

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, 12 MARCH 2019
at 5.00pm

Donna Ferretti
Assessment Manager

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.01pm.

1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by the Presiding Member.

2 PRESENT

Panel Members:

Ms C Dunn (Presiding Member)

Councillor: Ms J Wood

Independent Members: Ms J Strange, Mr B Russ, Mr M Arman

Officers:

Mr Terry Buss	(Chief Executive Officer)
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)
Mr Josh Banks	(Senior Development Officer - Planning)
Ms Sonia Gallarelo	(Development Officer - Planning)
Ms Amelia DeRuvo	(Development Officer - Planning)
Ms Ebony Cetinich	(Development Officer - Planning)
Ms Maryam Modirrousta	(Development Technician - Planning)
Ms Hala El Said	(Development Technician - Planning)

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 12 February 2019 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Wood

Seconded: J Strange

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Panel Member
CAP Item 6.1 - 130-132 & 134-136 Anzac Highway, Glandore	Indirect	B Russ
CAP Item 6.4 - 30-46 Rutland Avenue, Lockleys	Perceived	J Wood

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 130-132 & 134-136 Anzac Highway, GLANDORE

5.06pm *B Russ declared an indirect conflict of interest in this item as the applicant is a client of his place of employment and left the meeting for the discussion and vote on the item.*

Application No 211/395/2018

Appearing before the Panel were:

Representors: **Syd McDonald** on behalf of Juzie and Sturt Whittaker of 1a Park Street, Glandore appeared in support of the representation.

Andrew and Rebecca Bruce of 1 Park Street, Glandore appeared in support of the representation.

Peter Eiten of 1/137 Anzac Highway, Glandore did not appear in support of the representation.

Applicant: **Andrew Caspar** from Peregrine Corporation and **Jason Turner** from Sonus appeared to respond to the 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. 211/395/2018 by Peregrine Corporation to undertake the construction of an integrated service station with associated acoustic fencing, signage, car wash facility and landscaping at 130-132 & 134-136 Anzac Highway Glandore (CTs 6126/875 and 5094/121) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any condition listed below:
 - a) Site Plan by ADS Architects, Drawing no. SK01, Dated 07/02/19;
 - b) Elevation Plan by ADS Architects, Drawing no. SK02h, Dated 07/02/19;
 - c) Elevation Plan by ADS Architects, Drawing no. SK03g, Dated 07/02/19;
 - d) Elevation Plan by ADS Architects, Drawing no. SK04, Dated 07/02/19;
 - e) Landscape Plan by Oxigen Urban Design Landscape Architecture Planning, Drawing no. 15.047.036, Dated 08/02/19;
 - f) Waste Management Plan by OTR, Dated April 2018;

- g) Traffic management Plan by GTA Consultants, Dated 13/07/2018;
- h) External Lighting Modelling Report by TMK consulting engineers, Dated 21/02/2019;
- i) Environmental Noise Assessment by Sonus, Dated February 2019; and
- j) Stormwater calculations and plan by Sagero Civil and Structural. Dated July 2018.

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

2. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

3. Prior to the occupation or use of the development, all car parking spaces shall be line marked in accordance with the approved plans and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

4. Only one pylon sign shall be in place at any one time. The proposed pylon sign shall not be erected whilst the existing pylon sign is in place.

Reason: To ensure not more than one pylon sign exists on the subject site.

5. The maximum size of service vehicles accessing the site, including the refuse collection vehicle, shall be limited to a 10.2m long rigid.

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

6. The driveways, parking and vehicle manoeuvring areas shall not be used for the storage or display of materials or goods, including waste products and refuse.

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

7. The loading and unloading of goods and merchandise shall be carried out on the subject land and is not permitted to be carried out in the street.

Reason: To maintain the flow of traffic and ensure the ongoing safety of the street for travellers.

8. 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 mitigate against heat loading.

- 9 Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
- Result in the entry of water into a building; or
 - Affect the stability of a building; or
 - Create insanitary or dangerous conditions on the site or within the building; or
 - Flow or discharge onto the land of an adjoining owner; or
 - Flow across footpaths or public ways.

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

- 10 During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

- 11 Stormwater runoff from hard surfaced areas shall be directed to a stormwater treatment system or device to ensure that all debris, litter, sediment, fuels and oil products are removed prior to any controlled release to Council's stormwater system.

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

- 12 The collection of waste from the site shall occur only between the hours of:

Monday to Saturday (except public holidays)	7am - 7pm
Sunday and public holidays	9am - 7pm

Reason: To ensure the amenity of surrounding uses is maintained.

- 13 The hours of operation of the shall be limited to the following periods:

- Fuel and convenience shop 24 hours a day Sunday to Monday.
- Guzman y Gomez restaurant 6am to 11pm - Sunday to Monday.
- Car wash and vacuum bay 7am to 10pm - Sunday to Monday.

Reason: To ensure the amenity of surrounding uses is maintained.

- 14 All external lights on the subject site shall be directed, screened and of such limited intensity that overspill of light into nearby premises is avoided and no nuisance or loss of amenity is caused to any person beyond the site, including passing motorists.

Reason: To ensure that the proposed lighting does not cause undue disturbance, annoyance or inconvenience to adjoining landowners and motorists.

- 15 The illumination of the sign shall be such that no hazard, nuisance or discomfort is caused to any person beyond the site, including passing motorists and adjoining residents.

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

Conditions required by the Department of Planning, Transport and Infrastructure

16. The Anzac Highway ingress and egress points shall be located and constructed in general accordance with the proposed site plan produced by ADS Architects numbered 14JN1220.1 SK01e dated 19 September 2018 and the GTA Site Traffic Compliance Statement dated 16 April 2018. The ingress and egress points shall be appropriately angled to the road and signed/line marked to reinforce the desired traffic flow through each access.

Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

17. The median alterations opposite the new egress shown in the GTA Site Traffic Compliance Statement dated 16 April 2018 shall be designed and installed to DPTI's satisfaction prior to operation of the development. All associated costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the applicant. The applicant shall contact Ms Teresa Xavier, Network Planning Engineer, Traffic Operations on telephone (08) 8226 8389 or via email at: teresa.xavier@sa.gov.au to discuss the proposed road works prior to undertaking any detailed design.

Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

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

Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

19. Any stormwater run-off shall be collected on-site and disposed of safely without jeopardising the safety of the adjacent section of Anzac Highway. 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 the Department of Planning, Transport and Infrastructure.

Conditions imposed at the request of the Environment Protection Authority

20. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.

Reason: To satisfy the requirements of the Environment Protection Authority.

21. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refuelling.

Reason: To satisfy the requirements of the Environment Protection Authority.

22. All runoff from hardstand areas (including the refuelling and fuel delivery areas) of the site (refer to plans by Sagero Project No. SA18007, Drawing Number C01 Issue C, C02 Issue A, C03 Issue A) must be directed via grates and grade changes to a forecourt full retention oil/water separator (no bypass function) that:
- has as a minimum spill capture capacity of 10,000 litres;
 - reduces oil content in the outlet to less than 5 mg/L (as confirmed by independent third party scientific testing);
 - operates effectively in the event of a power failure; and
 - has an alarm connected by telemetry to appropriate maintenance personnel.
- Reason: To satisfy the requirements of the Environment Protection Authority.*
23. Any sludge or residues collected within the forecourt full retention oil/water separator is considered waste and must be removed by an EPA licensed waste transporter
- Reason: To satisfy the requirements of the Environment Protection Authority.*
24. All underground fuel storage tanks must be double-walled and fitted with Automatic Tank Gauging (ATG) as a leak detection and monitoring system.
- Reason: To satisfy the requirements of the Environment Protection Authority.*
25. Prior to use, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a mechanical pressure leak detection system.
- Reason: To satisfy the requirements of the Environment Protection Authority.*

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved the following:

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. 211/395/2018 by Peregrine Corporation to undertake the construction of an integrated service station with associated acoustic fencing, signage, car wash facility and landscaping at 130-132 & 134-136 Anzac Highway Glandore (CTs 6126/875 and 5094/121) subject to the following conditions of consent:

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 - Elevation Plan by ADS Architects, Drawing no. SK02h, Dated 07/02/19;
 - Elevation Plan by ADS Architects, Drawing no. SK03g, Dated 07/02/19;
 - Elevation Plan by ADS Architects, Drawing no. SK04, Dated 07/02/19;
 - Landscape Plan by Oxigen Urban Design Landscape Architecture Planning, Drawing no. 15.047.036, Dated 08/02/19;
 - Waste Management Plan by OTR, Dated April 2018;
 - Traffic management Plan by GTA Consultants, Dated 13/07/2018;
 - External Lighting Modelling Report by TMK consulting engineers, Dated 21/02/2019;
 - Environmental Noise Assessment by Sonus, Dated February 2019; and
 - Stormwater calculations and plan by Sagero Civil and Structural. Dated July 2018.

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

2. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

3. Prior to the occupation or use of the development, all car parking spaces shall be line marked in accordance with the approved plans and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

4. Only one pylon sign shall be in place at any one time. The proposed pylon sign shall not be erected whilst the existing pylon sign is in place.

Reason: To ensure not more than one pylon sign exists on the subject site.

5. The maximum size of service vehicles accessing the site, including the refuse collection vehicle, shall be limited to a 10.2m long rigid.

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

6. The driveways, parking and vehicle manoeuvring areas shall not be used for the storage or display of materials or goods, including waste products and refuse.

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

7. The loading and unloading of goods and merchandise shall be carried out on the subject land and is not permitted to be carried out in the street.

Reason: To maintain the flow of traffic and ensure the ongoing safety of the street for travellers.

8. 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 mitigate against heat loading.

9. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:

- a) Result in the entry of water into a building; or
- b) Affect the stability of a building; or
- c) Create 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.

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

10. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.
Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.
11. Stormwater runoff from hard surfaced areas shall be directed to a stormwater treatment system or device to ensure that all debris, litter, sediment, fuels and oil products are removed prior to any controlled release to Council's stormwater system.
Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.
12. The collection of waste from the site and the delivery of fuel and goods to the site shall occur only between the hours of:
Monday to Saturday (except public holidays) 7am - 7pm
Sunday and public holidays 9am - 7pm
Reason: To ensure the amenity of surrounding uses is maintained.
13. The hours of operation of the shall be limited to the following periods:
- Fuel and convenience shop 24 hours a day Sunday to Monday.
 - Guzman y Gomez restaurant 6am to 11pm - Sunday to Monday.
 - Car wash and vacuum bay 7am to 10pm - Sunday to Monday.
- Reason: To ensure the amenity of surrounding uses is maintained.*
14. All external lights on the subject site shall be directed, screened and of such limited intensity that overspill of light into nearby premises is avoided and no nuisance or loss of amenity is caused to any person beyond the site, including passing motorists.
Reason: To ensure that the proposed lighting does not cause undue disturbance, annoyance or inconvenience to adjoining landowners and motorists.
15. The illumination of the sign shall be such that no hazard, nuisance or discomfort is caused to any person beyond the site, including passing motorists and adjoining residents.
Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to adjoining landowners and motorists.
16. No music, advertisements or other amplified sound shall be emitted by the operators of the site outside of the control building (with the exception of addressing emergency matters).
Reason: To ensure the amenity of surrounding uses is maintained.

