

**MINUTES
OF THE COUNCIL ASSESSMENT PANEL MEETING OF THE CITY OF
TEA TREE GULLY HELD ON TUESDAY 17 NOVEMBER 2020 AT
10:00AM IN THE COUNCIL CHAMBERS, 571 MONTAGUE ROAD,
MODBURY**

1. Attendance Record:

1.1 Present

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|---------------|--|
| Mr M Adcock | <i>(Independent Member)-(Presiding Member)</i> |
| Ms B Merrigan | <i>(Independent Member)</i> |
| Mr G Salmon | <i>(Independent Member)</i> |
| Mr J Rutt | <i>(Independent Member)</i> |
| Mr D Wyld | <i>(Elected Member)</i> |

Officers in Attendance

| | |
|-------------------|---|
| Mr N Grainger | Manager, City Development |
| Ms C Tully | Team Leader, Planning |
| Mr N Grantham | Team Leader, Development Services |
| Mr D Oest | Senior Planning Officer |
| Ms J O'Brien | Planning Officer |
| Mr H Beesley | Planning Officer |
| Mr C Rodgers-Falk | Development Services Administration Officer |

1.2 Apologies

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| Ms C Neil | Director, Community & Cultural Development |
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1.3 Public Gallery

1 Member of the Public in attendance; Nil via Electronic means

1.4 Media - Nil

2. Minutes of Previous Meeting

Moved Cr Wyld, Seconded Mr Salmon

That the Minutes of the Council Assessment Panel Meeting held on 15 September 2020 be confirmed as a true and accurate record of proceedings.

Motion Carried Unanimously (150)

3. Business Arising from Previous Minutes - Nil

4. Reports and Recommendations

4.1 CAP.070/119449/2020 - Works to a Local Heritage Place and Works Within a Watercourse - Northern Portion of Memorial Drive, 12A Neale Street and Lot 50 Dowding Terrace, Tea Tree Gully

Councillor Wyld declared a conflict of interest, being a Council Works item, and left the meeting and its immediate vicinity at 10:01am.

Moved Ms Merrigan, Seconded Mr Salmon

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 to the application by Mr Wahidulla Yousafzai (City of Tea Tree Gully) to undertake works to a Local Heritage Place (northern portion only), including the reconstruction of a creek culvert with associated earthworks and retaining walls, ancillary bridge and road upgrades, and the removal of five street trees (Radiata pines) at Memorial Drive, Tea Tree Gully and portions of 12A Neale Street, Tea Tree Gully, and Lot 50 Dowding Terrace, Tea Tree Gully, as detailed in Development Application No. 070/119449/2020 subject to the following conditions and advisory notes:
 - (1) The development shall be undertaken, completed and maintained in accordance with the plan(s) and information in Application No. 070/119449/2020 except where varied by any condition(s) listed below.
 - (2) The external finishes and surfaces of the bollards, balustrades and paving shall be maintained in good condition at all times.
Reason: To preserve and enhance the heritage value of the local heritage place.

Note(s):

- (1) The cost of rectifying any damage or conflict with any existing services of infrastructure arising out of this development will be borne by the applicant.
- (2) The granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes or regulations.

Councillor Wyld to returned to the meeting at 10:10am.

Motion Carried (151)

4.2 CAP.070/119218/2020 - Garage and Verandah - 512 Milne Road, Redwood Park

Moved Mr Rutt, Seconded Ms Merrigan

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 REFUSE Development Plan Consent to the application by Olympic Industries to erect a garage and verandah at 512 Milne Road, Redwood Park as detailed in Development Application No.070/119218/2020 on the following grounds:
 - (1) The proposed garage will have an adverse visual impact on the streetscape and amenity of the locality.
 - (2) The garage will have an adverse visual impact on the adjoining neighbor.
 - (3) The garage does not meet the relevant maximum floor area and setback requirements.
 - (4) The development does not incorporate landscaping to soften the appearance of the development.
 - (5) In particular, the proposed development is at variance to the following provisions of the Tea Tree Gully (City) Development Plan consolidated 27 December 2018:
 - (a) **Residential Zone Objective 3** and **Residential Zone PDC 6** which states that development should contribute to the desired character of a zone.
 - (b) **Residential Zone PDC 10** which states that sheds, garages and similar outbuildings should be designed with a maximum floor area of 60m², maximum wall height on a boundary of 3m and maximum building height of 5m.
 - (c) **Design and Appearance Objective 1** which seeks development of high design standards.
 - (d) **Design and Appearance PDC 1** which seeks development to respond to and reinforce positive aspects of the local environment and built form.
 - (e) **Design and Appearance PDC 2** where a building is sited on or close to a side and rear boundary, the boundary wall should minimize the visual impact of the building as viewed from adjacent properties.
 - (f) **Design and Appearance PDC 16** seeks building should be designed and site to avoid extensive areas of uninterrupted walling facing areas exposed to public view.

