

CITY OF WEST TORRENS



MINUTES

of the

COUNCIL ASSESSMENT PANEL

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

on

TUESDAY, 12 DECEMBER 2017
at 5.00pm

Angelo Catinari
Assessment Manager

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.01pm.

1.1 Evacuation Procedure

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

2 PRESENT

Panel Members:

Dr D Ferretti (Independent Presiding Member)

Councillors: Mr G Nitschke

Independent Members: Ms C Dunn, Mr W Stokes, Ms J Strange

Officers:

Mr T Buss	(Chief Executive Officer)
Mr A Catinari	(General Manager Urban Services and Assessment Manager)
Ms H Bateman	(Manager City Development - Acting)
Ms A DeRuvo	(Development Officer - Planning)
Ms S Gallarelo	(Development Officer - Planning)
Mr J Banks	(Senior Development Officer - APPS)
Ms R Knuckey	(Team Leader Planning)
Ms E Barnes	(Contract Development Assessment Officer)
Ms E Morgan	(EA Urban Services - Minute Secretary)

3 APOLOGIES

Lateness:

Panel Members:

Mr W Stokes (5.07pm)

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 14 November 2017 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: C Dunn

Seconded: J Strange

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 66 Whelan Avenue, CAMDEN PARK

Application No 211/49/2017

RECOMMENDATION

The Council 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. 211/49/2017 by Mr Mohammed Saadati Marasht to undertake Land division - Torrens Title; SCAP No. 211/D003/17 (Unique ID 56834); Create one (1) additional allotment and construction of a two storey detached dwelling with portico and single garage under main roof at 66 Whelan Avenue, Camden Park (CT 5712/829) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT

Council Conditions

1. The development must be undertaken and completed in accordance with the plans prepared by Cavallo Forest and Associates except where varied by any condition(s) listed below:
2. 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 into the land of an adjoining owner; and not flow across footpaths or public ways.
3. That any retaining walls be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. 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.
5. 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.
6. External material and finishes must be non-reflective.
7. The southern elevation of the dwelling proposed on allotment 2 shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level and to minimise the potential for overlooking of adjoining properties.

LAND DIVISION CONSENT**Council Conditions**

1. That prior to the issue of clearance to this division approved herein, the existing structures shall be removed from proposed allotment 11.

State Commission Assessment Panel and SA Water Corporation 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 \$6,676 into the Planning and Development Fund (1 allotment(s) @ \$6,676/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 State Commission Assessment Panel 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 State Commission Assessment Panel for Land Division Certificate Purposes.

5.07pm W Stokes entered the meeting.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the application be deferred for the following reasons:

- Concerns regarding site area
- Overshadowing
- Side and rear setbacks
- Private open space
- Residential Development section Principles of Development Control 11, 12 and 19

MOTION

Moved: G Nitschke
Seconded: J Strange

That Item 6.3 - 2 Madden Avenue, Glandore, Item 6.7 - 37 Talbot Avenue, North Plympton and Item 6.9 - 71 Gray Street, Plympton, be brought forward for consideration prior to Item 6.2 - 105 South Road, Thebarton.

CARRIED

6.3 2 Madden Avenue, GLANDORE (Brought Forward for Consideration at this Point of the Meeting)

Application No 211/674/2017 and 211/775/2017

RECOMMENDATION 1

The Council 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. 211/775/2017 (DAC211/D112/17) by J Guo for the Land division - Torrens Title; DAC No. 211/D112/17 (Unique ID 58536); Create one (1) additional allotment at 2 Madden Avenue, Glandore (CT 5376/513) for the following reasons:

The proposed development is contrary to:

- Council Wide Objective - Land division 2
Reason: The proposed allotments are not suitable for their intended use having regard to the relevant specific provisions of the Glandore Character Policy Area 24.
- Council Wide Principles of Development Control - Land Division 2 (a)
Reason: The size and shape of the proposed allotments are not suitable for their intended use having regard to the relevant specific provisions of the Glandore Character Policy Area 24.
- Residential Zone Objective 2, & 4
Reason: The Residential Zone makes provision for a range of dwelling densities according to various policy areas. The proposal is inconsistent with the desired character for the zone which envisages policy areas with distinct character that is identified for protection and enhancement.
- Residential Zone Principles of Development Control 5 & 22
Reason: The proposed land division is not consistent with the Desired Character for the zone and the proposed division of the land is not consistent with the existing pattern and scale of allotments.
- Glandore Character Policy Area 24 Objective 1
Reason: The proposed land division is not consistent with the desired character for the policy area which is for allotments at very low density that are deep and wide and where land division will reinforce the existing allotment pattern.
- Glandore Character Policy Area 24 Principle of Development Control 2
Reason: The proposed land division is not consistent with the desired character for the policy area which is for allotments at very low density that are deep and wide and where land division will reinforce the existing allotment pattern.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

