

CITY OF UNLEY

DEVELOPMENT ASSESSMENT PANEL

**Minutes of the meeting held Monday, 11 October 2010
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 Don Donaldson (Deputy Presiding Member)
Mr Graham Gaston
Mr Mike Hudson
Mr Rob Sangster
Ms Denise Tipper
Mr Will Webster

APOLOGIES:

Mr Terry Tysoe (Presiding Member)

OFFICERS PRESENT:

Ms Christine Umapathysivam, Deputy CEO
Mr Paul Weymouth, Manager Development
Mr Donny Michel, Team Leader Planning
Ms Kelley Jaensch, Executive Assistant City Development

CONFIRMATION OF MINUTES

MOVED: Rob Sangster SECONDED: Graham Gaston

That the Minutes of the City of Unley, Development Assessment Panel meeting held on Monday, 13 September 2010 as printed and circulated, be taken as read and signed as a correct record.

CARRIED

ITEM 1

DEVELOPMENT APPLICATION – 090/436/2010/C2 – 6 ARUNDEL AVENUE, MILLSWOOD 5034 (GOODWOOD SOUTH)

John Hipper, Timothy Griffin, Klaus and Marysia Thiele, representors, and Michael Sheidow on behalf of Alternative Design Studio, applicant, addressed the Panel in respect for this Item.

MOVED: Graham Gaston

SECONDED: Mike Hudson

That Development Application 090/436/2010/C2 at 6 Arundel Avenue, Millswood 5034 is at variance with the provisions of the City of Unley Development Plans and should be REFUSED Planning Consent on the following grounds:

- The appearance of the development detracts from the visual amenity and built form character of neighbouring properties and from the desired character of the locality having particular regard to and building mass and proportion (particularly where two or three storey development is proposed adjacent respectively to single or two storey development).
- The Development should present a single storey built scale to the streetscape. The second storey building elements are not integrated sympathetically into the dwelling design and have a bulk or mass that intrudes on neighbouring properties.
- The development does not alter or add to a contributory item in a manner which retains or enhances its contribution to desired character in terms of building scale and form.

CARRIED

ITEM 2

DEVELOPMENT APPLICATION – 090/501/2010/C3 – 12 BIRKDALE AVENUE, CLARENCE PARK 5034 (GOODWOOD SOUTH)

Peter Bungey, representor, and Mr Deer, applicant, addressed the Panel in respect for this Item.

MOVED: Graham Gaston

SECONDED: Rob Sangster

That Development Application 090/501/2010/C3 at 12 Birkdale Avenue, Clarence Park 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 appropriate measures shall be taken (aiming of lights, fittings of louvres, baffles, shields or the like) to control and limit light falling on surrounding properties and that the lights shall be turned off no later than 10.00pm on Monday to Sunday.
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.

Item 2

Development Application – 090/501/2010/C3 – 12 Birkdale Avenue, Clarence Park 5034 (Goodwood South) - Continued

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.
- 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

ITEM 3

DEVELOPMENT APPLICATION – 090/278/2010/C2 – 28 WHITTAM STREET, PARKSIDE 5063 (UNLEY)

Peter Walsh spoke on behalf of Kate Bacciarelli, representor, Greg Vincent from Master Plan spoke on behalf of Forme Projex, applicant, addressed the Panel in respect for this Item.

MOVED: Rob Sangster

SECONDED: Graham Gaston

That Development Application 090/278/2010/C2 at 28 Whittam Street, 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 landscaping 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.

Item 3

Development Application – 090/278/2010/C2 – 28 Whittam Street, Parkside 5063 (Unley) - Continued

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:

- 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**.

