

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, 11 DECEMBER 2018**  
**at 5.00pm**

**Hannah Bateman**  
**Assessment Manager (Acting)**

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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, Mr C Menz, Mr B Russ

### **Officers:**

Mr Angelo Catinari	(General Manager Urban Services)
Ms Hannah Bateman	(Assessment Manager - Acting)
Ms Rachel Knuckey	(Team Leader Planning)
Mr Justin Clisby	(Development Officer - Planning)
Ms Ebony Cetinich	(Development Officer - Planning)
Ms Sonia Gallarello	(Development Officer - Planning)
Ms Amelia DeRuvo	(Development Officer - Planning)

## **3 APOLOGIES**

### **Apologies**

#### **Officers:**

Dr Donna Ferretti (Assessment Manager)

## **RECOMMENDATION**

That the apologies be received.

## **COUNCIL ASSESSMENT PANEL DECISION**

Moved: J Strange

Seconded: G Nitschke

That the recommendation be adopted.

**CARRIED**

#### **4 CONFIRMATION OF MINUTES**

##### **RECOMMENDATION**

That the Minutes of the meeting of the Council Assessment Panel held on 13 November 2018 be confirmed as a true and correct record.

##### **COUNCIL ASSESSMENT PANEL DECISION**

Moved: C Menz

Seconded: G Nitschke

That the recommendation be adopted.

**CARRIED**

#### **5 DISCLOSURE STATEMENTS**

Nil

#### **6 REPORTS OF THE ASSESSMENT MANAGER**

##### **6.1 77 Gray Street, PLYMPTON**

Application No 211/1008/2017 & 211/837/2018

##### **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. 211/1008/2017 by Unity Group Adelaide Pty Ltd to undertake Land Division - Community Title - SCAP No. 211/C146/2017 - to create three (3) 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.

*Reason: To ensure the proposal is established in accordance with plans and documents lodged with Council.*

##### **Land Division Consent Conditions**

##### **Council Conditions**

Nil

### State Commission Assessment Panel Conditions

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

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

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.

*Reason: To satisfy the requirements of the SA Water Corporation.*

3. Payment of \$20,490 into the Planning and Development fund (3 allotments @ \$6,830/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://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.

*Reason: To satisfy the requirements of the State Commission Assessment Panel.*

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

*Reason: To satisfy the requirements of the State Commission Assessment Panel.*

### 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. 211/837/2018 by 365 Studio Pty Ltd for the construction of a two storey residential flat building comprising four (4) two storey dwellings 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 L Drawing No. 1 of 6;
  - Dwelling 1/2 Floor Plan by ThreeSixFive Design Studio - Job No 010-06-17/PD02, Issue L Drawing No. 2 of 6;
  - Dwelling 1 Elevations by ThreeSixFive Design Studio - Job No 010-06-17/PD03, Issue L Drawing No. 3 of 6;
  - Dwelling 2 Elevations by ThreeSixFive Design Studio - Job No 010-06-17/PD04, Issue L Drawing No. 4 of 6;
  - Res 3 & 4 Plans by ThreeSixFive Design Studio - Job No 010-06-17/PD05, Issue L Drawing No. 5 of 6;

- Elevations by ThreeSixFive Design Studio - Job No 010-06-17/PD06, Issue L Drawing No. 6 of 6;
- Overshadowing diagram drawn by ThreeSixFiveDesign Studio, Job No. 010-06-17/PD01
- Drainage Plan by Anzas and Associates Ref ZS/4541, Dwg No 2 of 3; and
- Stormwater Calculations for Job No 4541.

*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*

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.

*Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.*

3. All stormwater detention measures shall be installed and functioning as per the design intent prior to the occupancy of the subject dwellings.

*Reason: To ensure that timely and adequate provision is made for the collection and dispersal of stormwater.*

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.

*Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.*

5. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or operation of the development and shall be maintained in good health at all times to the satisfaction of Council. Any plants that become diseased or die shall be replaced with a suitable species.

A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

*Reason: To enhance the amenity of the site and locality and reduce heat loading.*

6. Prior to the occupation or use of the development, the upper storey windows for dwellings 1 to 4 on the northern elevation and upper storey windows for dwelling 4 on the eastern elevation shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor to minimise the potential for overlooking of adjoining properties. The glazing in these windows shall be maintained in good condition at all times to the satisfaction of Council.

