

CITY OF WEST TORRENS



Minutes
of the
DEVELOPMENT ASSESSMENT PANEL

of the

CITY OF WEST TORRENS

held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

TUESDAY, 13 SEPTEMBER 2016
at 5:00 PM

Terry Buss
Chief Executive Officer

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1. MEETING OPENED

The Presiding Member declared the meeting open at 5.00pm.

1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by the Presiding Member.

2. PRESENT

Panel Members:

C Dunn	(Independent Presiding Member)
K McKay	(Councillor)
G Nitschke	(Councillor)
T Polito	(Councillor)
W Stokes	(Independent Member)
J Strange	(Independent Member)

Officers:

T Buss	(Chief Executive Officer and DAP Public Officer)
A Catinari	(General Manager Urban Services)
T Kelly	(Coordinator City Development)
J Grima	(Development Officer)
J Leverington	(Development Officer)

3. APOLOGIES

Nil

4. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Panel held on 9 August 2016 be confirmed as a true and correct record.

DEVELOPMENT ASSESSMENT PANEL DECISION

MOVED W Stokes SECONDED J Strange that the recommendation be adopted.

5. DISCLOSURE STATEMENTS

Nil

6. REPORTS OF THE CHIEF EXECUTIVE OFFICER

6.1 16 Warwick Avenue, KURRALTA PARK

Application No. 211/881/2015

Appearing before the Panel:

Representors: **Voula & Steve Haliabalias** of 21 Wood Street, Kurralta Park appeared in support of the representation.

Anton Olbrycht of 14 Warwick Avenue, Kurralta Park appeared in support of the representation.

Applicant/s: **Shanti Ditter** of Planning Aspects on behalf of Ocean Lee (Applicant) appeared to respond to representations.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/881/2015 by Ocean Lee to undertake development comprising land division and land use- (Community title - DAC No -211/C104/15 - Create One (1) additional allotment AND Construction of a two-storey residential flat building containing two (2) dwellings and the construction of an attached carport associated with the existing single storey dwelling) at 16 Warwick Avenue, Kurralta Park (CT 5550/941) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by Alexander Symonds Surveying Consultants dated 28 June 2016 (reference A004915.0001) relating to Development Application No. 211/881/2015 (DAC 211/C104/15).
2. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 13 September 2016 as detailed in this application except where varied by any condition(s) listed below.
3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
4. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

6. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
7. That the upper level windows of the dwellings shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows will be maintained in reasonable condition at all times.
8. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS:

1. That all structures and building that currently exist on the allotments approved herein and the common property shall be removed. For this purpose, a separate application for demolition shall be submitted for the determination and consideration by Council.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

1. The financial requirements of SA Water shall be met for the provision of water and sewerage services (SA Water H0035557).

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdiving/community-title-development-factsheets-and-information> For information call SAW Land Developments on 74241119.

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

2. Payment of \$6488.00 into the Planning and Development Fund (1 lot(s) @ \$6488/lot). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/881/2015 by Ocean Lee to undertake development comprising land division and land use- (Community title - DAC No -211/C104/15 - Create One (1) additional allotment AND Construction of a two-storey residential flat building containing two (2) dwellings and the construction of an attached carport associated with the existing single storey dwelling) at 16 Warwick Avenue, Kurralta Park (CT 5550/941) subject to the following conditions of consent:

1. The proposed development is contrary to:
 - General Section, Residential Development Principle of Development Control 2
Reason: The proposed residential flat building is two-storeys in height.
 - General Section, Design and Appearance Principle of Development Control 1
 - General Section, Residential Development Principle of Development Control 4
Reason: The bulk, scale and mass of the two-storey building and lack of articulation and detailing results in a development with a design and appearance that is not compatible with the surrounding area.
 - General Section, Residential Development Principle of Development Control 31
Reason: The dwelling sites do not provide adequate provision for domestic storage.