Conditions required by the Department of Planning, Transport and Infrastructure

17. The Anzac Highway ingress and egress points shall be located and constructed in general accordance with the proposed site plan produced by ADS Architects numbered 14JN1220.1 SK01e dated 19 September 2018 and the GTA Site Traffic Compliance Statement dated 16 April 2018. The ingress and egress points shall be appropriately angled to the road and signed/line marked to reinforce the desired traffic flow through each access.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

18. The median alterations opposite the new egress shown in the GTA Site Traffic Compliance Statement dated 16 April 2018 shall be designed and installed to DPTI's satisfaction prior to operation of the development. All associated costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the applicant. The applicant shall contact Ms Teresa Xavier, Network Planning Engineer, Traffic Operations on telephone (08) 8226 8389 or via email at: teresa.xavier@sa.gov.au to discuss the proposed road works prior to undertaking any detailed design.

Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

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

Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

20. Any stormwater run-off shall be collected on-site and disposed of safely without jeopardising the safety of the adjacent section of Anzac Highway. 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 the Department of Planning, Transport and Infrastructure.

Conditions imposed at the request of the Environment Protection Authority

21. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.

Reason: To satisfy the requirements of the Environment Protection Authority.

22. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refuelling.

Reason: To satisfy the requirements of the Environment Protection Authority.

23. All runoff from hardstand areas (including the refuelling and fuel delivery areas) of the site (refer to plans by Sagero Project No. SA18007, Drawing Number C01 Issue C, C02 Issue A, C03 Issue A) must be directed via grates and grade changes to a forecourt full retention oil/water separator (no bypass function) that:

- a) has as a minimum spill capture capacity of 10,000 litres;
- b) reduces oil content in the outlet to less than 5 mg/L (as confirmed by independent third party scientific testing);
- c) operates effectively in the event of a power failure; and
- d) has an alarm connected by telemetry to appropriate maintenance personnel.

Reason: To satisfy the requirements of the Environment Protection Authority.

24. Any sludge or residues collected within the forecourt full retention oil/water separator is considered waste and must be removed by an EPA licensed waste transporter

Reason: To satisfy the requirements of the Environment Protection Authority.

25. All underground fuel storage tanks must be double-walled and fitted with Automatic Tank Gauging (ATG) as a leak detection and monitoring system.

Reason: To satisfy the requirements of the Environment Protection Authority.

26. Prior to use, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a mechanical pressure leak detection system.

Reason: To satisfy the requirements of the Environment Protection Authority.

5.56pm B Russ returned to the meeting.

6.2 38 and 40 Garfield Avenue, KURRALTA PARK

Application No 211/1344/2018

Appearing before the Panel were:

Representors: **Simone Williams** and **Cee-Jon Ying** of 42B Garfield Avenue did not appear in support of the representation.

Applicants: **Mark Sturuss** of Studio ED3 Building Design appeared to respond to questions of the Panel.

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. 211/1344/2018 by Mr Ansar Rana to undertake a Combined Application: Land division - Community Title; SCAP No. 211/C170/18; Create ten (10) additional allotments and common property and demolition of all buildings and construction of two residential flat buildings containing a total of 12 dwellings and common property and two 1.2 metre high walls - staged development (stages 1 and 2) at 38 and 40 Garfield Avenue (CTs 5720/180 & 5146/619) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
 - Plans by Studio ED 3 Building Design and Documentation - Drawing No. PD 01(B/C) - PD 08;
 - Proposed Landscaping Plan by LCS Landscapes, Dated 11/12/2018;
 - Sitework and Drainage Plan by SCA Engineers, Drawing No. 181149-C1-C7; and
 - Sleeper retaining wall plan by MLEI Consulting Engineers dated Feb 13, 2019;
 - Plan of Division by Alexander Symonds, Ref No A091817 Prop 2A.

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 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.

Reason: To minimise the spread of dust and soil and to ensure safe and convenient vehicle manoeuvring on-site.

4. All landscaping shall 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.

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

5. 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 in good condition to the satisfaction of Council.

Reason: To maintain the amenity of the locality.

6. The upper level eastern and western windows of all dwellings shall be provided with fixed obscure glass to a minimum height of 1.7 metres from the upper floor level, and shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To maintain the impact on privacy to residents of adjoining dwellings.

7. No above-ground structures such as letterboxes, service metres or similar shall be installed within the common driveway entrance and passing area.

Reason: To avoid conflict between services and vehicle manoeuvring areas.

8. 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.

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

9. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy. A minimum of 90 percent of the roof area of each dwelling must be plumbed to direct stormwater runoff to the rainwater tank for that dwelling.

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

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

Reason: To protect the stability of the banks of the Brown Hill Creek.

11. A hybrid waste service shall be provided to the site, which will include the provision of 7 Recycling bins and 4 Food/Organic Waste bins to be shared amongst all dwellings on the site and to be collected by Council contractors as part of the roadside collection. General waste from the property must be collected by private contractors from within the site, with the service vehicle being limited to reversing into the site from the road and exiting the site in a forward direction.

Reason: To ensure that the storage and collection of waste occurs in an orderly manner.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

12. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0080543).

SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

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.

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

13. Payment of \$72,530.00 into the Planning and Development Fund (10 allotments @ \$7253.00 /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 credit card, at Level 5, 50 Flinders Street, Adelaide.

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

14. 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 the following:

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. 211/1344/2018 by Mr Ansar Rana to undertake a Combined Application: Land division - Community Title; SCAP No. 211/C170/18; Create ten (10) additional allotments and common property and demolition of all buildings and construction of two residential flat buildings containing a total of 12 dwellings and common property and two 1.2 metre high walls - staged development (stages 1 and 2) at 38 and 40 Garfield Avenue (CTs 5720/180 & 5146/619) subject to the following conditions of consent and reserved matter:

Reserved Matter:

1. A Construction Environmental Management Plan (CEMP) for the proposed development shall be submitted for assessment and approval by the City of West Torrens. The CEMP should identify potential issues and appropriate measures to minimise impacts and disruption to surrounding residents during the construction phase of the development.

