

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, 22 JANUARY 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)

Council representative: Mr G Nitschke

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

### **Officers:**

Mr Terry Buss	(Chief Executive Officer)
Dr Donna Ferretti	(Assessment Manager)
Ms Hannah Bateman	(Manager City Development)
Ms Rachel Knuckey	(Team Leader Planning)
Mr Josh Banks	(Senior Development Officer - Planning)
Ms Sonia Gallarello	(Development Officer - Planning)
Ms Amelia DeRuvo	(Development Officer - Planning)

## **3 APOLOGIES**

### **Officers:**

Mr Angelo Catinari (General Manager Urban Services)

## **RECOMMENDATION**

That the apologies be received.

## **COUNCIL ASSESSMENT PANEL DECISION**

Moved: J Strange

Seconded: G Nitschke

That the recommendation be adopted.

**CARRIED**

## 4 CONFIRMATION OF MINUTES

### RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 11 December 2018 be confirmed as a true and correct record.

### COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: G Nitschke

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 - 21-39 James Street, Plympton - Weigall Oval	Perceived	Mr Graham Nitschke

## 6 REPORTS OF THE ASSESSMENT MANAGER

### 6.1 21-39 James Street PLYMPTON - Weigall Oval

**5.05pm** Mr Graham Nitschke declared a perceived conflict of interest in this item as he 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 211/646/2018

Representator: Karren Hazledine of 22 James Street, Plympton did not appear to be heard in support of her representation.

Applicant: Dean Ottanelli and Pauline Koritsa of the City of West Torrens 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 for Application No. 211/646/2018 by the City of West Torrens to undertake demolition of existing clubroom building, sports field and associated structures; construction of a new multi-purpose clubroom building comprising change room and toilet facilities, medical rooms, kitchen facilities, function space and store rooms; construction of new soccer pitches and baseball diamonds, associated chainmesh fencing, light towers and fencing, entry statement, car parking and landscaping - staged development at 21-39 James Street, Plympton (CT 5865/249) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

**Reserved 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 include:
  - a. Harvesting and a high level of re-use of stormwater runoff from the roof of the new clubroom building into the toilets and hot water system of the building that is to be designed by a suitably qualified stormwater/civil engineer to demonstrate the most economic and sustainable solution for the development;
  - b. Stormwater detention measures demonstrating that stormwater discharge from the car park is directed to a raingarden and would be equivalent to having a 0.25 runoff coefficient for a critical 20 year ARI storm event;
  - c. Stormwater quality improvement measures that are demonstrated to satisfy the State Government Water-Sensitive Urban Design policy guidelines; and
  - d. Revision of the discharge point of underground site runoff connection to Oval Terrace.
2. A revised design for the proposed northern car park that satisfies the following:
  - a. The access point onto Oval Terrace shall be located a minimum of 6 metres west of the prolongation of the western kerb line of McArthur Avenue; and
  - b. The car parking layout shall satisfy the requirements of AS/NZS 2890.1-2004 Off-Street Car parking and AS/NZS 2890.6-2009 - Off-Street Parking for People with Disabilities.
3. 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.

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

**Development Plan Consent Conditions**

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any of the following conditions.

*Reason: To ensure the proposal is established in accordance with plans and documents lodged with Council.*
2. That all landscaping shall be planted in accordance with the following approved plans:
  - General Arrangement Plan 1, Drawing No. L03 Rev.B dated 11/10/2018 prepared by JPE Design Studio;
  - General Arrangement Plan 2, Drawing No. L04 Rev.A dated 14/09/2018 prepared by JPE Design Studio;
  - General Arrangement Plan 1, Drawing No. L04 Rev.A dated 14/09/2018 prepared by JPE Design Studio;
  - General Arrangement Plan 2, Drawing No. L05 Rev.A dated 14/09/2018 prepared by JPE Design Studio;

- Landscape Details 01, Drawing No. L05 Rev.A dated 14/09/2018 prepared by JPE Design Studio;
- Landscape Details 02, Drawing No. L06 Rev.A dated 14/09/2018 prepared by JPE Design Studio;
- General Arrangement Plan 3, Drawing No. L06 Rev.A dated 14/09/2018 prepared by JPE Design Studio; and
- Landscape Details 01, Drawing No. L07 Rev.A dated 14/09/2018 prepared by JPE Design Studio.

The landscaping shall be planted within three (3) months of the occupancy of the development and any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping and replace any plants which may become diseased or die.

