

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, 14 NOVEMBER 2017
at 5.00pm

Angelo Catinari
Assessment Manager

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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:

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)
Mr J Leverington (Senior Development Officer)
Ms S Gallarelo (Development Officer)
Ms A DeRuvo (Development Officer)
Ms E Morgan (EA Urban Services - Minute Secretary)

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Development Assessment Panel held on 10 October 2017 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: C Dunn

Seconded: W Stokes

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Panel Member
CAP Item 6.1 - 22 Talbot Avenue, North Plympton	Actual	Jane Strange

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 22 Talbot Avenue, NORTH PLYMPTON

5.02pm Jane Strange declared an actual conflict of interest in this item as she has a long term business relationship with one of the representors and left the meeting for the discussion and vote on the item.

Application No 211/1345/2016

Representors: Mr Bruce Mattingly of 24 Talbot Avenue, North Plympton, did not appear in support of the representation.

Applicant/s Mr Callum Little representing Unity Group of 2/61 Bacon Street, Hindmarsh was available to answer questions from the Panel.

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. 211/1345/2016 by Unity Group to undertake a combined application - Land division - Community Title; DAC No. 211/C184/16 (Unique ID 56090); Creating four (4) additional allotments, and the construction of two (2) residential flat buildings containing five (5) dwellings with associated garages and fencing at 22 Talbot Avenue, North Plympton (CT5700/290) subject to the following conditions of consent:

Development Plan Conditions

1. Development is to take place in accordance with the plans prepared by Zaina Stacey Development Consultants and D'Andrea and associates relating to Development Application No.211/1345/2016 (DAC 211/C184/16).
2. 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.
3. 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.
4. That prior to the issue of clearance to the division approved herein, the existing structures shall be removed from proposed Allotments.

Land Division Consent Conditions:

1. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0051993).

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.

2. Payment of \$26,704 into the Planning and Development fund (4 lots(s) @ \$6,676/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 State Planning 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 State Planning Commission for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

That a decision on this matter be deferred to a future meeting of the Council Assessment Panel to allow the applicant the opportunity to address deficiencies with the applications:

- Site area
- Rear and Side setbacks
- Primary street setback
- Landscaping

5.11pm Ms Jane Strange returned to the meeting.

6.2 11 James Street, PLYMPTON

Application No 211/1052/2017

Representors: Mrs Gloria Berni of 8a James Street, Plympton did not appear in support of the representation.

Mr Michael Kemp and Ms Naomi Blacker of 8 James Street, Plympton did not appear in support of the representation.

Mr Tom Pickering of 23 Glenburnie Terrace, Plympton did not appear in support of the representation.

Mr Michael Dunning of 43 Bridge Street, Kensington appeared in support of the representation.

Applicant Mr Jason Caley of 11 James Street, Plympton appeared to support the application.

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. 211/1052/2017 by Mr Jason Caley to undertake a change in land use from residential to residential and intensive animal keeping at 11 James Street, Plympton (CT5639/65) subject to the following conditions of consent:

Council Conditions

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in this Application except where varied by any condition(s) listed below.

2. The maximum number of dogs to be on site at any one time shall be limited to four (4) Greyhounds.
3. An impervious receptacle with a close fitting lid must be provided on site for the temporary storage of dog faeces or other wastes generated by the keeping of dogs.
4. Faeces and other wastes generated by the keeping of dogs must be collected daily and placed in the receptacle. The collected wastes must be removed at least once in every week and disposed of so as to prevent offensiveness and the access to and breeding of insects in such waste.
5. The kennel area where the dogs are kept must be maintained in a satisfactory condition at all times so as not to create any insanitary conditions and must not be allowed to become a nuisance, offensive or injurious to health.
6. Feed must be kept in sealed containers and stored in a rodent proof storage area.

