MINUTES OF THE COUNCIL ASSESSMENT PANEL OF CITY OF PROSPECT, HELD VIA ELECTRONIC FORMAT (ZOOM) ON MONDAY 20 APRIL 2020 AT 5:30PM

Public access to the meeting will be via https://www.youtube.com/channel/UCswnhLTs5E2qHS2jMDRB1oA

PRESENT:
Presiding Member: Mr D Donaldson
Members: Mr R Gagetti, Mr D Cooke, Mr R Perera and Mr R Pearce

IN ATTENDANCE:
Mr D Starr Assessment Manager
Mr S McLuskey Senior Planning Officer
Ms S Giles Planning Officer

WELCOME:
Acknowledgment of the Kaurna People as the Traditional Custodians of the Land

ON LEAVE:
Nil.

APOLOGIES:
Nil

CONFIRMATION OF MINUTES:
D Cooke moved R Perera seconded
That the minutes of the meeting of the Council Assessment Panel held on 16 March 2020 & the Special CAP meeting held on 27 March 2020 be taken as read and confirmed as a correct record.

Carried by Consensus- CAP 20/20

DECLARATIONS OF INTEREST:
Nil

DEVELOPMENT APPLICATIONS:

Item 6.1: 2-8 Koonga Avenue, Prospect – Two Portable Classrooms
Application No: DA 050/574/2019

Representation: Peter Dubois addressed the Panel
Respondent: Tim Ross/Peter Charleson addressed the Panel

Recommendation
That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/574/2019 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the *Development Act 1993*, as amended, Development Plan Consent be approved to DA 050/574/2019 from Bell Architecture on behalf of Prescott College (Australasian Conference Associated Ltd), for Two joined Transportable Classrooms and associated Verandah, Deck and Ramp and modifications to boundary fence at 2-8 Koonga Avenue, Prospect (CT 5809/556, CT 5809/556, CT 5739/488, CT 5852/40, CT 5739/50), subject to the following Reserved Matter and Conditions:

**Reserved Matter:**

1. A revised landscaping plan shall be provided that, to the reasonable satisfaction of Council, demonstrates the proposed species, location and number of plants to be located on site.

**Conditions:**

1. The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/574/2019, except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation of the approved development.

2. All external building finishes shall, as near as practicable, match or complement those used on the existing building.

3. The drainage system shall be designed, installed and maintained at all times thereafter to ensure that water from the site does not:
   a) Flow or discharge onto adjoining properties;
   b) Flow across the surface of footpaths or public ways;
   c) Affect the stability of any building; or
   d) Create unhealthy or dangerous conditions on the site or within any building.

4. Air-conditioning units shall be provided with screening devices designed to complement the colours, materials and finishes of the building approved herein, and shall be sited to adequately screen the units from view from neighbouring properties and public land (roadways) to the reasonable satisfaction of Council.

5. The landscaping shall be planted prior to occupancy of the development, and maintained at all times to the reasonable satisfaction of Council and to ensure appropriate lines of sight for vehicles and pedestrians. Mature trees shall be no less than 2.0m in height at time of planting. The applicant or the persons making use of the subject land shall cultivate, tend and nurture the landscaping, and shall replace any landscaping that becomes diseased or dies. An automated drip irrigation or similar watering system shall be established and maintained to ensure that sufficient water is available to satisfy the needs of the landscaping species selected.

6. To ensure the area remains clear at all times, “No Parking” line marking shall be installed in front of the workshop entrance, adjacent the Moora Avenue car park entrance, to Council’s satisfaction.
7. Footpaths adjacent to the site are to be kept in a safe condition for pedestrians at all times during construction works. All driveways and footpaths traversed by vehicles using the site are to be maintained in a reasonable condition for the duration of the works, and are to be reinstated to the satisfaction of Council on completion of the works.

8. No obstruction of the footpath or roadway may occur without the prior permission of Council. For further advice, please contact Council’s Infrastructure and Environment Department on 8269 5355.

