

CITY OF WEST TORRENS



MINUTES
of the
DEVELOPMENT ASSESSMENT PANEL

of the

CITY OF WEST TORRENS

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

on

TUESDAY, 12 SEPTEMBER 2017
at 5.00pm

Terry Buss
Chief Executive Officer

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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, Mr G Demetriou

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

Officers:

Mr T Buss (Chief Executive Officer and DAP Public Officer)

Mr A Catinari (General Manager Urban Services)

Mr T Kelly (Manager City Development- Acting)

Ms J Grima (Development Officer)

Mr J Leverington (Development Officer)

Ms S Gallarello (Development Officer)

Ms A DeRuvo (Development Officer)

Ms E Morgan (EA Urban Services - Minute Secretary)

3 APOLOGIES

Absent

T Polito

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Development Assessment Panel held on 8 August 2017 be confirmed as a true and correct record.

DEVELOPMENT ASSESSMENT PANEL DECISION

Moved: W Stokes

Seconded: G Demetriou

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE CHIEF EXECUTIVE OFFICER

MOTION

Moved: W Stokes
Seconded: G Demetriou

That Item 6.6 - 26 Huntington Avenue, Fulham, be brought forward for consideration prior to Item 6.1 - 60 Ayton Avenue, Fulham.

CARRIED

6.6 26 Huntington Avenue, FULHAM (Brought Forward for Consideration at this Point of the Meeting)

Application No 211/349/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/349/2017 by Vincent and Sandra Ciccarello to undertake Land division - Torrens Title; DAC No. 211/D044/17 (Unique ID 57398); Create one (1) additional allotment at 26 Huntington Avenue, Fulham (CT 5143/300) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by Zaina Stacey Development Consultants relating to Development Application No. 211/349/2017 (DAC 211/D044/17).

LAND DIVISION CONSENT

Council Conditions

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

State Planning Assessment Commission (SPAC) Conditions

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 Assessment 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 Assessment 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. 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.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.1 60 Ayton Avenue, FULHAM

Application No 211/899/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/899/2017 by D Spinello to undertake Land division - Torrens Title; DAC No. 211/D128/17 (Unique ID 58905); Create one (1) additional allotment at 60 Ayton Avenue, Fulham (CT5821/306) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by Western Surveying Services relating to Development Application No. 211/899/2017 (DAC 211/D128/17).

LAND DIVISION CONSENT

Council Conditions

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

State Planning Assessment Commission Conditions

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 Planning Assessment 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 Assessment 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. 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.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.2 52 Barnes Avenue, MARLESTON

Application No 211/458/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/458/2017 by A S Rosevear to undertake Land division - Torrens Title; DAC No. 211/D058/17 (Unique ID 57640); Create one (1) additional allotment at 52 Barnes Avenue, Marleston (CT5647/345) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

Council Conditions:

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

LAND DIVISION CONSENT

Council Conditions:

1. Prior to the issue of clearance to this division, all existing structures must be removed from the allotment. For this purpose, a separate application for demolition shall be submitted for the consideration and determination by Council.
Reason: To ensure existing buildings do not cross allotment boundaries and ensure that approved allotments are suitable for their intended purpose.

State Planning Assessment Commission Conditions:

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 Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Assessment 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.
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.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.3 25 Broughton Avenue, KURRALTA PARK

Application No 211/528/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/528/2017 by Ms Pamela Mounsey to undertake combined Application, Land division - Torrens Title; DAC No. 211/D065/17 (Unique ID 57813); Create one (1) additional allotment and the construction of two 2 storey semi-detached dwellings at 25 Broughton Avenue, Kurralta Park (CT5171/908) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by AWR Drafting and Lock Surveys relating to Development Application No. 211/528/17 (DAC 211/D065/17).
2. That the upper level windows of the dwellings on the side and rear facades 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. All stormwater (roof and surface) shall be discharged to the street watertable by means of a galvanised RHS steel section under the footpath conforming to Council's Drawing No. 8685-100 or 8685-101.
Note: An application is required to be lodged with Council's Engineering Department before any work is commenced on Council land.

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 Planning Assessment Commission (SPAC) 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 Planning Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Assessment Commission for Land Division Certificate purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.4 17 Coral Sea Road, FULHAM

Application No 211/882/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/882 /2017 by Construction Services Australia Pty Ltd to construct a single storey detached dwelling at 17 Coral Sea Road, Fulham (CT6194/330) 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 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.