Note:

1. The noise level emanating from the property must not exceed:
 - 52 dBA between 7am and 10pm; and
 - 45 dBA between 10pm and 7am.
2. Any dogs kept on the premises are required to be registered with 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 Plan Consent for Application No. 211/1052/2017 by Mr Jason Caley to undertake a change in land use from residential to residential and intensive animal keeping at 11 James Street, Plympton (CT5639/65) subject to the following conditions of consent:

Council Conditions

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in this Application except where varied by any condition(s) listed below.
2. The maximum number of dogs to be on site at any one time shall be limited to four (4) Greyhounds.
3. An impervious receptacle with a close fitting lid must be provided on site for the temporary storage of dog faeces or other wastes generated by the keeping of dogs.
4. Faeces and other wastes generated by the keeping of dogs must be collected daily and placed in the receptacle. The collected wastes must be removed at least once in every week and disposed of so as to prevent offensiveness and the access to and breeding of insects in such waste.
5. The kennel area where the dogs are kept must be maintained in a satisfactory condition at all times so as not to create any insanitary conditions and must not be allowed to become a nuisance, offensive or injurious to health.

6. Feed must be kept in sealed containers and stored in a rodent proof storage area.
7. No dog breeding activities may occur on site.

Note:

1. The noise level emanating from the property must not exceed:
 - 52 dBA between 7am and 10pm; and
 - 45 dBA between 10pm and 7am.
2. Any dogs kept on the premises are required to be registered with Council.

6.3 6 Aldridge Terrace, MARLESTON

Application No 2111/1250/2016 and 211/1562/2016

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 and Land Division Consent for Application No. 211/1562/2016 by Mr Wayne Henson to undertake Land Division - Create three (3) additional allotments at 6 Aldridge Terrace, Marleston (CT5305/482) 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 Donaghey Surveyors Pty Ltd, Ref F214516 except where varied by any condition(s) listed below:

LAND DIVISION CONSENT

Council Conditions

1. Prior to the issue of clearance, existing buildings and structures on the subject land shall be removed.

State Planning Commission and SA Water Corporation Conditions

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (H0053944).

SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

3. Payment of \$13,352 into the Planning and Development Fund (2 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 Planning 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 State Planning Commission for Land Division Certificate purposes.

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 for Application No. 211/1250/2016 by Emma Gesuato to construct a two storey residential flat building comprising three (3) dwellings with front porticos, attached verandahs and garages under main roof, and a 1.8 metre high masonry wall to Aldridge Terrace frontage at 6 Aldridge Terrace, Marleston (CT5305/482) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT

Council Conditions

1. The development shall be undertaken and completed in accordance with the plans by Selah Homes, Amended 4 October 2017, Drawn by D.J.G. Sheets 1-6 and information details in the application except where varied by any condition(s) listed below:
2. That the finished floor level shall be in accordance with the plans provided by FMG Engineering and Project Management, Site ID S35523 255668, Drawing No HC01, Rev B.
3. That all stormwater design and construction will be in accordance with the 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 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 landscaping will 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 will cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.

7. That all upper level balconies and windows of the dwellings will be provided with fixed obscured 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 the occupation of the building. The glazing in these balconies and windows will be maintained in reasonable condition at all times.
8. External materials and finishes must be low-light reflective.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

MOTION

Moved: C Dunn

Seconded: Strange

That Item 6.6 - 17A Coral Sea Road, Fulham, and Item 6.9 - 48 Bonython Avenue, Novar Gardens, be brought forward for consideration prior to Item 6.4 - 10 Bourlang Avenue, Camden Park.

CARRIED

6.6 17A Coral Sea Road, FULHAM (Brought Forward for Consideration at this Point of the Meeting)

Application No DA211/827/2017

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. 211/827/2017 by Vallco Design to construct a single storey detached dwelling with front portico, rear verandah and single garage under main roof at 17A Coral Sea Road, Fulham (CT5652/746) subject 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. 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 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.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.9 48 Bonython Avenue, NOVAR GARDENS (Brought Forward for Consideration at this Point of the Meeting)

Application No 211/1130/2017

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. 211/1130/2017 by Andre Niemandt to construct a bali hut forward of the existing dwelling at 48 Bonython Avenue, Novar Gardens (CT 5161/386) for the following reasons:

1. The proposed development is contrary to
 - Council Wide Residential Development Principle of Development Control 16
Reason: An outbuilding should be sited no closer to the primary street frontage than any part of the associated dwelling.
 - Residential Zone Principles of Development Control 5
Reason: The proposal is to be located forward of the existing dwelling. The desired character statements details that all new development should be located behind the existing dwelling to preserve the front setbacks of the dwellings.
 - Residential Zone Principles of Development Control 8
Reason: Development (including verandahs, porch, etc.) should be setback the same as one of the adjacent buildings. The proposed bali hut front setback will be located closer to the primary street frontage than the adjacent dwellings.
 - Novar Gardens Character Principles of Development Control 2
Reason: The proposed development is not consistent with the Desired Character Statement for the Policy Area.