- (g) **Landscaping, Walls and Fencing Objective 1** seeks the amenity of the land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- (h) **Landscaping, Walls and Fencing PDC 1** states development should incorporate open space and landscaping in order to complement built form and reduce the visual impact of larger buildings.
- (i) **Siting and Visibility PDC 2** which seeks buildings to be sited in unobtrusive locations.

Motion Carried Unanimously (152)

4.3 CAP.070/119634/2020 - Two (2) Attached Verandahs to an Existing Single Storey Detached Dwelling and a Freestanding Carport - 8 Tolley Road, Hope Valley

Moved Ms Merrigan, Seconded Mr Rutt

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 REFUSE Development Plan Consent to the application by A Romaniuk to Construct two (2) attached verandahs to an existing single storey detached dwelling, and construct a freestanding carport at 8 Tolley Road, Hope Valley, as detailed in Development Application No. 070/119634/2020 on the following grounds:
 - (1) The proposed carport has an adverse impact on the streetscape and amenity of the locality.
 - (2) The carport is at odds with the existing character and desired of the locality and the greater Residential Zone.
 - (3) The carport does not satisfy the front setback requirements of the Development Plan.
 - (4) In particular, the proposed carport is at variance to the following provisions of the Development Plan:
 - (a) **Residential Zone Objective 3, Residential Zone PDC 6 and Design and Appearance PDC 22** which states that development should contribute to the desired character of the zone.
 - (b) **Design and Appearance PDC 23** which states that sheds, garages and similar outbuildings should be designed with a minimum setback from the primary street of 5.5m, in order to provide a car parking space between the building and the street frontage.

- (c) **Design and Appearance Objective 1** which seeks development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.
- (d) **Residential Zone PDC 5** which states that outbuilding placement should be ancillary to dwellings
- (e) **Transport and Access PDC 26 and 31** in that the proposal will not satisfy relevant off street parking rates that with vehicles unable to enter and leave the site is a forward gear to a high traffic road.

Motion Carried Unanimously (153)

4.4 CAP.070/119174/2020 - Removal of a Significant Tree (Eucalyptus camaldulensis - River Red Gum) - 27 Sassafras Drive, Highbury

Moved Cr Wyld, Seconded Mr Salmon

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 to the application by Mr Scott McGlashan to remove a significant tree (*Eucalyptus camaldulensis* - River Red gum) at 27 Sassafras Drive, Highbury, as detailed in Development Application No.070/119174/2020 subject to the following conditions and advisory notes:
 - (1) The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 070/119174/2020 except where varied by any condition(s) listed below.
 - (2) In lieu of planting three (3) replacement trees, \$282 (\$94 per tree) must be paid into the City of Tea Tree Gully Urban Trees Fund within one (1) month of the tree(s) being removed.
Payment may be made in person at the Civic Centre or by completing the 'Credit Card Authorisation' form <http://cttg.sa.gov.au/development> and posting to PO. Box 571 MODBURY SA 5092.
Reason: To ensure compliance with the legislative requirement for the planting of replacement trees, pursuant to section 42(4) of the Development Act 1993.

Note(s):

- (1) The cost of rectifying any damage or conflict with any existing services or infrastructure arising out of this development will be borne by the applicant.

Motion Carried (154)

5. Other Business

5.1 E.R.D. Court Matters Pending

5.1.1 CAP.070/118168/2019 - Land Division (1 Allotment into 2) Torrens Title at 104 Green Valley Drive, Greenwith

Outcome: The Panel noted progress on this matter.

5.2 Policy Considerations

5.2.1 Urban Tree Fund Contributions

The Panel discussed contributions to the Tree Fund, noting these are currently not very high. It was raised that there is currently consultation out under the Code, with a potential opportunity to increase this amount.

5.3 Pending State Commission Assessment Panel Concurrence - Nil

6. Information Reports - Nil

7. Date of Next Meeting

15 December 2020

The Presiding Member declared the meeting closed at 10:42am.

Confirmed.....
Presiding Member 15 December 2020