RECOMMENDATION 2

The Council 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. 211/674/2017 by YOGO Design and Consulting Pty Ltd for the construction of two single storey detached dwellings at 2 Madden Avenue, Glandore (CT 5376/513) for the following reasons:

The proposed development is contrary to:

- Council Wide, Design and Appearance Objective 1
Reason: The proposed development does not reinforce the positive aspects of the local built form.
- Council Wide, Design and Appearance Principles of Development Control 1, 20, 21, 22
Reason: The development does not sufficiently reflect the desired character of the policy area. The setbacks from the road frontages do not adequately reflect the setback of adjoining buildings.
- Residential Zone Objectives 2 & 4
Reason: The development does not retain the very low densities as envisaged for the relevant policy area.
- Residential Zone Principles of Development Control 5, 7, 8, 22
Reason: The development is not consistent with the desired character for the zone and policy area and is not consistent with the existing pattern and scale of allotments.
- Glandore Character Policy Area 24 Objective 1.
Reason: The development is not consistent with the desired character of the policy area and would contribute to undesirable and incremental change to the desired character of the zone and policy area.
- Glandore Character Policy Area 24 Principle of Development Control 2.
Reason: The development is not consistent with the desired character of the policy area.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.7 37 Talbot Avenue, NORTH PLYMPTON (Brought Forward for Consideration at this Point of the Meeting)

Application No 211/786/2017, 211/818/2017 & 211/822/2017

RECOMMENDATION 1

The Council 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. 211/786/2017 by Michael Wang to undertake the construction of one (1) two storey detached dwelling and one (1) two storey residential flat building containing two dwellings at 37 Talbot Avenue, North Plympton (CT5686/10) subject to the following conditions of consent:

Planning Conditions

1. That the development shall 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. 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.
3. 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.
4. 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.
5. That all landscaping will be planted in accordance with the approved plan (Landscape Plan prepared by In Property Design, Sheet 3 of 10, Revision C) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
6. That all front, side and rear upper level windows of Dwelling 2 and 3 within the residential flat building approved herein shall be fitted with fixed obscure glass or raised sills 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 shall be maintained in reasonable condition at all times.
7. 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

Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person, (name, address and telephone number) who will provide the Statement of Compliance required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

RECOMMENDATION 2

The Council 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. 211/818/2017 by Michael Wang to undertake a land division - Torrens Title; DAC No. 211/D123/17; Create one (1) additional allotment at 37 Talbot Avenue, North Plympton (CT5686/10) subject to the following conditions of consent:

Development Plan Consent Conditions

1. That the development shall 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. That prior to the issue of Section 51 to this division approved herein, all existing buildings shall be removed from proposed Lots 100 and 101.

Land Division Consent Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0061310).

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.

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

4. Payment of \$6,676 into the Planning and Development fund (1 allotment @ \$6,676/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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders 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 State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

RECOMMENDATION 3

The Council 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. 211/822/2017 by Michael Wang to undertake a land division - Community Title; DAC No. 211/C124/17; Create one (1) additional allotment at 37 Talbot Avenue, North Plympton (CT5686/10) subject to the following conditions of consent:

Development Plan Consent Conditions

1. That the development shall 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. That prior to the issue of Section 51 to this division approved herein, all existing buildings shall be removed from proposed Lots 102 and 103.

Land Division Consent Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0061302).

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.