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 211/1130/2017 by Andre Niemandt to construct a bali hut forward of the existing dwelling at 48 Bonython Avenue, Novar Gardens (CT 5161/397) subject 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. That the external materials and finishes shall be in accordance with the approved plans, completed within 2 months of the erection of the subject development and maintained in a reasonable condition at all times.

6.4 10 Bourlang Avenue, CAMDEN PARK

Application No 211/1086/2017

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. 211/1086/2017 or 211/D155/17 by Michelle Hoile to undertake development at 10 Bourlang Avenue, Camden Park (CT5736/822) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development shall be undertaken with the plans and information details in this application except where varied by any condition(s) listed below.

SA PLANNING COMMISSION CONDITIONS:

Nil

LAND DIVISION CONSENT

Council Conditions

1. That prior to the issue of Section 51 Clearance to this division approved herein, the existing structures shall be removed from proposed Allotment(s) 1 and 2.

SA PLANNING 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.

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 lot(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 Planning 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 State Planning Commission for Land Division Certificate Purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.5 8 Tilden Street, PLYMPTON

Application No 211/719/2017

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. 211/719/2017 by Harmendar Athwal to undertake the division of land to create one (1) additional allotment; and the construction of two (2) single storey detached dwellings at 8 Tilden Street, Plympton (CT5719/899) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 14 November 2017 as 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 shall 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 shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

5. That a minimum of ten percent of each allotment approved herein shall be landscaped. All planting and landscaping shall 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. A minimum of 8m³ shall be provided onsite for domestic storage purposes and be located outside of the garage and habitable rooms of the dwelling.

LAND DIVISION CONSENT

Council Conditions

1. Prior to the issue of clearance to this division, existing structures must be removed from the subject land. For this purpose, a separate application for demolition shall be submitted for the consideration and determination of Council.

State Commission Assessment Panel

2. 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 Planning 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 State Planning Commission for Land Division Certificate purposes.
4. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

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.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.6 17A Coral Sea Road, FULHAM

This item was considered prior to Item 6.4 - 10 Bourlang Avenue, Camden Park.

6.7 11 Airport Road, BROOKLYN PARK

Application No 211/974/2017

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. 211/974 /2017 by J Gatis to undertake the Combined Application: Land division - Torrens Title; SCAP No. 211/D139/17 (Unique ID 59037), Create one (1) additional allotment; and construction of two (2) single-storey detached dwellings at 11 Airport Road, Brooklyn Park (CT5722/598) subject to the following conditions of 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.
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 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.

State Commission Assessment Panel Conditions

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0062721).
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 your development will be costed as standard or non-standard.
2. Payment of \$6,830 into the Planning and Development Fund (1 allotment @ \$6,830/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7016), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, Level 5, 50 Flinders 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 Planning Commission for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.8 2 Galway Avenue, NORTH PLYMPTON

Application No 211/888/2017

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 and Land Division Consent for Application No. 211/888/2017 by Vern Stoeff to undertake Combined Land division - Community Title; DAC No. 211/C125/17 (Unique ID 58875); Creating three (3) additional allotments; Built form - construction of four 2-storey group dwellings at 2 Galway Avenue, North Plympton (CT5178/709) subject to the following conditions of consent:

Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by House and Land SA and Elite Land Solutions relating to Development Application No. 211/888/17 (DAC 211/C125/17).
2. That the upper level windows of the dwellings, except to the street, 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 the occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times.
3. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

Land Division Consent 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.
2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

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.

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.

3. Payment of \$20,490 into the Planning and Development Fund (3 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 Planning 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 State Planning Commission for Land Division Certificate purposes.

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 and Land Division Consent for Application No. 211/888/2017 by Vern Stoeff to undertake Combined Land division - Community Title; DAC No. 211/C125/17 (Unique ID 58875); Creating three (3) additional allotments; Built form - construction of four 2-storey group dwellings at 2 Galway Avenue, North Plympton (CT5178/709) subject to the following conditions of consent:

Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by House and Land SA and Elite Land Solutions relating to Development Application No. 211/888/17 (DAC 211/C125/17).
2. That the upper level windows of the dwellings, except to the street, 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 the occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times.
3. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
4. A minimum of 8m³ shall be provided onsite for domestic storage purposes and be located outside of the garage and habitable rooms of the dwelling.

