

CITY OF WEST TORRENS



MINUTES
of the
COUNCIL ASSESSMENT PANEL

held via electronic platform only

on

TUESDAY, 8 SEPTEMBER 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 taken as read.

1.2 Electronic Platform Meeting

The Presiding Member advised the Assessment Manager had changed the meeting to an electronic meeting due to Panel Member availability.

The Presiding Member explained the housekeeping matters for the online Zoom platform.

2 PRESENT

Panel Members:

Presiding Member: Ms C Dunn
Council Member: Ms J 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)
Ms Amy Morden (Development Officer - Planning)
Mr Brendan Fewster (Development Assessment Consultant)
Ms Sonia Gallarello (Senior Development Officer - Planning)

All presented, including the public gallery, were in attendance via the online platform.

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 11 August 2020 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange
Seconded: B Russ

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 12-20 Arthur Lemon Avenue, UNDERDALE

Application No 211/456/2020

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 for Application No. 211/456/2020 by Nazareth Catholic Community to undertake a change of use to education establishment (secondary school), additions and alterations to existing building, new storage shed and associated car parking and landscaping at 12-20 Arthur Lemon Avenue, Underdale (CT5948/226) subject to the following reserved matters and conditions of consent:

Reserved Matters:

The following information shall be submitted for further assessment and approval by the City of West Torrens as reserved matters under Section 33(3) of the *Development Act 1993*:

1. Final landscaping details for the development site that include a schedule of plant species. The proposed landscaping should be based on the Landscape Concept Plan prepared by Oxigen and designed to achieve the following:
 - Provide shade and visually soften of the existing building and car parking areas;
 - Crime Prevention Through Environmental Design (CPTED) principles should be adopted;
 - Include low allergen plant species;
 - Include deep soil zones for tall trees; and
 - Minimise heat loads.
2. A detailed stormwater management design that includes:
 - Harvesting and re-use of stormwater runoff from the control building and impervious surfaces that is to be designed by a suitably qualified stormwater/civil engineer to demonstrate the most economical and sustainable solution for the development; and
 - Stormwater quality improvement measures that are demonstrated to satisfy the State Government Water-Sensitive Urban Design policy guidelines.

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
 - Site Plan (Drawing No. DA00-A dated 28/07/20) prepared by Russell & Yelland Architects;

- Elevation Plan (Drawing No. DA10 dated 03/06/20) prepared by Russell & Yelland Architects;
- Lighting Plan (Drawing No. C016-E-SK01 dated 27/07/20) prepared by Seacon Consulting Engineers and light specifications;
- Landscape Concept Plan (Project No. 16.027 dated 03/06/20) prepared by Oxigen Pty Ltd;
- Letter prepared by URPS dated 03/08/20;
- Letter prepared by MFY dated 03/08/20;
- Pedestrian Management Plan prepared by Nazareth Catholic Community;
- Planning Report prepared by URPS dated 05/06/20;
- Traffic and Parking Report prepared by MFY dated 03/06/20;
- Stormwater Drainage Plan prepared by Wallbridge Gilbert Aztec dated 03/06/20; and
- Site Contamination Review prepared by Golder Associates 29/05/20.

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

2. All materials, refuse and goods shall at all times be loaded and unloaded within the confines of the subject land.

Reason: To ensure traffic safety and to maintain the amenity of the locality.

3. All driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving and be properly drained prior to occupation of the development, and shall be maintained in reasonable condition at all times to the satisfaction of Council.

Reason: To ensure safe and convenient vehicle access and to suppress dust.

4. All car parking areas shall be marked in a distinctive fashion to delineate the parking spaces, prior to the occupation of the development.

Reason: To ensure usable and safe car parking.

5. The proposed car parking layout and access areas and vehicle head clearances shall conform to Australian Standard AS 2890.1:2004- Off-street Car parking and Australian Standard 2890.6:2009 - Off-Street Parking for People with Disabilities.

Reason: To provide adequate, safe and efficient off-street parking for users of the development.

6. Driveway, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage or display of materials or goods.

Reason: To ensure the development proceeds in an orderly manner.

7. No more than 16 student vehicles shall be parked on the site at any one time, with the parking of student vehicles to be controlled via a school permit system.

Reason: To ensure adequate on-site car parking is available and to maintain the amenity of the locality.

8. Car Park 2 as identified on the approved plans shall be designated for staff and disabled users only and sign-posted at the entrance to the car park and line-marked accordingly.

Reason: To maintain traffic safety on the adjacent road network.

9. Car parking spaces 21 to 42 on the southern side of Car Park 1 as identified on the approved plans shall be designated for staff only and sign-posted and line-marked accordingly.

Reason: To ensure adequate on-site car parking is available and to maintain traffic safety on the adjacent road network.

10. Waste collection and the delivery of goods shall take place between the following times:

- 6.30am to 7.30am Monday to Friday;
- 5.00pm to 9.00pm Monday to Friday; and
- 8.00am and 7.00pm on Saturday.

