carmine Soriano, on behalf of Maylands Group Pty Ltd, applicant, addressed the panel in respect for this item.

MOVED: Brenton Burman

SECONDED: Roger Freeman

That Development Application 090/931/2010/C2 at 42 Kenilworth Road, Parkside 5063 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 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.

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

**CARRIED**

**Item 9**

**Development Application – 090/186/2011/C2 – 1 Fairfax Avenue, Millswood SA 5034 (Goodwood South)**

Jutta Galbory, representor, and Garth Heynan on behalf of Format Homes Pty Ltd, applicant, addressed the panel in respect for this item.

MOVED: Roger Freeman

SECONDED: Lissa van camp

That Development Application 090/186/2011/C2 at 1 Fairfax Avenue, Millswood 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. That the removal of the subject significant tree (Jacaranda Mimosifolia - Jacaranda) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That a semi-mature replacement tree (minimum height of 1.5 metres) be replanted of a suitable species as determined in consultation with Council's arborist within 6 months of the date of this consent and be located in the north east corner of the allotment. Should the tree die or be removed for any reason a replacement tree of the same species to be replanted.

**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 10**

**Development Application – 090/687/2010/C2 – 4 Mitchell Street, Hyde Park 5061 (Unley)**

Ken Fong and Reno Scioscia on behalf of Mario Scioscia, representors, and Garth Heynan and James Levinson on behalf of Enayat Ibrahimi, applicant, addressed the panel in respect for this item.

MOVED: Roger Freeman

SECONDED: Brenton Burman

That Development Application 090/687/2010/C2 at 4 Mitchell Street, Hyde Park 5061 is not seriously at variance with the provisions of the Development Plan and should be GRANTED under the Development Act shall be submitted to and approved by Council. 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 all north, east and western facing first 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 side and rear boundary fencing to provide privacy to neighbouring residents be provided at the rear of both dwellings at the applicant's expense. Further details to be provided prior to the issue of building rules consent.

**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**.

- 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 details of any airconditioning requiring approval under the Development Act shall be submitted to and approved by Council.
- 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 11**

**Development Application – 090/171/2011/C2 – 216 Cross Road, Unley Park 5061 (Unley Park) - Continued**

MOVED: Lissa van camp

SECONDED: Don Palmer

That Development Application 090/171/2011/C2 at 216 Cross Road, Unley 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. 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**.

- 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**

Prior to debate on this item, Rufus Salaman and Don Palmer declared a conflict of interest as the Goodwood Road entry signage was previously endorsed by Council, and left the meeting at 8.40pm.

**Item 12**

**Development Application – 090/73/2011/C2 – Cnr Goodwood Road and Young Streets, Wayville (Goodwood)**

MOVED: Brenton Burman

SECONDED: Lissa van Camp

That Development Application 090/73/2011/C2 at Cnr Goodwood Road and Young Streets, Wayville 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 proposed signs shall not contain any element that flashes, scrolls, moves or changes.
3. The signs shall not contain any elements that contains a LED or LCD display.
4. The illumination of the signs shall be limited to a low level in order to minimise the impact on the adjacent un-signalised intersections, and in the case of the sign located adjacent the Goodwood Road / Young Street junction, to minimise impact on the safety and conspicuity of the nearby pedestrian crossing.

#### **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**.

**CARRIED**

Rufus Salaman and Don Palmer returned to the meeting at 8.42pm.

#### **Item 13**

##### **Development Application – 090/315/2011/NC – 75 Fairford Street, Unley 5061 (Unley)**

MOVED: Rufus Salaman

SECONDED: Don Palmer

That pursuant to Development Regulation 17(3) (b) of the Development Regulations the Development Assessment Panel resolve to proceed an assessment of the application.

**CARRIED**

#### **Item 14**

##### **Development Application – 090/190/2011/C2 – 5 George Street, Unley Park 5061 (Unley Park)**

MOVED: Roger Freeman

SECONDED: Lissa van Camp

That Development Application 090/190/2011/C2 at 5 George Street, Unley 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. That the removal of the subject significant tree (Phoenix canariensis (Canary Island Date Palm)) shall be undertaken in accordance with the plans and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).

#### **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**.

**CARRIED**

**Item 15**

**Development Application – 090/31/2011/C2 – Walford Anglican School for Girls, 316-320 Unley Road, Hyde Park SA 5061 (Unley Park)**

MOVED: Lissa van Camp

SECONDED: Rufus Salaman

That Development Application 090/31/2011/C2 at Walford Anglican School for Girls, 316-320 Unley Road, Hyde Park SA 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. That the removal of the subject significant tree – Eucalyptus camaldulensis (River Red Gum) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That a semi-mature replacement tree (minimum height of 1.5 metres) be replanted in the same location as the tree to be removed within 6 months of the date of this consent and shall be of a suitable species as determined in consultation with Council's arborist. Should the tree die or be removed for any reason a replacement tree of the same species to be replanted.

