

**MINUTES
OF THE SPECIAL COUNCIL ASSESSMENT PANEL MEETING OF THE
CITY OF TEA TREE GULLY HELD ON TUESDAY 29 JANUARY 2019
AT 10.00AM IN THE COUNCIL CHAMBERS, 571 MONTAGUE ROAD,
MODBURY**

1. Attendance Record:

1.1 Present

Mr R McBryde	<i>(Independent Member)-(Presiding Member)</i>
Mr P Dungey	<i>(Independent Member)</i>
Mr G Salmon	<i>(Independent Member)</i>
Ms R Gagetti	<i>(Deputy Independent Member)</i>
Mr D Wyld	<i>(Elected Member)</i>

Officers in Attendance

Ms C Neil	Director, Community & Cultural Development
Mr N Grainger	Manager, City Development
Ms C Gill	Team Leader, Planning
Mr C Rodgers-Falk	Administration Officer, Development Assessment

1.2 Apologies

Ms B Merrigan	<i>(Independent Member)</i>
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1.3 Public Gallery - 1 Attendee

1.4 Media - Nil

2. Minutes of Previous Meeting

Moved Cr Wyld, Seconded Mr Dungey

That the Minutes of the Council Assessment Panel Meeting held on 18 December 2018 be confirmed as a true and accurate record of proceedings.

Motion Carried Unanimously (58)

3. Business Arising from Previous Minutes - Nil

4. Reports and Recommendations

4.1 CAP.070/116248/2018 - Change of Land Use (Non-complying) at 750 North East Road, Modbury

Moved Mr Salmon, Seconded Cr Wyld

That pursuant to the authority delegated to the Council Assessment Panel by Council, the Council Assessment Panel:

- A. RESOLVES that the proposed development is not seriously at variance with the policies in the Tea Tree Gully (City) Development Plan.
- B. RESOLVES to GRANT Development Plan Consent subject to the concurrence of the State Commission Assessment Panel to the application by Formula Motor Group to demolish the existing building, erect a 3.0m high fence and to change the use of the land to be used as a service trade premises by displaying and storing vehicles in conjunction with an existing integrated retail motor vehicle outlet (Non-Complying) at 750 North East Road, Modbury, as detailed in Development Application No. 070/116248/2018 subject to the following conditions and advisory notes:
- (1) The development shall be undertaken, completed and maintained in accordance with the—
 - Site and Demolition Plan prepared by Progetto Design, Reference 1604-024, Issue A, Dated 14 January 2019;
 - Proposed Vehicle Display and Storage Plan prepared by Progetto Design, Reference 1604-024, Issue A, Dated 14 January 2019;
 - Statement of Effect entitled “Proposed Alterations to Integrated Retail Motor Vehicle Outlet – Formula Honda” prepared by MasterPlan SA Pty Ltd, dated November 2018; and
 the stamped plan(s) and information as detailed in Application No. 070/116248/2018, except where varied by any condition(s) listed below.
 - (2) The business hours of operation for the development herein approved shall be consistent with the existing integrated motor vehicle retail outlet as follows:

Monday to Wednesday and Friday:	7.30am to 6:00pm
Thursday:	7:30am to 9:00pm
Saturday:	8:00am to 5:00pm
 - (3) All driveways, parking and manoeuvring areas shall be formed, sealed with concrete, bitumen or paving, and be properly drained. They shall be maintained in good condition thereafter.
Reason: To ensure useable and safe carparking.
 - (4) The material used on the external surfaces of the fence and the pre-coloured steel finishes or paintwork shall be maintained in good condition at all times.
Reason: To preserve and enhance the amenity of the site and locality.
 - (5) The planting and landscaping identified on the site plan prepared by ‘Progetto Design’ submitted with the application shall be completed in the first planting season concurrent with or following commencement of the use of the site. Such planting and landscaping shall not be removed and any plants which become diseased or die shall be replaced by suitable species.
Reason: To maintain and enhance the amenity of the site and locality.

Reserved Matter(s):

- (1) The following matter(s) have been reserved pursuant to section 33(3) of the *Development Act 1993*, and shall be finalised prior to the issue of Development Approval—
 - A Detailed stormwater management plan shall be submitted to Council for approval including appropriate water sensitive design.

Note(s):

- (1) The cost of rectifying any damage or conflict with existing services or infrastructure arising out of this development will be borne by the applicant.
- (2) This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land.
- (3) You are advised that under the Fences Act you are legally required to give notice for the removal of a fence on the common boundary. Please refer to the Fences Act for the correct procedural requirements.

Motion Carried Unanimously (59)

4.2 CAP.070/115394/2018 - Three Single Storey Row Dwellings at 20 Berryman Drive, Modbury

Moved Mr Dungey, Seconded Ms Gagetti

That the above application be deferred to allow the applicant the opportunity to address the following—

- Detailed landscaping plan(s) for the frontage;
- Privacy issues due to the side wall window locations e.g. details of dividing fences or staggering of windows;
- To consider staggered benched levels for the dwellings to reduce the amount of excavation and fill required.

Motion Carried Unanimously (60)

5. Other Business

5.1 E.R.D. Court Matters Pending

5.1.1 CAP.070/113465/2017 - Appeal against refusal for 16 Mantua Court, Greenwith

Members noted the progress of this matter.

5.2 Policy Considerations

The Council Assessment Panel resolved to recommend that the following be considered by *Council's Policy and Strategic Development Committee* for inclusion in the Planning Design Code consultation process—

1. A policy review in the Holden Hill Neighbourhood Centre Zone regarding the need for the extent of the zone, and gateway considerations for streetscape.
2. A policy review in residential areas regarding car parking, noting that there was no sliding scale to correlate the number of bedrooms in a dwelling to the number of car parking spaces available on the site to minimise on street parking that potentially may cause congestion and compromise access for emergency and service vehicles.

5.3 Pending State Commission Assessment Panel Concurrence - Nil

6. Information Reports - Nil

7. Date of Next Meeting

19 February 2019

The Presiding Member declared the meeting closed at 11:44am.

Confirmed.....
Presiding Member 19 February 2019