*Reason: To maintain the level of privacy to residents of adjoining dwellings.*

7. 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.

*Reason: To reduce unnecessary glare to the residents of adjoining dwellings.*

8. No fencing or retaining walls shall occur within 5 metres of the land adjacent Brown Hill Creek.

*Reason: To protect the stability of land and minimise the potential for erosion adjacent Brown Hill Creek.*

## **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

### **6.2 421 Marion Road, PLYMPTON**

Application No 211/960/2017

#### **RECOMMENDATION**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/960/2018 by C Tao to undertake a change of land use from dwelling to office and associated car parking at 421 Marion Road, Plympton (CT 1825/106) subject to the following conditions of consent and concurrence of the State Commission Assessment Panel.

#### **Development Plan Consent Conditions:**

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

*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*

2. No goods, materials or equipment associated with the approved use shall be stored within the car parking area.

*Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.*

3. Within three (3) months of the date of Development Approval, the designated car parking spaces shall be line marked in accordance with the approved site and landscaping plan to conform with Australian Standard AS 2890.1:2004- Off-street Car parking and Australian Standard 2890.6:2009 - Off-Street Parking for People with Disabilities. This includes all car parking spaces, directional arrows, and entry and exit points.

*Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.*

4. Within six (6) months of the date of Development Approval, all landscaping indicated on the approved site and landscaping plan shall be planted. All such landscaping shall be maintained in reasonable condition at all times, with any dead or diseased plantings being replaced to the reasonable satisfaction of Council.

*Reason: To enhance the amenity of the site and locality and mitigate against heat loading.*

5. The hours of operation of the land use approved herein shall be limited to Monday to Friday 8:00am to 6:00pm.

*Reason: To ensure the amenity of residents of adjoining dwellings is not unreasonably diminished by the development.*

6. The number of staff occupying the premises at any one time shall not exceed four (4) people.

*Reason: To ensure the amenity of residents of adjoining dwellings is not unreasonably diminished by the development.*

**Conditions imposed upon recommendation from the Department of Planning, Transport and Infrastructure (DPTI):**

7. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

*Reason: To satisfy the requirements of DPTI.*

8. All vehicles shall enter and exit the site in a forward direction.

*Reason: To satisfy the requirements of DPTI.*

9. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Marion Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

*Reason: To satisfy the requirements of DPTI.*

**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. 211/960/2018 by C Tao to undertake a change of land use from dwelling to office and associated car parking at 421 Marion Road, Plympton (CT 1825/106) subject to the following conditions of consent and concurrence of the State Commission Assessment Panel.

**Development Plan Consent Conditions:**

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

*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*



2. No goods, materials or equipment associated with the approved use shall be stored within the car parking area.

*Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.*

3. Within three (3) months of the date of Development Approval, the designated car parking spaces shall be line marked in accordance with the approved site and landscaping plan to conform with Australian Standard AS 2890.1:2004- Off-street Car parking and Australian Standard 2890.6:2009 - Off-Street Parking for People with Disabilities. This includes all car parking spaces, directional arrows, and entry and exit points.

*Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.*

4. Within six (6) months of the date of Development Approval, all landscaping indicated on the approved site and landscaping plan shall be planted. All such landscaping shall be maintained in reasonable condition at all times, with any dead or diseased plantings being replaced to the reasonable satisfaction of Council.

*Reason: To enhance the amenity of the site and locality and mitigate against heat loading.*

5. The hours of operation of the land use approved herein shall be limited to Monday to Friday 8:00am to 6:00pm.

*Reason: To ensure the amenity of residents of adjoining dwellings is not unreasonably diminished by the development.*

6. The number of staff occupying the premises at any one time shall not exceed four (4) people.

*Reason: To ensure the amenity of residents of adjoining dwellings is not unreasonably diminished by the development.*

7. The existing external air conditioning unit adjacent the southern façade of the building shall be removed, relocated to the rear of the building or raised to a minimum height of 2.0 metres above the finished level of the driveway surface.