9. All redundant crossovers shall be reinstated to kerb and gutter to the satisfaction of Council. For further advice, please contact Council’s Infrastructure and Environment Department on 8269 5355.

The Panel resolved by consensus that the Application is granted consent – CAP 21/20

Item 6.2: 43 Carter Street, Thorngate – Four Storey Residential Flat Building
Application No: DA 050/556/2019

Representations: J Brook addressed the Panel (technical difficulty experienced during representation), W Walters addressed the Panel and B Leverenz addressed the Panel
Respondent: Phil Brunning addressed the Panel

Recommendation
That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/556/2019 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be granted to DA 050/556/2019 from Mr C Komninos for Demolition of Existing Dwelling and Construction of Four Storey Residential Flat Building, comprising 6 Dwellings, with associated Undercroft Car Parking, Fencing and Landscaping at 43 Carter Street, Thorngate (CTs 5202/313), subject to the following reserved matter and conditions:

Reserved Matters:

1. A detailed stormwater management plan shall be provided that, to the satisfaction of Council, provides evidence that all dwellings are suitably protected from 1 in 100 year ARI storm events and that post-development outflow rates from the site will match pre-development rates in 1 in 20 ARI storm events. The location and capacity of any on-site detention tanks shall be clearly described.

2. Amended plans shall be provided to the satisfaction of Council demonstrating the revised location of the driveway such that both existing street trees are maintained, or an authorisation pursuant to Section 221 of the Local Government Act 1999 shall be provided in support of this application demonstrating an approval for the removal of an existing street tree.

3. Detailed drawings of screening devices demonstrating, to the satisfaction of Council, that they will achieve the intended function of preventing overlooking from windows and balconies
to properties within the Residential Zone to a distance of 45 metres measured from the property boundary.

Conditions:

1. The development shall take place in accordance with plans and details prepared by Stallard Meek Architects, Drawing Nos SK01-SK06, dated 20 January 2020, and stamped by Council relating to Development Application Number 050/556/2019, except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation of the approved development.

2. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving and maintained to the reasonable satisfaction of Council. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of materials or goods including waste products and refuse. The obsolete crossover and/or any portion of crossover that is not required for the subject development shall be reinstated to Council standard kerb and gutter at the applicant’s cost prior to occupation of the completed development.

3. The Community Corporation shall ensure that the waste storage area is cleaned and maintained to the satisfaction of Council. General, recyclable and green organic wastes shall be co-mingled, with the Community Corporation maintaining responsibility for ensuring that bins are transported between the collection point and the storage area in a timely fashion to the satisfaction of Council.

4. A minimum of 850L of recyclable waste storage capacity shall be provided within the waste storage area (in addition to the general and green organic waste storage capacities demonstrated in the herein approved plans) for use by occupants of the herein approved building.

5. Air-conditioning units and solar hot water heaters shall be provided with screening devices designed to complement the colours, materials and finishes of the building approved herein, and shall be sited to adequately screen the units from view from neighbouring properties and public land (roadways) to the reasonable satisfaction of Council.

6. The landscaping shall be planted prior to occupancy of the development, and maintained at all times to the reasonable satisfaction of Council and to ensure appropriate lines of sight for vehicles and pedestrians. An automated drip irrigation or similar watering system shall be established and maintained to ensure that sufficient water is available to satisfy the needs of the landscaping species selected.

