

CITY OF WEST TORRENS



MINUTES

of the

SPECIAL COUNCIL ASSESSMENT PANEL

held via electronic platform only

on

WEDNESDAY, 16 DECEMBER 2020
at 5.00pm

Hannah Bateman
Assessment Manager

Index

| | | |
|-----------|---|----------|
| 1 | Meeting Opened | 1 |
| | 1.1 Electronic Platform Meeting | |
| 2 | Present | 1 |
| 3 | Apologies | 1 |
| 4 | Confirmation of Minutes | 1 |
| 5 | Disclosure Statements | 1 |
| 6 | Reports of the Assessment Manager | 2 |
| | 6.1 40 Daly Street, KURRALTA PARK..... | 2 |
| 7 | Confidential Reports of the Assessment Manager | 8 |
| | Nil | |
| 8 | Summary of Court Appeals | 8 |
| | Nil | |
| 9 | Other Business | 8 |
| 10 | Meeting Close | 8 |

1 MEETING OPENED

The Presiding Member declared the meeting open at 5.04pm.

1.1 Electronic Platform Meeting

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:

Ms Hannah Bateman (Manager City Development and Assessment Manager)
Ms Rachel Knuckey (Team Leader Planning)
Mr Brendan Fewster (Development Assessment Consultant)

All present, 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 8 December 2020 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: B Russ
Seconded: J Strange

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 40 Daly Street, KURRALTA PARK

Application No 211/666/2019

Appearing before the Panel were:

Representor: **Linda Cunningham** of 55A Gray Street, Plympton appeared via online platform in support of the representation.

Applicant: **Mick Lamarca** of Rise Property Group appeared via online platform in response to the representation.

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 and Land Division Consent for Application No. 211/666/2019 by M F Lamarca to undertake a Combined Application: Land division - Community Title; SCAP No. 211/C071/19; Create four (4) additional allotments and common property; and construction of one (1) two-storey residential flat building containing five (5) dwellings, freestanding carports and landscaping - Affordable Housing Development at 40 Daly Street, KURRALTA PARK (CT5441/223) subject to the following reserved matters and conditions of consent:

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. Amended plans showing the removal of the visitor car parking space between Dwelling 1 and the street boundary to allow for the provision of additional landscaping to enhance the street appearance of the development.
2. A detailed landscaping plan that includes a suitable mix of plant species along the street frontage, common driveway, private open space areas and around the curtilage of the building to soften the built form and paved areas and to assist in minimizing heat loads.
3. A final stormwater management plan and associated computations for the development. The stormwater management system shall include:
 - a. Detailed design levels demonstrating that the stormwater system is able to discharge runoff to the street water table; and
 - b. A final civil plan prepared by a suitably qualified engineer that appropriately shows finished design levels.

Pursuant to Section 42(1) of the *Development Act 1993*, the Council reserves its decision on the form and substance of any further conditions of Development Plan Consent that it considers appropriate to impose in respect of the reserved matters outlined above.

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:
 - Plan of Division prepared for Rise Property Group, Drawing No. 1 of 15, Rev. PD-I dated 12 October 2020
 - Proposed Lower Site Plan prepared for Rise Property Group, Drawing No. 2 of 15, Rev. PD-I
 - Proposed Lower Site Plan prepared for Rise Property Group, Drawing No. 2A of 15, Rev. PD-I
 - Proposed Upper Site Plan prepared for Rise Property Group, Drawing No. 3 of 15, Rev. PD-I
 - Landscape Plan prepared for Rise Property Group, Drawing No. 4 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 1 prepared for Rise Property Group, Drawing No. 5 of 15, Rev. PD-I
 - Proposed Elevations - Lot 1 prepared for Rise Property Group, Drawing No. 6 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 2 & 4 prepared for Rise Property Group, Drawing No. 7 of 15, Rev. PD-I
 - Proposed Elevations - Lot 2 & 4 prepared for Rise Property Group, Drawing No. 8 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 3 prepared for Rise Property Group, Drawing No. 9 of 15, Rev. PD-I
 - Proposed Elevations - Lot 3 prepared for Rise Property Group, Drawing No. 10 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 5 prepared for Rise Property Group, Drawing No. 11 of 15, Rev. PD-I
 - Proposed Elevations - Lot 5 prepared for Rise Property Group, Drawing No. 12 of 15, Rev. PD-I
 - Proposed Carport prepared for Rise Property Group, Drawing No. 13 of 15, Rev. PD-I
 - Streetscape Elevations prepared for Rise Property Group, Drawing No. 14 of 15, Rev. PD-I
 - Side Elevations prepared for Rise Property Group, Drawing No. 15 of 15, Rev. PD-I
 - Stormwater Management Plan (mark-up) prepared for Rise Property Group
 - 9.00am Shadow Diagram prepared for Rise Property Group
 - 12.00pm Shadow Diagram prepared for Rise Property Group
 - 3.00pm Shadow Diagram prepared for Rise Property Group
 - Survey Plan prepared by RCI Consulting Engineers, Sheet 1 of 1 dated 26 July 2019
2. All stormwater design and construction will 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 will 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 driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, 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 landscaping shall be planted in accordance with the approved plans within three (3) months of the occupancy of the development or the next available planting season. 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

5. The front and rear upper storey windows of all dwellings (except for the east-facing windows of Dwelling 1) shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained to the satisfaction of Council at all times.

