

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

**Minutes of Meeting held Tuesday 19 November 2024 6:00PM
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: Ms Colleen Dunn
Mr Terry Sutcliffe
Mr Will Gormly
Professor Mads Gaardboe (Deputy)

APOLOGIES: Mr Brenton Burman

OFFICERS PRESENT: Mr Don Donaldson, Assessment Manager
Mr Tim Bourner, Team Leader Planning
Mr Matthew Falconer, Consultant Town Planner
Ms Sandy Beaton, Development administration Officer

APPOINTMENT OF ACTING PRESIDING MEMBER:

In the absence of the Presiding Member, the Assessment Manager called for nominations for an acting Presiding Member.

MOVED: Terry Sutcliffe

SECONDED: Colleen Dunn

That Will Gormly be appointed Acting Presiding Member for the meeting.

CARRIED UNANIMOUSLY

ITEM 3 - CONFIRMATION OF MINUTES:

MOVED: Prof Gaardboe

SECONDED: Terry Sutcliffe

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday 15 October 2024, as printed and circulated, be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

ITEM 4.1 – 10 Carlton Street, Highate SA 5063 - 24020071

MOVED: Colleen Dunn

SECONDED: Prof Gaardboe

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24020071, by Lee Li 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

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

Condition 3

The planting and landscaping identified on the approved plans must be completed in the first planting season concurrent with or following commencement of the use of the dwelling. Such planting and landscaping shall be irrigated and maintained thereafter with any plants which become diseased, or die must be replaced within the next available growing season with suitable species.

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

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 6

The permanently fixed obscure glazing and restricted windows as shown on the approved plans and elevation drawings forming part of this consent, must be installed prior to the commencement of use of the building. The permanently fixed obscure glazing and restricted windows must be maintained in good condition and must be maintained as effective privacy controls thereafter.

Condition 7

That wastewater 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.

Condition 8

That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure prior to the operation of said equipment. Noise generated from ancillary pool and/or spa equipment must not exceed specified noise levels to limit loss of amenity to adjoining properties. 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.

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

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 6

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 7

As per the Applicants commitment to the owners of 8 Carlton Street, Highgate, a dilapidation report shall be prepared prior to the commencement of construction.

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: Terry Sutcliffe

SECONDED: Colleen Dunn

That the report be noted and received.

CARRIED UNANIMOUSLY

OTHER BUSINESS:

ITEM 9.1 – CITY OF UNLEY COUNCIL ASSESSMENT PANEL- MEETING DATE FOR 2025

Terry Sutcliffe noted that he will be an apology for the January 29th meeting.

MOVED: Colleen Dunn

SECONDED: Terry Sutcliffe

That the Council Assessment Panel resolve that:

1. The report be received.
2. The meetings of the Unley Council Assessment Panel (The Panel) for 2025 be set as:
 - 29 January (Wednesday)
 - 18 February
 - 18 March
 - 15 April
 - 20 May
 - 17 June
 - 15 July
 - 19 August
 - 16 September
 - 14 October
 - 18 November
 - 16 December

CARRIED UNANIMOUSLY

The Assessment Manager provided an update on the 2025 CAP recruitment process.

Professor Gaardboe noted a spelling error on page 12 of the agenda, desiccated should be amended to dedicated.

The Presiding Member declared the meeting closed at 6:23pm

The foregoing minutes were taken as read and confirmed at the meeting of the Panel on Tuesday 17 December 2024.

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PRESIDING MEMBER

DATED / /

NEXT MEETING
Tuesday 17 December 2024