**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.

**CARRIED**

## DECISION REPORT

**REPORT TITLE:** CONFIDENTIALITY MOTION FOR ITEM 17  
4 WILGENA AVENUE, MYRTLE BANK–  
090/562/2008/C2

**ITEM NUMBER:** 16

**DATE OF MEETING:** 9 MAY 2011

**AUTHOR:** RACHEL THEILE

**JOB TITLE:** DEVELOPMENT ADMINISTRATION

**RESPONSIBLE OFFICER:** CHRISTINE UMAPATHYSIVAM

**JOB TITLE:** DEPUTY CHIEF EXECUTIVE OFFICER

**COMMUNITY GOAL:** GOE/2      Generate an approach to all  
Council operations which maintains the  
principles of good governance such as public  
accountability, transparency, integrity,  
leadership, cooperation with other levels of  
government and social equity.

**ATTACHMENTS:** NIL

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### **PURPOSE**

To recommend that Item 17 be considered in confidence at the  
9 May 2011 Development Assessment Panel meeting.

### **RECOMMENDATION**

MOVED: Rufus Salaman  
SECONDED: Don Palmer

That:

1. The report be received.
2. Pursuant to Section 56A(12)(a)(viii) and (ix) of the  
Development Act 1993, as amended, the Development  
Assessment Panel orders the public be excluded with the  
exception of the following:
  - Christine Umapathysivam, Deputy Chief Executive  
Officer



- Paul Weymouth, Manager Development
- Donny Michel, Team Leader Planning
- Terry Tysoe
- Don Palmer
- Rufus Salaman
- Rob Sangster
- Roger Freeman
- Lissa Van Camp
- Brenton Burman
- Mayor Lachlan Clyne
- Rachel Theile, Development Administration

on the basis that considerations at the meeting should be conducted in a place open to the public has been outweighed on the basis that the information relating to actual litigation or litigation that the Panel believes on reasonable grounds will take place.

**CARRIED**

The chamber doors were closed at 8.47 pm.

**Item 17**

**Development Application – 090/562/2008/C2 – 4 Wilgena Avenue, Myrtle Bank 5064 (Fullarton)**

MOVED: Rufus Salaman

SECONDED: Roger Freeman

- A. That the report be received; and
- B. That the Environment Resources and Development Court be advised that regarding Development Application 090/562/2008/C2 at 4 Wilgena Avenue, Myrtle Bank that the Development Assessment Panel concedes the appeal subject to the applicant agreeing to the following conditions:
  1. That the removal of the subject significant tree Lemon Scented Gum (*Corymbia citriodora*) shall be undertaken in accordance with the plans and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
  2. That a semi-mature replacement tree (minimum height of 1.5 metres) be replanted of a suitable species as determined in consultation with Council's arborist within 6 months of the date of this consent. The tree shall be located in the front yard and shall be in a similar location to the tree being removed. Should the tree die or be removed for any reason a replacement tree of the same species to be replanted.

**CARRIED**

## DECISION REPORT

**REPORT TITLE:** CONFIDENTIALITY MOTION FOR ITEM 17  
DEVELOPMENT APPLICATION – 4 WILGENA  
AVENUE, MYRTLE BANK – 562/2008/C2

**ITEM NUMBER:** 18

**DATE OF MEETING:** 9 MAY 2011

**AUTHOR:** RACHEL THEILE

**JOB TITLE:** DEVELOPMENT ADMINISTRATION

**RESPONSIBLE OFFICER:** CHRISTINE UMAPATHYSIVAM

**JOB TITLE:** DEPUTY CHIEF EXECUTIVE OFFICER

**COMMUNITY GOAL:** GOE/2 Generate an approach to all Council  
operations which maintains the principles of good  
governance such as public accountability,  
transparency, integrity, leadership, cooperation  
with other levels of government and social equity.

**REPRESENTORS:** NIL

**ATTACHMENTS:** NIL

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## **RECOMMENDATION**

MOVED: Lissa van Camp  
SECONDED: Roger Freeman

That:

1. The report be received.
2. Pursuant to section 56A(16) of the Development Act 1993, as amended:
  - 2.1 The
    - ☐ Minutes
    - ☒ Report
    - ☒ Attachments

For this Item remain confidential on the basis that the documentation referring to 4 Wilgena Avenue, Myrtle Bank is to remain confidential on the basis that the disclosure of the information may prejudice Council's position.

- 2.2 The report will be kept confidential until such time as the appeal has been determined and the order is reviewed by the Chief Executive Officer in December 2011.

**CARRIED**

The Ordinary Meeting of the Development Assessment Panel resumed in Public.

The Chamber doors were opened at 8.54 pm.

**CLOSURE**

The Presiding Member declared the meeting closed at 8.57 pm.

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**PRESIDING MEMBER**

NEXT MEETING  
Tuesday, 14 June 2011