

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, 8 AUGUST 2017
at 5.00pm

Terry Buss
Chief Executive Officer

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.00pm.

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 T Polito, 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)
 Ms J Lennon (Manager City Development)
 Ms J Grima (Development Officer)
 Mr J Leverington (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 11 July 2017 be confirmed as a true and correct record.

DEVELOPMENT ASSESSMENT PANEL DECISION

Moved: G Demetriou
 Seconded: T Polito

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Panel Member
DAP Item 6.10 - 189-195 Holbrooks Road, Underdale	Perceived	Dr Donna Ferretti

6 REPORTS OF THE CHIEF EXECUTIVE OFFICER

6.1 16 Willingale Avenue, LOCKLEYS

Application No 211/353/2017

Appearing before the Panel:

Representors: **Kay Conroy** of 13 Willingale Avenue, Lockleys appeared in support of the representation.

Rosalie Haese representing **Aldo & Dorothy Russian** of 14 Willingale Avenue, Lockleys did not appear in support of the representation.

Applicant/s **Steve Smith** of 16 Willingale Avenue, Lockleys appeared to support the application.

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. 211/353/2017 by Steve and Kris Smith to remove a significant tree (River Red Gum) on the road verge in front of 16 Willingale Avenue, Lockleys for the following reasons:

1. The proposed development is contrary to
 - Council Wide (Regulated Trees) Objectives 1 & 2 and (Significant Tree) Objective 1
Reason: The subject tree provides an important aesthetic and environmental benefit which significantly contributes to the locality.
 - Council Wide (Regulated Tree) Principles of Development Control 2
Reason: The subject tree is not diseased and does not pose a risk to public safety. The subject tree is not causing damage to a building, or impeding development that would otherwise be possible.
 - Council Wide (Significant Tree) Principles of Development Control 1 & 3
Reason: The subject tree makes an important contribution to the character of the locality, is indigenous to the locality, is an important habitat to local fauna and forms a notable visual element in the local area.
 - Council Wide (Significant Tree) Principles of Development Control 3
Reason: Reasonable alternatives have been explored and initiated which will maintain the health of the tree and minimise any potential risk of falling limbs.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.2 30 Arthur Street, RICHMOND

Application No 211/1472/2016

Appearing before the Panel:

Representor: **Brad Clarke** of 8 Burton Street, Richmond appeared in support of the representation.

Ken Mah of U4/2 Burton Street, Richmond appeared in support of the representation and spoke on behalf of **Cheryl Hill** of U2/2 Burton Street, **Karl Ascher** of U7/2 Burton Street and **Ivan Hutcheson** of U3/2 Burton Street.

Patricia Tyson of 8 Langdon Street, Brooklyn Park, appeared in support of the representation.

Applicant **Adam Williams** of Access Planning and George Zervos (applicant) appeared to support the application.

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. 211/1472/2016 by Mr George Zervos to undertake a land division - Community Title; DAC No. 211/C202/16, creating four (4) additional allotments; and the construction of a residential flat building containing five (5) two-storey dwellings at 30 Arthur Street, Richmond (CT5293/889) subject to the following conditions of consent:

Council Conditions

1. Development is to take place in accordance with the plans prepared by Dimension Design Studio and Pinksterboer Development Consultants relating to Development Application No. 211/1472/16 (DAC 211/C202).
2. That prior to the issue of Section 51 Clearance to this division approved herein, the existing structures shall be removed from proposed Allotments.
3. That the upper level windows on the northern façade of the dwelling 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.
4. Driveways, parking and manoeuvring areas and footpaths shall be lit in accordance with the Australian Standards Association Code AS 1158 during the hours of darkness that they are in use. Such lights must be directed and screened so that overspill of light into nearby premises is avoided and minimal impact on passing motorists occurs.
5. That all planting and landscaping shall be completed within three (3) months of the commencement of the use of this development and be maintained in a reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.

