

CITY OF WEST TORRENS



MINUTES

of the

SPECIAL COUNCIL ASSESSMENT PANEL

held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

Public livestream link was provided on the City of West Torrens website

on

FRIDAY, 25 MARCH 2022
at 5.30pm

Hannah Bateman
Assessment Manager

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.30pm.

1.1 Acknowledgement of Country

The Acknowledgement of Country was read by the Presiding Member.

1.2 Evacuation Procedure

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

1.3 Electronic Platform Meeting

The Presiding Member advised the meeting was being livestreamed via a Zoom public link available on the City of West Torrens website.

2 PRESENT

Panel Members:

Presiding Member: Ms S Ditter
Council Member: Mr G Nitschke
Independent Members: Ms J Strange, Mr M Arman, Mr K Corolis

Mr Corolis appeared via electronic platform.

Officers:

Ms Hannah Bateman (Manager City Development and Assessment Manager)
Ms Rachel Knuckey (Team Leader Planning)
Mr Brett Mickan (Development Technician, Minute Taker)

Ms Knuckey appeared via electronic platform.

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 8 March 2022 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange
Seconded: M Arman

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 Transitional Applications

6.1.1 381-385 Anzac Highway, CAMDEN PARK

Application No 211/1097/2019

Appearing before the Panel were:

Representors: **David Middlin** of 10 Creslin Terrace, Camden Park appeared in support of the representation.

Jim Feng of 387A, 387B, 387C and 387D Anzac Highway, Camden Park appeared in support of the representation via telephone.

Applicant: **Fabian Barone** of **Future Urban** on behalf of the applicant 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 *Planning, Development and Infrastructure Act 2016* resolves to GRANT Development Plan Consent for Application No. 211/1097 /2019 by LUXEHAUS to undertake Stage 1 - demolition of existing buildings and construction of six (6) two-storey group dwellings (townhouses) and associated landscaping and fencing; Stage 2 - construction of a four-storey residential flat building (apartment building) containing 18 dwellings, 27 ground-level car parking spaces and associated landscaping and fencing at 381-385 Anzac Highway, Camden Park (CT5798/197, CT6095/267, CT4250/162, CT2021/51) subject to the following conditions of consent and reserved matters:

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. An updated, detailed landscaping plan consistent with the landscaping identified on the Ground Floor Plans (Drawing Numbers 19.02 - P1.1 and 21.11 – P2.2) and specifying all areas of the land to be landscaped, a list of the species to be planted, the height of the species at the time of planting and the estimated mature height of all plants, along with the numbers of plantings within the designated landscaped areas shall be submitted to the satisfaction of Council prior to the granting of Development Approval.
2. Updated plans which identify design solutions to minimise the potential of direct overlooking from the upper level windows and balconies on the northern elevation of the residential flat building to the habitable rooms of the group dwellings to the north shall be submitted to the satisfaction of Council prior to the granting of Development Approval.

3. A Construction Environmental Management Plan that outlines how traffic will be managed during the construction period (for all stages of the development) shall be submitted to the satisfaction of Council prior to the granting of Development Approval.
4. A detailed Stormwater Management Plan shall be provided to the satisfaction of Council prior to the issuing of Development Approval addressing (at minimum) the following:
 - a) Design level information demonstrating that the stormwater system proposed is able to discharge runoff to the street water table.
 - b) Section details of the bio-retention swale.
 - c) Final design and connection of detention tanks for the apartment building including outlining the reuse of water, whether it will include retention, how many dwellings it will be connected to and whether the retention capacity meets the supply/demand.
 - d) An updated civil plan, if necessary reflecting required changes.

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:
 - Camden Park Multi-Res Drawings Title Page, Locality Details and Site & Staging Plan prepared by Capsule Projects, 19.02 - P0.1 - P0.3 Revision D dated 18.02.2022
 - Camden Park Multi-Res Drawings Title Page, Ground Floor Plan, First Floor & Roof Plan, Elevations North and South, Elevations East and West, Section W.W.Y.Y, Section X.X.Z.Z, Streetscape and Materials Palette, Shadow Analysis - 21st December, Shadow Analysis 21st June prepared by Capsule Projects, 19.02 - P1.1 - P1.10 Revision F dated 18.02.2022
 - Camden Park Multi-Res Drawings Title Page, Ground Floor Plan, First & Second Floor Plan, Third Floor & Roof Plans, South & East Elevations, East and West Elevations, Section X.X & Y.Y, Material Palette & Streetscape, Shadow Analysis - 21st December, Shadow Analysis 21st June prepared by Capsule Projects, 19.02 - P2.1 - P2.10 Revision F dated 31.01.2022
 - Civil Plan prepared by TMK, Drawing no. 1907191-C1/PC, dated 14.08.19.
 - Landscape Concept Plan, Apartment Elevations and Townhouse Elevations prepared by Jensen Plus, Revision C, P2719, dated August 2019
 - Traffic and Parking Impact Assessment with Car Park Certification prepared by Auswide Consulting, Revision 1.4, dated September 2021.
 - Letter from Veolia regarding waste management, dated 07.02.2022
 - Letter from Cirqa regarding Car Parking Provisions, reference 22082/BNW, dated 28.02.2022
 - Stormwater Calculations including attachments prepared by TMK, job number 1907191, dated 01/02/2022

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

2. No direct pedestrian access from the broader site or the individual group dwellings shall be provided to the Westside Bikeway to the north-east of the subject land.

