



Council Assessment Panel Meeting Minutes

Tuesday 07 May 2019 at 6pm
Council Chambers, 401 Greenhill Road, Tusmore

PRESENT

Bill Chandler (Presiding Member)
Ross Bateup, Graeme Brown, Kate Shierlaw and Lilian Henschke

1 APOLOGIES

Nil

2 KAURNA ACKNOWLEDGEMENT

The Presiding Member acknowledged the Kaurna people.

3 CONFIRMATION OF MINUTES

P7269 It was the consensus of the Council Assessment Panel that the minutes of the Council Assessment Panel meeting held on Tuesday 02 April 2019 be taken as read and confirmed.

4 APPLICATIONS WITHDRAWN FROM THE AGENDA

Nil

5 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – PERSONS WISH TO BE HEARD

(A) NON-COMPLYING DEVELOPMENT APPLICATIONS (HEARING)

Report Number:	5738.1
Page:	5
Application Number:	180\1264\18
Applicant:	Patricia Weinert C/- Masterplan SA Pty Ltd
Location:	548 Portrush Road, Glen Osmond
Proposal:	Variation to DA: 180\0954\12 - Extension of operating hours and increase to seating capacity (non-complying)
Recommendation:	Subject to concurrence from the State Commission Assessment Panel Commission, that Development Approval is granted.
Representors:	<ul style="list-style-type: none">• Churches of Christ Retirement Services – 550 Portrush Road, Glen Osmond (called, not present)
Applicant:	<ul style="list-style-type: none">• Patricia Weinert represented by Grant Croft of Masterplan SA Pty Ltd

P7270 It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Subject to concurrence from the Development Assessment Commission, that Development Application 180\1264\18, by Patricia Weinert C/- Masterplan SA Pty Ltd is **granted** Development Approval subject to the following conditions:

Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 The hours of operation of the premises for the operation of the cafe shall be limited to the following times:
 - 8am to 11pm Monday to Saturday;
 - 8am to 10:00pm Sunday

Reason:

To ensure the development does not unduly diminish the enjoyment of other land in the vicinity.

- 3 Seating shall be restricted to 75 seats on the premises at any one time for patron usage.

Reason:

To ensure the amenity of the adjacent properties is not diminished as a result of the development.

Advisory Notes

Building Consent

Development Approval will not be granted until a Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.

CARRIED

(B) CATEGORY 3 DEVELOPMENT APPLICATIONS (HEARING)

Report Number:	5738.2
Page:	63
Application Number:	180\1182\18
Applicant:	L Davila
Location:	321 Portrush Road, Toorak Gardens
Proposal:	Amendment to DA: 180\0571\16 - alteration to car parking layout and removal of reserved matter and Condition 4
Recommendation:	Development Approval be granted
Representors:	• Kenneth Lo – 138 Kensington Road Toorak Gardens
Applicant:	• Laz Davila

P7271 It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and

2. Development Application 180\1182\18, by L Davila is **granted** Development Approval subject to the following conditions:

Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 The hours of operation of the premises for the office shall be limited to the following times:
 - 9:00am – 6:00pm Monday to Friday

Reason:

To ensure the development does not unduly diminish the enjoyment of other land in the vicinity.

- 3 All vehicles are to enter and exit the site in a forward direction.

Reason:

To minimise impacts on the free flow of traffic along Portrush Road.

DPTI Requirements

1. The Portrush Road access shall be a minimum of 7.2 metres wide at the property boundary with suitable flaring to minimise the disruption to the free flow of traffic.
2. All vehicles shall enter and exit the site in a forward direction.
3. All parking shall be designed as far as practical, in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
4. No stormwater from this development is permitted to discharge on-surface to Portrush Road. In addition, any existing drainage on the road shall be accommodated by the development and any alterations to road drainage infrastructure as a result of the development shall be at the expense of the developer.

