Council Assessment Panel
Minutes

16 November 2026

Our Vision

A City which values its heritage, cultural diversity, sense of place and natural environment.

A progressive City which is prosperous, sustainable and socially cohesive, with a strong community spirit.

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City of Norwood Payneham & St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR 6.30pm

PRESENT

Panel Members
Mr Stephen Smith
Mr Julian Rutt
Mr Paul Mickan
Mr Mark Adcock
Cr Sandy Wilkinson

Staff
Kieran Fairbrother, Manager, Development & Regulatory Services
Ned Feary, Senior Urban Planner
Mark Thomson, Consultant Planner
Kari Pedder, Planning Officer
Daniella Hadgis, Administration Officer

APOLOGIES

ABSENT ***Mark Thomson***

1. COMMENCEMENT AND WELCOME

2. APOLOGIES

3. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT PANEL HELD ON 19 OCTOBER 2026.

Moved by Mr Mickan Seconded by Mr Adcock
CARRIED

4. DECLARATION OF INTERESTS

5. DEVELOPMENT APPLICATIONS – PDI ACT

5.1 DEVELOPMENT NUMBER - ID26005118 – LOUISE BARFORD - 19 MOULDEN STREET NORWOOD SA 5067

DEVELOPMENT NO.:	26005118
APPLICANT:	Louise Barford
ADDRESS:	19 MOULDEN ST NORWOOD SA 5067
NATURE OF DEVELOPMENT:	Two Storey alterations and additions to an existing dwelling, including partial demolition at the rear of the existing dwelling, fencing and the removal of a significant tree
ZONING INFORMATION:	**Zones:** • Established Neighbourhood **Overlays:** • Airport Building Heights (Regulated) • Historic Area • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy **Technical Numeric Variations (TNVs):** • Minimum Site Area (Minimum site area is 300 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	9 May 2026
RELEVANT AUTHORITY:	Assessment panel at City of Norwood, Payneham & St. Peters
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2026.8 30/04/2026
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Mark Thomson - Consultant Planner
REFERRALS STATUTORY:	None
REFERRALS NON-STATUTORY:	Heritage Advisor - David Brown

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DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for additions and alterations to a detached dwelling, fencing and the removal of a significant tree.

An existing lean-to addition at the rear of the dwelling is proposed to be demolished and replaced with a new two-level addition. The new addition comprises an open-plan living/dining/kitchen, bathroom and alfresco at ground level and master bedroom suite at first floor level. A portion of an existing carport to the side of the dwelling is also proposed to be enclosed to create a shed.

The proposed addition has a modern rectilinear design with concealed roof. External walls are proposed to be finished in a mix of vertically grooved fibre cement cladding, painted red at ground level and white at upper level, and monument colour texture coating. Window shrouds are proposed to be finished in copper cladding. North and east facing windows are circular while south and west facing windows are rectangular.

Fencing is proposed to comprise vertical steel blades to a height of 1.2m along the primary street frontage and part-way along the secondary street frontage, increasing in height to 1.8m for a length of 12m up to the point where the proposed addition is situated on the boundary. To the rear of the addition, a short section of 1.8m high masonry wall with a steel blade gate is proposed.

The significant tree which is proposed to be removed is a *citharexylum spinosum* (Fiddle-Wood), located approximately 5m from the western (rear) boundary and 1m from the southern side boundary.

BACKGROUND:

At the time that the application underwent public notification, the upper-level component of the addition was proposed on the northern side boundary, and the external walls of the addition were proposed to be clad in spotted gum timber cladding.

In response to concerns raised by representors and the Council's Heritage Advisor, the upper level has been repositioned so that it is set back 1.3m from the northern boundary and the cladding has been amended to painted fibre cement cladding.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 19 MOULDEN ST NORWOOD SA 5067
Title ref.: CT 5881/732 **Plan Parcel:** F139440 AL60 **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

Shape:	mostly rectangular with a slight 'dogleg' to northern boundary
Right of Way:	free and unrestricted right of way over the access driveway of the adjoining property at 17A Moulden Street
Frontage Width:	10.21m
Area:	364.55m^2
Topography:	mostly flat
Existing Structures:	single storey detached dwelling
Existing Vegetation:	one Significant Tree and three non-regulated trees

Locality

The locality of the subject land is considered to include land:

- along both sides of Moulden Street between Rose Street to the north and Clara Street to the south;
- along both sides of the entirety of Bonney Street; and
- adjoining the subject land at the rear, at 20A Edward Street and 17A Moulden Street.

