

**MINUTES
OF THE COUNCIL ASSESSMENT PANEL MEETING OF THE CITY OF
TEA TREE GULLY HELD ON TUESDAY 31 JANUARY 2023 AT 9.35AM
IN THE
COUNCIL CHAMBERS, 571 MONTAGUE ROAD, MODBURY**

1. Attendance Record:

1.1 Present

Mr M Adcock	<i>(Independent Member)-(Presiding Member)</i>
Ms B Merrigan	<i>(Independent Member)</i>
Mr J Rutt	<i>(Independent Member)</i>
Mr A Mackenzie	<i>(Independent Member)</i>
Ms N Taylor	<i>(Deputy Independent Member)</i>

Officers in Attendance

Mr R McMahon	Chief Executive Officer
Mr M Pereira	General Manager, Community Services
Mr N Grainger	Manager, City Development
Mr J Banks	Team Leader, Planning
Mr B O'Neil	Planner
Ms J Golding	Development Services Administration Officer

1.2 Apologies

Mr D Wyld	<i>(Elected Member)</i>
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1.3 Public Gallery

21 Attendees

1.4 Media - Nil

2. Minutes of Previous Meeting

Moved Mr Rutt, Seconded Ms Taylor

That the Minutes of the Council Assessment Panel Meeting held on 17 January 2023 be confirmed as a true and accurate record of proceedings.

Carried Unanimously (224)

3. Business Arising from Previous Minutes - Nil

4. Reports and Recommendations

4.1 CAP.22020724 - Two storey dwelling, swimming pool, safety barrier, decking and balconies at 20 Mulberry Drive, Highbury

Mr Blake Lawrenson addressed the panel regarding additional landscaping.

The applicants representative, Mr Tom Game responded .

Moved Ms Merrigan, Seconded Mr Mackenzie

It is recommended that the Council Assessment Panel resolve that:

- A. 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; and
- B. Development Application Number 22020724 by Abrahams Construction Group is granted Planning Consent subject to the following Reserved Matter, conditions and advisory notes:

RESERVED MATTER

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matter(s) shall be reserved for consideration and approval by the Assessment Manager prior to the granting of Development Approval:

A new landscaping plan is to be prepared that incorporates a mixture of semi-mature and immature species and includes landscaping along a portion of the southern boundary to screen the development from adjacent land.

CONDITIONS

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in the application herein approved, except where varied by any condition(s) listed below.
2. Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.
3. Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).
4. The entire structure must be finished in an unobtrusive, natural, earthy colour. The paintwork or pre-coloured steel finish must be maintained in good condition at all times. This condition must be complied with within 2 months of the erection of the dwelling.

Reason: To preserve and enhance the amenity of the site and locality.

5. All driveways, parking and manoeuvring areas must be formed, sealed with concrete, bitumen or paving, and be properly drained. They must be maintained in good condition thereafter.
Reason: To ensure useable and safe carparking.
6. Except where varied by the approved plans or other conditions listed below, the new or modified crossing place shall meet the minimum standard of design and construction as detailed on City of Tea Tree Gully drawings (as applicable):
- 1/15/SD – ‘Concrete Vehicle Crossing Place’;
 - 2/15/SD – ‘Block Paved Vehicular Crossing Place’;
 - 40/15/SD – ‘Property Access Grades;’ and/or;
 - 45/15/SD – ‘Commercial Concrete Vehicular Crossing Place.’
- Reason: To maintain consistency of the streetscape and protect the infrastructure within the road verge.*
7. The swimming pool must not be filled with water and used for domestic purposes until substantial completion of the dwelling on the land.
Reason: To maintain public and private safety and ensure that the swimming pool is only used ancillary to a dwelling. Note: The term ‘substantial completion’ refers to the lock-up stage of the dwelling.
8. The recommendations of the Weed Management Review prepared by Environments By Design dated 6 December 2022 are to be substantially commenced within 2 years of occupation of the dwelling.
Reason: To remove invasive species and allow native species to regenerate.
9. The plantings on the landscaping plan prepared by Abrahams Construction dated 1 August 2022 are to be substantially commenced within 2 years of occupation of the dwelling.
Reason: To preserve and enhance the amenity of the site and locality.
10. The existing dwelling onsite be demolished prior to occupation of the new dwelling.
11. CFS Driveway Conditions
- The driveway shall be connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8).
 - Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles, to within 60m of the furthest point of the building.
 - The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either – 1. A loop road around the building, OR 2. A turning area with a minimum radius of 12.5 metres, OR 3. A ‘T’ or ‘Y’ shaped turning area with a minimum formed length of 11 metres (for each ‘leg’) and minimum internal radii of 9.5 metres OR 4. A ‘U’ shaped ‘drive-through’ option.
 - Private access shall have minimum internal radii of 9.5 metres on all bends.
 - Private access shall provide overhead clearances of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures
12. CFS Water supply conditions

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and is no greater than 60m path of travel to the furthest point of the building, to enable fire services to reach all parts of the building with no more than two lengths of hose from the hardstand area.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering “FIRE WATER”).
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance’s inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the above ground tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- The minimum water supply required may be combined with domestic use, providing the outlet for domestic use is located above the dedicated fire water supply (in order for it to remain as a dedicated supply).

13. CFS Vegetation Management

Vegetation management shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:

- The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the ‘clumping’ of shrubs where desirable, for diversity, and privacy and yet achieve the ‘overall maximum coverage of 30%’.
- Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
- Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
- Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
- Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height from the trees’ lowest branches.
- Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- No understorey vegetation shall be established within 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
- Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- The VMZ shall be maintained to be free of accumulated dead vegetation

ADVISORY NOTES

GENERAL NOTES

1. No work can commence on this development unless a Development Approval has been

obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

PLANNING CONSENT NOTES

Advisory Note 1

This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land.

Advisory Note 2

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.

Advisory Note 3

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Carried Unanimously (225)

5. Other Business

5.1 E.R.D. Court Matters Pending - Nil

5.2 Policy Considerations – Nil

6. Information Reports - Nil

7. Date of Next Meeting

21 February, 2023

The Presiding Member declared the meeting closed at 10.40 am.

Confirmed.....
Presiding Member 21 February 2023