Reason: To maintain the privacy of neighbouring residents

6. No aboveground structures, such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.

Reason: To ensure safe and convenient vehicle access

7. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

Reason: To minimise odour and to maintain the amenity of neighbouring properties

Land Division Consent Conditions

SCAP Requirements

8. The financial requirements of the SA Water Corporation 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.

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

9. Payment of \$29 012.00 into the Planning and Development fund (4 Allotments @ \$7253.00/lot). 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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.

10. 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.

Notes

The existing *Acer buergerianum* (Trident Maple) street tree has been assessed and considered acceptable to be removed by Council's Arborist. A fee for the removal of the street tree will be determined based on Council's standard schedule of fees and charges once a formal application has been submitted to Council. The removal of the other street tree is not supported.

COUNCIL ASSESSMENT PANEL DECISION

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 and Land Division Consent for Application No. 211/666/2019 by M F Lamarca to undertake a Combined Application: Land division - Community Title; SCAP No. 211/C071/19; Create four (4) additional allotments and common property; and construction of one (1) two-storey residential flat building containing five (5) dwellings, freestanding carports and landscaping - Affordable Housing Development at 40 Daly Street, KURRALTA PARK (CT5441/223) subject to the following reserved matters and conditions of consent:

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. Amended plans showing the removal of the visitor car parking space between Dwelling 1 and the street boundary to allow for the provision of additional landscaping to enhance the street appearance of the development.
2. A detailed landscaping plan that includes a suitable mix of plant species along the street frontage, common driveway, private open space areas and around the curtilage of the building to soften the built form and paved areas and to assist in minimizing heat loads.
3. A final stormwater management plan and associated computations for the development. The stormwater management system shall include:
 - a. Detailed design levels demonstrating that the stormwater system is able to discharge runoff to the street water table; and
 - b. A final civil plan prepared by a suitably qualified engineer that appropriately shows finished design levels.

Pursuant to Section 42(1) of the *Development Act 1993*, the Council reserves its decision on the form and substance of any further conditions of Development Plan Consent that it considers appropriate to impose in respect of the reserved matters outlined above.

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:
 - Plan of Division prepared for Rise Property Group, Drawing No. 1 of 15, Rev. PD-I dated 12 October 2020

- Proposed Lower Site Plan prepared for Rise Property Group, Drawing No. 2 of 15, Rev. PD-I
 - Proposed Lower Site Plan prepared for Rise Property Group, Drawing No. 2A of 15, Rev. PD-I
 - Proposed Upper Site Plan prepared for Rise Property Group, Drawing No. 3 of 15, Rev. PD-I
 - Landscape Plan prepared for Rise Property Group, Drawing No. 4 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 1 prepared for Rise Property Group, Drawing No. 5 of 15, Rev. PD-I
 - Proposed Elevations - Lot 1 prepared for Rise Property Group, Drawing No. 6 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 2 & 4 prepared for Rise Property Group, Drawing No. 7 of 15, Rev. PD-I
 - Proposed Elevations - Lot 2 & 4 prepared for Rise Property Group, Drawing No. 8 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 3 prepared for Rise Property Group, Drawing No. 9 of 15, Rev. PD-I
 - Proposed Elevations - Lot 3 prepared for Rise Property Group, Drawing No. 10 of 15, Rev. PD-I
 - Proposed Floor Plan - Lot 5 prepared for Rise Property Group, Drawing No. 11 of 15, Rev. PD-I
 - Proposed Elevations - Lot 5 prepared for Rise Property Group, Drawing No. 12 of 15, Rev. PD-I
 - Proposed Carport prepared for Rise Property Group, Drawing No. 13 of 15, Rev. PD-I
 - Streetscape Elevations prepared for Rise Property Group, Drawing No. 14 of 15, Rev. PD-I
 - Side Elevations prepared for Rise Property Group, Drawing No. 15 of 15, Rev. PD-I
 - Stormwater Management Plan (mark-up) prepared for Rise Property Group
 - 9.00am Shadow Diagram prepared for Rise Property Group
 - 12.00pm Shadow Diagram prepared for Rise Property Group
 - 3.00pm Shadow Diagram prepared for Rise Property Group
 - Survey Plan prepared by RCI Consulting Engineers, Sheet 1 of 1 dated 26 July 2019
2. All stormwater design and construction will 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 will 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 driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, 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 landscaping shall be planted in accordance with the approved plans within three (3) months of the occupancy of the development or the next available planting season. A suitable irrigation system shall be provided for the landscaping, with the irrigation to remain functional at all times. 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

5. The front and rear upper storey windows of all dwellings (except for the east-facing windows of Dwelling 1) shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained to the satisfaction of Council at all times.

Reason: To maintain the privacy of neighbouring residents

6. No aboveground structures, such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.

Reason: To ensure safe and convenient vehicle access

7. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

Reason: To minimise odour and to maintain the amenity of neighbouring properties

Land Division Consent Conditions

SCAP Requirements

8. The financial requirements of the SA Water Corporation 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.

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

9. Payment of \$29 012.00 into the Planning and Development fund (4 Allotments @ \$7253.00/lot). 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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.

10. 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.

Notes

The existing *Acer buergerianum* (Trident Maple) street tree has been assessed and considered acceptable to be removed by Council's Arborist. A fee for the removal of the street tree will be determined based on Council's standard schedule of fees and charges once a formal application has been submitted to Council. The removal of the other street tree is not supported.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

Nil

9 OTHER BUSINESS

The Presiding Member wished everyone a Merry Christmas.

10 MEETING CLOSE

The Presiding Member declared the meeting closed at 5.50pm.