*Reason: To provide amenity for the occupants and users of the development and those of adjacent properties.*

3. No goods, materials or equipment associated with the approved development shall be stored outside of the clubroom building or designated storage areas.

*Reason: To ensure that the development does not unreasonably diminish the amenity of residents of nearby properties or the locality more generally.*

4. The operating hours of the bar, dining and function areas within the clubroom building shall be restricted to between the hours of 7.30am and 11.00pm on any day.

*Reason: To ensure that the development does not unreasonably diminish the amenity of residents of nearby properties or the locality more generally.*

5. Private functions not related to the use of the sport and recreation facilities within the precinct shall not take place within the clubroom building during times when the sport and recreation facilities are in use, including but not limited to game days, club training and community events.

*Reason: To protect the primary use of the development for sport and recreation.*

6. Entertainment during functions or events involving amplified music (live or other) shall be fully contained within the designated function area, with all window and door openings to be closed shut at all times when music is being played.

*Reason: To ensure the development does not unreasonably diminish the amenity of residents of nearby properties or the locality more generally.*

7. All materials, goods and refuse shall at all times be loaded and unloaded within the confines of the subject land. Both waste and delivery vehicles shall only access the site between the hours of 7.30am and 6.00pm on any day. Materials and goods shall not be stored on land delineated for use as car parking.

*Reason: To ensure the development does not unreasonably diminish the amenity of residents of nearby properties or the locality more generally.*

8. All solid waste shall be stored in bins/containers having a close fitting lid. The bins/containers shall be stored within the designated screened bin enclosure. Collection of waste shall be carried out at least once a week by a private contractor or as agreed by Council and within the approved delivery hours.

*Reason: To ensure the development does not unreasonably diminish the amenity of residents of nearby properties or the locality more generally.*

9. 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 ensure that adequate provision is made for the safe collection and dispersal of stormwater.*
10. 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 ensure the ongoing use and safety of vehicle parking and manoeuvring areas.*
11. All lights on the periphery of the sporting fields shall be turned off no later than 10pm on any day.  
*Reason: To ensure that the lighting does not cause undue disturbance, annoyance or inconvenience to adjoining landowners.*
12. 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 to nearby properties.  
*Reason: To ensure that the lighting does not cause undue disturbance, annoyance or inconvenience to adjoining landowners.*

## **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

**5.21pm** Mr Graham Nitschke returned to the meeting room.

### **6.2 7 Murdoch Avenue, NORTH PLYMPTON**

Application No 211/1037/2018, 211/1038/2018 & 211/483/2018

#### **RECOMMENDATION 1**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/1037/2018 by J S R Walker to undertake a land division - Torrens Title; SCAP No. 211/D125/18; Create one (1) additional allotment at 7 Murdoch Avenue (CT 5699/680) 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: Licensed Surveyors relating to Development Application No. 211/1037/2018 (SCAP 211/D125/18).

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

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

#### **Council Requirements:**

Nil

**State Commission Assessment Panel Conditions:**

2. 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.

On approval of the application, it is the developer's/owner's 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.

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

3. Payment of \$7253 into the Planning and Development Fund (1 allotment @ \$7253/allotment).

Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.

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

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

*Reason: To satisfy the requirements of 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, Land Division Consent and Development Approval for Application No. 211/1038/2018 by J S R Walker to undertake a land division - Community Title; SCAP No. 211/C126/18; Create one (1) additional allotment and common property at 7 Murdoch Avenue (CT 5699/680) 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: Licensed Surveyors relating to Development Application No. 211/1038/2018 (SCAP 211/D126/18).

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

**Land Division Consent Conditions:****Council Requirements:**

Nil

**State Commission Assessment Panel Conditions:**

2. 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 Corporation.*

3. Payment of \$7253 into the Planning and Development Fund (1 allotment @ \$7253/allotment).

Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.

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

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

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

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

**RECOMMENDATION 3**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/483/2018 by Zybek Consulting and Management to undertake a demolition of all existing structures and construction of a two storey detached dwelling and a two storey residential flat building containing two (2) dwellings at 7 Murdoch Avenue (CT 5699/680) subject to the following conditions of consent:

**Development Plan Consent Conditions:**

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in this application except where varied by any condition(s) listed below.

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

2. 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.*

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 a reasonable condition at all times.

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

4. All landscaping will be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.

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

5. Prior to the occupation or use of the development, the upper level windows on the north, east and west elevations to dwelling 1 will be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows will be maintained in a good condition at all times to the satisfaction of Council.

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

6. Prior to the occupation or use of the development, all upper level windows to dwellings 2 and 3 will be provided with fixed obscure glass to 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 will be maintained in a good condition at all times to the satisfaction of Council.