The extent of the locality is shown in **Attachment 2**.

Moulden Street and Clara Street are characterised by late 19th Century small-scale maisonettes and single-fronted cottages and some later period bungalows.

Two-level rear additions are located at the rear of the dwellings at 24 Moulden Street (adjacent the subject land) and 11A George Street (corner of George Street and Bonney Street). The two dwellings on land adjoining the subject land to the rear at 20A Edward Street and 17A Moulden Street also contain two levels.

The locality generally displays a high degree of historic character and a high level of amenity.

CONSENT TYPE REQUIRED:
Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
  Tree-damaging activity: Code Assessed - Performance Assessed
  Dwelling addition: Code Assessed - Performance Assessed
  Partial demolition of a building or structure: Code Assessed – Performance Assessed
  Fence: Code Assessed – Performance Assessed

- **OVERALL APPLICATION CATEGORY:**
  Code Assessed - Performance Assessed

- **REASON**

Per Tables 1 and 2 of the Established Neighbourhood Zone, there is no possible alternative assessment pathway for any of the elements, as a result of the various Overlays that apply to the subject land.

PUBLIC NOTIFICATION

- **REASON**

The dwelling addition does not achieve the preconditions of Table 5 of the Established Neighbourhood Zone, as it involves a wall on a boundary with a length exceeding 8m and a height exceeding 3.2m.

- **LIST OF REPRESENTATIONS**

Surname	First Name	Address	Position	Wishes to be heard?
Ronald	Evans		Support	No
Jane	Sleath		Support with concerns	Yes
Lyn	Leverington		Opposed	No
Andrew	Cawthorne		Opposed	No
Fran	E		Opposed	No
Margaret	Dingle		Support with concerns	Yes
Anne	Stow-Smith		Opposed	Yes

- **SUMMARY**

The representor from the adjoining land at 17A Moulden Street is concerned that:

- access to their property may be impeded by construction activities on the subject land;
- their property may be damaged by construction activities on the subject land;
- the proposed development may encroach onto their land;

- the applicant may seek a monetary contribution to fence replacement;
- the proposed development will cause overshadowing of their property
- the proposed development will detract from the character of the dwelling on the subject land; and
- the proposed development will detract from the character of the streetscape;

The concerns of the other representors can be summarised as follows:

- the two-storey height and modern style of the addition is incompatible with the historic character of Moulden Street and Bonney Street; and
- the proposed removal of the Significant Tree is not justified having regard to its health and environmental benefits.

In response to the representations, as well as concerns expressed by the Council's Heritage Advisor, the dwelling addition has been amended by repositioning the upper level to be set back 1.3m from the northern boundary and changing the wall finish to painted fibre cement cladding.

INTERNAL REFERRALS

- Heritage Advisor – David Brown

The application was referred to David Brown due to the subject land being located within the Historic Area Overlay.

With respect to the original application which underwent public notification, Mr Brown advised that he was supportive of the two-storey volume of the addition and accepting of the rectilinear form and round windows. However, Mr Brown was concerned with the timber cladding to the external walls which are visible from the street.

In response to the concerns with the cladding, the application was amended by replacing the timber cladding with painted fibre cement cladding. Mr Brown has advised that the painted cladding is more in keeping with the historic streetscape, with the lighter colour at the upper level reducing its visual impact on the streetscape. With respect to the increased setback of the upper level from the northern boundary, Mr Brown has advised that this change improves the compatibility of the building with the historic streetscape.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Land Use and Question of Seriously at Variance

The proposed development maintains the existing residential use of the land that is anticipated in the Established Neighbourhood Zone. The Planning and Design Code (the Code) allows for additions to existing dwellings within the Established Neighbourhood Zone and Historic Area Overlay, subject to a range of character and amenity considerations.

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Building Height

Both the Established Neighbourhood Zone and the Historic Area Overlay contain policies related to building height.

Performance Outcome 4.1 of the Established Neighbourhood Zone states:

> *"Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings*."

The associated Designated Performance Feature (DPF 4.1) provides a 'standard outcome' for the zone of no more than 2 levels.

Performance Outcome 2.2 of the Historic Area Overlay states:

> *"Development is consistent with the prevailing building and wall heights in the historic area*."