3. 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.
4. That all planting and landscaping shall be completed within three (3) months of the commencement of the use of this development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall promptly replace any landscaping which may become diseased or die, with the same or like species/variety.
5. Council requires one business day's notice of the following stages of building work
 - Commencement of building work on site.
 - The commencement of placement of any structural concrete.
 - The completion of wall and roof framing prior to the installation of linings.
 - Completion of building work.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.5 246 & 248 Henley Beach Road, UNDERDALE

Application No 211/247/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/247/2017 by Emali Early Learning Centres to undertake advertising signage for child care centre at 246 & 248 Henley Beach Road, Underdale (CT 5687/799 & CT 6009/391) subject to the following conditions of consent and the concurrence of the State Planning Assessment Commission (SPAC):

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 advertisements approved herein shall be maintained in good repair with all words and symbols being clearly visible at all times.
3. That the illuminated advertisement approved herein shall not move, flash, blink or rotate in any manner.
4. That the proposed advertisements proposed on the feature wall above the roofline shall not be internally or externally illuminated.
5. That the illumination of the advertisement approved herein shall be such that no hazard, difficulty or discomfort is caused to either approaching drivers on adjacent public roads or nuisance to adjoining residents.

6. That the advertisement on the south-western corner of the land approved herein shall be located entirely within the allotment boundaries.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.6 26 Huntington Avenue, FULHAM

This item was considered prior to Item 6.1 - 60 Ayton Avenue, FULHAM.

6.7 14 Patricia Avenue, CAMDEN PARK

Application No 211/917/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/917/2017 or 211/D134/17 by Amanda Goddard c/- Zaina Stacey Development Consultants to create one (1) additional allotment at 14 Patricia Avenue, Camden Park (CT 5343/299) 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 Zaina Stacey Development Consultants except where varied by any condition(s) listed below.

LAND DIVISION CONSENT

Council Conditions

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

Development Assessment 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.

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 \$6,830 into the Planning and Development Fund (1 allotment(s) @ \$6,830/allotment).

Payment 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 Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.

4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Assessment Commission for Land Division Certificate purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.8 221 South Road, MILE END

Application No 211/838/2016

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/838/2016 by Xiang Lu to undertake the change of use to dwelling and office, and installation of two (2) associated advertisements (Non-Complying) at 221 South Road (CT 5674/588) subject to the following conditions of consent and the concurrence of the State Planning Assessment Commission (SPAC):

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 12 September 2017 as detailed in this application except where varied by any condition(s) listed below.
2. That the hours of operation of the offices approved herein shall not exceed 9:00 am to 5:00pm Monday to Friday inclusively. For this purpose, deliveries shall occur within the hours of operation.
3. That no more than two employees who are not residents of the subject land shall work within the offices approved herein.
4. That all goods and equipment associated with the office use shall not be put on display and be stored within the designated storage area at all times.
5. That any service vehicle associated with the office use shall not be any larger than a B99 vehicle.
6. That the sign, herein approved, shall be maintained in good repair with all words and symbols being clearly visible at all times.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.9 36 Strathmore Avenue, LOCKLEYS

Application No 211/572/2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/572/2017 by Distinctive Homes to undertake a land division to create one (1) additional allotment at 36 Strathmore Avenue, Lockleys (CT 5384/820) for the following reasons:

1. The proposed development is contrary to
 - Residential Zone Objective 3
Reason: The subject site is not in close proximity to a Centre Zone.
 - Residential Zone Objective 4
Reason: The proposal is not consistent with the Desired Character of the Zone.
 - Residential Zone Principles of Development Control 5
Reason: The proposal is not consistent with the Desired Character of the Zone and locality.
 - Low Density Policy Area 21 Objective 2
Reason: The proposal does not contribute to the desired character of Policy Area.
 - Low Density Policy Area 21 Principles of Development Control 2
Reason: The proposal is not consistent with the desired character of the locality.
 - Low Density Policy Area 21 Principles of Development Control 3 & 6
Reason: The proposed allotments do not meet the minimum frontage requirements.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

7 CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 6 Kimber Terrace, KURRALTA PARK

Application No. 211/1079/2016 and 211/1295/2016

Reason for Confidentiality

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

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

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

RECOMMENDATION

It is recommended to Development 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 Development Assessment Panel orders pursuant to Section 56A(12)(a) of the *Development Act 1993*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, 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 Chief Executive Officer.
2. At the completion of the confidential session the meeting be re-opened to the public.

DEVELOPMENT ASSESSMENT PANEL DECISION

Moved: G Nitschke

Seconded: C Dunn

That the recommendation be adopted.

CARRIED

5.17pm the meeting moved into Confidence and session commenced.

5.23pm 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

Nil

The Panel thanked Councillors G Demetriou and T Polito for their contribution to the Development Assessment Panel.

9 MEETING CLOSE

The Presiding Member declared the meeting closed at 5.25pm.