

CITY OF WEST TORRENS



Notice of Panel Meeting

Notice is Hereby Given that a Meeting of the
COUNCIL ASSESSMENT PANEL

will be held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 14 JULY 2020
at 5.00pm**

Public access will be by electronic platform only (audio and video).
Public access to the meeting will not be provided in person

Information on public access to the meeting is available at:
<https://www.westtorrens.sa.gov.au/livestream>

**Hannah Bateman
Assessment Manager**

City of West Torrens Disclaimer

Council Assessment Panel

Please note that the contents of this Council Assessment Panel Agenda have yet to be considered and deliberated by the Council Assessment Panel therefore the recommendations may be adjusted or changed by the Council Assessment Panel in the process of making the formal Council Assessment Panel decision.

Note: The plans contained in this Agenda are subject to copyright and should not be copied without authorisation.

Please note that the above meeting will be recorded and live streamed on the internet. It is assumed that consent has been given by any person in attendance to broadcast their image.

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1 MEETING OPENED

1.1 Evacuation Procedures

1.2 Electronic Platform Meeting

2 PRESENT

3 APOLOGIES

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 9 June 2020 be confirmed as a true and correct record.

5 DISCLOSURE STATEMENTS

In accordance with section 7 of the *Assessment Panel Members – Code of Conduct* the following information should be considered by Council Assessment Panel members prior to a meeting:

A member of a Council Assessment Panel who has a direct or indirect personal or pecuniary interest in a matter before the Council Assessment Panel (other than an indirect interest that exists in common with a substantial class of persons) –

- a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and
- b. must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

If an interest has been declared by any member of the panel, the Assessment Manager will record the nature of the interest in the minutes of meeting.

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 90 George Street, Thebarton

Application No 211/1221/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Change of use from dwelling to office with associated car parking, landscaping, advertising signage and relocation of existing garage (non-complying)
APPLICANT	Andrew Williams
APPLICATION NUMBER	211/1221/2019
LODGEMENT DATE	9 December 2019
ZONE	Residential Zone
POLICY AREA	Thebarton Character Policy Area 27
APPLICATION TYPE	Non-Complying
PUBLIC NOTIFICATION	Category 3
REFERRALS	<p>Internal</p> <ul style="list-style-type: none"> • City Assets • City Operations (Street Trees) • Waste management <p>External</p> <ul style="list-style-type: none"> • Nil
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of use to office in a Commercial Zone.
RECOMMENDATION	Support with reserved matter and conditions
REPORT AUTHOR	Brendan Fewster

SUBJECT LAND AND LOCALITY

The subject land comprises a single allotment that is commonly known as 90 George Street, Thebarton. The land is formally described as Allotment 65 in Filed Plan 119884 in the area named Thebarton Hundred of Adelaide, Volume 5837 Folio 385.

The subject site is rectangular in shape with a frontage of 13.7 metres (m), a depth of 45.55m and a total site area of approximately 624 square metres (m²).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title.

The site currently contains a single storey dwelling and a small outbuilding to the rear. The land is naturally flat. There are no Regulated Trees on the site or on adjoining land that would be affected by the development, however there is a large street tree in front of the site on George Street.

The locality comprises an established residential area that interfaces with several large commercial developments and other smaller non-residential uses. The subject land adjoins the Lady Gowrie Childcare Centre to the north, which comprises a large State Heritage listed building that is surrounded by a bitumen car park. To the east at the intersection with Dew Street is a small shop and warehouse that are within the Urban Corridor Zone. On the opposite side of George Street to the south is a Foodland supermarket with a bitumen car park that is accessed from both George Street and Dew Street. To the west along George Street is established housing comprising mostly of single storey villa and cottage style dwellings.

While the original character of the existing housing stock along George Street contributes positively to the area, the amenity of the locality is only moderate due to the scale and intensity of non-residential uses such as the supermarket and the high volume and frequency of traffic along George Street, which is a local collector road linking South Road and Port Road.

The subject land and locality is shown on the aerial imagery below.



RELEVANT APPLICATIONS

Nil

PROPOSAL

The proposal comprises a change of land use from a dwelling to a commercial office with a total floor area of 151m² (124m² excluding verandahs). The office will comprise three office rooms, a front reception area, a meeting room and staff amenities.

