

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, 10 JULY 2018
at 5.00pm

Donna Ferretti
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:

Ms C Dunn (Presiding Member)

Councillor: Mr G Nitschke

Independent Members: Ms J Strange, Mrs A Caddy, Mr B Russ.

Officers:

Mr Angelo Catinari	(General Manager Urban Services)
Dr Donna Ferretti	(Assessment Manager)
Ms Hannah Bateman	(Manager City Development)
Ms Rachel Knuckey	(Team Leader Planning)
Mr Jordan Leverington	(Senior Development Officer - Planning)
Ms Sonia Gallarello	(Development Officer - Planning)
Ms Amelia DeRuvo	(Development Officer - Planning)
Ms Ebony Cetinich	(Development Officer - Planning)

3 APOLOGIES

Apologies

Panel Members:

Mr C Menz

Officers:

Mr T Buss (Chief Executive Officer)

RECOMMENDATION

That the apologies be received.

COUNCIL ASSESSMENT PANEL DECISION

Moved: G Nitschke

Seconded: J Strange

That the recommendation be adopted.

CARRIED

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 12 June 2018 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: C Dunn

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 240-242 Sir Donald Bradman Drive and 27 Wilson Street, COWANDILLA

Application No 211/1256/2017

Appearing before the Panel were:

Representors: **Danny Scinto** of 395 Payneham Road, Marden did not appear in support of the representation.

Callum Little (Bill Stefanopoulos - absent) appeared on behalf of;

- M Dunstan of 12 Wilson Street, Cowandilla
- L Graham of 14 Wilson Street, Cowandilla
- D Kemp of 16 Wilson Street, Cowandilla
- A Gialamas of 18 Wilson Street, Cowandilla
- K Lester of 20 Wilson Street, Cowandilla
- C & S Efthimiadis of 21 Wilson Street, Cowandilla
- L & C Walter of 23 Wilson Street, Cowandilla
- J & H Christofilos of 25 Wilson Street, Cowandilla

in support of the representations.

Applicant: **Michael Richardson** from Master Plan appeared to respond to representations.

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. 211/1256/2017 by Emmett Property to undertake a change of use and construction of a single storey building to operate as a child care centre with outdoor play area, associated car parking, landscaping and 2.7m high acoustic fencing at 240-242 Sir Donald Bradman Drive and 27 Wilson Street, Cowandilla (CT5685/238, CT5231/537 & CT5534/478) 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*):

Reserved Matter

The following information shall be submitted for further assessment and approval by the City of West Torrens as reserved matters under Section 33(3) of the *Development Act 1993*:

1. A Stormwater Management Plan detailing and providing demonstration for stormwater quality measures which meet industry recognised (State Government Waster Sensitive Urban Design Policy) quality treatment targets are to be submitted to the satisfaction of Council prior to issue of development approval.

The system must achieve the following minimum reductions in total pollutant load, compared with that in an untreated stormwater runoff, from the developed part of the site:

- Total suspended solids by 80 per cent;
- Total phosphorus by 60 per cent;
- Total nitrogen by 45 per cent;
- Litter/gross pollutants by 90 per cent;
- No visible oil and greases for flows up to the 3 month ARI peak flow.

Development Plan Consent 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. Waste collection shall be undertaken by a private contractor at least twice a week and occur between the hours of 6:30 pm and 8:00 pm Monday to Friday.
3. All waste shall be placed within garbage containers with lids that are closed at all times to prevent odours and to prevent insects and vermin accessing the waste.
4. The private waste vehicle is restricted to a Medium Rigid Vehicle. This vehicle must enter and exit the site in a forward direction.
5. The hours of operation shall not exceed 6:30am to 6:30pm Monday to Friday, excluding public holidays.
6. Deliveries to the child care centre shall occur outside of operating times and be restricted to Small Rigid Vehicle sized vehicles or smaller. Service vehicles must enter and exit the site in a forward direction.

