



**MINUTES OF THE DEVELOPMENT ASSESSMENT PANEL OF THE CITY OF PROSPECT,
HELD IN THE CIVIC CENTRE, 128 PROSPECT ROAD, PROSPECT, ON MONDAY 11 MAY
2009 AT 5.30 PM.**

PRESENT:

Presiding Member: Mr David Blaikie
Members: Ms R Giannantonio, Mr D Grieve, Ms S Karahalios, Mr M Mitchell and Mr F Stock

IN ATTENDANCE:

Mr M Goldstone Chief Executive Officer (Apology)
Mr S Green Director Environment and Planning (Apology)
Mr C Newby Principal Planner
Mr A Mackenzie Development Officer (Planning)
Ms J Madex Panel Secretary

ON LEAVE:

Nil

APOLOGIES:

Mr P Deb

CONFIRMATION OF MINUTES:

That the minutes of the meeting of the Development Assessment Panel held on Tuesday 14 April 2009 be taken as read and confirmed as a correct record.

CARRIED DAP 19/09

ITEMS TO BE ADOPTED WITHOUT DISCUSSION:

Item 5.1, 5.2 & 5.3 were withdrawn for further discussion

DEVELOPMENT APPLICATIONS:

Item 5.1: 74 Prospect Road, Prospect – Removal of Two Palm Trees from Landscaping

Application No: 050/72/2009

The Presiding Member invited Mr Stuart Heseltine of Hemisphere Design on behalf of the applicant to address the meeting.

Mr Heseltine addressed the meeting and answered questions asked by Panel Members.

The Presiding Member invited the applicant Ms Julie O'Malley and Mr Paul Scarborough to address the meeting.

Ms O'Malley & Mr Scarborough addressed the meeting and answered questions asked by Panel Members.

Recommendation

Mr David Grieve moved, Ms Sheron Karahalios seconded

It is recommended:

That the Environment, Resources and Development Court be advised that Council is supportive of the compromise proposal for the removal of two palm trees and establishment of replacement planting and signage at 74 Prospect Road, Prospect and recommends the following conditions:

- (1) That the development shall take place in accordance with the plans and information relating to development application number 050/389/2008.
- (2) That the landscaping areas are to be established in accordance with the landscaping plan and that all landscaping areas shall be maintained at all times thereafter to the reasonable satisfaction of Council.

The Panel resolved that the recommendation is adopted - DAP 20/09

Item 5.2: 32 North Street, Collinswood – Construction of a detached dwelling

Application No: 050/460/2008

The Presiding Member invited the property owner, Mr Frank Rocca, to address the meeting.

Mr Rocca addressed the meeting and answered questions asked by Panel Members.

Recommendation

Mr Matthew Mitchell moved, Mr Frank Stock seconded

It is recommended:

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the existing use of the land, the Panel resolve that the application is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the *Development Act 1993*, as amended, Development Plan Consent be refused to DA 050/460/2008 from DC Architecture on behalf of the property owners Mr FP and Mrs L Rocca to construct a double-storey dwelling and swimming pool at 32 North Street, Collinswood. The proposal would be inconsistent with the desired future character of the area, due to a contrast with the predominant form and style of dwellings in the locality, and therefore would be sufficiently at variance with the relevant provisions of the Prospect (City) Development Plan, and in particular:

- Residential Zone Principle of Development Control 1;
- Residential Policy Area A560 Desired Character Statement; and
- Residential Policy Area A560 Objective 1;
- Residential Policy Area A560 Principle of Development Control 1; and
- Council-wide Objective 25
- Council-wide Principles of Development Control 46, 75 & 76.

Notes:

Pursuant to Section 86(1)(a) of the Development Act, 1993, you have the right of appeal to the Environment, Resources and Development Court against either 1) a refusal of consent or 2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period as may be allowed by the Court.

The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (Postal Address: GPO Box 2465, Adelaide SA 5001).

The Panel resolved that the recommendation is adopted - DAP 21/09

Item 5.3: 14 & 16 Braund Road, Fitzroy – Compromise proposal to establish a Land Management Agreement between Council and the owners of the land at 14-16 Braund Road, Fitzroy

Application No: 050/598/08 & 050/607/08

The Presiding Member invited the applicant Mr John Outhred of Outhred & Associates to address the meeting.

Mr Outhred addressed the meeting and answered questions asked by Panel Members.

Recommendation

Mr Matthew Mitchell moved, Mr Frank Stock seconded

It is recommended:

That the Development Assessment Panel, having considered the compromise proposal, resolve to advise the Environment, Resources and Development Court that the establishment of a Land Management Agreement is not supported, and that the Development Assessment Panel confirms its previous decision to refuse development applications 050/598/2008 and 050/607/2008.

The Panel resolved that the recommendation is adopted – DAP 22/09

OTHER REPORTS FROM THE DIRECTOR ENVIRONMENT & PLANNING**Item 6.1: Summary of Court Appeals and Enforcement Matters**

(1) The Development Assessment Panel receives and notes the information.

The Panel resolved by consensus that the recommendation is adopted – DAP 23/09

ANY OTHER BUSINESS:

Nil

TIME AND PLACE OF NEXT MEETING:

The next meeting of the Development Assessment Panel will be held in the Civic Centre on Tuesday 9 June 2009 at 5.30 pm.

CLOSURE:

The meeting closed at 6.37 pm.

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Mr David Blaikie
(Presiding Member)
9 June 2009