

CITY OF UNLEY

DEVELOPMENT ASSESSMENT PANEL

**Minutes of meeting held Monday, 19 November 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 Brenton Burman (Deputy Presiding Member)
Dr Lissa Van Camp
Mr Roger Freeman
Mr Rob Sangster
Mr Rufus Salaman
Mr Don Palmer

APOLOGIES:

OFFICERS PRESENT:

Mr David Litchfield, General Manager of Economic
Development & Planning
Mr Paul Weymouth, Manager Development
Mr Donny Michel, Team Leader Planning
Ms Rachel Theile, Development Administration

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED: Don Palmer

SECONDED: Rob Sangster

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Monday 15 October 2012, as printed and circulated, be taken as read and signed as a correct record.

CARRIED

ITEM 1

DEVELOPMENT APPLICATION – 090/359/2012/C3 – 285 GOODWOOD ROAD, KINGS PARK 5034 (UNLEY PARK)

Cr Michael Saies on behalf of Ms Lina Versace and Mr Pasquale Versace, Mr Anthony Stuart and Ms Hayley Bishop, representors, and Mr Anthony Gatti on behalf of Tang Cheng Group, applicant, addressed the Panel regarding the above item.

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application 090/359/2012/C3 at 285 Goodwood Road, Kings Park 5034 be DEFERRED to enable the applicant to provide further information in respect to:

- Waste, refuse and disposal,
- Bicycle parking,
- Minimum room sizes,
- Bathroom facilities,
- Size and location of car parking spaces,
- Vehicle manoeuvring within the development site,
- The incorporation of house rules as part of the development application and
- The quality of residential amenity (indoor and outdoor recreation areas).

CARRIED

ITEM 2

DEVELOPMENT APPLICATION – 090/543/2012/C2 – 41 WOOD STREET, UNLEY PARK SA 5061 (UNLEY PARK)

Mr James Estcourt Hughes, representor, and Mr Gabriele Jaksa, applicant, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Don Palmer

That Development Application 090/543/2012/C2 at 41 Wood Street, Unley 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. 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. 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.

NOTES PERTAINING TO PLANNING CONSENT:

- 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.
- 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.
- 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 emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.
- 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 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.

CARRIED

ITEM 3

DEVELOPMENT APPLICATION – 090/219/2012/C2 – 3 CLELAND AVENUE, UNLEY SA 5061 (UNLEY)

MOVED: Rob Sangster

SECONDED: Don Palmer

That Development Application 090/169/2011/C3 at 3 Cleland Avenue, Unley 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. 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 construction shall be limited to the following:
 - Monday to Friday – 7:00 am to 7:00pm;
 - Saturday – 7:00 am to 1:00 pm

All reasonable efforts shall be made to limit the emission of noise during construction and shall comply with the provisions of the Environmental Protection Act and Regulations, 1993.

3. Prior to commencement of works, the developer shall nominate a Construction Manager or Site Supervisor who is available to receive calls from any resident within the adjacent area regarding any complaint the resident may have in relation to construction practices. The developer shall provide signage on-site, providing contact details for the Construction Manager or Site Supervisor.
4. No building work may commence or proceed on the subject land until all of the following conditions have been satisfied (except for such work as is necessary to satisfy those conditions):
 - a. an environmental site assessment – phase 2 is carried out which (i) eliminates all gaps in the already-undertaken environmental site assessment – phase 1 concerning soil investigations, and (ii) incorporates a groundwater assessment;
 - b. such excavation as is necessary for the proposed development is undertaken and all excavated material is classified in accordance with the soil classification results found in the environmental site assessment (phases 1 and 2), segregated by classification, and then each class removed to a waste receival facility which may lawfully receive such material;
 - c. all areas where material has been removed must be validated by further soil sampling to confirm that all contaminated material has been removed (and where such has not occurred, further excavation must occur to remove such material); and