The abovementioned policies for the Established Neighbourhood Zone and Historic Area Overlay seek somewhat different outcomes. Where the former seeks buildings of a height that 'contributes' to prevailing character, the latter seeks buildings of a height that is 'consistent' with prevailing heights. Pursuant to the Rules of Interpretation of the Code, the height policy of the Historic Area Overlay prevails to the extent of any inconsistency.

When considered in isolation, PO 2.2 of the Historic Area Overlay suggests that the proposed two-level addition is inappropriate, as it is not consistent with the prevailing single storey height of buildings in the area.

That said, when PO 2.2 is considered in the context of other relevant provisions of the Overlay, it is apparent that some two storey elements may be acceptable in some instances.

Norwood 4 Historic Area Statement (NPSP14) notes that a building height of up to two storeys is one of the important built form characteristics of the area. This appears to recognise that despite most buildings being single storey, occasional two storey buildings do exist and are not necessarily a negative aspect of the built form character of the area.

A number of provisions of the Historic Area Overlay emphasise the importance of maintaining consistent building scale and character at the front of buildings, where the contribution to the streetscape is greatest. This includes Performance Outcomes 2.1, 2.3 and 3.1, which are set out below respectively with the relevant phrases underlined.

> *"The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area*."

> "*Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area*."

> *"Alterations and additions complement the subject building, employ a contextual design approach and are sited to ensure they do not dominate the primary façade*."

It can therefore be deduced that some degree of divergence from the predominant single storey character is acceptable, provided that streetscape character is not unreasonably compromised.

The proposed two storey addition commences approximately 18m behind the primary façade of the dwelling. As a result of this distance, despite being higher than the ridgeline of the existing dwelling, it would likely have limited impact on the streetscape of Moulden Street directly in front of the subject land and to the south.

To the north of the subject land, where Moulden Street has a short east-west alignment and becomes the secondary street frontage, the streetscape presence of the addition would be more pronounced. In this location, the upper level is approximately 4m from the street at the closest point. Given that PO 3.1 seeks to ensure that the primary façade is not dominated, the increase in visibility of the upper level is considered acceptable in this location.

Having regard to all relevant provisions and the context of the locality, which contains other examples of two-level dwellings, the height of the proposed addition is considered acceptable.

Site Coverage

Performance Outcome 3.1 of the Established Neighbourhood Zone states:

> *"Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation*."

The associated Designated Performance Feature (DPF 3.1) provides a 'standard outcome' for the Zone of no more than 50%.

The 50% standard given in DPF 3.1 is not representative of the pattern of site coverage in the neighbourhood and therefore has limited usefulness in the interpretation of PO 3.1 in this instance. In particular, many of the maisonettes and single-fronted cottages in the locality are on small allotments and have had their footprint extended over time, resulting in relatively high levels of site coverage. In addition, some allotments have been sub-divided, with new dwellings on small allotments also having relatively high site coverage, such as the dwelling on the site adjoining the subject land to the rear at 20A Edward Street.

Accordingly, the proposed building footprint is considered to be reasonably consistent with the character and pattern of the neighbourhood. The extent to which the space around the building is sufficient to provide an attractive outlook and access to light and ventilation is considered in the proceeding section.

Side and Rear Setbacks and Boundary Walls

Performance Outcome 8.1 of the Established Neighbourhood Zone states:

> *"Buildings are set back from side boundaries to provide:*
> (a) *separation between buildings in a way that complements the established character of the locality.*
> (b) *access to natural light and ventilation for neighbours."*

Other than in relation to boundary walls, the associated Designated Performance Feature (DPF 8.1) provides a 'standard outcome' for side boundary setbacks of at least 900mm for walls up to 3m high and 900mm plus one-third of the extent to which the height of a wall exceeds 3m. An additional 1m applies to south-facing walls.

The proposed addition includes 4.1m high ground level walls and 6.7m high upper-level walls. All heights are measured above natural ground level. Applying the formula in DPF 8.1, this equates to minimum setbacks of:

- 2.3m for the ground level south facing wall;
- 3.1m for the upper level south facing wall; and
- 2.1m for the upper level north facing wall.

In relation to boundary walls, PO 7.1 states:

> *"Walls on boundaries are limited in height and length to manage visual and overshadowing impacts on adjoining properties*."

DPF 7.1 provides a 'standard outcome' of no greater than 8m length and 3.2m height for boundary walls.