4. Payment of \$6,676 into the Planning and Development fund (1 allotment @ \$6,676/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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders 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 State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.9 71 Gray Street, PLYMPTON (Brought Forward for Consideration at this Point of the Meeting)

Application No 211/602/2017, 211/1308/2016, 211/1142/2016

RECOMMENDATION 1

The Council 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. 211/602/2017 by Fairmont Homes Group Pty Ltd to undertake the construction of a single storey detached dwelling with garage under main roof (Dwelling 1) at 71 Gray Street, Plympton (CT5565/423) subject to the following conditions of consent:

Planning Conditions

1. That the development shall 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. 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.
3. That the finished floor level of the dwelling approved herein shall be 17.50 AHD as indicated on the Site Drainage Plan prepared by Lelio Bibbo (Job Number 170448 dated 10 November 2017).
4. 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.
5. 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

Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person (name, address and telephone number) who will provide the Statement of Compliance required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

COUNCIL ASSESSMENT PANEL DECISION

The Council 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. 211/602/2017 by Fairmont Homes Group Pty Ltd to undertake the construction of a single storey detached dwelling with garage under main roof (Dwelling 1) at 71 Gray Street, Plympton (CT5565/423) 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 1993*):

Reserved Matters

The following information requires further assessment and approval by the City of West Torrens as a reserved matter under Section 33(3) of the *Development Act 1993*:

1. Provision of a landscaping plan.

Planning Conditions

1. That the development shall 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. 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.
3. That the finished floor level of the dwelling approved herein shall be 17.50 AHD as indicated on the Site Drainage Plan prepared by Lelio Bibbo (Job Number 170448 dated 10 November 2017).
4. 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.
5. 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

Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person (name, address and telephone number) who will provide the *Statement of Compliance* required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

RECOMMENDATION 2

The Council 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. 211/1308/2016 by Fairmont Homes Group Pty Ltd to undertake the construction of a single storey detached dwelling with garage under main roof (Dwelling 2) at 71 Gray Street, Plympton (CT5565/423) subject to the following conditions of consent:

Planning Conditions

1. That the development shall 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. 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.
3. That the finished floor level of the dwelling approved herein shall be 17.75 AHD as indicated on the Site Drainage Plan prepared by Lelio Bibbo (Job Number 160904 dated 31 October 2017).
4. 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.
5. 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

Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person, (name, address and telephone number) who will provide the Statement of Compliance required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

COUNCIL ASSESSMENT PANEL DECISION

The Council 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. 211/1308/2016 by Fairmont Homes Group Pty Ltd to undertake the construction of a single storey detached dwelling with garage under main roof (Dwelling 2) at 71 Gray Street, Plympton (CT5565/423) 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 1993*):

Reserved Matters

The following information requires further assessment and approval by the City of West Torrens as a reserved matter under Section 33(3) of the *Development Act 1993*:

1. Provision of a landscaping plan.

Planning Conditions

1. That the development shall 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. 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.
3. That the finished floor level of the dwelling approved herein shall be 17.75 AHD as indicated on the Site Drainage Plan prepared by Lelio Bibbo (Job Number 160904 dated 31 October 2017).
4. 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.
5. 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

Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person, (name, address and telephone number) who will provide the Statement of Compliance required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

RECOMMENDATION 3

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. 211/1142/2016 by Ms Kathleen Zummo undertake a land division - Torrens Title; DAC No. 211/D142/16; Create one (1) additional allotment at 71 Gray Street, Plympton (CT5565/423) subject to the following conditions of consent:

Development Plan Consent Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.

Land Division Consent Conditions

2. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0050613).
3. Payment of \$6,676 into the Planning and Development fund (1 allotment @ \$6,676/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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders 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 State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL 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 GRANT Development Plan Consent and Land Division Consent for Application No. 211/1142/2016 by Ms Kathleen Zummo undertake a land division - Torrens Title; DAC No. 211/D142/16; Create one (1) additional allotment at 71 Gray Street, Plympton (CT5565/423) 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 1993*):

Reserved Matters

The following information requires further assessment and approval by the City of West Torrens as a reserved matter under Section 33(3) of the *Development Act 1993*:

1. Provision of a landscaping plan.

Development Plan Consent Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.

Land Division Consent Conditions

2. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0050613).
3. Payment of \$6,676 into the Planning and Development fund (1 allotment @ \$6,676/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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders 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 State Commission Assessment Panel for Land Division Certificate purposes.