Reason: To ensure that construction is managed to minimise impacts on surrounding properties and their occupants.

Pursuant to Section 42(1) of the Development Act 1993, the Council reserve 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 matter outlined above.

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:

- Plans by Studio ED 3 Building Design and Documentation - Drawing No. PD 01(B/C) - PD 08;
- Proposed Landscaping Plan by LCS Landscapes, Dated 11/12/2018;
- Sitework and Drainage Plan by SCA Engineers, Drawing No. 181149-C1-C7; and
- Sleeper retaining wall plan by MLEI Consulting Engineers dated Feb 13, 2019;
- Plan of Division by Alexander Symonds, Ref No A091817 Prop 2A.

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 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.

Reason: To minimise the spread of dust and soil and to ensure safe and convenient vehicle manoeuvring on-site.

4. All landscaping shall 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.

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 to mitigate against heat loading.

5. 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 in good condition to the satisfaction of Council.

Reason: To maintain the amenity of the locality.

6. The upper level eastern and western windows of all dwellings shall be provided with fixed obscure glass to a minimum height of 1.7 metres from the upper floor level, and shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To maintain the impact on privacy to residents of adjoining dwellings.

7. No above-ground structures such as letterboxes, service metres or similar shall be installed within the common driveway entrance and passing area.

Reason: To avoid conflict between services and vehicle manoeuvring areas.

8. 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.

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

9. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy. A minimum of 90 percent of the roof area of each dwelling must be plumbed to direct stormwater runoff to the rainwater tank for that dwelling.

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

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

Reason: To protect the stability of the banks of the Brown Hill Creek.

11. A hybrid waste service shall be provided to the site, which will include the provision of 7 Recycling bins and 4 Food/Organic Waste bins to be shared amongst all dwellings on the site and to be collected by Council contractors as part of the roadside collection. General waste from the property must be collected by private contractors from within the site, with the service vehicle being limited to reversing into the site from the road and exiting the site in a forward direction.

Reason: To ensure that the storage and collection of waste occurs in an orderly manner.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

12. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0080543).

SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

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.

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

13. Payment of \$72,530.00 into the Planning and Development Fund (10 allotments @ \$7253.00 /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 credit card, at Level 5, 50 Flinders Street, Adelaide.

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

14. 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.

6.3 17 and 19 Carlton Parade, TORRENSVILLE

Application No 211/1130/2018 & 211/1089/2018

Appearing before the Panel were:

Representors: **Nikolaos Kosmadopoulos** of 15A Carlton Parade, Torrensville appeared in support of the representation.

George Papaemanouil appeared in support of the representation.

Note: Mr Papaemanouil is not the applicant of either proposal, however is a part owner of the subject land.

Applicants: **Robert Ventura** of Fairmont Homes did not appear 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, for Application No. 211/1130/2018 by Fairmont Homes Pty Ltd to undertake the construction of a two storey detached dwelling at 17 Carlton Parade (CT 6037/729) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the following plans and information:
 - Site plan by Fairmont Homes.
 - Front elevation, Rear Elevation, Lower Floor, Upper Floor, Left Elevation, Right Elevation, Eastern, Western Elevation for Lots 703 and 704, Landscaping Schedule by Fairmont Homes at Lot 301 (house 1) (11839-C).

- SAF Consulting Engineers Drainage Plan, Job No 1808198, CRD/A, Date Oct -18, revision B.

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

2. The noise attenuation measures specified in the BESTEC report for 17 & 19 Carlton Parade, Torrensville 'Acoustic Services Aircraft Noise Assessment' report dated 13 December 2018 and the recommendations for Dwelling 1 noted on p.4 of that report shall be adopted and installed prior to the occupancy of the development.

Reason: To protect the amenity of residents of the dwelling from aircraft noise.

3. The roof of the dwelling approved herein shall be finished in Colorbond® sheeting with a corrugated profile.

Reason: To maintain the historic character and amenity of the area.

4. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage 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.

5. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:

- a) 100 x 50 x 2mm RHS Galvanised Steel or
- b) 125 x 75 x 2mm RHS Galvanised Steel or
- c) Multiples of the above
- d) No connection through bus stop hard stand (if applicable).

Reason: To maintain existing Council infrastructure.

6. All landscaping shall 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.

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

7. The upper storey windows on the rear elevation of the dwelling 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.

Reason: To maintain the privacy of neighbouring residents.

8. Perimeter fencing to the front of the dwelling shall be no higher than 1.5 metres and tapered down toward the street. All necessary approvals shall be sought where required.

Reason: To maintain the heritage character of the street and locality.

9. Prior to occupancy of the dwelling, a 3000 litre stormwater collection and reuse tank and associated plumbing to service all toilets and the laundry within the dwelling is to be installed and operational.

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

COUNCIL ASSESSMENT PANEL DECISION

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

- Excessive length of side boundary wall.
- Side setback deficiency.
- Storage and collection of waste from the site.
- Clarification of degree of overshadowing impact.

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. 211/1089/2018 by Fairmont Homes Pty Ltd to undertake the construction of a two storey detached dwelling and retaining walls and fencing to a maximum height of 2.2 metres at 19 Carlton Parade, Torrensville (CT 6037/730) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the following plans and information:
 - Site plan by Fairmont Homes.
 - Front elevation, Rear Elevation, Lower Floor, Upper Floor, Left Elevation, Right Elevation, Southern Elevation for Lots 703 and 704, Landscaping Schedule by Fairmont Homes at Lot 301 (house 1) (118340- C).
 - SAF Consulting Engineers Drainage Plan, Job No 1808198, CRD/A, Date Oct -18, revision B.