*Reason: To provide a clear driveway width of 2.85 metres to provide safe and convenient access to the car parking spaces located at the rear of the building.*

**Conditions imposed upon recommendation from the Department of Planning, Transport and Infrastructure (DPTI):**

8. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

*Reason: To satisfy the requirements of DPTI.*

9. All vehicles shall enter and exit the site in a forward direction.

*Reason: To satisfy the requirements of DPTI.*

10. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Marion Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

*Reason: To satisfy the requirements of DPTI.*

### 6.3 240 Anzac Highway, PLYMPTON

Application No 211/1006/2017 & 211/884/2017

#### RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/1006/2017 by Pellegrino Constructions to undertake Community Title Land Division creating eleven (11) additional allotments and common property at 240 Anzac Highway, Plympton (CT 5730/785) subject to the following conditions of consent:

#### Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by SKS Surveys Pty Ltd Drafting and Development, Reference 293017 relating to Development Application No. 211/1006/2017 (SCAP 211/C144/17).

*Reason: To ensure the proposal is established in accordance with plans and documents lodged with Council.*

#### Land Division Consent Conditions

#### Council Conditions

Nil

#### State Commission Assessment Panel Conditions

2. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0063228)

SA Water Corporation further advise that the developer should inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at FULL cost to the owner/applicant.

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.

*Reason: To satisfy the requirements of the SA Water Corporation.*

3. Payment of \$75,130 into the Planning and Development Fund (11 allotment/s @ \$6830 /allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card at Level 5, 50 Flinders Street, Adelaide.

*Reason: To satisfy the requirements of the State Commission Assessment Panel.*

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 Development Assessment Commission for Land Division Certificate purposes.

*Reason: To satisfy the requirements of the State Commission Assessment Panel.*

## 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. 211/884/2017 by Michael Wang to construct two (2) four storey residential flat buildings, each comprising 6 dwellings (total 12) at 240 Anzac Highway, Plympton (CT 5730/785) subject to the following conditions of consent:

#### 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:
  - InProperty Design, Revision C Job No 384, Pages 1-8;
  - Overshadowing diagrams by ThreeSixFive Design Studio, drawings 1-3;
  - SCA Engineers, Revision B, Dwg No 170702-C1/B;
  - Arborman Tree Solutions 'Development Impact Report' ATS4724-240AnzHyDIR;
  - CIRQA report dated 21 January 2018, Ref No 17180/BNW;
  - Colby Industries dated 25 January 2018 Waste Management Plan.

*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*

2. All driveways, parking and manoeuvring areas shall be formed with permeable paving, and shall be properly drained and maintained in a reasonable condition at all times to the satisfaction of Council.

*Reason: To ensure that timely and adequate provision is made for the collection and dispersal of stormwater.*

3. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or operation of the development and shall be maintained in good health at all times to the satisfaction of Council. Any plants that become diseased or die shall be replaced with a suitable species.

A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

*Reason: To enhance the amenity of the site and locality and reduce heat loading.*

4. 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.

*Reason: To reduce unnecessary glare to the residents of adjoining dwellings.*

5. The upper level windows nominated on the rear and side elevations for the first floor and higher for both buildings, shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimize the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained to the satisfaction of Council at all times.

*Reason: To maintain the level of privacy to residents of adjoining dwellings.*

6. The local heritage street tree as shown on the Ground Floor Plan, Drawn by InProperty Design, Revision C shall be protected with the following measures:
  - a) The pavement for the driveway and waste bin collection area be constructed using a permeable pavement system at existing grade in accordance with the *Arborman Tree Solutions - Professionals in Arboriculture* report dated 30 January, 2018.
  - b) During construction a Tree Protection Zone (TPZ) shall be established including the following:
    - i. appoint a project arborist to assist with the management and implementation of a Tree Protection Plan;
    - ii. install a protective fence as per Australian Standard AS 4970-2009 *Protection of trees on development sites* around the nature strip and any area within the allotment that is outside of the construction area;
    - iii. ensure the fenced area is clearly signed as per Australian Standard AS 4970-2009 *Protection of trees on development sites*;
    - iv. apply supplementary water to the fenced area if construction occurs during summer and/or there is a period of sustained dry weather during the construction period;
    - v. undertake tree protection compliance checks as per Australian Standard AS4970-2009 *Protection of trees on development sites*.