Having regard to the southern side boundary, the proposed addition achieves the upper-level setback standard, with a setback of 3.5m, however does not achieve the ground level setback standard, with a setback of 1m instead of 2.3m.

The formula in DPF 8.1 is flawed for ground level walls greater than 3m in height on the southern side. To illustrate this point, wall 3m high located 900mm from the boundary is consistent with DPF 8.1, while a wall 3.1m high would need to be 1.93m from the boundary to be consistent. The impact of an additional 100mm in height clearly does not justify an increase in setback of over 1m.

Accordingly, DPF 8.1 is considered to have limited usefulness in the interpretation of PO 8.1 in relation to the impact of the southern boundary setbacks on the adjoining property. Planning Consent has recently been granted for additions to the adjoining property at 21 Moulden Street. Those additions have not been illustrated in the overshadowing plans prepared for the current application; however, they extend to within 5.3m of the rear boundary. Taking into account these additions, it appears likely that approximately 50% of the remaining private open space will receive approximately 2 hours of direct sunlight between 9.00am and 3.00pm during the winter solstice, as per DPF 3.2 of the Interface between Land Uses module.

Having regard to the northern side boundary, as the adjacent part of the adjoining property is an access driveway, the proposed additions do not result in unreasonable visual impacts. Similarly, any minor reduction in light (noting that direct sunlight is not impeded due to the orientation) is also not unreasonable.

With respect to the proposed rear setback, PO 9.1 states:

"Buildings are set back from rear boundaries to provide:
(a) separation between buildings in a way that complements the established character of the locality.
(b) access to natural light and ventilation for neighbours
(c) private open space
(d) space for landscaping and vegetation."

The associated Designated Performance Feature (DPF 9.1) provides a 'standard outcome' for the Zone of at least 4m for the first building level and 6m for any second building level.

The proposed addition is set back 6.1m from the rear boundary at the upper level and 2.1m at ground level. That said, the last 4m of the addition (i.e. the portion within 6.1m of the rear boundary) is the alfresco. If the alfresco was assessed as a stand-alone development, rather than forming part of the dwelling addition, there would be no specific rear setback standard applicable.

Having regard to the considerations listed in PO 9.1:

- as discussed under the heading of site coverage, the impact of the space around the building on the character of the locality is considered acceptable;
- as discussed in relation to side setbacks, the impact of the proposal on access to light and ventilation to the adjoining property to the south is considered acceptable. Similarly, the shadow diagrams show that the impact on light to the adjoining property to the rear is negligible;
- the proposal maintains approximately 56m^2 of private open space which, although slightly less than the 60m^2 standard contained in Table 1 – Private Open Space, for site areas greater than 300m^2, is considered sufficient to meet the needs of occupants; and
- taking into account soft landscaping at the front of the property, the proposal maintains approximately 52m^2 of soft landscaping, equating to 14% of the subject land. Although less than the 20% standard contained in DPF 22.1 for site areas of between 200m^2 and 450m^2, there is no change to the amount of soft landscaping forward of the building line and the amount of side and rear landscaping is considered sufficient in the context of the relatively high levels of site coverage in the locality (as previously discussed).

Overall, the proposed side and rear setbacks are considered acceptable, as is the boundary wall on the northern side boundary.

Overlooking

The proposed rear (west) facing upper-level window has a sill height of 1.5m above floor level, consistent with the standard contained in DPF 10.1 of the Design in Urban Areas module.

The proposed north side facing upper-level round window corresponds with the location of the staircase and has a sill height of 1.5m above the height of the stairs directly below it.

The proposed south side facing upper-level window corresponds with the shower of the ensuite and has a sill height of 1m above floor level. To the extent that it is unclear from the elevations whether the glass in this window is intended to be obscured, a condition is recommended requiring obscure treatment to a height of at least 1.5m above floor level.

Heritage

Performance Outcome 3.1 of the Historic Area Overlay states:

> "*Alterations and additions complement the subject building, employ a contextual design approach and are sited to ensure they do not dominate the primary façade*."

The Council's Heritage Advisor is supportive of the proposal, stating that the visual separation between the original dwelling and the addition is a positive outcome, as is the scale and height of the lower level walls, which reference those of the existing dwelling. In relation to the upper level, the Heritage Advisor considers that the light colour and setbacks from boundaries results in acceptable impacts on the streetscape.