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

### **COUNCIL ASSESSMENT PANEL DECISION**

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

- Provision of adequate storage space
- Confirmation of landscaping plan
- Reduction of paving and hard surfaces

### 6.3 16 Coralie Street, PLYMPTON

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

#### RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/19/2018 by 16 Coralie Pty Ltd to undertake Land Division - Community Title; SCAP No. 211/C207/17 - to create four (4) additional allotments and common property at 16 Coralie Street, Plympton (CT 5069/197) subject to the following conditions of consent:

#### Development Plan Consent Conditions

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

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

#### Land Division Consent Conditions

##### Council Requirements

Nil

##### SCAP Requirements

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services. (SA Water H0067911).

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

3. Payment of \$27,320 into the Planning and Development Fund (4 allotments @ \$6830/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001, or in person at Level 5, 50 Flinders Street, Adelaide.

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

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

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

#### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

## RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1393/2017 by iTHINK Design Studio to construct a two storey residential flat building containing 5 dwellings with alfresco at 16 Coralie Street, Plympton (CT 5069/197) subject to the following conditions of consent:

### Development Plan Consent Conditions

1. The development shall be undertaken and completed in accordance with the following plans and information (except where varied by any condition(s) listed below):
  - Site plan by iTHINK Design Studio - Project 64.2017, Revision C 19.11.18 PA 1 of 4
  - Elevations and roof plan by iTHINK Design Studio - Project 64.2017, Revision C 19.11.18 PA 2 of 4
  - Driveway perspective by iTHINK Design Studio - Project 64.2017, Date 19.10.2017
  - Coralie Street perspective by iTHINK Design Studio - Project 64.2017, Date 19.10.2017
  - Civil plan by GAMA Consulting, Drawing No. 17435-C01, Revision E.

*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 shall be formed and surfaced with concrete, bitumen or paving, and shall be properly drained and maintained in a reasonable condition at all times to the satisfaction of Council.

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

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 reduce heat loading.*

5. The upper level windows of the dwellings shown on the south, east and north elevations shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in a reasonable condition at all times to the satisfaction of Council.

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

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

#### **6.4 315 Sir Donald Bradman Drive, BROOKLYN PARK**

Application No 211/1147/2016

### **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. 211/1147/2016 by Alpha Car Hire Australia to undertake the construction of a pergola to front of existing building and install signage on pergola and side boundary fence (non-complying) at 315 Sir Donald Bradman Drive, Brooklyn Park (CT 5254/982) subject to the following conditions of consent and the concurrence of the State Commission Assessment Panel (SCAP):

### **Development Plan Consent Conditions**

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

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

2. The advertising signage shall not be internally or externally illuminated at any time without the prior approval of Council.

*Reason: To reduce unnecessary distraction to motorists and assist in preserving the amenity of adjoining dwellings.*

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## 6.5 125 & 127 Marion Road, RICHMOND

Application No 211/41/2017 & 211/996/2017

### RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/41/2017 by Distinctive Homes to undertake Land Division - Torrens Title SCAP No. 211/D224/16 - To create one additional allotment at 125 Marion Road, Richmond (CT 5413/725) subject to the following conditions of consent:

#### Development Plan Consent Conditions

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

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

#### Land Division Consent Conditions

##### Council Conditions

Nil

##### State Commission Assessment Panel Conditions

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

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

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

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

3. Payment of \$6676 into the Planning and Development Fund (1 allotment @ \$6676/allotment).

Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.

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

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

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

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

## RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Development Approval for Application No. 211/996/2017 by Distinctive Homes C/- Fyfe Pty Ltd to undertake a change of use from display home to residential dwelling and the continuation of the car park use in association with the office use of the land located at 125 and 127 Marion Road, Richmond (CT 5413/725 and CT 5207/100) subject to the following conditions of consent and the concurrence of the State Commission Assessment Panel (SCAP):

### Council Conditions

1. The development shall be undertaken and completed in accordance with the following plans and information (except where varied by any condition(s) listed below):
  - Site and Drainage Plan by Ginos Engineers Pty Ltd, Drawing No 22525-1 SR2-1/B including vegetated swale.
  - Ground floor and First floor plan by Distinctive Homes Pty Ltd, Plan No. 8918C, Plan amended 6/7/18.
  - Elevation plan by Distinctive Homes Pty Ltd, Plan No 8918C, Plan amended 18/12/12.
  - Sonus report dated 3 July 2018 including the following two measures:
    1. high density insulation be installed between the roof and Bed 2 and Bed 3 as shown on Plan No 8918C;
    2. north eastern room be converted to a study as shown on Plan No 8918C.
  - Letter from Distinctive Homes dated 9 July 2018.