6. All stormwater (roof and surface) shall be discharged to the street water table 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.

DAC Conditions

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

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.

2. Payment of \$26,704 into the Planning and Development Fund (4 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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/1472/2016 by Mr George Zervos to undertake a land division - Community Title; DAC No. 211/C202/16, creating four (4) additional allotments; and the construction of a residential flat building containing five (5) two-storey dwellings at 30 Arthur Street, Richmond (CT5293/889) for the following reasons:

1. The proposed development is contrary to the Development Plan in the following areas:
 - Residential Development Module; Principle of Development Control 18
Reason: Lack of quality provisions for private open space
 - Transportation and Access Module; Principle of Development Control 44 & 45
Reason: Lack of visitor car parking space
 - Policy Area 18 Principles of Development Control 3
Reason: Failure to meet minimum setbacks
 - Policy Area 18 Principles of Development Control 4
Reason: Failure to meet minimum site areas

6.3 26 Kingston Avenue, RICHMOND

Application No 211/412/2017

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. 211/412/2017 by Mr Kim Lao to undertake land division at 26 (lot 34) Kingston Avenue, Richmond (CT 5558/607) for the following reasons:

1. The land division is contrary to the desired character of Medium Density Policy Area 19, the land division would not enhance the appearance of buildings when viewed from the street.
2. The land division is contrary to General Section, Land Division Principle 7 in that it does not provide for an access onto a public road with the driveway 'handle' being not less than 4 metres in width.
3. The land division would result in a dwelling with a side boundary setback that is less than 1 metre, contrary to Residential Zone, Principle 11.
4. The development is inconsistent with Australian Standard AS 2890 - Parking Facilities and therefore contrary to General Section, Transportation and Access Principle 35.
5. The proposal is contrary to General Section, Design and Appearance Objective 1 in that it fails to reinforce the positive aspects of the local environment and built form.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.4 23a, 23b, 25a and 25b Leicester Street, WEST RICHMOND

Application No 211/391/2017 and 211/414/2017

RECOMMENDATION 1

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. 211/414/2017 - (211/D053/17) by Mr Harpeet Singh to undertake land division at 23a, 23b, 25a and 25b (Allotment 150) Leicester Street (CT 6038/278) subject to the following conditions of consent:

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 section 51 clearance to this division all existing structures must be removed from the allotment.

Development Assessment Commission Conditions

2. Payment of \$33,380 into the Planning and Development Fund (5 allotment/s @ \$6676 /allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.
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. 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.

RECOMMENDATION 2

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. 211/391/2017 by Mr Harpeet Singh to undertake construction of six (6) single storey detached dwellings, each with front porticos, attached rear verandahs and single garages under main roof at Allotment 150 Leicester Street (CT 6038/278) subject to the following conditions of consent:

Council Conditions

1. The development shall be undertaken and completed in accordance with the plans and information detailed in the 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. The total stormwater discharge from each dwelling shall be restricting a maximum of 3 litres per second for the critical 20 year ARI storm event.
4. The finished floor level of each dwelling shall be a minimum of 350mm above the highest point of the water-table adjacent to the subject site.

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 be planted in accordance with the approved plans prior to the occupancy of the development.
7. The "Recommended Treatments" as per the "Aircraft Noise Assessment" dated June 2017 and prepared by 'Sonus' shall be applied to each dwelling.
8. Any future planting or excavation surrounding the significant tree (Corymbia Citriodora - Lemon Scented Gum) shall be undertaken by hand. Any future paving surrounding the significant tree shall be pervious.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.5 16 Herbert Road, ASHFORD

Application No 211/1451/2016/A

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. 211/1451/2016/A by Access Planning to undertake Construction of a two storey residential flat building comprising four (4) dwellings and the demolition of all existing structures - Variation to authorisation previously given - addition of balcony of Dwelling 4 and storage sheds associated with each dwelling at 16 Herbert Road, Ashford (CT5528/407) 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 all conditions of development plan consent for development application 211/1451/2016 granted on 13 June 2017 where relevant shall remain applicable.
2. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 8 August 2017 as detailed in this application.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.6 38 Beauchamp Street, KURRALTA PARK