The operational elements of the proposed office are:

- No more than four staff within the premises at any one time;
- A maximum of three clients/customers at any one time;
- Most business is by appointment only (no passing trade); and
- Operating hours limited to 8.30am to 5.30pm Monday to Friday.

A car park with permeable paving is proposed at the rear of the site with provision for five spaces and one covered space within an existing garage that is to be relocated to the rear boundary.

Landscaping will be provided along the side and rear boundaries and adjacent to the road frontage comprising a mix of small to medium size shrubs.

A freestanding sign measuring 2m high and 1.5m wide is to be erected adjacent to the front boundary for identification purposes. The sign will display the business name and branding.

The relevant plans and documents are contained in **Attachment 2**.

NON-COMPLYING

The application is a non-complying form of development as it comprises an office with a total floor area greater than 100m² and an advertisement display.

The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008* (refer **Attachment 3**). This document highlights a number of positive social, economic and environmental impacts associated with the proposed development as follows:

The development is likely to have a positive impact in the terms of the social, environmental and economic effects. Williams Lawyers will continue to serve the local community, many of whom are aged or have difficulty travelling outside of the local area. The business has the potential to attract employment to the area which can lead to positive economic effects on nearby businesses and schools. The development will add additional landscaping to the locality which will improve the natural environment of the area.

Should the CAP resolve to approve the application, the concurrence of the State Commission Assessment Panel (SCAP) is required. It should be noted that the recent amendments to Section 35 of the *Development Act 1993* under the *COVID-19 Emergency Response (Further Measures) Amendment Act 2020* do not apply to this application, as the application was lodged prior to the amendments becoming operational on 15 May 2020.

Alternatively, should the CAP refuse the application, no appeal rights are afforded to the applicant. As the Administration resolved, under delegation, to proceed with an assessment of the proposal, the application is now presented to the Panel for a decision.

PUBLIC NOTIFICATION

The application is a Category 3 form of development pursuant to Section 38 of the *Development Act 1993*.

Properties notified:	24 properties were notified during the public notification process.
Representations:	One (1) representation was received. The representation was subsequently withdrawn as their concerns were addressed.
Persons wishing to be heard:	Nil
Summary of representations:	The representor was initially concerned with the size of the sign and the lack of fencing details. These concerns have been addressed by the applicant.
Applicant's response to representations	No response was provided. An agreement was reached between the applicant and the neighbour regarding boundary fencing.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> It is recommended that all verge features for the proposed development comply with Council's offset requirements. It should also be nominated for the stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements <ul style="list-style-type: none"> 100 x 50 x 2mm RHS Galvanised Steel or 125 x 75 x 2mm RHS Galvanised Steel or Multiples of the above. The total floor area is 140m², therefore 5 to 6 spaces would be required, which they have on-site. The aisleway is sufficiently wide at the rear to enable a car to turnaround without a designated turn space. The use is a low traffic generator, likely 2 to 3 vehicles per hour in the peak. Based on the provided verge survey plan, a 5.5m crossover with 0.3m flaring on both sides will be supportable. However, due to the offset between existing street tree and the crossover is less than 2m, further assessment from Council's Arboriculture team is required. Ideally a 0.5m offset from property boundary should be provided, leaving the offset between existing street tree to proposed crossover to be approximately 1.5m. If Council's Arboriculture team supported the proposed offset to existing street tree, then significant alterations will be required to the existing kerb fronting the subject site to allow for a crossover. This significant alteration are deemed necessary in the circumstances of this application and are to be undertaken by Council or a contractor appointed by Council at applicant's cost. Based on relevant Australian Standards, 1 disabled parking space should be provided. It is recommended that a 5.4m car park space should be provided.