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

2. The noise attenuation measures specified in the BESTEC report for 17 & 19 Carlton Parade, Torrensville 'Acoustic Services Aircraft Noise Assessment' report dated 13 December 2018 and the recommendations for Dwelling 2 noted on pp.4-5 of that report shall be adopted and installed prior to the occupancy of the development.

Reason: To protect the amenity of residents of the dwelling from aircraft noise.

3. The roof of the dwelling approved herein shall be finished in Colorbond® sheeting with a corrugated profile.

Reason: To maintain the historic character and amenity of the area.

4. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
- Result in the entry of water into a building; or
 - Affect the stability of a building; or
 - Create unhealthy or dangerous conditions on the site or within the building; or
 - Flow or discharge onto the land of an adjoining owner; or
 - Flow across footpaths or public ways.

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

5. 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
 - No connection through bus stop hard stand (if applicable).

Reason: To maintain existing Council infrastructure.

6. All landscaping shall 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.

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

7. The upper storey windows on the front, rear and east elevations of the dwelling 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.

Reason: To maintain the privacy of neighbouring residents.

8. Perimeter fencing shall be no higher than 1.8 metres and tapered down toward the street at the driveway entrance to the satisfaction of Council. All necessary approvals shall be sought where required.

Reason: To maintain the heritage character of the street and locality.

9. Prior to occupancy of the dwelling, a 3000 litre stormwater collection and reuse tank and associated plumbing to service all toilets and the laundry within the dwelling is to be installed and operational.

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

COUNCIL ASSESSMENT PANEL DECISION

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

- Rear setback deficiency.
- Deficiency in provision of private open space.

6.4 30-46 Rutland Avenue, LOCKLEYS

6.36pm J Wood declared a perceived conflict of interest in this as she is an Elected Member of the City of West Torrens (the applicant) and left the meeting for the discussion and vote on the item.

Application No 211/777/2018

Appearing before the Panel were:

Representor: **Judith Cross** of 8 Netley Avenue, Lockleys appeared in support of the representation.

Applicant: **Dean Ottanelli** and **Teresa Desteno** of the City of West Torrens appeared in response to the representation.

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. 211/777/2019 by City of West Torrens to undertake the construction of new tennis courts, tennis court lighting (12.3 metres in height), new oval light towers (22.3 metres in height), car parking and lighting, bicycle parking, and removal of two (2) regulated trees and one (1) significant tree at 30-46 Rutland Avenue, Lockleys (CT 5738/376) 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. The stormwater management system shall adopt measures outlined in the Stormwater Management Concept dated December 2018 that includes:
 - a. Harvesting and re-use of stormwater runoff from the reuse tank adjacent the new clubroom building that is to be designed by a suitably qualified stormwater/civil engineer;
 - b. Permeable paving for car parking areas with underground detention and drainage;
 - c. Surface runoff from the tennis courts directed to a rain garden and detention storage basin; and
 - d. Stormwater quality improvement measures that are demonstrated to satisfy the State Government Water-Sensitive Urban Design policy guidelines.

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

2. A Construction Management Plan (CMP) for the proposed development. 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.

Reason: To ensure that construction is managed to minimise impacts on surrounding properties and their occupants.

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. The development must be undertaken, completed and maintained in accordance with the 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. That all flood lighting for the oval approved herein shall be turned off by no later than 10.00pm on any given day.
Reason: To ensure that the proposed lighting does not cause undue disturbance, annoyance or inconvenience to adjoining residents or motorists.
3. That all tennis court lighting approved herein shall be turned off by no later than 10.00pm on Monday to Saturday, with no lighting permitted on Sunday.
Reason: To ensure that the proposed lighting does not cause undue disturbance, annoyance or inconvenience to adjoining residents or motorists.
4. That lighting timers shall be installed for the oval flood lights and tennis lighting approved herein, with lighting controls to be located securely to prevent unauthorised access.
Reason: To ensure that the proposed lighting does not cause undue disturbance, annoyance or inconvenience to adjoining residents or motorists.
5. That all lighting approved herein shall be designed, positioned and directed so that the light levels at the boundaries of surrounding residential properties are no greater than 10 lux at all times.
Reason: To ensure that the proposed lighting does not cause undue disturbance, annoyance or inconvenience to adjoining residents or motorists.
6. That all designated car parking areas shall be line marked to delineate the parking spaces prior to the occupation of the development.
Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.
7. That the maximum size vehicle permitted to service or access the site is limited to a Medium Rigid Vehicle (MRV) as outlined within AS 2890.2 - 2002.
Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.
8. That floodlighting within car parks and around the clubroom building shall be restricted to that necessary for security purposes only and be directed and shielded in such a manner as to cause no light overspill nuisance of nearby properties.
Reason: To ensure that the proposed lighting does not cause undue disturbance, annoyance or inconvenience to adjoining residents or motorists.
9. That all stormwater runoff from roofs and impervious surfaces shall be managed on-site in such a manner that it does not result in the entry of water into a building or adversely affect any adjoining property or public road.
Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties or public spaces.

10. That the bicycle parking delineated on Site Plan – Overall (Sheet WD012 RevD) dated 21/01/19 prepared by Walter Brooke & Associates Pty Ltd shall be installed prior to occupation of the development.

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

COUNCIL ASSESSMENT PANEL DECISION

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

- Reduced operational hours of the tennis court lighting.
- To demonstrate that alternative options have been explored for the proposed removal of regulated trees across the site.
- Provision of screen planting on the northern edge of the site to reduce the lighting impact on neighbouring properties.
- Provision of final Stormwater Management Plan.

7.06pm J Wood returned to the meeting.

6.5 35 Victoria Lane, MILE END

Application No 211/1076/2018

Appearing before the Panel were:

Representors: **Penelope Long** of 70A Hughes Street, Mile End did not appear in support of the representation.

Frank Debreczeni of 74 Hughes Street, Mile End appeared in support of the representation.