Application No 211/350/2017 (DAC 211/D045/17)

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. 211/350/2017 by Mr John Kokotis to undertake Land division - Torrens Title; DAC No. 211/D045/17 (Unique ID 57402); Create two (2) additional allotments and construction of three (3) detached dwellings each with garage under main roof at 38 Beauchamp Street, Kurralta Park (CT 6160/142 and CT 6160/143) subject to the following conditions of consent:

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.
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. The finished floor level of each dwelling shall be a minimum of 300mm above existing natural site levels within the footprint of each respective dwelling.
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.

LAND DIVISION CONSENT

Council Conditions

1. Prior to the issue of clearance to this division, existing structures must be removed from the allotment.

Development Assessment Commission and South Australian Water Corporation Conditions

2. Payment of \$13,352 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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at 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 Development 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.
5. 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.

6. 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.

6.7 7 Barnes Avenue, MARLESTON

Application No 211/1039/2016

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. 211/1039/2016 by Alex Lee to undertake land division - Community Title; DAC No. 211/C127/16 (Unique ID 55353) and create three (3) additional allotments, and for the construction of four (4) group dwellings all with associated single carports at 7 Barnes Avenue, Marleston (CT5716/285) 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.
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 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. Noise reducing techniques (i.e. double glazed windows, sound insulated walls) shall be applied to the development of Dwelling 4 to mitigate the impact of industrial noise from the adjacent ETSA property.
7. That the Recommendations set out in 12.1 of the Development Arboricultural Assessment Report by Mark Elliot of The Adelaide Tree Surgery dated 10 February 2017 Ref TATSME00319 shall be carried out.
8. Only pervious pavers shall be used for the hard standing landscaped areas of Dwelling 4 that fall within the Structural Root Zone and Tree Protection Zone as identified on the Site Plan. The installation of pervious pavers shall be in accordance with Australian Standard 4970-2009, "Protection of Trees on Development Sites" and the manufacturer's recommendations.
9. 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

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.

Development Assessment Commission Conditions

2. Payment of \$20,028 into the Planning and Development Fund (3 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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.
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.

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.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.8 519 Henley Beach Road, FULHAM

Application No 211/1231/2016 (211/D167/16)

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. 211/1231/2016 by Rogra Pty Ltd to undertake Land Division, Torrens Title, DAC 211/D167/16 (Unique ID 55916) to create two (2) additional allotments; and construct three (3) x two-storey detached dwellings each with garage under main roof at 519 (allotment 81) Henley Beach Road, Fulham (CT 5699/709) subject to the following conditions of consent:

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.
2. Each dwelling shall be fitted with a stormwater detention system meeting the following design criteria.
 - a) A minimum of 50% of the roof area from each dwelling shall be directed to the detention system.
 - b) Discharge from the detention tank is to be limited through the utilisation of an outlet orifice of 20mm diameter. The design restrict flow per tank shall be 2.5 litres per second.
3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
4. In accordance with the 'Drainage Plan' (SAF Consulting Engineers – Job No. 1606122, 1606123 and 1606124 – dated April 2017), the finished floor level of each dwelling shall be 100.40.
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 promptly replace any landscaping which may become diseased or die, with the same or like species/variety.
7. Side and rear facing upper level windows of the dwelling 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.

LAND DIVISION CONSENT**Council Conditions**

1. Prior to the issue of clearance to this division, existing structures must be removed from the allotment.

Development Assessment Commission and SA Water Corporation Conditions

2. Payment of \$13,352 into the Planning and Development fund (2 allotments @ \$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 Development Assessment 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.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.
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. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developer's/owner's 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.