*Reason: To protect and maintain the health of the heritage street tree.*

7. The maximum service vehicle, including the refuse collection vehicle, shall be limited to a SRV as specified in Australian Standard 2890.2 - 2002 Parking Facilities, Part 2, Off-Street Commercial Vehicle Facilities.

*Reason: To ensure safe manoeuvring within the site.*

8. Bicycle parking shall be provided with provision for a minimum of 2 bicycles for visitors. This shall be demonstrated on a plan prior to the issuing of development approval and subject to the satisfaction of Council.

*Reason: To ensure the provision of bicycle parking.*

9. The Gross Pollutant Trap (GPT) product shall be installed and maintained in accordance with the manufacturer's guidelines and best practices.

*Reason: To ensure the effective functioning of the Gross Pollutant Trap device to allow for appropriate stormwater management.*

10. Each dwelling shall be provided with a 3000 litre rainwater re-use (not detention) tank that:
- a) plumbs into all toilets within the dwelling and laundry cold taps (other uses can also be included if so desired);
  - b) other plumbing requirements associated with this re-use system (i.e. mains backup and isolation) to be in accordance with standard compulsory stormwater re-use requirements in the Building Code of Australia.

All elements of stormwater collection and re-use are to be installed and fully operational prior to the occupancy of a dwelling.

*Reason: To ensure effective stormwater management over the site.*

11. The approved waste disposal facilities and waste enclosure shall be installed and be made operative prior to occupation of the development.

*Reason: To ensure orderly development in relation to the management of waste.*

**Conditions imposed at the request of the Department of Planning, Transport and Infrastructure (DPTI)**

12. All vehicles shall enter and exit the site in a forward direction.

*Reason: To satisfy the requirements of DPTI.*

13. To accommodate simultaneous two-way vehicle movements in the vicinity of Anzac Highway, the access at the property boundary shall be 6.5 metres in width and be flared to the kerbline to a crossover width of 7.5 metres, with a minimum 1.0 metre separation (i.e. 1.0 metre upright kerb and gutter) being provided from the adjacent access. This shall require the side entry pit to be converted to a grate and be incorporated into the crossover. The conversion of a grate shall be undertaken to the satisfaction of DPTI's Asset Planning Engineer, phone (08) 8402 1389, with all costs being borne by the applicant.

*Reason: To satisfy the requirements of DPTI.*

14. Any stormwater run-off shall be collected on-site and disposed of safely without jeopardising the safety of adjacent roads. Any alterations to the existing road drainage infrastructure as a result of this development shall be at the expense of the applicant.

*Reason: To satisfy the requirements of DPTI.*

## 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. 211/884/2017 by Michael Wang to construct two (2) four storey residential flat buildings, each comprising 6 dwellings (total 12) at 240 Anzac Highway, Plympton (CT 5730/785) subject to the following conditions of consent:

### 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:
  - InProperty Design, Revision C Job No 384, Pages 1-8;
  - Overshadowing diagrams by ThreeSixFive Design Studio, drawings 1-3;
  - SCA Engineers, Revision B, Dwg No 170702-C1/B;
  - Arborman Tree Solutions 'Development Impact Report' ATS4724-240AnzHyDIR;
  - CIRQA report dated 21 January 2018, Ref No 17180/BNW;
  - Colby Industries dated 25 January 2018 Waste Management Plan.

*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*

2. All driveways, parking and manoeuvring areas shall be formed with permeable paving, and shall be properly drained and maintained in a reasonable condition at all times to the satisfaction of Council.

*Reason: To ensure that timely and adequate provision is made for the collection and dispersal of stormwater.*

3. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or operation of the development and shall be maintained in good health at all times to the satisfaction of Council. Any plants that become diseased or die shall be replaced with a suitable species.

A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

*Reason: To enhance the amenity of the site and locality and reduce heat loading.*

4. 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.

*Reason: To reduce unnecessary glare to the residents of adjoining dwellings.*

5. The upper level windows nominated on the rear and side elevations for the first floor and higher for both buildings, shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimize the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained to the satisfaction of Council at all times.

