

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, 13 NOVEMBER 2018**  
**at 5.00pm**

**Donna Ferretti**  
**Assessment Manager**

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 5.02pm.

### 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)
Dr Donna Ferretti	(Assessment Manager)
Ms Rachel Knuckey	(Manager City Development - Acting)
Ms Sonia Gallarelo	(Development Officer - Planning)
Ms Amelia DeRuvo	(Development Officer - Planning)
Ms Ebony Cetinich	(Development Officer - Planning)
Mr Justin Clisby	(Development Officer - Planning)

## 3 APOLOGIES

### Apologies

#### Officers:

Mr Terry Buss	(Chief Executive Officer)
Ms Hannah Bateman	(Manager City Development)
Mr Jordan Leverington	(Senior Development Officer - Planning)

## RECOMMENDATION

That the apologies be received.

## COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: B Russ

That the recommendation be adopted.

**CARRIED**

## 4 CONFIRMATION OF MINUTES

### RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 9 October 2018 be confirmed as a true and correct record.

### COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: B Russ

That the recommendation be adopted.

**CARRIED**

## 5 DISCLOSURE STATEMENTS

Nil

## 6 REPORTS OF THE ASSESSMENT MANAGER

### 6.1 16 Coralie Street, PLYMPTON

Application No 211/19/2018 & 211/1393/2017

Representors heard: Merilyn and David Salisbury.

Applicant response: Bill Stefanopoulos of Town Planning Advisors.

### 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. 211/19/2018 by 16 Coralie Pty Ltd to undertake land division - Community Title; SCAP No. 211/C207/17; Creating four additional allotments and common property at 16 Coralie Street, Plympton (CT 5069/197) subject to the following conditions of consent:

#### Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by Bartlett Drafting and Development relating to Development Application No. 211/19/2018 (SCAP 211/C207/17).

#### Land Division Consent Conditions

##### Council Requirements

Nil

##### SCAP Requirements

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

For SA Water to assess this application, the developer must advise SA Water of the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119. An investigation will be carried out to determine if connections to the development will be standard or nonstandard.

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

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

### **COUNCIL ASSESSMENT PANEL DECISION**

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

- Minimum allotment areas

### **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. 211/1393/2017 by I Think Design Studio to construct a two storey residential flat building containing 5 dwellings with alfresco at 16 Coralie Street, Plympton (CT 5069/197) 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.
2. All driveways, parking and manoeuvring areas shall be formed and surfaced with concrete, bitumen or paving, and shall be properly drained and maintained in a reasonable condition at all times to the satisfaction of Council.
3. All landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
4. The upper level windows of the dwellings facing north, east and west 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 occupation of the building. The glazing in these windows shall be maintained in a reasonable condition at all times to the satisfaction of Council.

### **COUNCIL ASSESSMENT PANEL DECISION**

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

- Rear setbacks;
- Private open space provision (particularly minimum dimensions);
- Landscaping;
- Storage;
- Colour scheme;
- Bin storage.

## 6.2 410-412 & 414 Henley Beach Road, LOCKLEYS

Application No 211/1180/2017 & 211/958/2017

Representors heard: Joe Mammone.

Applicant response: Phillip Brunning of Phillip Brunning & Associates.

### 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. 211/1180/2017 by Western Property Group to undertake Land Division - Community Title; Create 12 additional allotments and common property at 410-412 and 414 Henley Beach Road, Lockleys (CTs 5232/714, 5232/715, 5753/599, 5547/915) 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.

#### Land Division Consent Conditions

##### Council Requirements

Nil

##### State Commission Assessment Panel Requirements

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0064654).

SA Water Corporation further advise that an investigation will be carried out to determine if connections to the development will be standard or nonstandard.

3. Payment of \$81,960.00 into the Planning and Development fund (12 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.
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.

### 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. 211/958/2017 by Western Property Group to construct one (1) two storey dwelling with frontage to Main Street and 15 two storey dwellings with common driveway access, landscaping and retaining walls and fencing along boundaries (maximum combined height of 2.3 metres) - Staged Development at 410-412 and 414 Henley Beach Road, Lockleys (CTs 5232/714, 5232/715, 5753/599, 5547/915) subject to the following conditions of consent and reserved matters:

### Reserved Matters

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 detailed stormwater management system and computations for the development shall be submitted to Council prior to the issue of development approval. The stormwater management system shall include:
  - a) harvesting and re-use of stormwater runoff from the development that is to be designed by a suitably qualified stormwater/civil engineer to demonstrate the most economical and sustainable solution for the development;
  - b) stormwater detention measures to demonstrate that the stormwater discharge from the development would be equivalent to having a 0.25 runoff coefficient for a critical 20-year ARI storm event; and
  - c) stormwater quality improvement measures that are demonstrated to satisfy the State Government Water Sensitive Urban Design policy guidelines.
2. A Construction Management Plan (CMP) for the proposed development shall be submitted to Council prior to the issue of development approval. The CMP should identify potential issues and appropriate measures to minimise impacts and disruption to surrounding residents and business owners during the construction phase of the development.