6.2 59 Main Street, LOCKLEYS

Application No. 211/44/2016

Appearing before the Panel:

Representors: **Peter McAllister** of 53 Main Street Lockleys wishes to appear in support of his representation

Applicant **Phil Brunning** (applicant's representative) wishes to appear to respond to the representation.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development and division of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT CONSENT to Development Applications 211/44/2016 and 211/C028/16 consisting of the construction of eight (8) two storey dwellings with associated car parking, fencing and landscaping areas & community division to create seven (7) additional lots subject to conditions

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS

1. The built form development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. The land division must be undertaken and completed in accordance with the plans and information detailed in this application (211/C028/16) except where varied by any condition(s) listed below.
3. The upper level windows of the dwelling must have a sill height of a minimum of 1.7 metres or be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows is to be maintained at all times to the reasonable satisfaction of Council.
4. The cost of rectifying any conflict with existing Council infrastructure arising out of this development will be borne by the applicant.
5. Any access over, or works undertaken on, Council owned land (including but not limited to works relating to reserves, crossovers, driveways, landscaping, footpaths, street trees and stormwater connections), will require the approval of the Council's City Assets Department. Further information and/or specific details can be obtained by phoning Council on 8416 6333.
6. The finished floor level must be a minimum of 350mm above the highest point of the watertable adjacent to the property.
7. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
8. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
9. The stormwater outlet from the site should be connected to pre provided stormwater outlet through the road verge area.
10. Each dwelling to be fitted with a stormwater detention tank meeting the following design criteria;
 - A minimum 1500 litre detention storage tank. This detention storage requirement is over and above any Building Code of Australia requirement for a rainwater tank. These tanks shall be arranged such that stormwater is directed to the rainwater tank first, and overflow from this tank shall be directed to the detention tank.
 - 100% of the roof area from each dwelling shall be directed to the detention storage.
 - Discharge from the detention tank is to be limited through the utilisation of an 20mm outlet orifice.

LAND DIVISION CONSENT

COUNCIL CONDITIONS

Nil

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0043649).
2. Payment of \$45416.00 into the Planning and Development Fund (7 lots @ \$6488.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (83030724), by cheque payable to the Development Assessment Commission marked "NOT NEGOTIABLE" and sent to GPO Box 1815, Adelaide, 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

Notes

SA Water also advises that for further processing of this application by SA Water to establish the full requirements and costs of this development, the developer will need to advise SA Water the preferred servicing option. For further information or queries contact SA Water Land Developments on 74241119.

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost of the owner/applicant.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development and division of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Applications 211/44/2016 and 211/C028/16 consisting of the construction of eight (8) two storey dwellings with associated car parking, fencing and landscaping areas & community division to create seven (7) additional lots for the following reasons:

1. The proposed development is contrary to:
 - Zone Section, Residential Zone, Low Density Policy Area 21 Principles of Development Control 3 & 6

Reason: Majority of the proposed allotments and sites for dwellings have site areas and frontages less than the quantitative provision specified.
 - Zone Section, Residential Zone Principle of Development Control 11

Reason: Proposed dwellings do not meet quantitative provisions of Development Plan in relation to boundary setbacks.
 - General Section, Residential Development Principle of Development Control 30

Reason: Inadequate provision for the collection, storage and disposal of household waste.

6.3 6-8 Elizabeth Street, TORRENSVILLE

Application No. 211/1275/2015

Appearing before the Panel:

Representors: **Alan & Tracy Maingard** of 1 and 3 Elizabeth Street, Torrensville appeared in support of their representation;

George Fotopoulos of 1 Fairfax Terrace, Torrensville appeared in support of his representation.

Applicants: **Leon Seltsikas** of LS Design Construct appeared to respond to representations.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/875/2015 by LS Design to construct a two storey detached dwelling with garage under roof and three (3), two storey dwellings and associated driveway and landscaping at 6-8 Elizabeth Street, Torrensville (CT's 5034/753, 5043/754, 5034/755 & 5724/833) for the following reasons:

1. The proposed development is contrary to
 - Cowandilla/Mile End West Character Policy Area 23 - Objective 1
 - Cowandilla/Mile End West Character Policy Area 23 - Desired Character Statement
 - Cowandilla/Mile End West Character Policy Area 23 - Principle of Development Control 2
 - Residential Zone Principle of Development Control 5
 - Residential Zone Principle of Development Control 17
 - Residential Zone Principle of Development Control 20
 - Residential Zone Principle of Development Control 21
 - Residential Development Principles of Development Control 2
 - Residential Development Principles of Development Control 4

Reason: The two storey buildings are not consistent with the existing dwellings within the locality or with the relevant policies of the Development Plan.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.4 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK

Application No. 211/881/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan and Land Division Consent for Application No. 211/881/2016 by Richard Retallack to undertake Land division - Torrens Title; DAC No. 211/D104/16 (Unique ID 54925); Creating two(2) additional allotments at 432 & 434 Sir Donald Bradman Drive, Brooklyn Park (CT 5704/545 & CT 5964/228) subject to the following conditions of consent:

Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by Richard Retallack relating to Development Application No. 211/811/2016 (DAC 211/D104/16).
2. That prior to the issue of clearance to the division approved herein, the existing outbuildings shall be removed from proposed Allotments.