*Reason: To maintain the level of privacy to residents of adjoining dwellings.*

6. The local heritage street tree as shown on the Ground Floor Plan, Drawn by InProperty Design, Revision C shall be protected with the following measures:
- a) The pavement for the driveway and waste bin collection area be constructed using a permeable pavement system at existing grade in accordance with the *Arborman Tree Solutions - Professionals in Arboriculture* report dated 30 January, 2018.
  - b) During construction a Tree Protection Zone (TPZ) shall be established including the following:
    - i. appoint a project arborist to assist with the management and implementation of a Tree Protection Plan;
    - ii. install a protective fence as per Australian Standard AS 4970-2009 *Protection of trees on development sites* around the nature strip and any area within the allotment that is outside of the construction area;
    - iii. ensure the fenced area is clearly signed as per Australian Standard AS 4970-2009 *Protection of trees on development sites*;
    - iv. apply supplementary water to the fenced area if construction occurs during summer and/or there is a period of sustained dry weather during the construction period;
    - v. undertake tree protection compliance checks as per Australian Standard AS4970-2009 *Protection of trees on development sites*.

*Reason: To protect and maintain the health of the heritage street tree.*

7. The maximum service vehicle, including the refuse collection vehicle, shall be limited to a SRV as specified in Australian Standard 2890.2 - 2002 Parking Facilities, Part 2, Off-Street Commercial Vehicle Facilities.

*Reason: To ensure safe manoeuvring within the site.*

8. Bicycle parking shall be provided with provision for a minimum of 4 bicycles for visitors. This shall be demonstrated on a plan prior to the issuing of development approval and subject to the satisfaction of Council.

*Reason: To ensure the provision of bicycle parking.*

9. The Gross Pollutant Trap (GPT) product shall be installed and maintained in accordance with the manufacturer's guidelines and best practices.

*Reason: To ensure the effective functioning of the Gross Pollutant Trap device to allow for appropriate stormwater management.*

10. Each dwelling shall be provided with a 3000 litre rainwater re-use (not detention) tank that:
- a) plumbs into all toilets within the dwelling and laundry cold taps (other uses can also be included if so desired);
  - b) other plumbing requirements associated with this re-use system (i.e. mains backup and isolation) to be in accordance with standard compulsory stormwater re-use requirements in the Building Code of Australia.

All elements of stormwater collection and re-use are to be installed and fully operational prior to the occupancy of a dwelling.

*Reason: To ensure effective stormwater management over the site.*

11. The approved waste disposal facilities and waste enclosure shall be installed and be made operative prior to occupation of the development.

*Reason: To ensure orderly development in relation to the management of waste.*

**Conditions imposed at the request of the Department of Planning, Transport and Infrastructure (DPTI)**

12. All vehicles shall enter and exit the site in a forward direction.

*Reason: To satisfy the requirements of DPTI.*

13. To accommodate simultaneous two-way vehicle movements in the vicinity of Anzac Highway, the access at the property boundary shall be 6.5 metres in width and be flared to the kerbline to a crossover width of 7.5 metres, with a minimum 1.0 metre separation (i.e. 1.0 metre upright kerb and gutter) being provided from the adjacent access. This shall require the side entry pit to be converted to a grate and be incorporated into the crossover. The conversion of a grate shall be undertaken to the satisfaction of DPTI's Asset Planning Engineer, phone (08) 8402 1389, with all costs being borne by the applicant.

*Reason: To satisfy the requirements of DPTI.*

14. Any stormwater run-off shall be collected on-site and disposed of safely without jeopardising the safety of adjacent roads. Any alterations to the existing road drainage infrastructure as a result of this development shall be at the expense of the applicant.

*Reason: To satisfy the requirements of DPTI.*

**6.4 322 Marion Road, NETLEY**

Application No 211/981/2018

**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 REFUSE Development Approval for Application No. 211/981/2018 by Domenico A De Palma to undertake the removal of one (1) significant tree - *Eucalyptus Camaldulensis* (River Red Gum) at 322 Marion Road, Netley (CT 5783/923) for the following reasons:

Removal of the significant tree is contrary to the following provisions of the West Torrens Council Development Plan consolidated 12 July 2018:

**General Section, Regulated Trees, Objective 1**

*Reason: The tree provides important aesthetic and environmental benefit.*

**General Section, Regulated Trees, Objective 2(a)(b)(d)**

*Reason: The tree significantly contributes to the character and visual amenity of the locality, is indigenous to South Australia and the local area, provides an important habitat for native fauna and is not preventing reasonable development of the site.*