Road Widening

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for strips of land up to 4.5 metres in width from both the Kensington Road and Portrush Road frontages of this site together with additional land at the Portrush Road / Kensington Road corner for future upgrading of the Portrush Road / Kensington Road intersection. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the possible requirement.

Given there are no significant building works or structural alterations being undertaken as part of this development, consent is not required in this instance.

CARRIED

Report Number:	5738.3
Page:	215
Application Number:	180\0090\19
Applicant:	Precision Homes
Location:	257 Beulah Road, Beulah Park
Proposal:	Amendment to DA 180\1002\17 – increase in cellar/basement level to Dwelling 1 creating a three-storey dwelling and minor internal reconfigurations and minor setback change to ground level
Recommendation:	Development Plan Consent be granted
Representors:	• Jillian Wilson – 255 Beulah Road Beulah Park
Applicant:	• William Moukachar for Precision Homes

P7272 It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Development Application 180\0090\19, by Precision Homes is **granted** Development Plan Consent subject to the following conditions:

Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

Advisory Notes

- 1 **Previous Consent**
The applicant should be aware that the conditions of approval and advices issued with the previous consent (180\1002\17) where relevant remain valid and should be complied with.

CARRIED

(C) CATEGORY 2 DEVELOPMENT APPLICATIONS (HEARING)

P7273 The Panel resolved that all eligible persons who had previously advised that they wish to be heard for Category 2 development applications will have the opportunity to be heard.

CARRIED

Report Number:	5738.4
Page:	261
Application Number:	180\1193\18
Applicant:	Clairville Homes Pty Ltd
Location:	27 Sandford Street, Kensington Gardens
Proposal:	Construction of three (3) two-storey group dwellings including boundary retaining walls, fencing and associated landscaping
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • Thu Pham – Unit 5/29 Sandford Street, Kensington Gardens
Applicant:	<ul style="list-style-type: none"> • Carlos Figueora for Clairville Homes Pty Ltd

P7274 The Council Assessment Panel resolved that the application be **deferred** to allow the applicant an opportunity to consider the following matters:

1. A reduction in building total floor area to better align with the relevant provisions of the Development Plan;
2. Review of the garage on boundary for 'Residence C' with respect to external impacts including sunlight and daylight and amenity;
3. Clarification of existing site levels, FFL's and retaining walls particularly in relation to 'Residence C' and the adjacent neighbour, including the provision of a north-south cross section demonstrating the relationship between the two adjoining properties; and
4. Enhanced Landscaping focused on the interface with neighbouring properties and landscape character within the site.

CARRIED

Graeme Brown left the meeting at left 7:26pm.

Graeme Brown returned to the meeting at 7:29pm.

Report Number:	5738.5
Page:	313
Application Number:	180\1138\18
Applicant:	Lares Homes Pty Ltd
Location:	9 Mariner Street, Linden Park
Proposal:	Two (2) double storey semi-detached dwellings with an associated retaining wall and fencing
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • Xuebing Li – 7 Mariner Street, Linden Park
Applicant:	<ul style="list-style-type: none"> • Eric Pagnozzi for Lares Homes Pty Ltd

Lilian Henschke left the meeting at 8.18pm.

Lilian Henschke returned to the meeting at 8:22pm.

P7275 It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and

2. Development Application 180\1138\18, by Lares Homes Pty Ltd is **granted** Development Plan Consent subject to the following conditions:

Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 The landscaping detailed on the stamped and approved plans granted Development Plan Consent shall be undertaken within three (3) months of the substantial completion of development and in any event prior to the occupation or use of the development.

Such landscaping shall be maintained in good health and condition to the satisfaction of the Council at all times and any dead or diseased plants or trees shall be immediately replaced to the reasonable satisfaction of the Council.

Reason:

To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development

Reserved Matters

1. That pursuant to Section 33(3) of the Development Act 1993, the applicant shall submit detailed proposals for the following reserved matters requiring further assessment by the City of Burnside, prior to Development Approval of the application:
 - 1.1.1. The applicant shall supply a detailed landscaping plan nominating species and planting heights but excluding 'Nerium Oleander'.