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

2. The northernmost space in the carpark shall be designated as 'no parking' and be used as a turning bay.

*Reason: To ensure safe manoeuvring within the carpark and improved ability to exit in a forward direction.*

3. All signage associated within the carpark shall be removed within 1 month from the date of Development approval.

*Reason: To reduce visual clutter.*

4. 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.*

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. The vegetated swale as shown on site and drainage plan by Ginos Engineers Pty Ltd, Drawing Number 22525-1, SR2-1/B shall be reinstated for the duration of the use of the car park within 6 months from the date of Development Approval.

*Reason: To improve the appearance of the car park and the quality of stormwater run-off.*

7. Prior to the occupation of the development, the upper storey windows on the northern, eastern and western elevations 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 maintain the level of privacy for residents of adjoining dwellings.*

### **COUNCIL ASSESSMENT PANEL DECISION**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Development Approval for Application No. 211/996/2017 by Distinctive Homes C/- Fyfe Pty Ltd to undertake a change of use from display home to residential dwelling and the continuation of the car park use in association with the office use of the land located at 125 and 127 Marion Road, Richmond (CT 5413/725 and CT 5207/100) subject to the following conditions of consent, reserved matter, and the concurrence of the State Commission Assessment Panel (SCAP):

#### **Reserved Matter:**

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

1. A landscape plan that provides sufficient plantings to adequately mitigate heat loading on the site to the satisfaction of Council.

#### **Council Conditions**

1. The development shall be undertaken and completed in accordance with the following plans and information (except where varied by any condition(s) listed below):
  - Site and Drainage Plan by Ginos Engineers Pty Ltd, Drawing No 22525-1 SR2-1/B including vegetated swale.
  - Ground floor and First floor plan by Distinctive Homes Pty Ltd, Plan No. 8918C, Plan amended 6/7/18.
  - Elevation plan by Distinctive Homes Pty Ltd, Plan No 8918C, Plan amended 18/12/12.
  - Sonus report dated 3 July 2018 including the following two measures:
    1. high density insulation be installed between the roof and Bed 2 and Bed 3 as shown on Plan No 8918C;
    2. north eastern room be converted to a study as shown on Plan No 8918C.

- Letter from Distinctive Homes dated 9 July 2018.

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

2. The northernmost space in the carpark shall be designated as 'no parking' and be used as a turning bay.

*Reason: To ensure safe manoeuvring within the carpark and improved ability to exit in a forward direction.*

3. All signage associated within the carpark shall be removed within 1 month from the date of Development approval.

*Reason: To reduce visual clutter.*

4. 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.*

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. The vegetated swale as shown on site and drainage plan by Ginos Engineers Pty Ltd, Drawing Number 22525-1, SR2-1/B shall be reinstated for the duration of the use of the car park within 6 months from the date of Development Approval.

*Reason: To improve the appearance of the car park and the quality of stormwater run-off.*

7. Prior to the occupation of the development, the upper storey windows on the northern, eastern and western elevations 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 maintain the level of privacy for residents of adjoining dwellings.*

**6.6 48 Clifton Street, CAMDEN PARK**

Application No 211/443/2018

**RECOMMENDATION**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/443/2018 by Strata Corporation 926 to remove a significant *Eucalyptus camaldulensis* (River Red Gum) at 48 Clifton Street, Camden Park (CT 5272/771) for the following reason:

1. The application is hypothetical as the owner of the tree does not consent to its removal.

**Note:**

The owner is strongly encouraged to investigate ways of managing the structural health and integrity of the tree in order to ensure its ongoing stability.

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

**7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER**

Nil

**8 SUMMARY OF COURT APPEALS****8.1 Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - January 2019**

This report presents information in relation to:

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

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

**9 OTHER BUSINESS**

**9.1 Appointment of Deputy Presiding Member**

**COUNCIL ASSESSMENT PANEL DECISION**

Moved: C Dunn

Seconded: G Nitschke

That Jane Strange be appointed as the Deputy Presiding Member of the Council Assessment Panel, pursuant to Section 83(1)(b)(vi) of the *Planning, Development and Infrastructure Act 2016* for the period 22 January 2019 to 31 December 2020.

**CARRIED**

**10 MEETING CLOSE**

The Presiding Member declared the meeting closed at 6.18pm.