CARRIED

ITEM 4

DEVELOPMENT APPLICATION – 090/422/2010/C2 – 10 CLINTON AVENUE, MYRTLE BANK 5064 (FULLARTON)

MOVED: Denise Tipper

SECONDED: Graham Gaston

That Development Application 090/422/2010/C2 at 10 Clinton 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. Details of upper level privacy screening shall be provided to Council's satisfaction prior to the issue of 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 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 5

DEVELOPMENT APPLICATION – 090/339/2010/C2 – 10 HILL STREET, PARKSIDE 5063 (PARKSIDE)

Jonathon Moore, applicant, addressed the Panel in respect for this Item.

MOVED: Graham Gaston

SECONDED: Will Webster

That Development Application 090/339/2010/C2 at 10 Hill Street, Parkside 5063 is at variance with the provisions of the Development Plan (PDC 176 & 178) and should be REFUSED Planning Consent subject for the following reasons:

- The tree makes an important contribution to the character and amenity of the local area.
- The subject tree forms a notable visual element to the landscape of the local area.
- The subject tree contributes to the habitat value of the local area.
- The tree is not considered to represent an unacceptable risk to public or private safety.
- The subject tree is not diseased and life expectancy is not considered short.
- Remedial options such as maintenance pruning have not been explored by the applicant.
- The tree is not shown to be threatening or causing substantial damage to substantial building and / or structure of value.

CARRIED

ITEM 6

DEVELOPMENT APPLICATION – 090/459/2010/C2 – 6 GRANTLEY AVENUE, MILLSWOOD 5034 (GOODWOOD SOUTH)

MOVED: Rob Sangster

SECONDED: Denise Tipper

That Development Application 090/459/2010/C2 at 6 Grantley 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 all external materials and finishes shall be the same as or complementary to the existing building(s) on the site.
3. All stormwater from the building and site shall be disposed of so as to not adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

NOTES PERTAINING TO PLANNING CONSENT:

- It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary

Item 6

Development Application – 090/459/2010/C2 – 6 Grantley Avenue, Millswood 5034 (Goodwood South) - Continued

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**.

CARRIED

ITEM 7

DEVELOPMENT APPLICATION – 090/638/2010/C2 – 48A WALLIS STREET, PARKSIDE SA 5063 (PARKSIDE)

MOVED: Graham Gaston

SECONDED: Denise Tipper

That Development Application 090/638/2010/C2 at 48A Wallis Street, Parkside 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 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. 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.
4. All stormwater from the building and site shall be disposed of so as to not adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

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.

Item 7

Development Application – 090/638/2010/C2 – 48A Wallis Street, Parkside SA 5063 (Parkside) - Continued

- 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.

CARRIED

ITEM 8

DEVELOPMENT APPLICATION – 090/556/2010/C2 – 58 ESSEX STREET (SOUTH), GOODWOOD 5034 (GOODWOOD)

MOVED: Rob Sangster

SECONDED: Denise Tipper

That Development Application 090/556/2010/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. 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. All significant trees must be protected during demolition and construction by a fence placed a minimum of 2 metres radius around the base of the tree.
4. That all works within the Tree Protection Zone (TPZ) shall comply with the recommendations contained within the Adelaide Tree Surgery report dated 9 September 2010.

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

Item 8

Development Application – 090/556/2010/C2 – 58 Essex Street (South), Goodwood 5034 (Goodwood) - Continued

- It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555 or refer to their web site at www.lsc.sa.gov.au.
- That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the **applicant**.

CARRIED

ITEM 9

DEVELOPMENT APPLICATION – 090/399/2010/C2 – STOWE COURT, 328-338 FULLARTON ROAD, FULLARTON SA 5063 (PARKSIDE)

MOVED: Mike Hudson

SECONDED: Will Webster

That Development Application 090/399/2010/C2 at Stowe Court, 328-338 Fullarton Road, Fullarton 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. That the removal of the significant *Agonis Flexuosa* (Willow Myrtle) tree and pruning of a *Eucalyptus Sideroxylon* tree 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 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

ITEM 10

DEVELOPMENT APPLICATION – 090/572/2010/C2 – 2 BRAESIDE AVENUE, MYRTLE BANK 5064 (FULLARTON)

Geoff Ewens, representor, and Mr Shearer, applicant, addressed the Panel in respect for this Item.