- d. a site contamination audit report (as defined in the Environment Protection Act 1993) must be provided by a site contamination auditor accredited under Division 4 of Part 10A of the Environment Protection Act 1993 which confirms that all contaminated materials have been removed and that the site is suitable for residential use either unconditionally or subject only a condition which prohibits or restricts the extraction or on-site use of groundwater.
5. If a site contamination audit report (as defined in the Environment Protection Act 1993) which confirms that all contaminated materials have been removed from the development site is not provided, no construction of any part of any buildings herein granted consent, may commence or proceed.
6. Landscaping shall be established in accordance with the approved plans prior to the occupation of the development to the reasonable satisfaction of Council.
7. Temporary debris and sediment control measures shall be installed to ensure that debris, soil, soil sediments and litter are maintained within the construction site. At no time shall debris, soil, soil sediments and litter from the construction site enter Council's drainage system, road network or neighbouring properties. Pollution prevention measures shall be in accordance with the "Environmental Protection Authority's Stormwater Pollution Prevention Codes of Practice":
 - For the Community
 - For the Local , State and Federal Government
 - For the Building and Construction Industry

In the event that soil, dust or construction debris enter Council's road network, it shall be removed by the end of the next business day.

8. That all privacy screening as depicted on the plans shall be installed prior to occupation of the building and thereafter shall be maintained to the satisfaction of Council.

NOTES PERTAINING TO PLANNING CONSENT:

- That detail 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.
- 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.
- 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 emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.
- 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.

CARRIED

ITEM 4

**DEVELOPMENT APPLICATION – 090/449/2012/C2 – 17 JOSLIN STREET,
WAYVILLE 5034 (GOODWOOD)**

Ms Rosalie Garland, representor, and Mr Phil Brunning on behalf of Mr Jock Merrigan, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Rufus Salaman

That Development Application 090/449/2012/C2 at 17 Joslin Street, Wayville 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. 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.

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.
5. That the height of the proposed fence is reduced to a height of 1.4m so as to complement the particular character of Joslin Street. Further details to be provided, to the satisfaction of Council, prior to the issue of building rules consent.
6. That the final details of the stone and render colour to the front façade be provided to the satisfaction of Council prior to the issue of Development Approval.
7. 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.
8. 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.

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

ITEM 5

DEVELOPMENT APPLICATION – 090/432/2012/C2 – 5 ANDREW AVENUE, MILLSWOOD 5034 (UNLEY PARK)

Mr Alan Rumsby on behalf of Mr Greenslade and Ms Greenslade, representors, and Mr Garth Heynen on behalf of Mr Giuseppe Marino and Ms Anita Marino, applicants, addressed the Panel regarding the above item.

MOVED: Roger Freeman

SECONDED: Don Palmer

That Development Application 090/432/2012/C2 at 5 Andrew 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. 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. 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:

- 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.
- 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 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.

Roger Freeman, with the agreement of the seconder, WITHDREW the MOTION.

MOVED: Brenton Burman

SECONDED: Rufus Salaman

That Development Application 090/432/2012/C2 at 5 Andrew Avenue, Millswood 5034 be DEFERRED to enable the applicant to consider a reduction in the height of the structure by 400mm.

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/617/2012/C2 – 188 GREENHILL ROAD, PARKSIDE 5063 (PARKSIDE)

MOVED: Rufus Salaman

SECONDED: Rob Sangster

That Development Application 090/617/2012/C2 at 188 Greenhill 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. No signs to be erected or displayed without prior consent of Council.
3. That the premises shall not be used as a restaurant (primarily for the consumption of meals on the site).

CARRIED

ITEM 7

DEVELOPMENT APPLICATION – 090/713/2012/C2 – 111 UNLEY ROAD, UNLEY SA 5061 (UNLEY)

MOVED: Roger Freeman

SECONDED: Lissa van Camp

That Development Application 090/713/2012/C2 at 111 Unley Road, Unley 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. 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 no signs be erected or displayed without the prior consent of the Council.
3. The hours of operation of the premises not exceed the following periods:
 - Sunday 2:00pm to 11:00pm
 - Monday to Thursday, 3:00pm to 11:00pm
 - Friday and Saturday 12:00pm to 12:00am

NOTES PERTAINING TO PLANNING CONSENT

- The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.