7. A Construction Site Management Plan shall be prepared and submitted to Council for approval prior to the commencement of construction on the land. The plan shall comply with the requirements of Section 25 of the Environment Protection Act, which states “a person must not undertake an activity that pollutes, or might pollute the environment unless the person takes all reasonable and practicable measures to prevent or minimise any resulting environmental harm”. The Construction Site Management Plan shall include:

   a) Measures for the reduction of potential for mud and material drag out from the site by providing a hard surface at the entry/exit points to the site and a controlled washing zone prior to exiting the site; and

   b) Containment of water run-off within the site, which will be filtered and cleaned to the satisfaction of Council if being discharged into the stormwater system; and
c) Reduction of the potential for dust and other airborne particles by the use of water sprinklers and/or other means of containment; and

d) The establishment of a compound for the storage of waste materials and litter. The compound must be covered to prevent litter from being blown away from the compound; and

e) Measures to minimise the potential for noise pollution through correct positioning of all mechanical equipment to ensure compliance with the requirements of the Environment Protection (Noise) Policy.

8. Footpaths adjacent to the site are to be kept in a safe condition for pedestrians at all times during construction works. All driveways and footpaths traversed by vehicles using the site are to be maintained in a reasonable condition for the duration of the works, and are to be reinstated to the satisfaction of Council on completion of the works.

9. All works on Council land shall be conducted to Council’s specification, with all works to be bunted off safely and pedestrian safety to be maintained throughout the construction period. Plantings will also need to be undertaken in line with council specifications in terms of sight distance interference and safety to the community (thorns/poisonous plantings). Plans displaying all relevant details of the Road/Kerbing/Footpath Works shall be submitted to the Assets and Infrastructure Officer for approval prior to the commencement of any such works.

**The Panel resolved by consensus that the Application is granted consent – CAP 22/20**

**Item 6.3:** 1/72 Olive Street, Prospect – Two Storey Dwelling and Detached Garage

**Application No:** DA 050/79/2020

**Recommendation**

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application DA 050/79/2020 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be granted to DA 050/79/2020 from Metricon on behalf of D & M Simpson for a Two Storey Detached Dwelling and Detached Garage at 1/72 Olive Street, Prospect (CT 6050/915), subject to the following Reserved Matter and Conditions:

**Reserved Matters:**

1. A detailed landscaping plan shall be provided that, to the reasonable satisfaction of Council, demonstrates the proposed species, location and number of plants to be located on site. The landscaping should comprise a mix of trees and plants that have a coordinated appearance and would enhance the character of the development and locality.

2. A revised stormwater management plan shall be provided that, to the satisfaction of Council, provides evidence that the dwelling would be suitably protected from 1 in 100 year ARI storm event.

**Conditions:**
1. That the development shall take place in accordance with plans stamped by Council, relating to Development Application Number 050/79/2020, except as modified by any conditions listed below.

2. The drainage system shall be designed, installed and maintained at all times thereafter to ensure that water from the site does not:
   a) Flow or discharge onto adjoining properties;
   b) Flow across the surface of footpaths or public ways;
   c) Affect the stability of any building; or
   d) Create unhealthy or dangerous conditions on the site or within any building.

3. The upper level windows facing north, south and west shall have:
   a) Minimum window sill heights of 1.7m above finished floor level; or
   b) Fixed and obscured glass to a minimum height of 1.7m above floor level; or
   c) An awning window with obscured glass to a minimum height of 1.7m above floor level, with an opening restricted to no more than 100mm; or
   d) Permanently fixed external screens that provide an effective screening height of 1.7m above the upper floor level and complement the external appearance of the dwelling.

   The screening solution(s) shall be established prior to occupation of the dwelling and maintained to the reasonable satisfaction of Council at all times thereafter.

4. The landscaping shall be planted within 6 months of the dwellings construction, and maintained at all times to the reasonable satisfaction of Council and to ensure appropriate lines of sight for vehicles and pedestrians. Mature trees shall be no less than 2.0m in height at time of planting. The applicant or the persons making use of the subject land shall cultivate, tend and nurture the landscaping, and shall replace any landscaping that becomes diseased or dies. An automated drip irrigation or similar watering system shall be established and maintained to ensure that sufficient water is available to satisfy the needs of the landscaping species selected.