6.2 105 South Road, THEBARTON

Application No 211/1120/2017

RECOMMENDATION

The Council 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 Approval for Application No. 211/1120 /2017 by Dr Sudheer Ahamed Puthiyaveetil for a change of use from office to consulting rooms at 105 South Road, Thebarton (CT5319/944) subject to the concurrence of the State Planning Commission and to the following conditions of consent:

Council Conditions

1. That the development shall 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. All medical waste shall be collected, sealed, securely stored and disposed of to an accredited facility for the receipt of biohazard materials.
3. The maximum total number of staff/consulting practitioners to be present at the premises at any one time is not to exceed two (2).
4. The hours of operation of the premises shall be limited to the hours between 8.00am and 5.30pm Monday to Friday.
5. The area at the eastern end of the car park area between parking spaces 6 and 7 and the northern boundary shall be outlined and clearly delineated on the pavement surface as 'turning area only' and each car parking space shall be clearly linemarked in accordance with the layout herein approved. All such linemarking shall be maintained in good and readily legible condition at all times to the reasonable satisfaction of Council.
6. All landscaping shall be maintained in good and healthy condition at all times to maintain the amenity of the premises and locality and shall be promptly replaced if and when it dies or becomes seriously diseased, all to the reasonable satisfaction of Council.

COUNCIL ASSESSMENT PANEL DECISION

The Council 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 Approval for Application No. 211/1120 /2017 by Dr Sudheer Ahamed Puthiyaveetil for a change of use from office to consulting rooms at 105 South Road, Thebarton (CT5319/944) subject to the concurrence of the State Planning Commission and to the following conditions of consent:

Council Conditions

1. The development shall be undertaken and completed in accordance with the site plan drawing no. WD1, Issue A by Galcon Design and accompanying information detailed in this application except where varied by any condition(s) listed below.
2. All medical waste shall be collected, sealed, securely stored and disposed of to an accredited facility for the receipt of biohazard materials.
3. The maximum total number of staff/consulting practitioners to be present at the premises at any one time is not to exceed two (2).
4. The hours of operation of the premises shall be limited to the hours between 8.00am and 5.30pm Monday to Friday.
5. All linemarking shall comply with Australian Standards, including the provision of one disabled car park, and be maintained in good and readily legible condition at all times to the reasonable satisfaction of Council.
6. All landscaping shall be maintained in good and healthy condition at all times to maintain the amenity of the premises and locality and shall be promptly replaced if and when it dies or becomes seriously diseased, all to the reasonable satisfaction of Council.

6.3 2 Madden Avenue, GLANDORE

This item was considered following Item 6.1 - 66 Whelan Avenue, Camden Park.

6.4 20 Brooker Terrace, COWANDILLA

Application No 211/357/2017

RECOMMENDATION

The Council 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. 211/357/2017 by Elizabeth Skate to remove a Regulated Tree - *Eucalyptus camaldulensis* (River red gum) at 20 Brooker Terrace, Cowandilla (CT 5494/305) for the following reasons:

1. The proposal will result in the removal of a Regulated Tree that provides an important aesthetic and environmental benefit in accordance with Objective 1 and Objective 2 (a), (b) and (d) of the General Section: Regulated Trees.
2. The proposed development is contrary to the General Section: Regulated Trees Principles of Development Control 2 (a), (b), (c), (d) and (e):
 - (a) The tree is not diseased or does not have a short life expectancy;
 - (b) The tree does not represent a material risk to public or private safety;
 - (c) The tree is not causing damage to a building;
 - (d) The tree is not restricting development that is reasonable and expected;
 - (e) Work is not required for the removal of dead wood, treatment of disease.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.5 1 Burton Street, RICHMOND

Application No 211/1126/2017

RECOMMENDATION

The Council 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. 211/1126/2017 by Format Homes to undertake Land division - Torrens Title; SCAP No. 211/D151/17 (Unique ID 59281); Create one (1) additional allotment at 1 Burton Street, Richmond (CT5787/413) 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 Fyfe Pty Ltd relating to Development Application No. 211/1126/2017 (DAC 211/D151/17).

State Commission Assessment Panel

Nil

LAND DIVISION CONSENT Council Conditions

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from the proposed allotments.

State Commission Assessment Panel

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. An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard.
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 \$6,830 into the Planning and Development Fund (1 Allotment(s) @ \$6,830/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 State Commission Assessment Panel 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 State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.6 13 Passmore Street, WEST RICHMOND

Application No 211/1124/2017

RECOMMENDATION

The Council 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 Land Division Consent and Development Plan Consent for Application No. 211/1124 /2017 by AJ Gouras for a Combined Application: Land division - Torrens Title; SCAP No. 211/D150/17 (Unique ID 59043), Create one (1) additional allotment; and construction of two (2) single-storey detached dwellings at 13 Passmore Street, West Torrens (CT5726/902) subject to the following conditions of consent:

Council Conditions

1. The development is to take place in accordance with the plans prepared by Western Surveying Services and plans Numbered DA00, DA01, DA02 and DA03 Project: 13 Passmore Street, West Richmond relating to Development Application 211/1124/2017 (SCAP 211/D150/17).
2. That prior to the issue of clearance to the division approved herein, the existing dwelling and outbuildings shall be removed from proposed Allotment(s) 50 and 51.