	<ul style="list-style-type: none"> The car park space at the southernmost of the property is unlikely to achieve safe and convenient access. It is recommended that the disabled parking space should be located close to the building, with shared area next to the kitchen. It is also recommended that the northernmost space should be marked staff parking. Due to the nature of this application being a commercial development, it is recommended that further assessment from Council's Waste Management Team is required. It is recommended that an indication of how the stormwater storage is to be provided and calculations supporting the nominated volume be submitted to Council. An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development. <p>Initial concerns raised by City Assets have been resolved by way of amendments to the car park, the provision of a detailed stormwater management plan and the inclusion of a reserved matter for a widened vehicle access.</p>
City Operations (Street Trees)	<ul style="list-style-type: none"> A site investigation together with the information provided has revealed that there is an existing <i>Platanus orientalis</i> (<i>Oriental Plane</i>) street tree located 7.7m from the eastern property boundary. Based on the response from City Assets dated 16 Dec 2019, a 5.5m (6.1m including flaring) wide crossover with sufficient offset to existing street tree is required. Allowing for the 6.1m crossover, this will leave an offset from the eastern side of the tree trunk of 1.6m and in this instance City Operations will support this reduced offset. It is noted that the proposed crossover location will in direct conflict with the existing Gas meter and it is a concern that a relocated gas main into the property may be relocated closer to the existing street tree causing damage to the root system during excavation and installation. City Operations would require any excavation near the base of the existing street to be no closer than 2.0m from the trunk. <p>A note has been included in the recommendation to make sure the applicant is fully aware of the potential conflict between the crossover and the existing gas meter, as well as the requirement for a two metre offset from the tree for any excavation work.</p>
Waste management	<ul style="list-style-type: none"> The standard Council collection service would be adequate for the development - confirmed with Nick Teoh (Team Leader Waste Management).

A copy of the relevant referral responses is contained in **Attachment 4**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, is within Thebarton Character Policy Area 27 as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character:

This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.

Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.

Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.

Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.

Thebarton Character Policy Area 27 - Desired Character:

The policy area will contain detached, semi-detached and row dwellings.

Allotments will vary in size considerably from medium to very low density. Some allotments have rear access vehicle parking via service laneways, reducing the number of garages and carports visible in the main streets. Due to the variance in allotment sizes, subdivision will reinforce the existing allotment pattern in the immediate locality.

New development will be complementary to the key character elements of Victorian-era villas, cottages, and bungalow-style dwellings in the policy area, rather than dominating or detracting from them, particularly when viewed from the street. Key elements of this character include pitched roofs, verandas / porticos and masonry building materials. There will be predominantly one storey buildings, with some two storey buildings designed in a manner that is complementary to the single storey character of nearby buildings. Setbacks will be complementary to the setbacks of adjacent properties.

There will be no garages / carports forward of the main facade of buildings. Fencing forward of dwellings will be low to provide views of built-form that define the character of the policy area. Any driveway crossovers will be carefully designed and located to ensure the preservation of street trees which have an important positive impact on the streetscape.

Additional provisions of the Development Plan which relate to the proposed development are contained in **Attachment 1**.

QUANTITATIVE STANDARDS

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
LANDSCAPING <i>Module: Landscaping, Fences and Walls</i> PDC 4	10% minimum	110m ² (18%) Satisfied
CARPARKING SPACES <i>Module: Transportation and Access</i> PDC 34	4 spaces per 100m ² of total floor area	6 spaces Satisfied

ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

Land Use Suitability

The subject land is situated within the Residential Zone and has direct frontage to a local collector road. It is noted that the rear north eastern corner of the site adjoins the boundary of the Urban Corridor Zone while the front of the site is only 16 metres from the eastern perimeter of the same zone. The supermarket opposite the site is within the Neighbourhood Zone.

While the Objectives for the Residential Zone generally seek different kinds of residential development, the Development Plan provisions do not preclude non-residential uses within residential areas or zones, particularly if such uses are demonstrated to be small scale and low impact. As recognized in PDC 1 and 3 of the Residential Zone, the main tests for non-residential development are whether the scale and nature of the development is such that it:

- (a) serves the needs of the local community;
- (b) is consistent with the character of the locality; and
- (c) does not detrimentally impact on the amenity of nearby residents

PDC 1 and 3 of the Residential Zone and PDC 1 of Thebarton Character Policy Area 27 envisage “small scale non-residential uses that serve the local community”. Offices are generally identified as a suitable non-residential use. The proposed office has a gross floor area of 124m² (excludes outside verandahs) of which the office and meeting rooms comprise only 60m². This floor area is not significantly greater than the allowable floor area of 30m² under a ‘home activity’ that does not require approval under Schedule 3 of the *Development Regulations 2008*. With a relatively small floor area and a small number of staff and customers, the proposed office is considered small scale and thus would primarily serve a local catchment. Therefore, the service/business function of nearby centres would not be undermined and nor would the proposal cause undue nuisance to surrounding sensitive land uses.