Applicant: **Warwick O'Brien** of Warwick O'Brien Architects appeared in response to the 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. 211/1076/2018 by W O'Brien to undertake the construction of a two storey detached dwelling with double garage under main roof and associated swimming pool and safety fence and front, side and rear fencing (2 metres maximum height) at 35 Victoria Lane, Mile End (CT 6208/449) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the 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. The roofs of the dwelling approved herein shall be finished in Colorbond® sheeting with a corrugated profile.

Reason: To maintain the historic character and amenity of the area.

3. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage 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.

4. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
 - a) 100 x 50 x 2mm RHS Galvanised Steel or
 - b) 125 x 75 x 2mm RHS Galvanised Steel or
 - c) Multiples of the above
 - d) No connection through bus stop hard stand (if applicable).

Reason: To maintain existing Council infrastructure.

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.

Reason: To minimise the spread of dust and dirt and to ensure safe and convenient vehicle manoeuvring on site.

6. That all landscaping shall 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.

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

7. That the upper storey windows on the eastern side and rear elevations of the dwelling 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.

Reason: To maintain the privacy of neighbouring residents.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.6 20 & 22 Warwick Avenue, KURRALTA PARK

Application No 211/1335/2018 & 211/1341/2018

Appearing before the Panel were:

Representors: **Karina & Jeff Redjepi** of 27 Wood Street, Kurralta Park appeared in support of the representation.

Applicant: **Graeme Gibson** of State Surveys appeared in response to the representation.

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 and Land Division Consent for Application No. 211/1335/2018 by Hope Developments SA Pty Ltd to undertake a combined application for Land Division - Torrens Title SCAP No. 211/D168/18 - create 4 additional allotments including party walls and construction of five two storey row dwellings at 20 and 22 Warwick Street, Kurralta Park (CTs 5662/485 & 5717/883) 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 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. 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.

Reason: To maintain existing Council infrastructure.

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 good condition at all times to the satisfaction of Council.

Reason: To ensure safe and convenient vehicle access and to suppress dust.

5. That all landscaping shall be planted in accordance with the approved plans (Landscape Plan and Fence Elevation prepared by Yogo Design & Consulting Pty Ltd dated 28/11/2018) 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.

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

6. That the side and rear upper storey windows of all dwellings 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.

Reason: To maintain the privacy of neighbouring residents.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

7. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0080359)

On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developer's/owner's 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.

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

8. Payment of \$29,012 into the Planning and Development fund (4 lots @ \$7,253/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.

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

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 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 and Land Division Consent for Application No. 211/1341/2018 by Hope Developments SA Pty Ltd to undertake a combined application for Land Division - Community Title SCAP No. 211/C169/18 - To create 5 additional allotments and construction of a two storey residential flat building comprising six dwellings and retaining wall and fencing (maximum combined height of 2.4 metres) at 20 and 22 Warwick Street, Kurralta Park (CT5662/485 & CT5717/883) 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 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. 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.*Reason: To maintain existing Council infrastructure.*
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 GOOD condition at all times to the satisfaction of Council.
Reason: To ensure safe and convenient vehicle access and to suppress dust.
5. That all landscaping shall be planted in accordance with the approved plans (Landscape Plan and Fence Elevation prepared by Yogo Design & Consulting Pty Ltd dated 28/11/2018) 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.
Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.

6. That the side and rear upper storey windows of all dwellings 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 at all times to the satisfaction of Council.

Reason: To maintain the privacy of neighbouring residents.

7. That the front balustrades of all dwelling balconies shall be fitted with either solid planter boxes or fixed obscure screens to a minimum height of 1.7 metres from the upper floor level prior to occupation of the building. The screening shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To maintain the privacy of neighbouring residents.

8. No aboveground structures, such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.

Reason: To ensure safe and convenient vehicle access.

9. All general waste, recycling and organic waste bins shall be collected by a private waste contractor to the satisfaction of Council.

Reason: To ensure waste is appropriately collected and removed from the site.

10. 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. Reversing movements from the site onto the public road are not permitted.

Reason: To ensure safe and convenient vehicle access.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

11. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0080358).

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.

For SA Water to assess this application, the developer must advise SA Water 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.

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

12. Payment of \$36,265.00 into the Planning and Development fund (5 lots @ \$7253/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.

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

13. 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.

6.7 3 & 5 Hayward Avenue, TORRENSVILLE

Application No 211/40/2017

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 and Land Division Consent for Application No. 211/40/2017 by Format Homes Pty Ltd to undertake a Combined Application: Land Division - Create ten (10) additional allotments and common property, entrance walls and the construction of twelve (12) two storey group dwellings with associated garages and landscaping at 3 and 5 Hayward Avenue, Torrensville (CTs 5391/179 and 5894/675) subject to the following conditions of consent:

Development Plan Consent 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):
 - Plan of Division prepared by Fyfe Surveyors and Engineers, 18.12.18;
 - Planning Drawings, Prepared by Format Homes, Marked Revision J, 25.01.2019 (32 sheets);
 - Landscape plan prepared by LCS Landscape Architects, revision B, 01.02.2019;
 - Drainage Plan prepared by SAF Consulting Engineers, Revision D, 30.11.2018;
 - Figure 1 "All turning paths", prepared by Phil Weaver & Associates, Ref 18-186, Date 14/12/18;
 - Figure 2: 8.4m Veolia truck on-site turning movement, prepared by Phil Weaver & Associates, Ref 18-000;
 - Finishes schedule, prepared by Inarc Interior Design, v2, Project ID 17722, Date 11/6/18.
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.

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

3. 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.

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

4. Stormwater quality measures shall be incorporated into the stormwater design that achieves the targets listed in the flowing table.

