

**MINUTES
OF THE COUNCIL ASSESSMENT PANEL MEETING OF THE CITY OF TEA TREE
GULLY HELD ON TUESDAY 15 MARCH 2022 AT 10.08AM IN THE COUNCIL
CHAMBERS, 571 MONTAGUE ROAD, MODBURY**

1. Attendance Record:

1.1 Present

Mr M Adcock	Independent Member-(Presiding Member)
Mr A Mackenzie	Independent Member
Mr D Wyld	Elected Member
Ms N Taylor	Independent Member

Officers in Attendance

Mr N Grainger	Manager, City Development
Mr G Hewitt	Team Leader Building and Compliance
Mr B O'Neil	Planning Officer
Ms R Singh	Planning Officer
Ms C Gustafson	Development Services Administration Officer
Ms J Golding	Development Services Administration Officer

1.2 Apologies

Mr J Rutt	Independent Member
Ms B Merrigan	Independent Member
Ms C Neil	Director, Community & Cultural Development
Ms C Tully	Team Leader, Planning

1.3 Public Gallery

One attendee

1.4 Media - Nil

2. Minutes of Previous Meeting

Moved Cr Wyld, Seconded Mr Mackenzie

That the Minutes of the Council Assessment Panel Meeting held on 15 February 2022 be confirmed as a true and accurate record of proceedings.

Motion Carried Unanimously (202)

3. Business Arising from Previous Minutes - Nil

4. Reports and Recommendations

4.1 CAP.070/11599/20 - Community Titled land division 1 into 4 at 1 Raymond Road St Agnes

Panel members noted that the application has been withdrawn by the applicant.

4.2 CAP.070/119400/19 - Two x two storey detached dwellings and residential flat building at 1 Raymond Road St Agnes

Panel members noted that the application has been withdrawn by the applicant.

4.3 CAP.21014589 - Verandah Enclosure at 17 Tomatin Court Greenwith

Moved Mr Mackenzie, Seconded Cr Wyld

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

- 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 21014589, by Mr. Damien White, is granted Planning Consent subject to the following conditions and advisory notes:

CONDITIONS

Condition 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.

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times. All external paintwork must be completed within 2 months of the date of development approval.

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

Condition 3

The verandah shall not be enclosed on any side with any solid material except where included as part of the current application.

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

Condition 4

Ensure the flashing located on the northern boundary from the vertical face of the enclosure to the fence acts as a box gutter to prevent water trespass into the neighbouring property.

PLANNING CONSENT NOTES

Advisory Note 1

The plans submitted in the application and considered by the Council Assessment Panel do not reflect the full extent of the works on the site which will need to be rectified by further action by the applicant.

Advisory Note 2

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 3

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 4

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.

Advisory Note 5

This application involves development located on the boundary or within close proximity to the boundary of the allotment. To ensure that the proposed development is constructed within the allotment, it is recommended that a site survey be undertaken to confirm the location of the relevant boundaries.

Advisory Note 6

You are advised that under the *Fences Act 1975* you are legally required to give notice for the removal of a fence on the common boundary. Please refer to the *Fences Act 1975* for the correct procedural requirements. Further information can be obtained from the Legal Services Commission at www.lsc.sa.gov.au

Motion Carried Unanimously (203)

4.4 Limited Amendment to Instrument of Delegation Assessment Manager

Moved Ms Taylor, Seconded Mr Wyld

- A. In exercise of the power contained in section 100 of the Planning, Development and Infrastructure Act 2016 (PDI Act) the following powers and functions under the PDI Act and statutory instruments made thereunder are hereby delegated this 15th day of March 2022 to the City of Tea Tree Gully Assessment Panel (Council Assessment Panel) subject to the conditions and/or limitations, if any, specified below—
- (1) The power pursuant to section 102(1)(a) of the PDI Act to grant or refuse planning consent, including the associated powers to reserve matters and/or impose conditions.
- B. The exercise of the powers and functions delegated in paragraph 'A' is to be limited to the assessment of Development Application 22005742 for the construction of a carport and attached verandah within the driveway area of 22A Gordini Crescent, Holden Hill.

Motion carried unanimously (204)

4.5 CAP.22005742 - Carport at 22A Gordini Crescent, Holden Hill

Moved Mr Mackenzie, Seconded Ms Taylor

- 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 22005742, by Ms. Heather Turnbridge is granted Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

Condition 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.

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times. All external paintwork must be completed within 2 months of the construction of the carport and verandah.

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

Condition 3

The carport and verandah must not be enclosed on any side with any solid material except where included as part of the current application.

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

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.

Advisory Note 4

This application involves development located on the boundary or within close proximity to the boundary of the allotment. To ensure that the proposed development is constructed within the allotment, it is recommended that a site survey be undertaken to confirm the location of the relevant boundaries.

Advisory Note 5

You are advised that under the *Fences Act 1975* you are legally required to give notice for the removal of a fence on the common boundary. Please refer to the *Fences Act 1975* for the correct procedural requirements. Further information can be obtained from the Legal Services Commission at www.lsc.sa.gov.au

Motion carried unanimously (205)

5. Other Business

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

5.2 Policy Consideration

Panel members noted that the Planning and Design Code could include further provisions for Disability advocacy.

6. Information Reports - Nil

7. Date of Next Meeting

19 April, 2022

The Presiding Member declared the meeting closed at 10.59am.

Confirmed.....
Presiding Member 19 April 2022