Pursuant to Section 42(1) of the *Development Act 1993*, the Council reserves its decision on the form and substance of any further conditions of Development Plan Consent that it considers appropriate to impose in respect of the reserve matters outlined above.

### 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. 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. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
  - 100 x 50 x 2mm RHS Galvanised Steel; or
  - 125 x 75 x 2mm RHS Galvanised Steel; or
  - Multiples of the above.

4. A 3,000 litre stormwater collection and reuse tank and associated plumbing to service the toilets and laundry is to be installed and operational for each dwelling prior to occupation of the development.
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 good condition at all times to the satisfaction of Council.
6. That all landscaping shall be planted in accordance with the approved plans (Landscape Concept Plan prepared by Outer Space, Drawing No. OS646\_CP01, dated 29/08/18) 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 become diseased or die.
7. That all upper storey windows nominated on the elevation plans with either raised sills or obscure glass shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in good condition to the satisfaction of Council at all times.
8. That all on-site waste shall be managed and collected in accordance with the approved plans and the report prepared by CIRQA Pty Ltd dated 19 July 2018.
9. That the maximum size waste collection vehicle shall be limited to Medium Rigid Vehicle (MRV) in accordance with Australian Standard 2890.2 - 2002 Parking Facilities, Part 2, Off-Street Commercial Vehicle Facilities.

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

The Panel resolved that the recommendation be adopted.

#### **6.3 187A & 187B Anzac Highway, KURRALTA PARK**

Application No 211/503/2018

#### **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. 211/503/2018 by BHB Property Developments Pty Ltd to undertake the construction of 3 three storey residential flat buildings containing 16 dwellings at 187A & 187B Anzac Highway, Kurralta Park (CTs 5455/248 & 5613/287) subject to the following conditions of consent:

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

##### **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 conditions listed below.
2. All driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) and properly drained, and shall be maintained in a good condition to the satisfaction of Council at all times.

3. All landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
4. All car parking spaces shall be line-marked in accordance with the approved plans and in accordance with Australian Standard 2890.1, 2004 Parking Facilities, Part 1, Off Street Car Parking, prior to the occupation of the proposed development. Line-marking and directional arrows shall be clearly visible at all times.
5. The maximum service vehicle, including the refuse collection vehicle, shall be limited to a MRV as specified in Australian Standard 2890.2 - 2002 Parking Facilities, Part 2, Off-Street Commercial Vehicle Facilities.
6. The approved waste disposal facilities and waste enclosure shall be installed and be made operative prior to occupation of the development.

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

7. Vehicular access to serve the development shall be via a single two-way access point located on Gray Street, approximately 17 metres from the Anzac Highway / Gray Street corner.
8. All vehicles shall enter and exit the site in a forward direction.
9. The access point shall comply with AS/NZS 2890.1:2004 Figure 3.3: Minimum sightlines for pedestrian safety.
10. Refuse collection shall be undertaken on-site by a 7.2 metres long truck in accordance with the MFY letter dated 21 May 2018.
11. All obsolete crossovers shall be reinstated to Council specification upright kerb and gutter at the applicant's expense following construction of the new Gray Street crossover.
12. 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.

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

The Panel resolved that the recommendation be adopted.

#### **6.4 292 Marion Road NETLEY**

Application No 211/1493/2017

#### **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. 211/1493 /2017 by S Wehbe to undertake a change of land use from residential to light industry (mobile phone repairs and ancillary phone and accessory sales) with associated car parking, landscaping and one (1) advertising sign at 292 Marion Road, Netley (CT 5859/933) subject to the following conditions of consent and the concurrence of the State Commission Assessment Panel:

**Council 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 condition(s) listed below.
2. No goods, materials or equipment associated with the approved use shall be stored within the car parking area.
3. Waste bins shall be stored in the dedicated waste storage area at all times, as indicated on the approved site and landscaping plan.
4. 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 insanitary 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.
5. Within three (3) months of the date of Development Approval, the existing car parking area shall be altered to incorporate the stormwater management system indicated on the approved 'Site Drainage Plan' (Rev: B, Date: 17/08/2018).
6. Within three (3) months of the date of Development Approval, the existing car parking area 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.
7. Within six (6) months of the date of Development Approval, all landscaping indicated on the approved site and landscaping plan shall be planted.
8. All landscaping shall be maintained in good health and condition at all times and any dead or diseased plants shall be replaced immediately to the satisfaction of the Council.
9. All external painting shall be completed within three (3) months of the date of Development Approval.
10. The hours of operation of the land use approved herein shall be limited to Monday to Friday 9:00am to 5:00pm and Saturday 9:00am to 1:00pm.
11. The number of staff occupying the premises at any one time shall not exceed 3 people.
12. The advertising sign shall not be internally or externally illuminated at any time without the prior approval of Council.