3. That all stormwater design and construction shall 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 shall 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 all landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
5. The buildings approved herein shall be constructed in accordance with the acoustic design report prepared by Resonate Acoustics, dated 15 August 2017 Reference: A17274RP1, Revision 0 with that report being included in the building documentation submitted for Building Rules Consent.

State Commission Assessment Panel 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.

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 \$6,830 into the Planning and Development Fund (1 allotment(s) @ \$6,830/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 State Commission Assessment Panel 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 State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.7 37 Talbot Avenue, NORTH PLYMPTON

This item was considered following Item 6.3 - 2 Madden Avenue, GLANDORE.

6.8 28 Lydia Street, PLYMPTON

Application No 211/1241/2017

RECOMMENDATION

The Council 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. 211/1241/2017 by Spectra Building Designers to construct a carport forward of a residential flat building at 28 Lydia Street, Plympton (CT 5214/311) for the following reasons:

1. The proposed development is contrary to
 - General Section (Transportation and Access) Principle of Development Control 8 & 45.
Reason: The proposed structure obscures lines of sight for vehicles exiting the subject land creating unsafe vehicle movements and the development detracts from the streetscape.
 - General Section (Residential Development Design and Appearance) Principles of Development Control 4 & 8.
Reason: The massing of the structure across the frontage of the allotment and the nature of the façade articulation and detailing are inconsistent with the desired character for the Medium Density Policy Area 18.
 - General Section (Garages, Carports and Outbuildings) Principles of Development Control 14 & 16.
Reason: The proposed structure does not complement the existing building but dominates the streetscape contribution of the premises with negative visual impacts on the Lydia Street streetscape.
 - Medium Density Policy Area 18 Zone Principles of Development Control 5.
Reason: The proposed structure is sited on the street boundary with no setback.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the application be deferred for the following reasons:

- Safety aspect
- To ensure sight lines are maintained
- Deficiencies in design

6.9 71 Gray Street, PLYMPTON

This item was considered following Item 6.7 - 37 Talbot Avenue, NORTH PLYMPTON.

6.10 305-309 Henley Beach Road, BROOKLYN PARK

Application No 211/869/2016

RECOMMENDATION

The Council 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. 211/869/2016 by M Ladas & L Iosifidis to undertake Land Division (SCAP 211/C113/16) Community Title Division of two into five allotments, the construction of three (3) Group Dwellings with associated common driveway and landscaping and the construction of two outbuildings (carports) in association with existing dwellings at 305 – 309 Henley Beach Road, Brooklyn Park (CT5331/146, CT 5435/598 & CT 5573/975) 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):

Council Conditions

1. That the development is to be established in accordance with the plans and details submitted in Development Application 211/869/2016.
2. That the external finishes of the herein approved dwellings and carports shall be of materials and colours to match or complement those of the existing dwellings to the reasonable satisfaction of Council. The Applicant shall provide a schedule of external finishes to Council for approval prior to the issue of Building Rules Consent.
3. That stormwater detention, re-use and/or water quality measures shall be implemented in accordance with engineering calculations and design drawing(s) provided by RCI Consulting Engineers (Job Number C23594, Sheets 1 and 2 dated 14 August 2017, and 'Combination Retention / Detention Tank (Diagrammatic)' calculations dated June 2017).
4. That all stormwater design and construction shall 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 shall 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.

For this purpose, the stormwater management plan shall incorporate the following:

- i. A minimum 3KL combined detention/retention storage tank (2KL for detention and 1KL for retention) to Lot 305-309 and Dwellings 1-3.
- ii. A minimum of 75% of the roof area from each dwelling shall be directed to the combined detention/retention storage.
- iii. Discharge from the combined detention/retention storage tanks are to be limited through the utilisation of a DN 20 outlet orifice position at 1.0m at detention water level. The design restriction flow per tank shall be the following:
 - Lot No. 305: 3.81L/s
 - Lot No. 307, 309 and Dwellings 1-3: Combined total of 16.19L/s

5. That all driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) and properly drained, and shall be maintained in a reasonable condition at all times.
6. That vehicle access ways and carparking spaces shall be kept free of obstructions at all times.
7. That all landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
8. That no above ground structures such as letterboxes, service meters or similar are to be installed within the area designated as the entrance to the site, common driveway or parking areas.