Reserved Conditions

1. Pursuant to Section 33(1) of the Development Act 1993 the CAP reserves its decision on the form and substance of any further conditions of Development Plan Consent that it considers appropriate to impose in respect of the reserved matters, and this is delegated to the Assessment Manager.

Advisory Notes

Street Trees+

- 1 In relation to any street trees adjacent to the proposed development:
 - The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the Sewerage Act 1929;
 - The existing street tree(s) will not be pruned to maintain lines of sight to the proposed sign or the building/façade;
 - The street tree(s) will not be removed. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the structure shall only be carried out by Council;

- 1
 - Crossover to be setback 2.0 metres for the Liquid Amber (western tree) and 2.20 metres from the Golden rain tree (eastern tree. Measurements from the trunk centre).
 - No tree roots larger than 40mm in diameter are to be cut without Council consent.
 - Street trees to be protected during development with bunting set 1.5m from the trunk for duration of works.
 - Crossover to be constructed using Permeable materials.
 - No storing of materials on road verge during construction.
 - No vehicles on road verge at any time during development.
 - The applicant will be liable for any damage caused to public trees during the development process, including damage by privately engaged contractors; and
 - Should the Applicant wish to remove a street tree, a separate approval is required.

For further information in relation to street trees, please contact Council's Customer Service Centre on 8366 4200.

Driveway Construction:

- 2
 - Unless approved otherwise, construction of the driveway crossover shall be in accordance with Council's Standard Specification and General Conditions and completed to the reasonable satisfaction of Council.
 - The redundant portion of the existing driveway/gutter crossing must be removed and reinstated to kerb upon completion of the proposed gutter crossing.
 - A driveway width of 4.5 metres is permitted across the verge and a crossover width of 5.5 metres (maximum) is permitted at the kerb and gutter.
 - A space of 6 metres is to be provided between the 2 driveways to ensure an on street parking space remains in front of the dwellings.
 - If you elect to carry out the works yourself (or via a contractor) evidence of Public Liability Insurance must be provided to Council before any works can commence on the public verge/road.

Footpath Maintenance

- Existing footpath levels, grades etc. shall not be altered as a result of the new works associated with the development.

Stormwater Detention

- Due to the increase of the impermeable area, detention shall be provided to limit post development flows. Calculations shall be provided to verify the ability of the proposed detention quantity to meet the Council's default detention and discharge requirements below:
 - The volume of any detention device shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 75% and pervious ($C_p = 0.1$) area of 25%, during a 1 in 20 year flood event for a 10 minute duration.
 - The maximum rate of discharge from the site shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 40% and pervious ($C_p = 0.1$) area of 60%, during a 1 in 5 year flood event for a 10 minute duration.

- For stormwater management purposes, it is desirable that:
 - An additional detention storage of 1,000Ltrs be provided in addition to the standard 1,000Ltrs retention tank provided; and
 - The development utilises permeable paving for the proposed external paving work within the development site.

Stormwater Discharge

- The stormwater pipe across the road verge should terminate at an approved galvanised steel kerb adaptor.
- If the cover to the stormwater pipe across the Council verge is less than 65mm, steel pipe housing is to be used as per Council’s standards.
- The developer is responsible for locating all existing services and to consult with the necessary service providers if there is a conflict when placing stormwater infrastructure.
- Construction of the stormwater infrastructure is in accordance with Council’s Standard Specification and General Conditions and to the overall satisfaction of Council.
- Trenching and connections are to be undertaken as per Australian Plumbing Standards.
- Excess stormwater runoff from the roof catchment shall be discharged to the street water table through a sealed system to the satisfaction of the Council.

CARRIED

Kate Shierlaw left the meeting at 8.41pm.

Kate Shierlaw returned to the meeting at 8:44pm.