MOVED: Rob Sangster

SECONDED: Graham Gaston

That Development Application 090/572/2010/C2 at 2 Braeside 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 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 necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.
- That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the **applicant**.
- Noise generated from ancillary pool and/or spa equipment must not exceed the maximum noise level recommended by the EPA. For this purpose, noise generated from ancillary pool / spa equipment shall not exceed 52 db(a) between 7am and 10pm and 45 db(a) between 10pm and 7am on any day, measured from a habitable room window or private open space of an adjoining dwelling.
- 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.
- The applicant shall contact Council's Arboricultural Team on 8372 5470 to arrange for the removal of the street tree.

CARRIED

The Presiding Member adjourned the meeting at 8.52pm.
The meeting resumed at 8.59pm.

ITEM 11

**DEVELOPMENT APPLICATION – 090/511/2010/C2 – 26 WELLER STREET,
GOODWOOD 5034 (GOODWOOD)**

MOVED: Will Webster

SECONDED: Rob Sangster

That Development Application 090/511/2010/C2 at 26 Weller Street, 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. 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 removal of the subject significant tree Persian Walnut (*Juglans Regia*) 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).
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.
- 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.

CARRIED

ITEM 12

DEVELOPMENT APPLICATION – 090/525/2010/C2 – 432 FULLARTON ROAD, MYRTLE BANK SA 5064 (FULLARTON)

MOVED: Graham Gaston

SECONDED: Mike Hudson

That Development Application 090/525/2010/C2 at 432 Fullarton Road, Myrtle Bank SA 5064 is at variance with the provisions of the Development Plan and should be REFUSED Planning Consent on the following grounds:

1. That Planning Consent be REFUSED on the grounds that the proposal is contrary to Council Wide Principle of Development Control 176 and 178 of the Unley (City) Development Plan in that:
 - The subject significant tree is considered to make an important contribution to the character or amity of the local area;
 - Forms a notable visual element to the landscape of the local area;
 - Contributes to the habitat value of an area;
 - Is not diseased and its life expectancy not short;
 - Does not represent an unacceptable risk to public or private safety; and
 - Is not shown to be causing or threatening to cause damage to a substantial building or structure.

CARRIED

ITEM 13

DEVELOPMENT APPLICATION – 090/563/2010/C2 – 4 LEAH STREET, FORESTVILLE 5035 (GOODWOOD)

MOVED: Graham Gaston

SECONDED: Rob Sangster

That Development Application 090/563/2010/C2 at 4 Leah Street, Forestville 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 (including correspondence dated 20 September 2010) 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. Any advertisement erected on the subject land only to relate to goods and services available on the subject land.

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

ITEM 14

DEVELOPMENT APPLICATION – 090/263/2010/C2 – 27A MILLER STREET, UNLEY 5061 (UNLEY)

MOVED: Rob Sangster

SECONDED: Graham Gaston

That Development Application 090/263/2010/C2 at 27A Miller 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 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 external materials and finishes shall be the same as or complementary to the existing building(s) on the site.

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.
- 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

ITEM 15

DEVELOPMENT APPLICATION – 090/491/2010/C2 – 77A ROBSART STREET, PARKSIDE 5063 (PARKSIDE)

MOVED: Graham Gaston

SECONDED: Mike Hudson

That Development Application 090/491/2010/C2 at 77A Robsart Street, 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. That the removal of the subject significant tree (*Eucalyptus Globoidea*) 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 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

ITEM 16

DEVELOPMENT APPLICATION – 090/223/2010/C2 – 84 MAUD STREET, UNLEY 5061 (UNLEY)

MOVED: Rob Sangster

SECONDED: Don Donaldson

That Development Application 090/223/2010/C2 at 84 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 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.
- 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.