3. The maximum size of service vehicles accessing the site, including the refuse collection vehicle, shall be limited to a Light Rigid Vehicle.

Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.

4. The waste enclosure area and disposal facilities shall be installed and made operative to the satisfaction of Council prior to occupation of the development. All waste and rubbish shall be stored in covered containers prior to removal and shall be screened from public view.

The collection of waste from the site shall occur only between the hours of:

Monday to Saturday	7am - 7pm
Sunday and Public Holidays	9am - 7pm

Reason: To ensure the amenity of surrounding uses is maintained.

5. Air conditioning or air extraction plant or ducting shall be sited and acoustically screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of Council.

Reason: To ensure mechanical equipment does not cause unreasonable nuisance or loss of amenity in the locality.

6. All planting and landscaping shall incorporate an appropriate irrigation system and shall be completed within three (3) months of the commencement of the use of this development or the next planting season and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.

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

7. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council 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 insanitary 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.

8. All stormwater management measures for the development approved herein, including harvest tanks and supply mechanisms shall be installed and operational prior to the occupation of the development.

Reason: To ensure that adequate provision is made for the management of stormwater.

9. The rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

10. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

11. Stormwater runoff from hard surfaced areas shall be directed to a stormwater treatment system or device to ensure that all debris, litter, sediment, fuels and oil products are removed prior to any controlled release to Council's stormwater system.

Reason: To ensure adequate protection to Council's stormwater system.

12. No aboveground structure(s) such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.

Reason: To ensure that the common driveway is kept clear of obstructions.

13. All driveways, parking and manoeuvring areas shall 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.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

14. No solid wall is to be constructed between the vehicle car parking and the bicycle parking area in the apartment building.

Reason: To provide safe parking and manoeuvring areas for users of the development.

15. Waste collection shall be carried out in accordance with the Waste Management Plan prepared by Auswide Consulting dated August 2021. All solid waste shall be stored in bins having a close fitting lid. The bins shall be stored within the designated bin storage areas identified on the approved plans.

Reason: To ensure residence are provided with waste management facilities and to maintain the amenity of the locality.

Conditions imposed upon advice of the Department for Infrastructure & Transport

16. All vehicular access shall be gained as shown on Capsule Projects, Ground Floor Plan, Drawing No. 21.11 – P2.2, Revision F dated 31 January 2022, the Traffic & Parking Impact Assessment by Auswide (Revision 1.4, dated September 2021) and Waste Management Plan by Auswide (Revision 1.2, dated August 2021).

17. The waste collection area for Stage 2 shall be located clear of the ingress location so as not to result in vehicles queuing back onto Anzac Highway.
18. The access points and internal loop road shall be suitably signed, and line marked to reinforce the one-way traffic flow through the site.
19. All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
20. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018
21. All redundant crossover/s to Anzac Highway shall be removed and reinstated to standard kerb and gutter at the applicant's cost prior to the dwellings becoming habitable.

COUNCIL ASSESSMENT PANEL DECISION

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land resolves to GRANT Development Plan Consent for Application No. 211/1097 /2019 by LUXEHAUS to undertake Stage 1 - demolition of existing buildings and construction of six (6) two-storey group dwellings (townhouses) and associated landscaping and fencing; Stage 2 - construction of a four-storey residential flat building (apartment building) containing 18 dwellings, 27 ground-level car parking spaces and associated landscaping and fencing at 381-385 Anzac Highway, Camden Park (CT5798/197, CT6095/267, CT4250/162, CT2021/51) subject to the following conditions of consent and reserved matters:

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. An updated, detailed landscaping plan consistent with the landscaping identified on the Ground Floor Plans (Drawing Numbers 19.02 - P1.1 and 21.11 – P2.2) and specifying all areas of the land to be landscaped, a list of the species to be planted, the height of the species at the time of planting and the estimated mature height of all plants, along with the numbers of plantings within the designated landscaped areas and fencing height, materials and location details for the entire site shall be submitted to the satisfaction of Council prior to the granting of Development Approval. The plant species detailed on the landscape plan shall be suitable to the amount of sun/shade available through the year in their intended location.
2. Updated plans which identify design solutions to minimise the potential of direct overlooking from the upper level windows and balconies on the northern elevation of the residential flat building to the habitable rooms of the group dwellings to the north shall be submitted to the satisfaction of Council prior to the granting of Development Approval.

