

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday 16 July 2024
at Civic Centre, Council Chambers**

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yaitya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

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

*Kurna Translation provided by Kurna Warra Karrpanthi

PRESENT:

Mr Brenton Burman
Ms Colleen Dunn
Mr Terry Sutcliffe
Mr Will Gormly
Dr. Iris Iwanicki

APOLOGIES:

OFFICERS PRESENT:

Mr Gary Brinkworth, Assessment Manager
Mr Tim Bourner, Team Leader Planning
Ms Amelia DeRuvo, Senior Planning Officer
Mrs Ailar Zakeri, Cadet Planning Officer
Ms Sandy Beaton, Development Administration Officer

ITEM 3 - CONFIRMATION OF MINUTES:

MOVED: Dr. Iwanicki

SECONDED: Colleen Dunn

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 18 June 2024, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 4.1 – 64 Essex Street South, Goodwood - 23022401

James Polacek on behalf of Michael Polacek, representor, addressed the Panel regarding the above-mentioned application.

Phill Brunning from Phillip Brunning & Associates, spoke on behalf of the applicant in support of the application.

MOVED: Will Gormly

SECONDED: Colleen Dunn

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code.
2. Development Application Number 23022401, by Alison Lowrie is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

All stormwater from the building and site shall be disposed of so as not to 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.

Condition 4

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

Condition 5

The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of Council at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.

Condition 6

A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

Condition 7

No groundwater is to be discharged into Council's stormwater system.

ADVISORY NOTES

Planning Consent

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

While the removal of the street tree located on the Council verge adjacent to the subject site has been approved as part of this application, a fee of \$7642.00 to be paid to Council to cover the amenity value of the tree and for the cost of a new street tree (to be selected and planted by Council) and maintenance costs to ensure establishment. The fee is to be paid prior to the work being carried out by Council.

The applicant should contact Council's Arboricultural Team on 837205111 to arrange for the payment and removal and replacement of the street tree.

Advisory Note 6

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 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 7

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.

Advisory Note 8

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.

Advisory Note 9

Numerous parts of the Council area have low lying water tables. Where there is sub-surface development occurring, groundwater can be encountered. Issues related to the disposal of this groundwater, either temporarily or permanently, can cause damage to surrounding Council infrastructure and cause problems for adjoining landowners. Where groundwater is encountered during the construction of the development, it will be necessary for measures to be taken to ensure the appropriate containment and disposal of any groundwater.

Advisory Note 10

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the *Environmental (Noise) Policy 2007*.

Advisory Note 11

Driveways Crossovers are Not to be constructed from concrete over the footpath area between the kerb to boundary. Driveways and boundary levels at fence line must be between 2% and 2.5% above kerb Height. Crossover not to exceed 2.5% or 1:40 cross fall gradient from boundary to kerb invert. If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an

existing crossover. The redundant driveway crossover or part of, is required to be closed and returned back to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed.

CARRIED UNANIMOUSLY

ITEM 6.1 – APPLICATIONS BEFORE THE ERD COURT – SUMMARY OF COURT APPEALS

The Team Leader Planning provided an update on the following appeals lodged to the ERD Court

- 7 Thornber Street, Unley Park – Demolition of a dwelling, Refused by CAP
- 5 Regent Street, Millswood – Carport, Refused under Delegation

MOVED: Dr. Iwanicki

SECONDED: Terry Sutcliffe

That the report be noted and received.

CARRIED UNANIMOUSLY

ITEM 8.1 – UNLEY COUNCIL ASSESSEMENT ANNUAL REPORT 2023-2024

MOVED: Colleen Dunn

SECONDED: Terry Sutcliffe

That the report be received and presented at the next Council meeting.

CARRIED UNANIMOUSLY

OTHER BUSINESS:

ITEM 9.1 – AMENDMENTS MADE TO JUNE 18 2024 COUNCIL ASSESSMENT PANEL AGENDA

MOVED: Terry Sutcliffe

SECONDED: Will Gormly

That the report be noted and received.

CARRIED UNANIMOUSLY

Will congratulated Tim and Amelia on their promotions along with thanking Don for his contribution as assessment manager.

The Presiding Member declared the meeting closed at 6:36pm

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 20 August 2024.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday 20 August 2024