7. An 8.4 kilolitre underground detention storage tank with a pump system designed to restrict the outflow from the tank to a maximum 20 litres per second during a 20 year site critical storm event, shall be installed and operational prior to the occupation of the development.
8. A 2.7m high acoustic fence, as described in the Sonus Acoustic report dated May 2018, shall be installed along the northern and southern boundaries of the car park with a return along the eastern boundary prior to the occupation of the building and maintained in good condition to the satisfaction of Council.
9. Driveways, parking and manoeuvring areas and footpaths must be lit in accordance with the Australian Standard AS 1158 when necessary between 6am and 8pm Monday to Friday. Such lights must be directed and screened so that overspill of light into the nearby properties is avoided and motorists are not distracted.
10. As the subject land is located within an area affected by aircraft noise from Adelaide Airport, the building shall be treated with the appropriate noise attenuation measures in accordance with Australian Standards 2021 - Acoustics - Aircraft Noise Intrusion - Building, Siting and Construction. Such measures shall be shown on the plans and endorsed by Council prior to the issue of Development Approval.
11. Any existing crossovers not providing vehicle access on the approved plans shall be replaced with kerb and water table and the verge restored with materials consistent with the surrounding verge to a uniform level free of obstructions.
12. The sliding entry gate shall remain open between 6:15am and 6:45pm Monday to Friday to facilitate unrestricted traffic movements on and off the site.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.2 77 Gray Street, PLYMPTON

Application No 211/1007/2017, 211/1008/2017, 211/924/2017

Appearing before the Panel were:

Representors: **Trevor Baverstock** of 66 Daly Street, Kurralta Park appeared in support of the representation.

Applicant/s **Rocky Violi** of 365 Studio appeared to respond to the representations.

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, Land Division Consent and Development Approval for Application No. 211/1007/2017 by Unity Group Adelaide Pty Ltd to undertake Land Division - Torrens Title - SCAP No. 211/D145/2017 - To create one (1) additional allotment at 77 Gray Street, Plympton (CT 5634/783) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That prior to the issue of certificates for the division approved herein, the existing structures shall be removed from existing allotment 156.

LAND DIVISION CONSENT CONDITIONS**Council Conditions**

Nil

State Commission Assessment Panel Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0063200).

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

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

4. 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 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

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, Land Division Consent and Development Approval for Application No. 211/1008/2017 by Unity Group Adelaide Pty Ltd to undertake Land Division - Community Title - SCAP No. 211/C146/2017 - To create two (2) additional allotments and common property at 77 Gray Street, Plympton (CT 5634/783) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That prior to the issue of certificates for the division approved herein, the existing structures shall be removed from existing allotment 156.

LAND DIVISION CONSENT CONDITIONS

Council Conditions

Nil

COUNCIL REQUIREMENTS

Nil

State Commission Assessment Panel Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0063227).

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

4. Payment of \$13,660 into the Planning and Development fund (2 allotments @ \$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 by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

RECOMMENDATION 3

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/924/2017 by 365 Studio Pty Ltd for the construction of one two storey detached dwelling, one two storey group dwelling and a two storey residential flat building comprising two (2) dwellings, each with double garages under main roof at 77 Gray Street, Plympton (CT 5634/783) subject to the following conditions of consent:

1. The development shall be undertaken and completed in accordance with the following plans and information (except where varied by any condition(s) listed below):
 - Site Plan by ThreeSixFive Design Studio - Job No 010-06-17/PD01, Issue F Drawing No. 1 of 6;
 - Dwelling 1/2 Floor Plan by ThreeSixFive Design Studio - Job No 010-06-17/PD02, Issue F Drawing No. 2 of 6;
 - Dwelling 1 Elevations by ThreeSixFive Design Studio - Job No 010-06-17/PD03, Issue F Drawing No. 3 of 6;
 - Dwelling 2 Elevations by ThreeSixFive Design Studio - Job No 010-06-17/PD04, Issue F Drawing No. 4 of 6;
 - Res 3 & 4 Plans by ThreeSixFive Design Studio - Job No 010-06-17/PD05, Issue F Drawing No. 5 of 6;
 - Elevations by ThreeSixFive Design Studio - Job No 010-06-17/PD06, Issue F Drawing No. 6 of 6;

- Email from Rocky Violi detailing colours dated 20 June 2018;
 - Drainage Plan by Anzas and Associates Ref ZS/4541, Dwg No 1 and 2 of 2; and
 - Stormwater Detention Design, Job No 4541.
2. 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; or
 - e) Flow across footpaths or public ways.
 3. All stormwater detention measures shall be installed and functioning as per the design intent prior to the occupancy of the subject dwellings.
 4. The driveway for Dwelling 1 shall be a maximum width of 4 metres at the property boundary.
 5. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times to the satisfaction of Council.
 6. All landscaping will be planted in accordance with the approved plans within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die to the satisfaction of Council.
 7. The upper level bedroom windows to the northern elevation of all dwellings and eastern elevation of Dwellings 1 and 2 shall include fixed obscure glazing to a minimum height of 1.7 metres from the upper floor level, and shall be maintained at all times to the reasonable satisfaction of Council.
 8. All wall cladding, roofing materials and external building finishes and colours used on the dwellings shall be natural and non-reflective, and shall be maintained to the reasonable satisfaction of Council.
 9. No fencing or retaining walls shall occur within 5 metres of the land adjacent Brown Hill Creek.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the item be deferred to enable the applicant to address the following matters:

- Minimum allotment areas.
- Minimum site areas.
- Deficiency in storage space.
- Battle axe development requiring single storey development at rear of allotment.

6.3 217 Henley Beach Road, TORRENSVILLE and 2 Rawlings Avenue, TORRENSVILLE

Application No 211/581/2017

Appearing before the Panel were:

Representors: **L Woodley** appeared on behalf **Vi Huynh** of 12 Rawlings Ave, Torrensville in support of the representation.

L Woodley appeared on behalf **T Vuong** of 5, 7, 9 & 11 Rawlings Ave, Torrensville in support of the representation.

L Woodley of 7a Rawlings Ave, Torrensville appeared in support of the representation.

Andy Constantinou did not appear on behalf of **Sofia Constantinou** of 1 Palmyra Avenue, Torrensville in support of the representation.

Patricia Lunetta of 3 Palmyra Avenue, Torrensville did not appear in support of the representation.

Phuoc-Quy Lam of 4 Rawlings Ave, Torrensville appeared in support of the representation.

Applicant: **Tom Vartzokas** and **Deepak Rawat** of Vartzokas Architects appeared to respond to representations.

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. 211/581/2017 by Vartzokas Architects to undertake the construction of a four storey mixed use building including 28 dwellings, three commercial tenancies with associated carpark and landscaping at 217 Henley Beach Road and 2 Rawlings Avenue Torrensville (CT5845/737 & CT5813/95) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the *Development Act 1993*):

Reserved Matter

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

1. The applicant shall provide a detailed Stormwater Drainage and Management Plan to the satisfaction of Council.

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 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 to the satisfaction of Council.

3. The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times. All external paintwork must be completed within 2 months of the erection of the building.
4. All loading and unloading of goods and merchandise shall be carried out upon the subject land. No loading of any goods or merchandise shall be permitted to be carried out in the street in conjunction with the consent herein granted.
5. No materials or equipment shall be stored outdoors, nor within the designated car parking areas.
6. All driveways, parking and manoeuvring areas must be formed, sealed with concrete, bitumen or paving, and be properly drained. They must be maintained in good condition thereafter.
7. All off-street carparking spaces must be linemarked, in accordance with the approved plans and Australian Standards AS 2890.1:2004 and 1742.2.2009. The linemarking, signposting and directional arrows must be maintained and be clearly visible at all times.
8. Directional signs not exceeding 0.5 square metres must be erected at vehicle access points to indicate the location of visitor parking.
9. Driveways, parking and manoeuvring areas and footpaths must 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 properties is avoided and motorists are not distracted.
10. Any existing crossovers places not providing vehicle access on the approved plans shall be replaced with kerb and water table and the verge restored with materials consistent with the surrounding verge to a uniform level free of obstructions.

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. 211/581/2017 by Vartzokas Architects to undertake the construction of a four storey mixed use building including 28 dwellings, three commercial tenancies with associated carpark and landscaping at 217 Henley Beach Road and 2 Rawlings Avenue Torrensville (CT5845/737 & CT5813/95) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the *Development Act 1993*):