3. A Construction Environmental Management Plan that outlines how traffic will be managed during the construction period (for all stages of the development), how Stage 2 will be undertaken without detrimentally affecting the occupants of Stage 1 (including consideration of day to day access issues, delivery and concrete pour serviceability, overhead protection during construction works, scaffold impeding on driveways) and how Stage 2 will be constructed to ensure the tree root zone of the mature street trees are not impacted, (including the identification of a tree protection zone) shall be submitted to the satisfaction of Council prior to the granting of Development Approval.
4. A detailed Stormwater Management Plan shall be provided to the satisfaction of Council prior to the issuing of Development Approval addressing (at minimum) the following:
 - a) Design level information demonstrating that the stormwater system proposed is able to discharge runoff to the street water table.
 - b) Section details of the bio-retention swale.
 - c) Final design and connection of detention tanks for the apartment building including outlining the reuse of water, whether it will include retention, how many dwellings it will be connected to and whether the retention capacity meets the supply/demand.
 - d) An updated civil plan, if necessary reflecting required changes.

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

2. The maximum size of service vehicles accessing the site, including the refuse collection vehicle, shall be limited to a Light Rigid Vehicle.

Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.

3. The waste enclosure area and disposal facilities shall be installed and made operative to the satisfaction of Council prior to occupation of the development. All waste and rubbish shall be stored in covered containers prior to removal and shall be screened from public view.

The collection of waste from the site shall occur only between the hours of:

Monday to Saturday	7am - 7pm
Sunday and Public Holidays	9am - 7pm

Reason: To ensure the amenity of surrounding uses is maintained.

4. Air conditioning or air extraction plant or ducting shall be sited and acoustically screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of Council.

Reason: To ensure mechanical equipment does not cause unreasonable nuisance or loss of amenity in the locality.

5. All planting and landscaping shall incorporate an appropriate irrigation system and shall be completed prior to the occupation of the dwellings in each stage. Such plantings and landscaping must be maintained in reasonable condition at all times and any plants that become diseased or die will be replaced with a suitable species.

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

6. The communal open space and the visitor car parks are required to be constructed prior to the completion of the Stage 1 dwellings.

Reason: To enhance the amenity of the site for the residents of Stage 1.

7. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council 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 insanitary 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.

8. All stormwater management measures for the development approved herein, including harvest tanks and supply mechanisms shall be installed and operational prior to the occupation of the development.

Reason: To ensure that adequate provision is made for the management of stormwater.

9. The rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

10. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

11. Stormwater runoff from hard surfaced areas shall be directed to a stormwater treatment system or device to ensure that all debris, litter, sediment, fuels and oil products are removed prior to any controlled release to Council's stormwater system.

Reason: To ensure adequate protection to Council's stormwater system.

12. No aboveground structure(s) such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.

Reason: To ensure that the common driveway is kept clear of obstructions.

13. All driveways, parking and manoeuvring areas shall 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.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

14. No solid wall is to be constructed between the vehicle car parking and the bicycle parking area in the apartment building.

Reason: To provide safe parking and manoeuvring areas for users of the development.

15. Waste collection shall be carried out in accordance with the Waste Management Plan prepared by Auswide Consulting dated August 2021. All solid waste shall be stored in bins having a close fitting lid. The bins shall be stored within the designated bin storage areas identified on the approved plans.

Reason: To ensure residence are provided with waste management facilities and to maintain the amenity of the locality.

16. Any trenching activity undertaken within the Tree Protection Zone of the street trees shall be undertaken with a hydrovac.

Reason: To protect the health of the street trees.

17. That any driveways, parking and manoeuvring areas and footpaths shall be lit in accordance with Australian Standard AS 1158 during the hours of darkness that they are in use. Such lights shall be directed and screened so that overspill of light into nearby premises is avoided and minimal on passing motorists occurs.

Reason: To ensure the safety of pedestrians and drivers at night and the amenity of neighbours is not impacted.

Conditions imposed upon advice of the Department for Infrastructure & Transport

18. All vehicular access shall be gained as shown on Capsule Projects, Ground Floor Plan, Drawing No. 21.11 – P2.2, Revision F dated 31 January 2022, the Traffic & Parking Impact Assessment by Auswide (Revision 1.4, dated September 2021) and Waste Management Plan by Auswide (Revision 1.2, dated August 2021).
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20. The access points and internal loop road shall be suitably signed, and line marked to reinforce the one-way traffic flow through the site.
21. All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
22. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018
23. All redundant crossover/s to Anzac Highway shall be removed and reinstated to standard kerb and gutter at the applicant's cost prior to the dwellings becoming habitable.

Advisory Notes

1. Direct pedestrian access from the subject site to the Westside Bikeway to the north-east of the subject land has not been approved as part of this development application. A separate request for direct access from private land to a reserve (such as Westside Bikeway) may be made to Council for its consideration. Requests will be considered on a case by case basis on merit. Please contact the City Property department for further information.
2. Any and all pruning to Council street trees will be undertaken by Council's Arborists only and to an extent deemed acceptable by Council. Please contact Council's City Operations department for further information.

6.2 PDI Act Applications

Nil

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

9 RELEVANT AUTHORITY ACTIVITIES REPORT

Nil

10 OTHER BUSINESS

10.1 Planning Policy Considerations

Nil

11 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.16pm.