

CITY OF WEST TORRENS



MINUTES

of the

COUNCIL ASSESSMENT PANEL

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

on

TUESDAY, 11 JULY 2023
at 5.00pm

Nicholas Timotheou
Assessment Manager (Acting)

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.00pm.

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.

2 PRESENT

Panel Members:

| | |
|----------------------------|----------------------------|
| Presiding Member: | Mr Ted Byrt |
| Council Member: | Mr G Nitschke |
| Independent Members: | Mr D Donaldson, Mr G Burns |
| Deputy Independent Member: | Mr D Brown |

Officers:

| | |
|-----------------------|---|
| Mr Angelo Catinari | (Deputy Chief Executive Officer) |
| Mr Nicholas Timotheou | (Manager City Development and Assessment Manager - Acting) |
| Mr Julien Beauvillier | (Development Officer - Planning) |
| Ms Pat Mosca | (Minute Taker) |
| Mr Brett Mickan | (Minute Taker) |

3 APOLOGIES

Apologies

Panel Member:

Mr Michael Arman

RECOMMENDATION

That the apologies be received.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 13 June 2023 be confirmed as a true and correct record.

CAP Independent Member Michael Arman clarified and sought for the first paragraph to be amended in Item 10.1 - Planning Policy Consideration.

COUNCIL ASSESSMENT PANEL DECISION

Moved: Graham Nitschke

Seconded: Don Donaldson

That the Minutes of the meeting of the Council Assessment Panel held on 13 June 2023 be confirmed as a true and correct record with the exception of the first paragraph under Item 10.1 - Planning Policy Consideration which should be amended to state:

Mr Arman raised whether the panel (and the planning system more generally) would benefit from greater methodological consistency in acoustic advice provided by applicants - to help the panel make consistent decisions around the adequacy of proposed acoustic treatments.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 Transitional Applications

Nil

6.2 PDI Act Applications

6.2.1 183 Holbrooks Rd, UNDERDALE

Application No 22028909

Appearing before the Panel were:

Representors: **Mark Fogliano** of 125A Seaview Road, Tennyson appeared in support of the representation.

Grazia Ferrabetta of Unit 2, 181 Holbrooks Road, Underdale was represented by **Mark Fogliano**.

Giulia Libri of Unit 1, 181 Holbrooks Road, Underdale was represented by **Mark Fogliano**.

Mr Mark Fogliano requested the Presiding Member accept the provision of additional information in support of their appearance before the Panel.

The Presiding Member resolved to accept the additional information of Mr Fogliano which was distributed to the Panel and the Applicant.

Applicant: **Hongbo Zhou** of 5 Bradshaw Avenue, Crafers represented by **David Bailey** appeared in response to the representations.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107 (2)(c) of the *Planning Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code Version 2022.22.
2. Application No. 22028909 by Mr Hongbo Zhou for the construction of a store for the purposes of print storage (CT-6213/83) is GRANTED Planning Consent 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 102(3) of the *Planning, Development and Infrastructure Act 2016*:

1. A detailed Stormwater Management Plan shall be provided to the reasonable satisfaction of the Assessment Manager prior to the issuing of Development Approval addressing (at minimum) the following:
 - o Design level information demonstrating that the stormwater system proposed is able to discharge runoff to the street water table.
 - o Detailed stormwater management plan, with supporting calculation/documentation demonstrating stormwater management for the site to satisfy Council's stormwater detention and quality requirements
2. A revised site plan shall be provided to the reasonable satisfaction of the Assessment Manager prior to the issuing of Development Approval detailing a minimum finished floor level of 100.15, based on the survey information provided on 'Contour & Detail', (SKS Surveys - Reference 587222).

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council reserves its decision on the form and substance of any further conditions of consent that it considers appropriate to impose in respect of the reserved matters outlined above.

Planning 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.
2. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
3. The hours of operation of the premises shall not exceed the following period-
 - 9:00am to 6:00pm, Monday to Friday.
4. All car parking spaces shall be line marked, in accordance with the approved plans and in accordance with AS 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Line marking and directional

- arrows shall be clearly visible at all times.
5. All planting and landscaping shall be completed within three (3) months of occupation or the next available planting season and be maintained in a reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
 6. Prior to the use and/or occupation of the structure(s), all stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details.

COUNCIL ASSESSMENT PANEL DECISION

That:

1. Pursuant to Section 107 (2)(c) of the *Planning Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code Version 2022.22.
2. Application No. 22028909 by Mr Hongbo Zhou for the construction of a store for the purposes of print storage (CT-6213/83) is GRANTED Planning Consent subject to the following reserved matters and conditions of consent:

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 - o Design level information demonstrating that the stormwater system proposed is able to discharge runoff to the street water table.
 - o Detailed stormwater management plan, with supporting calculation/documentation demonstrating stormwater management for the site to satisfy Council's stormwater detention and quality requirements
2. A revised site plan shall be provided to the reasonable satisfaction of the Assessment Manager prior to the issuing of Development Approval detailing a minimum finished floor level of 100.15, based on the survey information provided on 'Contour & Detail', (SKS Surveys - Reference 587222).
3. A revised landscaping plan shall be provided to the reasonable satisfaction of the Assessment Manager prior to the issuing of Development Approval detailing the number, nature and location of proposed landscaping species along the northern and eastern side boundary, together with confirmation of which areas are proposed for conversion from paving to landscaping. The proposed species shall be determined with the intent of minimising leaf litter and debris with a mature height in the order of 3 - 4 metres.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council reserves its decision on the form and substance of any further conditions of consent that it considers appropriate to impose in respect of the reserved matters outlined above.

Planning Consent Conditions:

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5. All planting and landscaping shall be completed within three (3) months of occupation or the next available planting season and be maintained in a reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
6. Prior to the use and/or occupation of the structure(s), all stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details.

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

9 RELEVANT AUTHORITY ACTIVITIES REPORT**9.1 Activities Summary - July 2023**

This report presents information in relation to:

1. Any development appeals before the Environment, Resources and Development (ERD) Court where the Council Assessment Panel (CAP) is the relevant authority;
2. Other appeal matters before the ERD Court of which SCAP and the City of West Torrens Assessment Manger are the relevant authority;
3. Any deferred items previously considered by the CAP;
4. Any matters being determined by the State Commission Assessment Panel (SCAP) or the State Planning Commission (SPC).

RECOMMENDATION

The Council Assessment Panel receive and note the information.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

10 OTHER BUSINESS

10.1 Planning Policy Considerations

The Assessment Manager advised that the Administration are currently reviewing CAP Reports and templates. CAP encouraged to provide input into any changes desired.

10.2 Appointment of Deputy Presiding Member

MOTION

Moved: Don Donaldson

Seconded: Graham Burns

That Michael Arman be appointed as the Deputy Presiding Member of the Council Assessment Panel, pursuant to Section 83(1)(b)(vi) of the *Planning, Development and Infrastructure Act 2016* for the period 1 July 2023 to 30 June 2025.

CARRIED

11 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.07pm.