Reserved Matter

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

1. The applicant shall provide a detailed Stormwater Drainage and Management Plan to the satisfaction of Council.

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 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 to the satisfaction of Council.
3. The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times. All external paintwork must be completed within 2 months of the erection of the building.
4. All loading and unloading of goods and merchandise shall be carried out upon the subject land. No loading of any goods or merchandise shall be permitted to be carried out in the street in conjunction with the consent herein granted.
5. No materials or equipment shall be stored outdoors, nor within the designated car parking areas.
6. All driveways, parking and manoeuvring areas must be formed, sealed with concrete, bitumen or paving, and be properly drained. They must be maintained in good condition thereafter.
7. All off-street carparking spaces must be linemarked, in accordance with the approved plans and Australian Standards AS 2890.1:2004 and 1742.2.2009. The linemarking, signposting and directional arrows must be maintained and be clearly visible at all times.
8. Directional signs not exceeding 0.5 square metres must be erected at vehicle access points to indicate the location of visitor parking.
9. Driveways, parking and manoeuvring areas and footpaths must 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 properties is avoided and motorists are not distracted.
10. Any existing crossovers places not providing vehicle access on the approved plans shall be replaced with kerb and water table and the verge restored with materials consistent with the surrounding verge to a uniform level free of obstructions.
11. Waste collection shall be undertaken by a private contractor between the hours of 9:00am and 5:00pm Monday to Friday.
12. A solid fence up to one (1) metre in height shall be installed along the eastern boundary of the visitor car park prior to the occupation of the building and maintained in a good condition to the satisfaction of Council.
13. All south-west facing balconies shall be screened in a way to prevent overlooking of nearby residential properties to the satisfaction of Council.

6.4 81 Hayward Avenue, TORRENSVILLE

Application No 211/224/2018 and 211/107/2018

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, Land Division Consent and Development Approval for Application No. 211/224/2018 by Property Solutions SA Pty Ltd to undertake a land division - Torrens Title; SCAP No. 211/D021/18 Create one (1) additional allotment at 81 Hayward Avenue (CT5795/357) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That prior to the issue of certificates to the division approved herein, the existing carport shall be removed from Lot 132.

LAND DIVISION CONSENT CONDITIONS

Council Conditions

Nil

State Commission Assessment Panel (SCAP) Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water 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.

4. 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 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the SCAP 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. 211/107/2018 by Russo Design to undertake the construction of a single storey detached dwelling, demolition of existing freestanding carport and construction of a new freestanding carport at 81 Hayward Avenue Torrensville (CT5795/357) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That 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; or
 - e) Flow across footpaths or public ways.
3. That all landscaping will be planted in accordance with the approved plan (Site Plan and Landscape Schedule prepared by Russo Design dated January 2018) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all sides of the freestanding carport on Lot 132 shall remain open.
6. That all upper level windows of the Dwelling on Lot 131 other than street elevations must comprise fixed obscure glazing to a minimum height of not less than 1700mm or window sill heights to a minimum height of not less than 1700mm above the finished floor level of the associated room.

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. 211/107/2018 by Russo Design to undertake the construction of a two storey detached dwelling, demolition of existing freestanding carport and construction of a new freestanding carport at 81 Hayward Avenue Torrensville (CT5795/357) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That 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; or
 - e) Flow across footpaths or public ways.
3. That all landscaping will be planted in accordance with the approved plan (Site Plan and Landscape Schedule prepared by Russo Design dated January 2018) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all sides of the freestanding carport on Lot 132 shall remain open.
6. That all upper level windows of the Dwelling on Lot 131 other than street elevations must comprise fixed obscure glazing to a minimum height of not less than 1700mm or window sill heights to a minimum height of not less than 1700mm above the finished floor level of the associated room.

6.5 38 Garfield Avenue, KURRALTA PARK

Application No 211/1268/2017 & 211/1185/2017

Appearing before the Panel were:

Applicant: **Mark Sturrus** of Studio ED3 on behalf of Ansar Rana appeared in support of the application and tabled further correspondence dated 5 July 2018 to the Panel.

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, Land Division Consent and Development Approval for Application No. 211/1268/2017 by Studio ED3 to undertake a Land Division - Community Title to create four (4) additional lots and common property; SCAP No 211/C167/17 at 38 Garfield Avenue, Kurralta Park (CT 5720/180) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That prior to the issue of certificates for the division approved herein, the existing structures shall be removed from existing allotment 6.

LAND DIVISION CONSENT CONDITIONS

Council Conditions

Nil

State Commission Assessment Panel Conditions

3. The financial requirements of SA Water shall be met for the provision of water 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 lot servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner /applicant.