Report Number:	5738.6
Page:	377
Application Number:	180\1187\18
Applicant:	Buildtex Pty Ltd
Location:	34 Highfield Avenue, St Georges
Proposal:	Single storey detached dwelling, retaining walls and fencing
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • Stefan J Rossner – 7 Hewitt Avenue, St Georges (called, not present)
Applicant:	<ul style="list-style-type: none"> • Buildtex Pty Ltd (called, not present)

P7276 It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Development Application 180\1187\18, by Buildtex Pty Ltd is **granted** Development Plan Consent subject to the following conditions:

Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 The landscaping detailed on the stamped and approved plans granted Development Plan Consent shall be undertaken within three (3) months of the substantial completion of development and in any event prior to the occupation or use of the development.

Such landscaping shall be maintained in good health and condition to the satisfaction of the Council at all times and any dead or diseased plants or trees shall be immediately replaced to the reasonable satisfaction of the Council.

Reason:

To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

Reserved Matters

1. That pursuant to Section 33(3) of the Development Act 1993, the applicant shall submit detailed proposals for the following reserved matters requiring further assessment by the City of Burnside, prior to Development Approval of the application:
 - 1.1.1. The applicant shall supply a detailed landscaping plan nominating species and planting heights having regards to appropriate scale for landscaping within the front yard
 - 1.1.2. The applicant will provide a schedule of colour and materials with particular reference to the front façade that will complement the local streetscape character and amenity and the cohesive character and visual sensitivity evident within the local area.

Reserved Conditions

1. Pursuant to Section 33(1) of the Development Act 1993 the CAP reserves its decision on the form and substance of any further conditions of Development Plan Consent that it considers appropriate to impose in respect of the reserved matters, and this is delegated to the Assessment Manager.

Advisory Notes**1 Street Trees**

In relation to any street trees adjacent to the proposed development:

- The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the *Sewerage Act 1929*;
- The existing street tree(s) will not be pruned to maintain lines of sight to the proposed sign or the building/façade;
- The street tree(s) will not be removed. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the structure shall only be carried out by Council; and
- Should the Applicant wish to remove a street tree, a separate approval is required.
- The proposed crossover requires a setback of 1.5m from the adjacent street trees.
- Street trees to be protected during development with bunting set 1.5m from the trunk for duration of works.

- Crossover to be constructed using Permeable materials.
- No storing of materials on road verge during construction.
- No vehicles on road verge at any time during development.
- The applicant will be liable for any damage caused to public trees during the development process, including damage by privately engaged contractors.

For further information in relation to street trees, please contact Council's Customer Service Centre on 8366 4200.

2 Driveway:

- Unless approved otherwise, construction of the driveway crossover shall be in accordance with Council's Standard Specification and General Conditions and completed to the reasonable satisfaction of Council.
- A driveway width of 4.5 metres is permitted across the verge and a crossover width of 5.5 metres (maximum) is permitted at the kerb and gutter.
- Driveway gradient is to be no steeper than 1 in 5 at any point along the driveway.
- If you elect to carry out the works yourself (or via a contractor) evidence of Public Liability Insurance must be provided to Council before any works can commence on the public verge/road.

Footpath Maintenance

- Existing footpath levels, grades etc. shall not be altered as a result of the new works associated with the development.

Stormwater Detention

- Due to the increase of the impermeable area, detention shall be provided to limit post development flows. Calculations shall be provided to verify the ability of the proposed detention quantity to meet the Council's default detention and discharge requirements below:
 - The volume of any detention device shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 75% and pervious ($C_p = 0.1$) area of 25%, during a 1 in 20 year flood event for a 10 minute duration.
 - The maximum rate of discharge from the site shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 40% and pervious ($C_p = 0.1$) area of 60%, during a 1 in 5 year flood event for a 10 minute duration.
- For stormwater management purposes, it is desirable that:
 - An additional detention storage of 1,000Ltrs be provided in addition to the standard 1,000Ltrs retention tank provided; and
 - The development utilises permeable paving for the proposed external paving work within the development site.