Parameter	Target
Reduction Litter/Gross Pollutant	90%
Reduction in Average Annual Total Suspended Solids (TSS)	80% *1
Reduction in Average Annual Total Phosphorous (TP)	60% *1
Reduction in Average Annual Total Nitrogen (TN)	45% *1

*1 - Reduction as compared to an equivalent catchment with no water quality management controls.

Reason: To ensure that adequate provision is made for stormwater quality management.

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.

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

6. That all landscaping shall be planted in accordance with the approved plans (Landscape Layout Plan and Landscape Concept Design Plan dated 1/02/2019 prepared by LCS Landscapes) 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.

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

7. That all upper storey windows of all dwellings, other than those windows facing Hayward Avenue or the internal driveway, 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 at all times to the satisfaction of Council.

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

8. The collection of waste from the site by private waste contractors shall be restricted to the following hours:

- Monday - Saturday 7am - 7pm.
- No collection on Sundays and Public Holidays.

Reason: To maintain the level of amenity for residents and provide good internal waste management practices.

9. Dwellings 2 to 11 inclusive shall be serviced by a private waste collection contractor and will not have access to the standard Council Waste Collection Service. Dwellings 1 and 12 will have access to the standard Council Waste Collection service.

Reason: To maintain the level of amenity for residents and provide good internal waste management practices.

10. The dedicated rubbish containers provided for the storage and collection of all solid waste material generated by dwellings 2-11 within the development shall be provided and maintained on the site at all times and shall be:

- a) Covered at all times to prevent the dispersal by wind and the entry of stormwater and vermin.
- b) Sealed to prevent leakage.
- c) Located on hard stand areas.
- d) Adequately screened from public view.
- e) Free from obstructions and readily accessible at all times for collection by private waste contractors.

Reason: To maintain the level of amenity for residents and provide good internal waste management practices.

11. All waste storage and collection activities must be undertaken within the subject site and not on or from the public road or verge areas. The maximum sized service vehicle permitted to be utilised in association with waste servicing is a MRV scale vehicle.

Reason: To maintain the level of amenity for residents and provide good internal waste management practices.

12. The common driveway must be maintained in a condition to enable private waste service vehicles to enter and exit the site in a forward direction at all times to the satisfaction of Council.

Reason: To maintain the level of amenity for residents and provide good internal waste management practices.

13. The stobie pole located within the central crossover shall be removed prior to the construction of infrastructure across the Council verge in accordance with the report from Heynen Planning Consultants dated 9 February 2017.

Reason: To avoid conflict with Council infrastructure.

14. No above-ground structures, such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.

Reason: To avoid conflict between services and vehicle manoeuvring areas.

15. Existing crossovers which will be made redundant are to be reinstated to vertical kerb prior to the completion of building works at the applicant's expense.

Reason: To ensure Council's infrastructure is repaired by the developer/applicant.

Land Division Consent Conditions

Council Requirements

Nil

State Commission Assessment Panel Requirements

16. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0059999).

SA Water corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

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.

Reason: To satisfy the requirements of SA Water Corporation.

17. Payment of \$66,760 into the Planning and Development Fund (10 allotments @ \$6676/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the 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 State Commission Assessment Panel.

18. 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 State Commission Assessment Panel.

Note

The applicant is required to lodge a separate application for the retaining and fencing at the perimeter of the site.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.8 16 Wood Street, KURRALTA PARK

Application No 211/912/2017

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. 211/912/2017 by Mr Bo Lin to undertake a Combined Application: Land division - Community Title; SCAP No. 211/C132/17, Creating four additional allotments; and the construction of a two storey residential flat building comprising five dwellings and an ancillary retaining wall and fence to a maximum height of 2.9m at 16 Wood Street, Kurralta Park (CT5718/29) subject to the following conditions of consent:

Development Plan Consent

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any condition listed below:

- a) Plan of division by State Surveys, Version 12/2/2019;
- b) Site Plan by DIG designs, Drawing no. WOO-16-17.dwg, Dated 30.05.17;
- c) Floor Plan by DIG designs, Drawing no. WOO-16-17.dwg, Dated 30.05.17;
- d) Elevations by DIG designs, Drawing no. WOO-16-17.dwg, Dated 30.05.17;
- e) Site and drainage plan by Ginos Engineers, Drawing no. 31125, Dated JUL '17.

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

2. Prior to the occupation or use of the development, the upper storey windows on the northern, southern and western elevations of the residential flat building 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. The glazing in these windows shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To minimise the impact on privacy to residents of adjoining dwellings.

3. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

4. 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 mitigate against heat loading.

5. All external materials, surface finishes and colours shall be consistent with the information detailed in this application and shall be maintained in a good condition at all times to the satisfaction of Council.

Reason: To ensure a high standard of materials and finishes are used in the final presentation of the building.

6. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:

- a) Result in the entry of water into a building; or
- b) Affect the stability of a building; or
- c) Create 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.

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

Land Division Consent

Nil

Conditions added at the request of the State Commission Assessment Panel

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
Reason: To satisfy the requirements of SA Water.
2. 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 or by phone (7109 7018), by cheque payable to the State Commission Assessment Panel marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
Reason: To satisfy the requirements of the State Commission Assessment Panel.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State 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.

6.9 51-57 & 59 South Road, THEBARTON

Application No 211/1128/2018

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. 211/1128/2018 by David Highet to undertake alterations and additions to existing hotel - Local Heritage Place (Non-complying) at 51-57 and 59 South Road, Thebarton (CT 5259/94, CT 5166/967, CT 5472/966 and CT 5259/93) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the plans prepared by Darren Mah Design (Project no: 1541, Drawing Numbers SK-01 to SK-19) and information detailed in this Application except where varied by any condition(s) listed below.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.