**General Section, Regulated Trees, PDC 2(a)(b)(c)(d)**

*Reason: The tree is not diseased and its life expectancy is not short, does not represent a material risk to public or private safety and is not currently causing damage to a building.*



**General Section, Significant Trees, Objective 1**

*Reason: The tree provides important aesthetic and environmental benefits.*

**General Section, Significant Trees, Objective 2**

*Reason: The tree is not preventing appropriate development on the site.*

**General Section, Significant Trees, PDC 1(a)(c)(e)(f)**

*Reason: The tree makes an important contribution to the character and amenity of the local area, provides an important habitat for native fauna, is important to the maintenance of biodiversity in the local environment and forms a notable visual element to the landscape of the local area.*

**General Section, Significant Trees, PDC 3(a)(b)(c)(d)(e)**

*Reason: The tree is not diseased, its life expectancy is not short, it does not represent an unacceptable risk to public or private safety, is not currently causing or threatening to cause substantial damage to a substantial building or structure of value and reasonable alternative remediation options are available.*

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

**6.5 2/503 Henley Beach Road, FULHAM**

Application No 211/805/2018

**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 for Application No. 211/805/2018 by J Kim to install signage above the verandah to shop 2 at 2/503 Henley Beach Road, Fulham (CT 6016 / 873) 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 this application except where varied by any condition listed below.  
*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*
2. That the advertisement, approved herein, shall be maintained in good repair at all times and if damaged will be replaced with a like sign within one (1) month.  
*Reason: To ensure the development does not unreasonably diminish the amenity of the locality.*
3. That the advertisement, approved herein, shall not be internally or externally illuminated and must not move, flash, blink or rotate in any manner.  
*Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to motorists.*

## **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 subject to the concurrence of the State Commission Assessment Panel for Application No. 211/805/2018 by J Kim to install signage above the verandah to shop 2 at 2/503 Henley Beach Road, Fulham (CT 6016 / 873) 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 this application except where varied by any condition listed below.

*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*

2. That the advertisement, approved herein, shall be maintained in good repair at all times and if damaged will be replaced with a like sign within one (1) month.

*Reason: To ensure the development does not unreasonably diminish the amenity of the locality.*

3. That the advertisement, approved herein, shall not be internally or externally illuminated and must not move, flash, blink or rotate in any manner.

*Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to motorists.*

## **7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER**

Nil

## **8 SUMMARY OF COURT APPEALS**

### **8.1 Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - December 2018**

This report presents information in relation to:

1. any planning appeals before the Environment, Resources and Development (ERD) Court;
2. any matters being determined by the State Commission Assessment Panel (SCAP);
3. any matters determined by the Minister of Planning (Section 49);
4. any matters determined by the Governor of South Australia (Section 46); and
5. any deferred items previously considered by the Council Assessment Panel.

## **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## **9 OTHER BUSINESS**

### **9.1 Procedures at Council Assessment Panel Meetings and Council Assessment Panel Annual Report**

This report presented the *Procedures at Council Assessment Panel Meetings* for approval and a draft Annual Report for noting and comment.

#### **RECOMMENDATION**

It is recommended to the Council Assessment Panel that:

1. The revised *Procedures at Council Assessment Panel Meetings* be adopted.
2. The *Council Assessment Panel Annual Report* be noted.

#### **COUNCIL ASSESSMENT PANEL DECISION (1)**

Moved: J Strange  
Seconded: G Nitschke

That the revised *Procedures at Council Assessment Panel Meetings* be adopted.

**CARRIED**

#### **COUNCIL ASSESSMENT PANEL DECISION (2)**

Moved: B Russ  
Seconded: G Nitschke

That the *Council Assessment Panel Annual Report* be endorsed for submission by Council and the Assessment Manager be authorised to make minor editorial amendments and update the meeting statistics to the end of 2018.

**CARRIED**

### **9.2 Expression of Thanks to Council staff and CAP members**

The Presiding Member expressed her thanks to Council staff and CAP members for their contribution over the 2018 year.

## **10 MEETING CLOSE**

The Presiding Member declared the meeting closed at 5.44pm.