Stormwater Discharge

- The stormwater pipe across the road verge should terminate at an approved galvanised steel kerb adaptor.
- If the cover to the stormwater pipe across the Council verge is less than 65mm, steel pipe housing is to be used as per Council's standards.
- The developer is responsible for locating all existing services and to consult with the necessary service providers if there is a conflict when placing stormwater infrastructure.
- Construction of the stormwater infrastructure is in accordance with Council's Standard Specification and General Conditions and to the overall satisfaction of Council.
- Trenching and connections are to be undertaken as per Australian Plumbing Standards.

- Excess stormwater runoff from the roof catchment shall be discharged to the street water table through a sealed system to the satisfaction of the Council.

CARRIED

7 CATEGORY 1 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD

Report Number:	5738.7
Page:	429
Application Number:	180\1291\18
Applicant:	St Peters Girls School C/ Botten Levinson Lawyers
Location:	32 Hallett Road, Stonyfell
Proposal:	Removal of significant tree (Eucalyptus Cladocalyx)
Recommendation:	Development Approval be granted

P7277 It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Development Application 180\1291\18, by St Peter’s Girls’ Collegiate School is **granted** Development Approval subject to the following conditions:

Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 Three (3) replacement trees must be planted on site within three months of removal of the significant tree, and thereafter maintained to the reasonable satisfaction of the Council.

The replacement trees must not be a species listed in Regulation 6A(5)(b) of the Development Regulations 2008 and must not be planted within 10 metres of any existing dwelling or existing in-ground swimming pool (regardless of whether the dwelling or pool is within the site or on adjacent properties).

If you do not wish to plant one or more replacement trees, you may instead, **within 28 days from the date of Development Approval** pay a contribution of \$89.50 per tree to the Council’s Urban Trees Fund. If payment is received within 28 days from the date of Development Approval, then replacement trees need not be planted. If payment is not received within this timeframe, this will be taken as confirmation that you accept that you are legally obligated to plant and maintain replacement trees as specified above.

Reason:

To satisfy Section 42(4) of the Development Act 1993.

CARRIED

8 OTHER BUSINESS

- Panel members raised the issue of total floor area guidelines and the potential conflict with the guidelines where underground floor levels are proposed. This trend should be explored further from a planning policy perspective as underground floor levels may offer an innovative and low impact solution to the emerging desire for greater internal floor space.

The Council Assessment Panel agreed to take a short break at 8.43pm.

The meeting resumed at 8.46pm.

9 ORDER FOR EXCLUSION OF THE PUBLIC FROM THE MEETING TO DEBATE CONFIDENTIAL MATTERS

MOVED Ross Bateup, SECONDED Lilian Henschke

P7278 It was the consensus of the Council Assessment Panel, that, pursuant to Regulation 13(2)(a)(viii) of the *Planning, Development & Infrastructure Act (General) Regulations 2017*, the public be excluded from the meeting of the City of Burnside Council Assessment Panel meeting, with the exception of Council staff in attendance, to enable the Panel to receive, discuss or consider legal advice.

The Panel is satisfied that the principle that the meeting be conducted in a place open to the public as been outweighed in these circumstances.

CARRIED

10 CONFIDENTIAL MATTERS

10.1 Legal Matter Appeal

Report Number:	5738.8
Page:	497
Application Number:	180\0570\18
Applicant:	F Marioli of Arkhe Tekhne Pty Ltd
Location:	15 Vansittart Place, Beaumont
Proposal:	Demolition of existing dwelling and ancillary structures to construct three (x3) two-storey dwellings, including balconies, privacy screening, retaining walls, fencing and landscaping
Recommendation:	The Chief Executive Officer be advised that the Council Assessment Panel supports the compromise proposal
Confidentiality:	That the report is to remain in confidence

MOVED Ross Bateup, SECONDED Graeme Brown

P7279 The Chief Executive Officer be advised that the Council Assessment Panel **supports** Development Application 180\0570\18, by F Marioli, subject to the following the conditions:

Conditions

- The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 The timber batten privacy screening that forms the external facades of the upper level component of the proposed buildings, shall extend a minimum 2.6m above the finished floor level of the upper floor, and have timber battens spaced at no less than 100mm centres.