4. Payment of \$27,320 into the Planning and Development fund (4 allotments @ \$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 by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

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. 211/1185/2017 by Studio ED3 to undertake the construction of a residential flat building comprising five (5) two storey dwellings and rear attached verandahs at 38 Garfield Avenue, Kurralta Park (CT 5720/180) subject to the following conditions:

1. The development shall be undertaken and completed in accordance with the following plans and information (except where varied by any condition(s) listed below):
 - Site Plan by Studio ED 3 Building Design and Documentation - Drawing No. 21732 - PD.01 Issue D6a;
 - Proposed Floor Plans - Dwellings 1, 2 & 3 by Studio ED 3 Building Design and Documentation - Drawing No. 1732-PD.02 Issue D6a;
 - Proposed Floor Plans - Dwellings 4 & 5 by Studio ED 3 Building Design and Documentation - Drawing No. 1732-PD.03 Issue D6a;
 - Proposed Elevations 1 by Studio ED 3 Building Design and Documentation - Drawing No. 1732-PD.03 Issue D6a;
 - Proposed Elevations 2 by Studio ED 3 Building Design and Documentation - Drawing No. 1732-PD.05 Issue D6a;
 - Proposed Landscaping Plan by Studio ED 3 Building Design and Documentation - Drawing No. 1732-PD.06 Issue D6a;
 - Sitework and Drainage Plan by SCA Engineers, Drawing No. 170806-C3/G.
2. 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; or
 - e) Flow across footpaths or public ways.
3. Any retaining walls be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times to the satisfaction of Council.
5. All planting and landscaping will be completed within three (3) months of occupation 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 to the reasonable satisfaction of Council.
6. All wall cladding, roofing materials and external building finishes and colours used on the dwellings shall be natural and non-reflective, and shall be maintained to the reasonable satisfaction of Council.
7. The upper level eastern and western windows of Dwellings 1 to 5 shall be provided with fixed obscure glass to a minimum height of 1.7 metres from the upper floor level, and shall be maintained at all times to the reasonable satisfaction of Council.

8. No above-ground structures such as letterboxes, service metres or similar shall be installed within the common driveway entrance and passing area.
9. Prior to the occupancy of the dwellings, the 3000 litre stormwater connection and reuse tank and associated plumbing to service all toilets and laundry is to be installed and operational.
10. No fencing or retaining walls shall occur within 5 metres of the land adjacent Brown Hill Creek.
11. A 'reduced bin Council service' shall be established and adopted for the collection of general, recycling and organic waste. Individual properties are required to share a set of standard Council bins limited to a maximum of 4x140 litre general waste bins, 4 x 240 litre dry recycling bins and 3 x 240 litre organic bins.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the item be deferred to enable the applicant to address the following matters:

- Minimum allotment area.
- Minimum site areas.
- Minimum street setback.
- Minimum rear setbacks.

6.6 18 Broadmore Avenue, FULHAM

Application No 211/575/2018

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, Land Division Consent and Development Approval for Application No. 211/575/2018 by Alan Lewis to undertake Land division - Torrens Title; SCAP No. 211/D063/18; Create one (1) additional allotment at 18 Broadmore Avenue, Fulham (CT5635/129) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS

1. Development is to take place in accordance with the approved plans prepared by Pyper Leaker Surveying Services relating to Development Application No. 211/575/2018 (DAC 211/D063/18).
2. That prior to the issue of certificates, all existing structures shall be removed from proposed allotments 101 and 102 as indicated on the approved 'Proposed Plan of Division' by Pyper Leaker Surveying Services.

LAND DIVISION CONSENT CONDITIONS

Council Conditions

Nil

State Commission Assessment Panel Conditions

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

The alteration of internal drains to the satisfaction of SA Water is required.

SA Water Corporation further advise that on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

4. Payment of \$6830 into the Planning and Development fund (1 lots @ \$6830/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 by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.7 12 & 14 Weetunga Street, FULHAM

Application No 211/928/2017

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, Land Division Consent and Development Approval for Application No. 211/928/2017 by Stuart Robb to undertake land division - Torrens Title boundary realignment (SCAP No. 211/D137/17) at 12 & 14 Weetunga Street, Fulham (CT6035/472 & CT6035/471) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT 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

LAND DIVISION CONSENT CONDITIONS**Council requirements**

Nil

State Commission Assessment Panel Conditions

1. 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.

State Heritage Unit Notes:

1. Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
2. In accordance with Regulation 43 of the Development Regulations 2008, please send the Department of Environment, Water and Natural Resources a copy of the Decision Notification.
3. Council is requested to inform the applicant of the following requirements of the Heritage Places Act 1993.
 - a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department of Environment, Water and Natural Resources.
4. Council is requested to inform the applicant of the following requirements of the Aboriginal Heritage Act 1988. (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

8.1 Summary of SCAP, ERD Court and deferred CAP matters - July 2018

This report presents information in relation to:

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

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 7.06pm.