**Department of Planning, Transport and Infrastructure Conditions:**

1. All vehicular access to/from the site shall be gained in accordance with Site Plan produced by Town Planning Advisors, dated 1 August 2018.
2. All vehicles shall enter and exit the site in a forward direction.
3. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the arterial road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

**6.5 1/239 - 243 Henley Beach Road, TORRENSVILLE & 2/239 - 243 Henley Beach Road, TORRENSVILLE**

Application No 211/880/2018

**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. 211/880/2018 by A & S Troisi to undertake the construction of an office - ancillary to an existing petrol filling station and bulky goods outlet at 2/239-243 Henley Beach Road, TORRENSVILLE (CT 5289/157, 5283/904 & 5283/969) subject to the following conditions of consent and the concurrence of the State Commission Assessment Panel (SCAP):

**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.
2. The hours of operation for the proposed office / kitchen approved herein shall be the same as the approved hours of operation of the associated bulky goods outlet.
  - Monday to Friday: 8am to 5pm
  - Saturday: 8:30am - 12pm

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## 6.6 22 Talbot Street, NORTH PLYMPTON

Application No 211/1345/2016/A (DAC 211/C184/16)

### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/1345/2016A by D'Andrea and Associates for a variation to an authorisation previously granted - changes to internal layout and external appearance of dwellings and allotment areas at 22 Talbot Street, North Plympton (CT 5700/290) subject to the following conditions of consent:

### Council Conditions

1. The development shall be undertaken and completed in accordance with the amended plans dated 22/08/2018 and information detailed in this application except where varied by any condition(s) listed below.
2. All original development plan consent and land division consent conditions as imposed on development application 211/1345/2016 which was granted consent on 18/01/2018 continue to apply with this variation.

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

## 6.7 10 Warren Avenue GLENELG NORTH

Application No 211/562/2018 & 211/947/2018

### 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 REFUSE Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/947/2018 (SCAP No. 211/D114/18) by B Gooden to undertake Land division - Torrens Title; Create one (1) additional allotment at 10 Warren Avenue, Glenelg North (CT 5311/301) for the following reasons:

The proposed land division is contrary to the following provisions of the West Torrens Council Development Plan consolidated 12 July 2018:

#### **Residential Zone, PDC 5**

*Reason: The increase in density is not consistent with the Desired Character for the policy area.*

#### **Residential Zone, Low Density Policy Area 21, Objective 1**

*Reason: The increase in density is not consistent with and does not contribute to the Desired Character for the Low Density Policy Area 21.*

#### **Residential Zone, Low Density Policy Area 21, PDC 6**

*Reason: The proposed allotments do not achieve the minimum frontage width of 12 metres or the minimum allotment area of 420 square metres.*

### 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 REFUSE Development Plan Consent for Application No. 211/562/2018 by K Dunn to undertake the construction of two (2) single storey detached dwellings at 10 Warren Avenue, Glenelg North (CT 5311/301) for the following reasons:

The proposed single storey detached dwellings are contrary to the following provisions of the West Torrens Council Development Plan consolidated 6 February 2018:

### **Residential Zone, PDC 5**

*Reason: The increase in density is not consistent with the Desired Character for the policy area.*

### **Residential Zone, Low Density Policy Area 21, Objective 1**

*Reason: The increase in density is not consistent with the Desired Character for the Low Density Policy Area 21.*

### **Residential Zone, Low Density Policy Area 21, PDC 3**

*Reason: The sites of the proposed dwellings do not achieve the minimum frontage width of 12 metres or minimum site area of 420 square metres.*

## 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 REFUSE Development Plan Consent for Application No. 211/562/2018 by K Dunn to undertake the construction of two (2) single storey detached dwellings at 10 Warren Avenue, Glenelg North (CT 5311/301) for the following reasons:

The proposed single storey detached dwellings are contrary to the following provisions of the West Torrens Council Development Plan consolidated 6 February 2018:

### **Residential Zone, PDC 5**

*Reason: The increase in density is not consistent with the Desired Character for the policy area.*

### **Residential Zone, Low Density Policy Area 21, Objective 1**

*Reason: The increase in density is not consistent with the Desired Character for the Low Density Policy Area 21.*

### **Residential Zone, Low Density Policy Area 21, PDC 3**

*Reason: The sites of the proposed dwellings do not achieve the minimum frontage width of 12 metres or minimum site area of 420 square metres.*