Tree Removal

Performance Outcome 1.2 of the Regulated and Significant Tree Overlay states:

> *"Significant trees are retained where they:*
> (a) *make an important contribution to the character or amenity of the local area*
> (b) *are indigenous to the local area and are listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species.*
> (c) *represent an important habitat for native fauna.*
> (d) *are part of a wildlife corridor of a remnant area of native vegetation.*
> (e) *are important to the maintenance of biodiversity in the local environment. and / or*
> (f) *form a notable visual element to the landscape of the local area*."

The subject tree is an introduced exotic species and therefore does not satisfy parts (b), (c), (d) or (e) of PO 1.2.

The tree has a height of approximately 10-15 metres, a spread of 5-10 metres and is located at the rear of the dwelling, near the southern side boundary. According to advice from the applicant's Arborist, the tree is in good health and has fair structure, with a large amount of epicormic growth resulting from previous pruning.

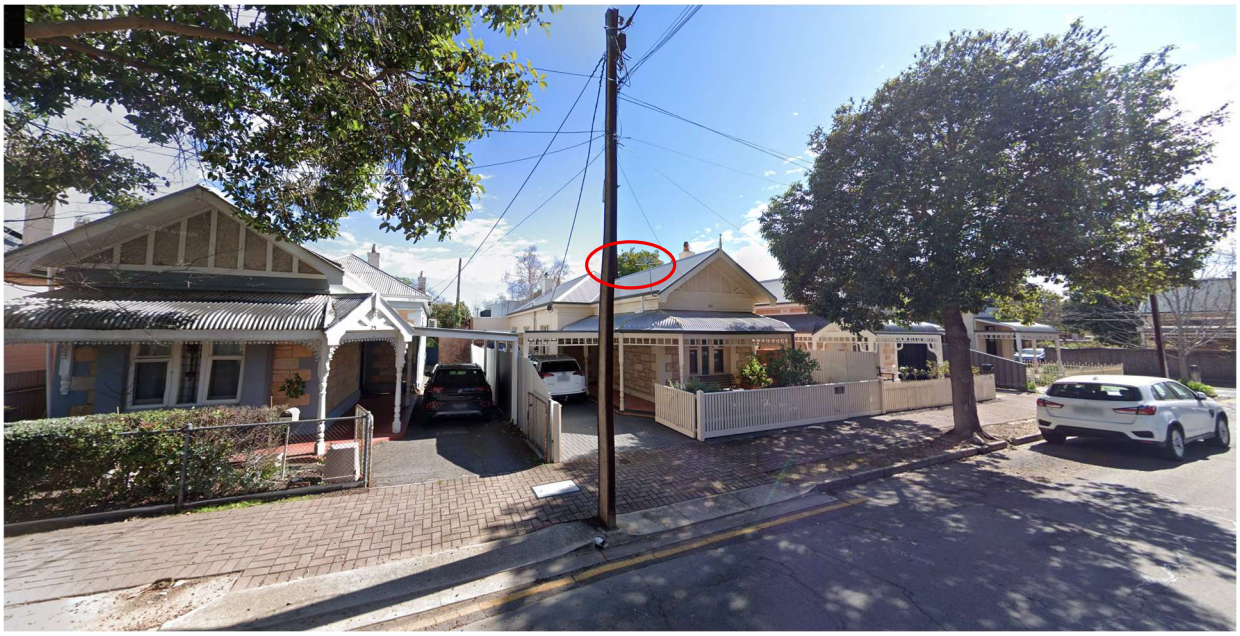
The tree is of average height in comparison to other trees within the locality. Street trees are generally lower in height, but have a similar spread and greater visual prominence from the public realm.

The tree is readily visible from several vantage points along Moulden Street and Bonney Street within the locality. It is not readily identifiable from George Street, Edward Street, Clara Street or Magill Road. Figures 1 and 2 below show images of the tree from Bonney Street and Moulden Street.

Figure 1. Image of tree from Bonney Street adjacent the subject land



Figure 2. Image of tree from Moulden Street, just south of the subject land



The tree is considered to make a positive contribution to the character and amenity of the local area, as do most other trees in the local area. That said, the level of contribution of the subject tree is not considered to reach the status of 'important' for the purposes of PO 1.2(a). That status applies to 'stand out' trees in the local area, such as the very large eucalypt trees within Richards Park and on the corner of Clara Street and Edward Street.

Similarly, the tree is not considered to form a notable visual element to the landscape of the local area. Whilst visible from parts of the defined locality, the 'local area' covers a broader area and the subject tree is not a visual element of the landscape of the local area, unlike taller trees such as the aforementioned eucalypt tress within Richards Park and on the corner of Clara Street and Edward Street.