Reason: To ensure traffic safety and to maintain the amenity of the locality.

11. All solid waste shall be stored in bins/containers having a close fitting lid. The bins/containers shall be stored within the bin enclosure area that is identified on the approved plans. Collection of waste shall be carried out at least once a week by a private contractor and within the approved collection hours (refer to condition 10).

Reason: To ensure minimal disturbance to surrounding properties and to maintain the amenity of the locality.

12. All landscaping shall be planted in accordance with the approved plans prior to the occupation of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.

13. No more than 400 students and 30 staff shall occupy the development at any one time.

Reason: To ensure adequate on-site car parking is available and to maintain the amenity of the locality

14. Teaching classes or after school care (OSHC) shall not take place after 6.00pm on Monday to Friday or any time on weekends.

Reason: To maintain the amenity of the locality.

15. Floodlighting within car park and around the buildings shall be restricted to that necessary for access and security purposes only and be directed and shielded in such a manner as to cause no light overspill nuisance of nearby properties.

Reason: To maintain visual amenity and public safety in the locality.

Notes:

1. Permission to construct the proposed structure(s) on or over a Council stormwater easement is granted on the express understanding of the following requirements;
 - Removal of the structure may be required in the event of Council (or its agents) having to access the easement or infrastructure within for maintenance, inspection, repair, replacement etc. The responsibility for the removal and replacement of the structure and any associated costs are to be borne by the property owner. Should Council (or its agents) be required to remove the structure than any cost associated with this may be recovered from the property owner and no responsibility will be borne by Council (or its agents) for any damage to the structure;
 - The exact depth of the installed infrastructure is not accurately known and as such excavations for the footings of the structure must be undertaken with care and undertaken utilising non mechanical techniques. Upon completion of the excavation of the footing(s) within the easement Council's City Assets Department (8416 6333) must be notified to enable inspection of the excavation to demonstrate there has been no interference with or damage of the stormwater infrastructure. Should this notification and inspection not be undertaken, Council may request a remote CCTV (Closed Circuit Television) inspection to be undertaken of this section of the stormwater system to demonstrate that no damage has occurred to the Council infrastructure. Any such inspection would be at the expense of (or would be recovered from) the property owner; and
 - Any damage to the existing Council stormwater infrastructure resultant from the proposed structure being located within the easement is to be rectified and repaired in a manner and to a standard acceptable to Council. Any costs associated with such works are at the expense (or would be recovered) from the property owner.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.2 535-537 South Road, ASHFORD

Application No DA211/505/2020

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 for Application No. 211/505/2020 by M Goggin to remove existing roof sign and construction of two freestanding signs - each 1.2m x 2.4m and 3.3m (in height) (Non-Complying) at 535-537 South Road, Ashford (CT 5730/990; 5839/769; 5803/445) and the following conditions of consent:

Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in this Application except where varied by any condition(s) listed below:
 - plans by Sign Lab including site plan, elevations and image of signs;
 - statement of support.

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

2. The advertising signage shall not be internally or externally illuminated at any time without the prior approval of Council.

Reason: To reduce unnecessary distraction to motorists and assist in preserving the amenity of the adjoining dwellings.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.3 504 Henley Beach Road, FULHAM

Application No 211/245/2020

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 for Application No. 211/245/2020 by Jennifer Frisby Smith for construction of a store in association with existing office and consulting rooms at 504 Henley Beach Road, FULHAM (CT 5324/360) subject to the following conditions of consent:

Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:

- Site Plan, by Quadrant Drafting, Issue Date 22/02/2018
- Landscaping Plan, prepared by Jennifer Frisby-Smith, Received 14 August 2020
- Car Park Alteration/ Store Access Plan, prepared by Jennifer Frisby-Smith, Received 14 August 2020
- Floor Plan, by Stratco, Design Number SQ197565, Dated 18/12/2019
- Elevation Plans, by Stratco, Design Number SQ197565, Dated 18/12/2019
- Planning Statement, prepared by Jennifer Frisby-Smith, Dated 30 March 2020

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

2. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or

- d) Flow or discharge onto the land of an adjoining owner; or
- e) Flow across footpaths or public ways.

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.

3. All re-planting and landscaping shall be established within three (3) months of completion of construction or the next available planting season. All plantings shall be maintained in good health at all times. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall promptly replace any landscaping which may become diseased or die, with the same or like species/variety.

Reason: To enhance the amenity of the site and locality.

4. Alterations to the north eastern car park to facilitate access to the store shall be undertaken in a professional manner to the satisfaction of Council. This includes installation of the concrete driveway, removal of the concrete wheel stop, and re-painting of the wheel stop on the parking space.

Reason: To ensure the car park and access to the store remains orderly.

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 CAP Summary of SCAP and ERD Court Matters - September 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 5.41pm.