

CITY OF WEST TORRENS



MINUTES
of the
COUNCIL ASSESSMENT PANEL

held in Hall B at the Thebarton Community Centre
158 South Road, Torrensville 5031

on

TUESDAY, 10 NOVEMBER 2020
at 5.00pm

Hannah Bateman
Assessment Manager

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.00pm.

1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by the Presiding Member.

2 PRESENT

Panel Members:

Presiding Member: Ms C Dunn
Council Member: Mr G Nitschke (as proxy for Ms Jassmine Wood)
Independent Members: Ms J Strange, Mr B Russ, Mr M Arman

Officers:

Mr Angelo Catinari (General Manager Urban Services)
Ms Hannah Bateman (Manager City Development and Assessment Manager)
Ms Rachel Knuckey (Team Leader Planning)
Mr Brendan Fewster (Development Assessment Consultant)
Ms Sonia Gallarello (Senior Development Officer - Planning)
Ms Amy Morden (Development Officer - Planning)

3 APOLOGIES

Apologies

Panel Member:

Ms Jassmine Wood

Officers:

Mr Terry Buss (Chief Executive Officer)

RECOMMENDATION

That the apologies be received.

COUNCIL ASSESSMENT PANEL DECISION

Moved: M Arman

Seconded: J Strange

That the recommendation be adopted.

CARRIED

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 13 October 2020 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: B Russ
Seconded: M Arman

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 48-50 Davenport Terrace, RICHMOND

Application No 211/356/2016/A

Appearing before the Panel were:

Representors: **S Pilkington** of 1/42 Milner Road, Hilton did not appear in support of the representation
J D Burgess of 40A Milner Road, Hilton did not appear in support of the representation
F Petrone on behalf of N I Dolenc, F A Chapman-Petrone and themselves of PO Box 234, Willunga appeared in support of the representations
K Kapali of 6/42 Milner Road, Hilton did not appear in support of the representation
I Price of 2/42 Milner Road, Hilton did not appear in support of the representation
J W Box of PO Box 2134, Hilton appeared in support of the representation
S Dabrowski of C/- Heynen Planning Consultants did not appear in support of the representation
G R Box of C/- Adcorp Property Group appeared via telephone in support of the representation
H T I Matta of 4/65 Kintore Street, Mile End did not appear in support of the representation
S Clifton of 3/42 Milner Road Hilton did not appear in support of the representation
C Prior of 54 Davenport Terrace, Richmond appeared in support of the representation

Applicant **David Hutchison** of Access Planning appeared in response to the representations

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/356/2016/A by Adelaide Workers Homes Inc for variation to Development Application 211/356/2016 - Increase Group 'C' building from 3 storeys to 5 storeys containing a total of 98 dwellings (38 additional dwellings) at 48-50 Davenport Terrace, Richmond (CT 5827/897, 5801/271, 5602/680, 5774/255, 5788/493, 5774/257) as the proposed development is significantly at variance to the following provisions of the West Torrens Council Development Plan Consolidated 12 July 2018:

- Residential Zone Objective 2 and 4
Reason: The density of the development is within the high density range and would represent an over-development of the site and will not contribute to the desired character of the zone.
- Residential Zone Principles of Development Control 5 and 6
Reason: The height and scale of the building (5 storeys) would be visually overbearing and detract significantly from the existing and desired character of the locality.
- Medium Density Policy Area 19 Objective 1
Reason: The height and scale of the building (5 storeys) would be visually overbearing and detract significantly from the existing and desired character of the locality.
- Medium Density Policy Area 19 Principles of Development Control 2 and 3
Reason: The height and scale of the building (5 storeys) would exceed the maximum building height of two storeys, would be visually overbearing and detract significantly from the existing and desired character of the locality.
- General Section (Medium and High Rise Development - 3 or More Storeys) Objective 3 and 5
Reason: The height and scale of the development would not adequately respond to its surroundings or have regard for the desired character of the Policy Area.
- General Section (Medium and High Rise Development - 3 or More Storeys) Principle of Development Control 1
Reason: The height and scale of the development would not adequately respond to its surroundings or have regard for the desired character of the Policy Area.
- General Section (Transportation and Access) Principles of Development Control 34 and 44
Reason: Insufficient on-site car parking is to be provided.
- General Section (Waste) Principles of Development Control 5 and 6
Reason: It has not been demonstrated that the development would be provided with appropriate on-site waste management facilities.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.2 9 Speed Avenue, NORTH PLYMPTON

Application No 211/640/2020

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Development Approval for Application No. 211/640/2020 by Blake Horder to undertake the removal of one (1) significant tree - *Eucalyptus Camaldulensis* (River Red Gum) at 9 Speed Avenue, North Plympton (CT 5922/813) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 21 May 2020:

- General Section, Significant Trees Objective 1.
Reason: The trees provide important aesthetic and environmental benefits.
- General Section, Significant Trees Objective 2.
Reason: The trees are not preventing appropriate development on the site.
- General Section, Significant Trees PDC 1(a), (c), (e) & (f).
Reason: The trees make an important contribution to the character and amenity of the local area, provide an important habitat for native fauna, are important to the maintenance of biodiversity in the local environment and form notable visual elements to the landscape of the local area.
- General Section, Significant Trees PDC 3(a), (b), (c), (d) & (e).
Reason: The trees are not diseased, their life expectancy is not short, they do not represent an unacceptable risk to public or private safety, they are not currently causing or threatening to cause substantial damage to a substantial building or structure of value, they are not preventing appropriate development on the site and reasonable alternative remediation options are available.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.3 54 St Andrews Crescent, NOVAR GARDENS

Application No 211/742/2020

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/742/2020 by M Yao to undertake Land division - Torrens Title; SCAP No. 211/D084/20; Create one (1) additional allotment at 54 St Andrews Crescent, Novar Gardens (CT 5587/334) subject to the following conditions of consent:

**Development Plan Consent Conditions:
Council Requirements**

1. The development must be undertaken, completed and maintained in accordance with the land division plan prepared by Pinksterboer Property Conveyancing & Development Consultants detailed in this Application except where varied by any conditions listed below.

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.

**Land Division Consent Conditions
Council Requirements**

Nil

State Commission Assessment Panel Requirements

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Reason: To satisfy the requirements of the South Australian Water Corporation.

3. Payment of \$7761 into the Planning and Development Fund (1 allotment(s) @ \$7761/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

8.1 Summary of SCAP and ERD Court Matters - October 2020

This report presents information in relation to:

1. any planning appeals before the Environment, Resources and Development (ERD) Court;
2. any matters being determined by the State Commission Assessment Panel (SCAP);
3. any matters determined by the Minister of Planning (Section 49);
4. any matters determined by the Governor of South Australia (Section 46); and
5. any deferred items previously considered by the Council Assessment Panel.

RECOMMENDATION

The Council Assessment Panel receive and note the information.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

9 OTHER BUSINESS

Nil

10 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.32pm.