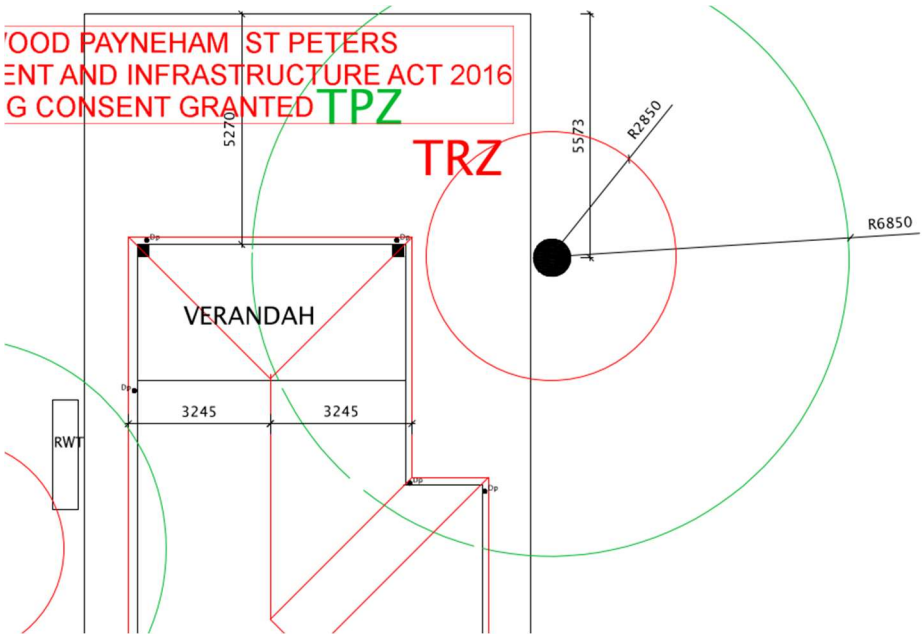
Accordingly, the subject tree is not considered to possess the attributes of significant trees that the Code seeks to retain.

If an alternative conclusion was reached on the assessment against PO 1.2, it would be necessary to consider PO 1.4, which states:

> "*A tree-damaging activity in connection with other development satisfies all the following:*
> *(a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible*
> *(b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring."*

When considering PO 1.4, it is necessary to consider that the recently approved addition to the dwelling on the adjoining property to the south already results in some encroachment into the Notional Root Zone of the tree, as shown in Figure 3 below.

Figure 3. Subject tree relative to approved addition at 21 Moulden Street



Therefore, even if the footprint of the proposed dwelling addition was reduced substantially in size, it would still result in an increase in encroachment within the Notional Root Zone of the tree beyond that which is typically acceptable. It would also require an increase in floor area at the upper level in order to achieve the same overall floor area, resulting in an increase in its visual prominence and reduction in compatibility with streetscape character.

Fences

Performance Outcome 4.4 of the Historic Area Overlay states:

> *"Fencing and gates closer to a street boundary (other than a laneway) than the elevation of the associated building are consistent with the traditional period, style and form of the associated building."*

The proposed fencing forward of the building line of the dwelling is low (1.2m high) and comprises simple vertical steel blades. While the general height and open nature of the fencing is appropriate, given that specific details have not been provided and the Council's Heritage Advisor has not provided a specific comment on the fencing, it is recommended that this be the subject of a reserved matter.

Flooding

The site is located within the Hazards (Flooding – General) Overlay. However, this is limited to a very small section of the front yard and not where the development is proposed to occur. The rear addition is proposed to have the same finished floor level as the existing dwelling. Accordingly, a referral to Council's external flooding engineer was not deemed necessary as the addition is not considered to be at risk of inundation in a 1% AEP event.

CONCLUSION

The proposed two storey dwelling addition is considered consistent with the various relevant performance outcomes of the Established Neighbourhood Zone and Historic Area Overlay. Despite being inconsistent with the prevailing single storey height of buildings in the locality, the Norwood 4 Historic Area Statement recognises the contribution of two storey buildings, and the proposed upper level is sufficiently set back from boundaries so as not to detract from streetscape character.

Some quantitative standards of the Code relating to site coverage, side and rear setbacks, private open space and soft landscaping are not achieved, however in each case the proposal is considered to achieve the corresponding performance outcome, having regard to the specific details of the proposal and the locality.