6.9 23A Rowells Road, LOCKLEYS

Application No 211/1008/2015/D

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. 211/1008/2015/D by Yogo Design and Consulting Pty Ltd to undertake the construction of two (2), two-storey semi-detached dwellings, associated garages and verandahs (alfresco)s and Land Division DAC 211/D020/16 - Creation of one (1) additional Torrens Title allotment and the creation of carriageway easements A & B - AMENDMENT - alteration to dwelling at 23A Rowells Road and further staging to enable 23 & 23A to gain development approval at different times at 23 Rowells Road, Lockleys (CT 5197/849) subject to the following conditions:

DEVELOPMENT PLAN CONSENT**Council Conditions**

1. 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 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 all planting and landscaping shall be completed prior to occupation of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.
6. That the fixed obscure glazing nominated on the upper level north, west and south-facing windows of the dwellings shall be fitted in accordance with the approved plans prior to occupation of the building. The glazing in these windows will 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

Department of Planning, Transport & Infrastructure (Transport Division) Conditions

8. The obsolete crossover shall be closed and reinstated to Council standard kerb & gutter at the applicant's expense.
9. All vehicles must enter and exit Rowells Road in a forward direction.
10. Rights of way A & B shall remain clear of any impediments to vehicle manoeuvring (such as fences, vegetation, meters and parked cars).
11. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Rowells Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Development Assessment Commission Conditions

Nil

LAND DIVISION CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by Bartlett Drafting & Development (Drawing GB2115DA, Revision 3, dated 12/02/16 relating to Development Application No. 211/1008/2015 (DAC 211/D020/16).

2. Prior to the issue of Section 51 Clearance to this division approved herein, all existing buildings must be removed from the site.

Development Assessment Commission Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0042972).

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 \$6,488 into the Planning and Development Fund (1 allotment @ \$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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.10 189-195 Holbrooks Road, UNDERDALE

6.07pm Dr D Ferretti declared a perceived conflict of interest in this item as a previous application for the site, which is not dissimilar from the current application, was assessed by an associate of Donna Ferretti & Assoc Pty Ltd. Whilst Item 6.10 is a different application, Dr D Ferretti believes that she does have a conflict and will, as a result, withdraw from the consideration of this item and left the meeting for the discussion and vote on the item.

As Dr D Ferretti, Presiding Member, left the meeting for the discussion and vote on the item, Ms C Dunn as Deputy Presiding Member assumed the Chair as Presiding Member for the remainder of the item.

Application No 211/1576/2016

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 the Reserved Matter and Staging of Application 211/780/2016 by Karidis Corporation Ltd to construct a retirement village consisting of 16 single storey dwellings and one community centre (Stage 1) at 189 - 195 Holbrooks Road, 27 and 27A Norman Street, Underdale (CT's 5704/579, 5729/90, 5819/446) subject to the following conditions:

Council Conditions

1. The development shall be undertaken and completed in accordance with the plans and information details in the application except where varied by any conditions listed below:

2. The finished floor level of each dwelling shall be in accordance with the submitted Civil Plan (TMK - Drawing Number 1603086-CI/PD dated 19/12/2016).
3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
4. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
6. That all planting and landscaping will be completed prior to the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
7. External material and finishes must be low-light reflective.
8. The visitor spaces adjacent to the refuse enclosure will be sign-posted as no parking permitted on a predetermined week day during predetermined times for the purpose of waste collection. The car parking exclusion shall be for a maximum of two hours per week and the visitor parks shall be available for their intended use at all other times.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.10pm Dr D Ferretti returned to the meeting.

7 CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 8 Packard Street, NORTH PLYMPTON

Application No. 211/1500/2015

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A(12)(a) (vii) 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.

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: C Dunn
Seconded: J Strange

That the recommendations be adopted.

CARRIED

6.11pm the meeting moved into Confidence and session commenced.

6.25pm 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 Court Appeals

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

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

RECOMMENDATION

The Development Assessment Panel receive and note the information.

DEVELOPMENT ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

9 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.32pm.