Land Division Consent 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.
2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

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.

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.

3. Payment of \$20,490 into the Planning and Development Fund (3 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 Planning 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 State Planning Commission for Land Division Certificate purposes.

6.9 48 Bonython Avenue, NOVAR GARDENS

This item was considered prior to Item 6.4 - 10 Bourlang Avenue, Camden Park.

6.10 47 Torrens Street, TORRENSVILLE

Application No 211/1009/2017

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 and Land Division Consent for Application No. 211/D147/2017 (Unique ID 59180) by Thomas Jeffrey - 360 Surveying to undertake land division creating one (1) additional allotment at 47 Torrens Street, Torrensville (CT5349/62) subject to the following conditions of consent:

Council Conditions

1. Development is to take place in accordance with the plans prepared by 360 Surveying relating to Development Application No. 211/1009/2017 (DAC 211/D147/2017).
2. Prior to the issue of Section 51 Clearance of this division approved herein, all existing structures shall be removed from the proposed allotments.
3. As the subject land is located within an area likely to be affected by aircraft noise from Adelaide Airport, it is recommended that appropriate noise attenuation measures be considered in accordance with Australian Standards 2021 - Acoustics - Aircraft Noise Intrusion - Building, Siting and Construction.

In circumstances in which development occurs within existing built up areas the Standard recommends applying construction techniques to reduce aircraft noise to levels considered appropriate by the Standard. Accordingly, and in the interest of occupant comfort, the applicant is encouraged to engage the services of an Acoustic Engineer to assess the noise reduction properties of the proposed dwelling prior to the commencement of Building Rules assessment.

State Planning Commission Conditions

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

The necessary easements shall be vested to SA Water.

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 nonstandard 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 \$6,676 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 Planning 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 State Planning Commission for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.11 28 Gertrude Street, BROOKLYN PARK

Application No 211/970/2017

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. 211/970/2017 by Premium Home Improvements to construct an enclosed garage, carport and verandah attached to the existing dwelling at 28 Gertrude Street, Brooklyn Park (CT 5741/181) for the following reasons:

1. The proposed development is contrary to:
 - Council Wide Principles of Development Control (PDC) 3 Design and Appearance Reason: The proposal will be sited on the side boundary for a length of 30m and will have a negative impact to the adjacent property in terms of visual appearance and overshadowing.
 - Council Wide PDC 9 in the Design and Appearance Section & PDC 10, 11 and 12 Residential Development Section Reason: Unreasonable overshadowing of neighbouring property caused by the proposed development.
 - Council Wide PDC 16 Residential Development Reason: The proposal exceeds the maximum length on boundary and floor area.
 - Council Wide PDC 4 Residential Development Reason: The proposed building mass and proportion are not compatible with the desired character statement.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.12 Procedures at Council Assessment Panel Meetings

This report presents the *Procedures at Council Assessment Panel Meetings* for approval.

RECOMMENDATION

It is recommended to the Council Assessment Panel that:

1. The revised *Procedures at Council Assessment Panel Meetings* be adopted.
2. The *Council Assessment Panel Member Conflict of Interest Declaration Form* be noted.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: C Dunn

That the recommendation be adopted.

CARRIED

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

7.1 30 Arthur Street, RICHMOND

Application No. 211/1472/2016

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 13(2)(a) (vii) and (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that should be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any 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

It is recommended to the Council Assessment Panel 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 Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, 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 Assessment Manager on the basis that 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.
2. At the completion of the confidential session the meeting be re-opened to the public.

COUNCIL ASSESSMENT PANEL DECISION

Moved: G Nitschke

Seconded: C Dunn

That the recommendation be adopted.

CARRIED

6.02pm the meeting moved into Confidence and session commenced.

6.05pm the Confidential session closed and the meeting reopened to the public.

Note: The Confidential minutes are kept separate from this document.

8 SUMMARY OF COURT APPEALS

8.1 Summary of SCAP and ERD Court Matters - November 2017

This report presents information in relation to:

1. any matters being referred to 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 6.06pm.