

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday 18 June 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
Professor Mads Gaardboe (Deputy)
Mr Will Gormly
Dr. Iris Iwanicki

APOLOGIES:

Mr Terry Sutcliffe

OFFICERS PRESENT:

Mr Don Donaldson, Assessment Manager
Mr Gary Brinkworth, Development & Regulatory Manager
Mr Tim Bourner, Senior Planning Officer
Ms Amelia DeRuvo, Planning Officer
Mrs Ailar Zakeri, Cadet Planning Officer
Ms Sandy Beaton, Development Administration Officer

ITEM 3 - CONFIRMATION OF MINUTES:

MOVED: Colleen Dunn

SECONDED: Will Gormly

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 16 April 2024, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 4.1 – 40 CHELTENHAM STREET, HIGHGATE SA 5063 - 23037828

John Held, 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: Dr Iwanicki

That Development Application number 23037828 by Concordia College is DEFERRED Planning Consent to seek further information in relation to the following:

- a perpendicular light spill analysis and report assessing the proposed illumination against the relevant Australian Standards and Code provisions.

CARRIED UNANIMOUSLY

ITEM 5.1 – 64 NORTHGATE STREET, UNLEY PARK – 24008386 – MOTION INTO CONFIDENCE

PURPOSE

To recommend that the discussion of Item 5.1 be considered in confidence at the 18 June 2024 Council Assessment Panel Meeting.

MOVED: Colleen Dunn

SECONDED: Will Gormly

It is recommended that:

1. The report be received.
2. Pursuant to Regulation 13(2) (a) (viii) and 13(2) (a) (ix) of the Planning, Development and Infrastructure (General) Regulations 2017, as amended, the Council Assessment Panel orders the public be excluded with the exception of the following:
 - Don Donaldson, Team Leader Planning | Assessment Manager
 - Gary Brinkworth, Manager Development & Regulatory
 - Tim Bourner, Senior Planning Officer
 - Amelia De Ruvo, Planning Officer

- Sandy Beaton, Development Administration Officer
- Ailar Zakeri, Cadet Planning Officer
- Sam Cassar, Symatree PTY LTD

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 believe on reasonable grounds will take place.

CARRIED UNANIMOUSLY

ITEM 5.1 – 64 NORTHGATE STREET, UNLEY PARK – 24008386 – MOTION OUT OF CONFIDENCE

MOVED: Dr Iwanicki

SECONDED: Prof Gaardboe

It is recommended that:

1. The report be received.
2. Formal proceedings recommence with the gallery to be reopened to the public.

CARRIED UNANIMOUSLY

ITEM 5.1 – 64 NORTHGATE STREET, UNLEY PARK SA 5061- 24008386

MOVED: Will Gormly

SECONDED: Colleen Dunn

It is recommended that the Council Assessment Panel resolve that:

1. The Council Assessment Panel **affirm** the decision of the Assessment Manager for DA 24008386:
 - (a) That the application is NOT seriously at variance with the provisions of the Planning and Design Code.
 - (b) The application to remove a significant tree at 64 Northgate Street Unley Park is not considered to meet the following provisions for removal:
 - The Significant Tree makes an important contribution to the character and amenity of the local area, is important to the maintenance of biodiversity in the local environment and is considered to be a notable visual element of the landscape of the local area, and therefore should be retained in accordance with

Regulated and Significant Tree Overlay Desired Outcome DO 1 and Assessment Provision PO 1.2 (a), (e) and (f).

- It has not been demonstrated that the Significant Tree is diseased, that its life expectancy is short, that it represents an unacceptable risk to public or that it has or threatens to cause damage to a substantial building of value, and insufficient evidence that all remedial treatments will be ineffective. As such does not satisfy Regulated and Significant Tree Overlay Assessment Provision PO 1.3.

CARRIED UNANIMOUSLY

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

The Senior Planning Officer provided an update on the appeal lodged against the Panel’s refusal for the demolition of a dwelling at 7 Thornber Street, Unley Park.

MOVED: Dr Iwanicki

SECONDED: Prof Gaardboe

That the report be noted and received.

CARRIED UNANIMOUSLY

OTHER BUSINESS:

Will Gormly sought clarification on the redaction requirements within the June agenda. Council Administration advised that consideration was given to the redactions within item 5.1 of the agenda due to the confidential nature of information contained within the relevant attachments.

The panel thanked Sam Cassar for his attendance.

The Presiding Member declared the meeting closed at 7:04PM

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 16 July 2024.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday 16 July 2024

* Denotes Change