CARRIED

ITEM 8

DEVELOPMENT APPLICATION – 090/722/2012/C2 – 1 / 41 AVENUE ROAD, HIGHGATE SA 5063 (FULLARTON)

MOVED: Don Palmer

SECONDED: Rufus Salaman

That Development Application 090/722/2012/C2 at 1 / 41 Avenue Road, Highgate SA 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. That the southern, eastern 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.
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.
- 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 9

DEVELOPMENT APPLICATION – 090/254/2012/C2 – 80 ROSE TERRACE, WAYVILLE 5034 (GOODWOOD)

MOVED: Don Palmer

SECONDED: Rob Sangster

That Development Application 090/254/2012/C2 at 80 Rose Terrace, Wayville 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 finished floor levels of garaging match the existing footpath levels at the property boundary, further details to be provided prior to the issuing of Building Rules Consent.
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 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.
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.
- 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

ITEM 10

DEVELOPMENT APPLICATION – 090/598/2012/C2 – 67 SHEFFIELD STREET, MALVERN 5061 (UNLEY PARK)

Mr John Walsh, owner, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Rob Sangster

That Development Application 090/598/2012/C2 at 67 Sheffield Street, Malvern 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 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.
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.
- 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.
- 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 11

DEVELOPMENT APPLICATION – 090/714/2012/C1 – 7 BAULDERSTONE ROAD, MYRTLE BANK 5064 (FULLARTON)

Mr Jim Itsines, applicant, addressed the Panel regarding the above item.

MOVED: Don Palmer

SECONDED: Rufus Salaman

That Development Application 090/714/2012/C1 at 7 Baulderstone Road, Myrtle Bank be REFUSED Planning Consent as it is at variance with Council Wide Objective 60 and Principles of Development Control 179 and 181 in that the subject tree:

- Makes an important contribution to the character and amenity of the local area;
- Forms a notable visual element to the landscape of the local area;
- Contributes to habitat value, as a local and indigenous species;
- Is not diseased and its life expectancy is not short;
- Does not represent an unreasonable risk to private or public safety;
- Has not been shown to be causing or threatening to cause substantial damage to a substantial building or structure of value;
- Has not been demonstrated that all other reasonable remedial treatments and measures are ineffective.

CARRIED

Don Palmer left the meeting at 9.05pm.

ITEM 12

**DEVELOPMENT APPLICATION – 090/636/2012/C1 – 34 AUSTRAL TERRACE,
MALVERN 5061 (UNLEY PARK)**

MOVED: Roger Freeman

SECONDED: Lissa van Camp

That Development Application 090/636/2012/C1 at 34 Austral Terrace, Malvern 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 (*Agonis flexuosa* – Willow Myrtle) 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 \$232.50 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).

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

Don Palmer returned to the meeting at 9.06pm.

ITEM 13

DEVELOPMENT APPLICATION – 090/635/2012/C2 – 9 ELM STREET, UNLEY PARK 5061 (UNLEY PARK)

MOVED: Rob Sangster

SECONDED: Brenton Burman

That Development Application 090/635/2012/C2 at 9 Elm 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. 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.
4. That the privacy screening as demonstrated in plans be erected along the northern, southern and eastern common property boundaries prior to occupation. Further details demonstrating adequacy of screening to be provided to Council's satisfaction prior to the issue of Development Approval.
5. A minimum clearance of 1.0 metre between driveway crossover(s) and existing street tree(s) be provided.

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

CARRIED

ITEM 14

DEVELOPMENT APPLICATION – 090/846/2012/NC – 309-311 GOODWOOD ROAD, KINGS PARK 5034 (UNLEY PARK)

MOVED: Roger Freeman

SECONDED: Don Palmer

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

CARRIED

ITEM 15

DEVELOPMENT APPLICATION – 090/858/2012/NC – 3 WILGENA AVENUE, MYRTLE BANK 5064 (FULLARTON)

MOVED: Lissa Van Camp

SECONDED: Brenton Burman

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

CARRIED

ITEM 16

REMOVAL OF CONFIDENTIALITY ORDERS

MOVED: Roger Freeman

SECONDED: Lissa Van Camp

That:

1. The report be received.
2. The Development Assessment Panel (DAP) endorse the removal of the confidentiality order on the items as detailed in the attached table ([Attachment A](#)).

CARRIED

OTHER BUSINESS

MOVED: Terry Tysoe

SECONDED: Don Palmer

That the Development Assessment Panel thanks the City of Unley Administration staff for their excellent work in supporting the work of the Development Assessment Panel over it's two year term of office.

CARRIED

CLOSURE

The Presiding Member declared the meeting closed at 9.16pm.

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Monday 17/12/2012.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Monday, 17 December 2012