2. External materials and finishes shall be the same as or complementary to those of the associated hotel. Any painting shall be completed within two (2) months of the practical completion of the development and maintained in good condition at all times.
Reason: To ensure the proposal is developed to complement and enhance the appearance of the Local Heritage Place.
3. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage shall not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.*Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.*

Department of Planning, Transport and Infrastructure Conditions

4. All access shall be gained via Ann Street only. No direct access to South Road shall be permitted.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
5. All vehicles shall enter and exit the site in a forward direction.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
6. All off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
7. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.10 52 Richmond Road, KESWICK

Application No 211/822/2018

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. 211/822/2018 by Jennifer Harberger to construct three (3) internally illuminated flat wall signs at 52 Richmond Road, Keswick (CT 5090/897) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the 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. The content of the signage approved herein shall relate to the legitimate use of the land at all times and shall not be used for third party advertising.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
3. Lighting associated with the signs shall be of an intensity not to cause a light over spill nuisance to adjacent occupiers, or cause a distraction to drivers on adjacent public roads.
Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to adjoining land users and motorists.

Department of Planning, Transport and Infrastructure Conditions

4. The illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
5. The illuminated signs shall be limited to a low level of illumination so as to minimise distraction to motorists (< 150Cd/m²).
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
6. The signs shall not contain any element that flashes, scrolls, moves or changes, or imitate a traffic control device.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.11 181-183 Anzac Highway, KURRALTA PARK

Application No 211/471/2018

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. 211/471/2018 by Yogo Design & Consulting Pty Ltd to undertake the construction of three (3) three storey residential flat buildings comprising 23 dwellings and associated landscaping, car parking and front masonry fence at 181-183 Anzac Highway, Kurralta Park (CTs 5365/487 and 5799/570) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the 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. Prior to the occupation or use of the development, the upper storey windows on the south-west (side), rear and north-east (side) elevations of the dwellings 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. The glazing in these windows shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To minimise the impact on privacy to residents of adjoining dwellings.

3. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

4. Permeable paving shall be installed in the hatched areas within the common property/driveway marked on the Ground Floor Plan/Site Plan (drawing no. APL03). The permeable paving shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To ensure the quantity and quality of stormwater run-off arising from the development meets Council's requirements.

5. A 3,000 litre stormwater collection and re-use tank and associated plumbing to service the toilets and laundry shall be installed and operational for each dwelling prior to the occupation or use of the development.

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

6. All landscaping shown on the stamped and approved plans granted Development Plan Consent 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 mitigate against heat loading.
7. All visitor car parking spaces shall be line-marked in accordance with the approved plans and Australian Standard 2890.1 2004 Parking Facilities, Part 1, Off-Street Car Parking, prior to the occupation of the development. Line-marking and directional arrows shall be clearly visible at all times.
Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.
8. The approved waste disposal facilities and waste enclosures shall be installed and be made operative prior to occupation of the development.
Reason: To ensure the ongoing safe collection of waste from the site.

Department of Planning, Transport and Infrastructure Conditions

1. The development shall be served by a single, centrally located access point that is approximately 7.4 metres in width at the property boundary, flaring to the edge of the road.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
2. All vehicles shall enter and exit the site in a forward direction.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
3. All obsolete crossover/s shall be reinstated to Council's kerb and gutter standards prior to occupation of any dwellings.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
4. No stormwater from this division shall be permitted to discharge on-surface to Anzac Highway. Additionally, any existing drainage of Anzac Highway must be accommodated by the development and any alterations to road drainage infrastructure as a result of this development shall be at the expense of the applicant.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.12 51 Bickford Street, RICHMOND

Application No 211/879/2018

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 Plan Consent, Land Division Consent and Development Approval for Application No. 211/897/2018 by F H Lum for a Land Division - Torrens Title; SCAP No. 211/D108/18; Creating one (1) additional allotment at 51 Bickford Street, Richmond (CT 5720/847) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 12 July 2018:

- General Section: Land Division Objective 2 and Principle of Development Control 2(a).
Reason: The proposed land division is not appropriate for its intended use.
- General Section: Land Division Principle of Development Control 2(b).
Reason: Proposed allotment 702 does not have a frontage to an existing road, proposed public road or access to a public road via an internal roadway in a plan of community division.
- Residential Zone: Objective 4 and PDC 5.
Reason: The proposed plan is at odds with the desired character for the zone and policy area.
- Low Density Policy Area 20: Objectives 1 and 2.
Reason: The proposed land division is at odds with the desired character of the policy area.
- Low Density Policy Area 20: Principle of Development Control 5.
Reason: The proposed land division creates allotments that do not satisfy the minimum frontage requirements.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.13 5 Boston Avenue, LOCKLEYS

Application No 211/1365/2018

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. 211/1365/2018 by Global Constructions Pty Ltd to undertake land division - Torrens Title; SCAP No. 211/D176/18; Create one (1) additional allotment at 5 Boston Avenue, Lockleys (CT 5690/184) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. Development is to take place in accordance with the plans prepared by Cavallo Forest Surveyors relating to Development Application No. 211/1365/2018 (SCAP 211/D176/18)
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.

Land Division Consent Conditions

Council Requirements

Nil

State Commission Assessment Panel Requirements

2. Payment of \$7253 into the Planning and Development Fund (1 allotment @ \$7253/allotment).
Payment may be made via credit card via the internet at 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.
Reason: To satisfy the requirements of the State Commission Assessment Panel.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State 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 is not adopted and that the application be refused for the following reason:

- Low Density Policy Area 21: Principle of Development Control 6.
Reason: The proposed land division does not create allotments with an area greater than 420m² and a frontage width of 12 metres or more.

6.14 2A Norwich Street, WEST RICHMOND

Application No 211/1177/2018

The Assessment Manager advised the Panel that the applicant has submitted a request to withdraw this development application. Thus, the Panel did not consider this item.

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 - March 2019**

This report presented 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

The Assessment Manager discussed various administrative matters with Panel Members.

10 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.26pm.