Item 16

Development Application – 090/223/2010/C2 – 84 Maud Street, Unley 5061 (Unley) - Continued

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

CARRIED

ITEM 17

DEVELOPMENT APPLICATION – 090/655/2010/C2 – 17 GROVE STREET, UNLEY PARK 5061 (UNLEY PARK)

Phillip Brunning on behalf of R and B Dillon, applicant, addressed the Panel in respect for this Item.

MOVED: Graham Gaston

SECONDED: Will Webster

That Development Application 090/655/2010/C2 at 17 Grove 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. That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure 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.
- 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.

Item 17

Development Application – 090/655/2010/C2 – 17 Grove Street, Unley Park 5061 (Unley Park) - Continued

- 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 18

DEVELOPMENT APPLICATION – 090/571/2010/C2 – 66 WATTLE STREET, FULLARTON 5063 (PARKSIDE)

Representative of Tim Geue Built Design, applicant, addressed the Panel in respect for this Item.

MOVED: Rob Sangster

SECONDED: Graham Gaston

That Development Application 090/571/2010/C2 at 66 Wattle Street, Fullarton 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.

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.
- 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

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION FOR ITEM 17
PLANNING APPEAL
7 GLENFERRIE AVENUE, MYRTLE BANK
5064 – 090/438/2010/C2

ITEM NUMBER: 19

DATE OF MEETING: 11 October 2010

AUTHOR: KELLEY JAENSCH

JOB TITLE: EXECUTIVE ASSISTANT CITY
DEVELOPMENT

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

PURPOSE

To recommend that Item 20 be considered in confidence at the
11 October 2010 Development Assessment Panel meeting.

RECOMMENDATION

MOVED:Mike Hudson
SECONDED:Graham Gaston

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
 - Denise Tipper
 - Michael Hudson
 - Rob Sangster

- Graham Gaston
- Will Webster
- Don Donaldson
- Mayor Richard Thorne
- Kelley Jaensch, Executive Assistant City Development

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 there is likely to be discussion about the legal advice Council has received in respect of this Item.

CARRIED

ITEM 20

DEVELOPMENT APPLICATION – 090/438/2010/C2 – 7 GLENFERRIE AVENUE, MYRTLE BANK 5064 (FULLARTON)

MOVED: Mike Hudson

SECONDED: Graham Gaston

That Development Application 090/438/2010/C2 at 7 Glenferrie 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. That the removal of the subject significant tree - Eucalyptus cladocalyx (Sugar 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.
2. A replacement tree, being a sugar gum tree or other species approved in writing by Council, and of at least 2 metres height at the time of planting shall be planted on the subject land in the same location as the subject tree, and within 1 month of removal of the subject tree.
3. The replacement tree shall be maintained in good health and condition to the reasonable satisfaction of Council at all times. Should the replacement tree become dead or diseased, it must be replaced forthwith with a tree of the same species and height and in the same location.
4. In the event of any development work on the subject land, measures to protect the replacement tree must be undertaken to the reasonable satisfaction of Council.

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

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION FOR ITEM 17
DEVELOPMENT APPLICATION – 7
GLENFERRIE AVENUE, MYRTLE BANK 5064 –
090/438/2010/C2

ITEM NUMBER: 21

DATE OF MEETING: 11 October 2010

AUTHOR: KELLEY JAENSCH

JOB TITLE: EXECUTIVE ASSISTANT CITY DEVELOPMENT

RESPONSIBLE OFFICER: CHRISTINE UMAPTHYSIVAM

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

RECOMMENDATION

MOVED: Graham Gaston
SECONDED: Mike Hudson

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 7 Glenferrie 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 2010.

CARRIED

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

The Chamber doors were opened at 10.07.

CLOSURE

The Presiding Member declared the meeting closed at 10.08.

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PRESIDING MEMBER

NEXT MEETING

Monday, 8 November 2010