Commissioner of Highways Conditions

The following conditions are imposed at the request of the Commissioner of Highways (ref: 2017/02001 Process ID: 484808, dated 17/11/2017)

9. All access to/from Allotments 202 - 206 shall be gained via the common property access only. No additional access onto Henley Beach Road shall be permitted.
10. All obsolete crossovers shall be closed and reinstated to Council standard kerb and gutter at the applicant's expense.
11. A clear 6.0 x 6.0 metre shared access area of the common property shall be provided adjacent Henley Beach Road (as shown on related site plan by Verrocchi Building Design, Drawing No. 2, Rev 0, dated 3/10).
12. All vehicles must enter and exit Henley Beach Road in a forward direction.
13. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Henley Beach Road. Any alterations to the road drainage infrastructure required to facilitate this development shall be at the applicant's expense.

State Commission Assessment Panel

The following conditions are imposed at the request of the State Commission Assessment Panel

14. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0048345).

SA Water advises 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.

15. Payment of \$19,464.00 into the Planning and Development Fund (3 allotment/s @ \$6,488 /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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

16. 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 State Planning Commission for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.11 Development Assessment Panel Annual Report 2017

The purpose of this report was to provide Council with information on the activities of, and feedback from, the Development Assessment Panel.

RECOMMENDATION

That the Draft Development Assessment Panel Annual Report 2017 (from 1 January to 30 September 2017) be ratified for presentation to Council.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

That the Draft Development Assessment Panel Annual Report 2017 (from 1 January to 30 September 2017) be ratified for presentation to Council including the following feedback provided in the meeting.

- Lack of desired character statements remains. In some areas there has been a significant loss of streetscape by allowing increasingly dense development. Very few applications attempt to retain character. Some make design consistent with existing, but many that are approved make none.
- Undervaluing of substantial trees in requests for removal. Applicants rarely offer any proposal for a replacement tree. Other Councils offer a grant to assist with tree pruning and maintenance, which would be of benefit to applicants.
- Many residents unaware of recent changes to policy areas. Formerly low density policy areas which have become medium density without specific notice to residents is a continuing source of distress. That a neighbouring single dwelling could be replaced by up to five units is unexpected. The residents feel unrepresented by Council.
- Continued and persistent overdevelopment of sites in many of the residential applications. Applications which do not quite meet quantitative requirements, but which might otherwise be acceptable, are commonly poorly designed with respect to qualitative objectives. The applications continue to demonstrate consistent poor design with respect to daylight, cross ventilation, thermal efficiency, sun shading and simple aesthetics.
- Substantial areas of impervious paving in developments, especially with battleaxe shaped allotments and unit developments with single driveway access. The paving is required to provide access to dwellings, and visitor parking, but restricts area for landscaping. The developments frequently remove grassed areas in older houses thus increasing the radiant heat and draining rainwater to stormwater rather than to the aquifer. The Council has an opportunity to be among the first councils to address increased urban heat loading.

- As a result of staff encouragement, there are fewer applications for new dwellings with insufficient storage requirements. However, lack of storage remains an issue. Generally a garage is provided, together with “visitor” parking. However, as there is commonly insufficient storage space within the dwelling and very little external space, the garage is frequently used for storage and the owner’s vehicle occupies the visitor parking. The loss of on-site parking space not only exacerbates on-street parking issues but encourages parking in or on what should be the front garden. Most consents for new dwellings include requirement for landscaped areas, which are frequently ignored and used for car parking. The breach of the consent is not well policed.
- The Council Assessment Panel recommend a review of Council's delegations to ensure they are currently appropriate including the consideration of a 'call in' process.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

8.1 Summary of SCAP and ERD Court Matters - December 2017

This report presents information in relation to:

1. any matters being determined by the State Commission Assessment Panel (SCAP); and
2. any planning appeals before the Environment, Resources and Development (ERD) Court.

RECOMMENDATION

The Council Assessment Panel receive and note the information.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

9 MEETING CLOSE

The Presiding Member declared the meeting closed at 5.49pm.