Land Division Consent Conditions

3. All vehicles shall enter and exit Allotment 41 in a forward direction. A suitably designed turning bay shall be installed at the front of the dwelling located on Allotment 41 to enable all this to occur.
4. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0048415). SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to the development will be costed as standard or non-standard.
5. Payment of \$12976 into the Planning and Development Fund (2 allotment/s @ \$6488 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
6. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.5 76 Daly Street, KURRALTA PARK

Application No. 211/541/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/541/2016 by Damir Ivanovic to undertake Land division - Torrens Title; DAC No. 211/D060/16 (Unique ID 54235); Create one(1) additional allotment at 76 Daly Street, Kurralta Park (CT 5285/278) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS

1. Development is to take place in accordance with the plans prepared by Jeanes & Somerville Surveyors relating to Development Application No. 211/541/2016 (DAC 211/D060/16).

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS

1. That prior to the issue of clearance to the division approved herein, all existing structures on Lot 101 shall be demolished.
2. The existing Class 1a dwelling is required to be fire separated in accordance with Part 3.7.1 of the BCA.
 - Evidence must be submitted to Council to verify compliance with the above
 - If the fire separation does not exist, an application for Building Rules Consent under the Development Act 1993 shall be lodged with Council (or Private Certifier) and Development Approval shall be issued prior to the commencement of building work. A Schedule 19A – Statement of Compliance from the builder (building supervisor), shall be submitted to Council upon completion of the work.
Evidence that fire separation of the units is in place shall be submitted to Council prior to the issue of Section 51 Clearance.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

3. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

4. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.6 19 Broughton Avenue, KURRALTA PARK

Application No. 211/487/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/487/2016 (DAC No. 211/D058/16) by State Surveys to undertake a combined Land Division and Land Use Application - Torrens Title; DAC No. 211/D058/16 (Unique ID 54184) to create one (1) additional allotment and construction of two (2) two-storey detached dwellings each with garage under main roof at 19 Broughton Avenue, Kurralta Park (CT 6172/537) for the following reasons:

1. The proposed development is contrary to:
 - General Section, Design & Appearance Objective 1
 - General Section, Energy Efficiency Objective 1
 - General Section, Land Division Objective 2
 - General Section, Design & Appearance Principle of Development Control 1
 - General Section, Design & Appearance Principle of Development Control 5
 - General Section, Residential Principle of Development Control 4

Reason: Proposed dwellings do not respond to the local environment and proposed allotments are not of a suitable size for their intended purpose based on the dwelling design submitted.

- Zone Section, Residential Zone Principle of Development Control 7, 10, 11

Reason: Proposed dwellings do not meet quantitative provisions of Development Plan

- Zone Section, Residential Zone, Medium Density Policy Area 19 Principle of Development Control 3 & 5

Reason: Proposed dwellings do not meet quantitative provisions of Development Plan in relation to site area and boundary setbacks

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.7 6 Darebin Street, MILE END

Application No. 211/173/2016/B

RECOMMENDATION

That the Development Plan Consent granted by the Development Assessment Panel at its meeting held on 10 May 2016, to undertake partial demolition of an existing dwelling and construction of ground floor alterations and additions, a first floor addition, a cellar and an attached carport and verandah at 6 Darebin Street, Mile End (CT 5322/37), be varied by the deletion of existing conditions 2 and 3 and their replacement with the following conditions.

2. Prior to the issue of full Development Approval details must be provided to demonstrate that the east and west facing sides of the balcony will be suitably screened to a height of at least 1.7 metres above the first floor finished floor level.
3. That the screen to the east and west facing sides of the balcony will be provided to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The balcony screen shall be maintained in reasonable condition at all times.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.8 27A Stephens Avenue, TORRENSVILLE

Application No. 211/310/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/310/2016 by Rivergum Homes to Construct a two-storey dwelling with garage under main roof at 27A Stephens Avenue (CT 6139/550) for the following reasons:

1. The proposed development is contrary to
 - Council Wide Objectives Design and Appearance Principle of Development Control 1 & 21 and 4
Reason: The setback will not make a positive contribution to the streetscape
 - Council Wide Principles of Development Control Residential Development Principle of Development Control 4
Reason: The design and appearance of the proposed dwelling are not in keeping with the existing or desired character of the locality and Policy Area.
 - Residential Zone Objective 4 and Principles of Development Control 5 and 8
Reason: The proposed development does not contribute to the desired character of the zone.
 - Torrensville Character Policy Area 28 Objective 1 and Principle of Development Control 2
Reason: The proposed development is not consistent with the desired character for the policy area.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.9 28 & 42 Myer Avenue, PLYMPTON

Application No. 211/691/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/815/2016 by Mr Lazlo Bachmeyer to undertake Land Division - Torrens Title; DAC No. 211/D085/16 (Unique ID 54526); Boundary re-alignment and create one (1) additional allotment at 28 & 42 Myer Avenue, Plympton (CT 5569/482 & 5570/614) subject to the following conditions of consent

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS

1. Development is to take place in accordance with the plans prepared by Block Surveys relating to Development Application No. 211/691/2016 (DAC 211/D085/16).

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS

Nil

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.10 104 Marion Road, BROOKLYN PARK

Application No. 211/592/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/592/2016 by Peter Thanos to undertake Land Division - Torrens Title; DAC No. 211/D069/16 (Unique ID 54322); Create one (1) additional allotment at 104 Marion Rd, Brooklyn Park (CT 5633/991) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS

1. Development is to take place in accordance with the plans prepared by Bartlett Drafting and Development relating to Development Application No. 211/592/2016 (DAC 211/D069/16).

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS

1. That prior to the issue of clearance to the division approved herein, the existing carport, verandah and shed shall be modified or removed from proposed Allotment(s).

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0046337).
An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non-standard.

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

3. Payment of \$6488 into the Planning and Development Fund (1 allotment/s @ \$6488 /allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

Notes:

- a) The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5metres in width from the Marion Road frontage of this site for future upgrading of the Marion Road / Sir Donald Bradman Drive Intersection, together with a 4.5m by 4.5m corner cut off at the Marion Road/ Press 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.
- b) Future owners should be made aware of the following:
 - it is significantly flood affected (up to 0.5m in a 1 in 100yr ARI flood event)
 - Australian Standard 2021 - Acoustics - Aircraft Noise Intrusion - Building Siting and Construction will need to be met for any future dwelling built upon the site, the site is currently within the ANEF>35 contour.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

6.11 58 Harvey Avenue, NETLEY

Application No. 211/815/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/815/2016 by Mr Lazlo Bachmeyer to undertake Land division - Torrens Title; DAC No. 211/D105/16 (Unique ID 54926); Create one (1) additional at 58 Harvey Avenue, Netley (CT 5487/609) subject to the following conditions of consent

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS

1. Development is to take place in accordance with the plans prepared by State Surveys relating to Development Application No. 211/815/2016 (DAC 211/D105/16).

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS

1. That prior to the issue of clearance to the division approved herein, the existing dwelling shall be removed from proposed Allotments.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
3. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

7. CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 247-247A South Road, MILE END - CONFIDENTIAL

Application No. 211/864/2015

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A (12) (a) of the *Development Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- (viii) legal advice

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

RECOMMENDATION

That:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Development Assessment Panel orders pursuant to Section 56A(12)(a) of the *Development Act 1993*, that the public, with the exception of the Chief Executive Officer, General Manager Urban Services, Manager City Development, Co-ordinator Development, Development Officer - Planning, Administrative Assistants, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Chief Executive Officer.
2. At completion of the confidential session the meeting be re-opened to the public.

DEVELOPMENT ASSESSMENT PANEL DECISION

MOVED T Polito SECONDED J Strange that the recommendation be adopted.

CARRIED

6.23pm the meeting moved into Confidence

6.28pm the Confidential session closed and the meeting reopened to the public.

Note: The Confidential Minutes are kept separately from this document.

8. SUMMARY OF COURT APPEALS

8.1 Summary of Court Appeals

Monthly statistics are provided for the information of the Panel in relation to:

1. any matters being referred to the Development Assessment Commission (DAC); and
2. any planning appeals before the Environment, Resources and Development Court (ERDC) and their status.

RECOMMENDATION

The Development Assessment Panel receive and note the information.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is adopted.

9. MEETING CLOSE

The Presiding Member declared the meeting closed at 6.29pm.