The timber batten privacy screening that forms the balustrade to the east facing balcony associated with Dwelling 1, the north facing balconies associated with Dwellings 1 and 2 and 3, and the west facing balcony associated with Dwelling 3 shall have fixed obscure sheet screening attached to the inner side of the timber battens to a height of 1.7m above the floor level of the balcony.

All screening devices shall be fixed and installed prior to the occupation or use of the building herein granted Development Plan Consent and thereafter shall be maintained to the reasonable satisfaction of Council at all times.

Reason:

To ensure the new development does not unreasonably diminish the privacy of residents in adjoining properties.

- 3 The selected vegetation identified as the '*Syzygium smithii*' (Lilly Pilly hedge) shall be established within three (3) months of the substantial commencement of development, and in any event, prior to the use or occupation of the development.

The '*Syzygium smithii*' (Lilly Pilly hedge) shall be planted at a minimum height of 1700mm and 600mm wide, and established at 800mm centres so as to form an evergreen screening device adjacent the northern side boundary, as delineated on the stamped and approved plans, namely 'Landscaping Plan TP70' dated April 2018, Revision B, by Arkhe Tekhne.

The '*Syzygium smithii*' (Lilly Pilly hedge) shall be maintained in good health and condition to the satisfaction of the Council at all times and any dead or diseased plants or trees shall be immediately replaced to the reasonable satisfaction of the Council.

Reason:

To provide privacy and amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

- 4 The selected vegetation identified as the '*Bambusa Textilis Var. Garcilis*' (Bamboo) shall be established within three (3) months of the substantial commencement of development, and in any event, prior to the use or occupation of the development.

The '*Bambusa Textilis Var. Garcilis*' (Bamboo) shall be established adjacent the western rear boundary, and extend the width of the rear boundary to form a continuous evergreen screening device, as delineated on the stamped and approved plans, namely 'Landscaping Plan TP70' dated April 2018, Revision B, by Arkhe Tekhne. The vegetation shall be established at a minimum height of 2 metres.

The shall '*Bambusa Textilis Var. Garcilis*' (Bamboo) be maintained in good health and condition to the satisfaction of the Council at all times and any dead or diseased plants or trees shall be immediately replaced to the reasonable satisfaction of the Council.

Reason:

To provide privacy and amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

- 5 The landscaping detailed on the stamped and approved plans granted Development Plan Consent shall be undertaken within three (3) months of the substantial completion of development and in any event prior to the occupation or use of the development.

Such landscaping shall be maintained in good health and condition to the satisfaction of the Council at all times and any dead or diseased plants or trees shall be immediately replaced to the reasonable satisfaction of the Council.

Reason:

To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

Additional Commentary

In addition to the above, it is the recommendation of the Panel that consideration be given to the question of undercover car parking associated with each dwelling and whether it would be beneficial to the development to include appropriately designed, open-sided carports given the likelihood such structures would be proposed in future.

The proposed landscaping should also be reconsidered and substituted with select species that are better suited to local conditions, and should include advanced specimens that when mature will soften and screen the built form when viewed from within the streetscape and neighbouring properties.

CARRIED

- P7260 It was the consensus of the Council Assessment Panel, that the report, appendices, attachments and minutes relating to the report 5738.8 remain in confidence pursuant to Regulation 13(2)(a)(viii) of the *Planning, Development & Infrastructure (General) Regulations 2017* as it contains legal advice and will remain in confidence until such time that the matter is determined by the Council Chief Executive Officer.

CARRIED

Closure

Meeting closed at 9:35pm.

CONFIRMED THIS DAY 2018

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Presiding Member