The Significant Tree which is proposed to be removed is an exotic species which, although making some positive contribution to the area, is not considered to possess the qualities of Significant Trees that the Code seeks to retain and in any event, cannot be retained with the proposed reasonable development of the land.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

2. Development Application Number 26005118, by Louise Barford is granted Planning Consent subject to the following conditions and reserved matters:

RESERVED MATTERS

Pursuant to Section 102(3) of the Planning, Development & Infrastructure Act 2016, the following matter shall be reserved for further assessment prior to the granting of Development Approval. Resolution of the reserved matter and the imposition of any additional conditions is delegated to the Assessment Manager:

1. Details of all fencing, noting that drawing numbers PD06 and PD07 contain conflicting information on front fencing. Specific details are required, including colours, finishes, height and spacing.

CONDITIONS
Planning Consent

Condition 1
The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2
All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers within the next available planting season after the occupation of the premises to the reasonable satisfaction of the Assessment Manager and such plants, as well as any existing plants which are shown to be retained, shall be nurtured and maintained in good health and condition at all times, with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.

Condition 3
Three (3) replacement trees must be planted on the subject land within 12 months of completion of the development. Replacement trees cannot be within a species identified under regulation 3F(4)(b) of the *Planning, Development and Infrastructure (General) Regulations 2017,* and cannot be planted within 3 metres of an existing dwelling or in-ground swimming pool.

Condition 4
All stormwater from buildings and hard-surfaced areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building and in all instances the stormwater drainage system shall be directly connected into either the adjacent street kerb & water table or a Council underground pipe drainage system.

Condition 5
All upper floor windows shall either have sill heights of a minimum of 1500mm above floor level or be treated to a minimum height of 1500mm above floor level, within one (1) week of occupation of the building, in a manner that restricts views being obtained by a person within the room to the reasonable satisfaction of the Assessment Manager, and such treatment shall be maintained at all times to the reasonable satisfaction of the Council.

ADVISORY NOTES
Planning Consent

Advisory Note 1
The Applicant is reminded of its responsibilities under the *Environment Protection Act 1993*, to not harm the environment. Specifically, paint, plaster, concrete, brick wastes and wash waters should not be discharged into the stormwater system, litter should be appropriately stored on site pending removal, excavation and site disturbance should be limited, entry/exit points to the site should be managed to prevent soil being carried off site by vehicles, sediment barriers should be used (particularly on sloping sites), and material stockpiles should all be placed on site and not on the footpath or public roads or reserves. Further information is available by contacting the EPA.

Advisory Note 2
The granting of this consent does not remove the need for the beneficiary to obtain all other consents which may be required by any other legislation.

The Applicant's attention is particularly drawn to the requirements of the *Fences Act 1975* regarding notification of any neighbours affected by new boundary development or boundary fencing. Further information is available in the 'Fences and the Law' booklet available through the Legal Services Commission.

Advisory Note 3
The Applicant is advised that construction noise is not allowed:

1. on any Sunday or public holiday; or
2. after 7pm or before 7am on any other day

Advisory Note 4
The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections), or works that require the closure of the footpath and / or road to undertake works on the development site, will require the approval of the Council pursuant to the *Local Government Act 1999* prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

Advisory Note 5
The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work. Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and, in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to

recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

Advisory Note 6
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 7
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.

Advisory Note 8
Consents issued for this Development Application will remain valid for the following periods of time:

1. Planning Consent is valid for 24 months following the date of issue, within which time Development Approval must be obtained;
2. Development Approval is valid for 24 months following the date of issue, within which time works must have substantially commenced on site;
3. Works must be substantially completed within 3 years of the date on which Development Approval is issued.

If an extension is required to any of the above-mentioned timeframes a request can be made for an extension of time by emailing the Planning Department at townhall@npsp.sa.gov.au. Whether or not an extension of time will be granted will be at the discretion of the relevant authority.

Advisory Note 9
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.