5. Footpaths adjacent to the site are to be kept in a safe condition for pedestrians at all times during construction works. All driveways and footpaths traversed by vehicles using the site are to be maintained in a reasonable condition for the duration of the works, and are to be reinstated to the satisfaction of Council on completion of the works.

6. All works on Council land shall be conducted to Council’s specification, with all works to be bunted off safely and pedestrian safety to be maintained throughout the construction period. Plantings will also need to be undertaken in line with council specifications in terms of sight distance interference and safety to the community (thorns/poisonous plantings). Plans displaying all relevant details of the Road/Kerbing/Footpath Works shall be submitted to the Assets and Infrastructure Officer for approval prior to the commencement of any such works.

The Panel resolved by consensus that the Application is granted consent – CAP 23/20

Item 6.4: 55 Vine Street Prospect – Two, Two Storey Detached Dwellings comprising 4 Dwellings

Application No: DA 050/478/2019

Recommendation
That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/478/2019 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be granted to DA 050/478/2019 from Ithink Design Studio for Two, Two Storey Detached Dwellings with associated Swimming Pools and Safety Fencing at 55 Vine Street, Prospect (CT 5813/117), subject to the following reserved matters and conditions:

Reserved Matters:

1. A detailed stormwater management plan shall be provided that, to the satisfaction of Council, provides evidence that all dwellings are suitably protected from 1 in 100 year ARI storm events and that post-development outflow rates from the site will match pre-development rates in 1 in 20 ARI storm events. The location and capacity of any on-site detention tanks, as well as the extent of any cut or fill and associated retaining walls, shall be clearly described.

2. A detailed landscaping plan shall be provided that, to the reasonable satisfaction of Council, demonstrates the proposed species, location and number of plants to be located on site. The landscaping should comprise a mix of trees and plants that have a coordinated appearance and would enhance the character of the development and locality.

Conditions:

1. That the development shall take place in accordance with plans stamped by Council, relating to Development Application Number 050/441/2019, except as modified by any conditions listed below.

2. The upper level windows facing east, south and west:
   a) Minimum window sill heights of 1.7m above finished floor level; or
   b) Fixed and obscured glass to a minimum height of 1.7m above floor level; or
   c) An awning window with obscured glass to a minimum height of 1.7m above floor level, with an opening restricted to no more than 100mm; or
   d) Permanently fixed external screens that provide an effective screening height of 1.7m above the upper floor level and complement the external appearance of the dwelling.
   e) The screening solution(s) shall be established prior to occupation of the dwellings and maintained to the reasonable satisfaction of Council at all times thereafter.

The Panel resolved by consensus that the Application is granted consent – CAP 24/20

Item 7.1: 183 Main North Road, Nailsworth – Variation to Condition 13 of Previous DA 050/52/2019

Application No: DA 050/55/2020
Recommendation

That pursuant to the Development Act 1993, as amended, Development Plan Consent and Development Approval be granted to DA 050/55/2020 for Variation to Condition 13 of Previous Development Approval at 183 Main North Road, Prospect (CT 5782/128), such that the condition imposed in relation to that approval would now be:

Conditions:

13. The maximum number of staff on-site at any one time shall not exceed 30 (inclusive of staff present on-site as a result of shift changes).

  Reason: This condition is imposed in recognition of the appropriateness of on-site car parking in relation to this particular land use having a significant reliance upon staff numbers.

(Council staff note that all other conditions of the original approval remain operative and are unaffected by the proposed variation application).

The Panel resolved by consensus that the Application is granted consent – CAP 25/20

INFORMATION REPORTS

Item 8.1: Summary of State Commission Assessment Panel (SCAP) Decisions and Proposals Greater than $3 Million called in by the Coordinator-General

Report received.

ANY OTHER BUSINESS:

Nil.

TIME OF NEXT MEETING:

The next meeting of the Council Assessment Panel will be held on Monday 11 May 2020 at 5.30pm.

CLOSURE:

The meeting closed at 7.01pm

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Mr Don Donaldson
(Presiding Member)
11 May 2020