### **Residential Development, PDC 16**

*Reason: The excessive frontage width of the garages facing Warren Avenue dominate the presentation of the development to the street.*

## 6.8 34 & 36 Warren Avenue, GLENELG NORTH

Application No 211/408/2018 (SCAP 211/D038/18)

### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/408/2018 (SCAP No. 211/D038/18) by N Sacoutis and Andrew Butcher Project Management to undertake Land division - Torrens Title; Create two additional allotments at 34 and 36 Warren Avenue, Glenelg North (CTs 5657/599 & 6190/591) subject to the following conditions of consent:

### Council Conditions

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

### State Commission Assessment Panel Conditions

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

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

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

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

3. Payment of \$13,660 into the Planning and Development Fund (2 allotments @ \$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 Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.

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

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

## 6.9 35A McArthur Avenue, PLYMPTON

Application No 211/650/2018 (SCAP 211/D075/18)

### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/650/2018 by A Gautam to undertake a combined application: Land division - Torrens Title; SCAP No. 211/D075/18; Create two (2) additional allotments with reciprocal party wall rights; and the construction of three two storey row dwellings at 35A McArthur Avenue, Plympton (CT 5498/181) subject to the following conditions of consent:

### Development Plan Consent Conditions

#### Council Conditions

1. Development is to take place in accordance with the plans prepared by Pyper Leaker and Stunning Homes relating to Development Application No. 211/650/2018 (SCAP 211/D075/18).
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 will 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.
5. All landscaping, approved herein, will be planted in accordance with the approved plans within the next planting cycle and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
6. All upper level windows on the eastern, southern and western elevations shall be provided with fixed obscure glazing to a minimum height of 1.7m from the FFL of the upper level to minimise the potential of overlooking to adjoining properties.

### Land Division Consent Conditions

#### Council Requirements

Nil

### State Commission Assessment Panel Requirements

7. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0074025)

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

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.

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.

8. Payment of \$13,660 into the Planning and Development Fund (2 allotments @ \$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, at Level 5, 50 Flinders Street, Adelaide.
9. 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.

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

#### 6.10 29 Morphett Road, CAMDEN PARK

Application No 211/688/2018 (SCAP 211/D082/18)

#### 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. 211/688/2018 by Jeffrey Fudge & Associates to undertake a land division - Torrens Title; SCAP No. 211/D082/18; Create one (1) additional allotment at 29 Morphett Road, CAMDEN PARK (CT 5115/361) subject to the following conditions of consent:

#### Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by Jeffrey Fudge & Associates relating to Development Application No. 211/688/2018 (SCAP 211/D082/18).

#### Land Division Consent Conditions

##### Council Requirements

Nil

#### State Commission Assessment Panel Requirements

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

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

Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

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

3. Payment of \$6830 into the Planning and Development Fund (1 allotment @ \$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 Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

#### **6.11 28 Lydia Street, PLYMPTON**

Application No 211/1241/2017

### **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. 211/1241/2017 by Spectra Building Designers to construct a carport forward of a residential flat building at 28 Lydia Street, Plympton (CT 5214/311) 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.
2. The carport shall remain unenclosed to the Lydia Street frontage for bays 1, 2, 3, 4 and 5.

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## 7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

### 7.1 240 & 242 Sir Donald Bradman Drive and 27 Wilson Street, COWANDILLA

Application No. 211/1256/2017

#### Reason for Confidentiality

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

- (viii) legal advice.

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

#### RECOMMENDATION

It is recommended to the Council Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. At the completion of the confidential session the meeting be re-opened to the public.

#### COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange  
Seconded: G Nitschke

That the recommendation be adopted.

**CARRIED**

**6.22pm** the meeting moved into Confidence and session commenced.

**6.27pm** the Confidential session closed and the meeting reopened to the public.

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

## **8 SUMMARY OF COURT APPEALS**

### **8.1 Summary of SCAP, ERD Court and deferred CAP matters - November 2018**

This report presented 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 OTHER BUSINESS**

### **9.1 Review of Procedures at CAP Meetings**

The Panel considered and discussed a number of clauses of the *Procedures at Council Assessment Panel Meetings* document.

A revised *Procedures at Council Assessment Panel Meetings* document will be presented at the 11 December 2018 meeting of the Council Assessment Panel for endorsement.

### **9.2 Resignation of DAP Independent Member - Mr Chris Menz**

The Panel were informed of the resignation of Mr Chris Menz, effective from the conclusion of the 11 December 2018 meeting of the Council Assessment Panel.

The Panel expressed their gratitude to Mr Menz for his contribution to the Council Assessment Panel during 2018.

## **10 MEETING CLOSE**

The Presiding Member declared the meeting closed at 6.34pm.