Advisory Note 10
If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

Mr Richard Sleath addressed the Council Assessment Panel from 6.35pm until 6.38pm
Ms Ann Stow-Smith addressed the Council Assessment Panel from 6.42pm until 6.43pm
Mr Tony Giannoe addressed the Council assessment Panel from 6.44pm until 6.48pm

Moved by Cr Wilkinson

1. *The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the Planning, Development and Infrastructure Act 2016.*

Seconded by Mr Adcock
CARRIED

Moved by Mr Rutt

2. *Development Application Number 26005118, by Louise Barford is granted Planning Consent subject to the following conditions and reserved matters:*

RESERVED MATTERS

Pursuant to Section 102(3) of the Planning, Development & Infrastructure Act 2016, the following matter shall be reserved for further assessment prior to the granting of Development Approval. Resolution of the reserved matter and the imposition of any additional conditions is delegated to the Assessment Manager:

1. *Details of all fencing, noting that drawing numbers PD06 and PD07 contain conflicting information on front fencing. Specific details are required, including colours, finishes, height and spacing.*

CONDITIONS
Planning Consent

Condition 1
The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2
All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers within the next available planting season after the occupation of the premises to the reasonable satisfaction of the Assessment Manager and such plants, as well as any existing plants which are shown to be retained, shall be nurtured and maintained in good health and condition at all times, with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.

Condition 3
Three (3) replacement trees must be planted on the subject land within 12 months of completion of the development. Replacement trees cannot be within a species identified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, and cannot be planted within 3 metres of an existing dwelling or in-ground swimming pool.

Condition 4
All stormwater from buildings and hard-surfaced areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building and in all instances the stormwater drainage system shall be directly connected into either the adjacent street kerb & water table or a Council underground pipe drainage system.

Condition 5
All upper floor windows shall either have sill heights of a minimum of 1500mm above floor level or be treated to a minimum height of 1500mm above floor level, within one (1) week of occupation of the building, in a manner that restricts views being obtained by a person within the room to the reasonable satisfaction of the Assessment Manager, and such treatment shall be maintained at all times to the reasonable satisfaction of the Council.

ADVISORY NOTES
Planning Consent

Advisory Note 1
The Applicant is reminded of its responsibilities under the Environment Protection Act 1993, to not harm the environment. Specifically, paint, plaster, concrete, brick wastes and wash waters should not be discharged into the stormwater system, litter should be appropriately stored on site pending removal, excavation and site disturbance should be limited, entry/exit points to the site should be managed to prevent soil being carried off site by vehicles,
sediment barriers should be used (particularly on sloping sites), and material stockpiles should all be placed on site and not on the footpath or public roads or reserves. Further information is available by contacting the EPA.

Advisory Note 2
The granting of this consent does not remove the need for the beneficiary to obtain all other consents which may be required by any other legislation.The Applicant's attention is particularly drawn to the requirements of the Fences Act 1975 regarding notification of any neighbours affected by new boundary development or boundary fencing. Further information is available in the 'Fences and the Law' booklet available through the Legal Services Commission.

Advisory Note 3
The Applicant is advised that construction noise is not allowed:

1. *on any Sunday or public holiday; or*
2. *after 7pm or before 7am on any other day*

Advisory Note 4
The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections), or works that require the closure of the footpath and / or road to undertake works on the development site, will require the approval of the Council pursuant to the Local Government Act 1999 prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

Advisory Note 5
The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work.
Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and, in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

Advisory Note 6
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Advisory Note 7
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.

Advisory Note 8
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1. *Planning Consent is valid for 24 months following the date of issue, within which time Development Approval must be obtained;*
2. *Development Approval is valid for 24 months following the date of issue, within which time works must have substantially commenced on site;*
3. *Works must be substantially completed within 3 years of the date on which Development Approval is issued.*

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Advisory Note 10
If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

Seconded by Mr Adcock
CARRIED

6. DEVELOPMENT APPLICATIONS – DEVELOPMENT ACT

Nil

7. REVIEW OF ASSESSMENT MANAGER DECISIONS

Nil

8. ERD COURT APPEALS

Nil

9. OTHER BUSINESS

(Of an urgent nature only)

Mr Smith requested that Item 6 "Development Applications – Development Act" be removed from the Agenda.
Mr Adcock requested that the Meeting Procedures are amended to require Minutes to be confirmed by the Council Assessment Panel on the night of the meeting.
Mr Smith thanked the Council for facilitating the Council Assessment Panel Training session.

10. CONFIDENTIAL REPORTS

Nil

11. CLOSURE

The Presiding Member declared the meeting closed at 7.20pm

_____
Stephen Smith
PRESIDING MEMBER

_____
Kieran Fairbrother
MANAGER, DEVELOPMENT & REGULATORY SERVICES