As considered in more detail below, offices are typically a non-invasive land use as they do not involve noise generating activities and similarly do not produce any odour. In this case, there would also be minimal traffic generation due to the small size and controlled operation of the business.

For the above reasons, the proposed development would not entrench an incompatible land use within the locality or undermine the Objectives of the Zone and Policy Area. On balance, the proposal is considered to be an orderly and appropriate form of development.

Building Work

The proposal does not include any alterations or additions to the existing building on the site. The retention of the existing building means the use of the subject land could revert back to a dwelling without the need for any building work or alterations. A kitchen and bathroom will be retained and the building will continue to present as a 'dwelling' to George Street.

The proposal would also make efficient use of an existing building without the need for additional building works or demands on infrastructure.

Interface between Land Uses

The subject land interfaces with residential properties on both sides, a large childcare facility (State Heritage listed) to the rear and is directly opposite a supermarket. The site is exposed to some noise and general disturbance caused by the high volume and frequency of traffic on George Street, which is a busy collector road.

While it is anticipated that the proposal would generate some additional traffic, the overall amount of noise and disturbance is not expected to be significant given the small scale and non-invasive nature of the proposed land use. Offices do not involve noise generating activities and do not produce any odour.

From an operational perspective, the office would operate within the normal business hours of between 8.30am to 5.30pm Monday to Friday. In addition to the limited operating hours, no more than seven people would be on the premises at any one time (a maximum of 4 staff and 3 clients) and most business would be conducted by appointment only. It is also noted that the proposed use will not involve any commercial deliveries. These operating conditions further reinforce that the proposal is 'low-impact' and would be more than capable of meeting the goal noise levels of *Environment Protection (Noise) Policy 2007* at all times.

It is also noted that PDC 1 of the Residential Zone identifies small-scale child care centres, schools and shops as envisaged uses. Even if such uses are of scale small, the impacts associated with these uses would be far more significant than any impacts associated with the proposed office. Child care centres, schools and shops, no matter how small, typically generate noise and traffic during peak periods.

In terms of boundary fencing, the applicant and the adjoining owners at 92 George Street have reached an agreement to undertake the following fencing along the western side boundary:

- Reinstatement of the low level fence from the front boundary to the front alignment of the dwellings (this fence was recently removed when a car drove through it);
- Construct a new fence (2.1m high) where no fence currently exists from the front to the rear of the house; and
- Replacement of the fence from the rear of the house to the northern boundary (2.1m high).

This agreement resulted in the owners of 92 George Street withdrawing their representation. The above arrangements will be formalised under the Fences Act as such fencing does not constitute development.

Accordingly, the proposal would not adversely impact upon the amenity of nearby sensitive uses by way of noise, odour or traffic. The proposal is considered to satisfy Objectives and Principle of Development Control 1 and 2 of the General Section (Interface between Land Uses).

Vehicle Access and Car Parking

The Development Plan provisions seek to ensure that new development provides safe and convenient access for vehicles and pedestrians and sufficient on-site car parking for patrons and staff.

The proposal will utilise the existing access that is located at the eastern end of the frontage. The existing crossover will be widened, with the applicant agreeing to undertake the required works for a 6.1m (5.5m plus flaring) crossover in accordance with the recommendations of City Assets. A Reserved Matter to this effect has been included within the recommendation. As widened crossover would achieve a clearance of at least 1.6m to the base of the adjacent street tree, the proposed access arrangements would not adversely impact upon the health and longevity of the tree. This clearance has been supported by City Operations. The proposed access would allow vehicles to enter and egress the rear car park in a forward direction, and although the width of the driveway may at times result in some minor inconvenience, the access arrangements are considered to be safe and convenient, as required by PDC 24 of the General Section (Transportation and Access).

A paved car park is to be provided at the rear of the site with provision for five vehicles for customers and staff. A covered staff park is to be provided within a relocated garage. PDC 34 of the General Section (Transportation and Access) recommends that car parking for an office be provided at a rate of 4 spaces per 100m² of total floor area. On the basis of the office having a total floor area of 150m² (less if excluding verandahs), there is a Development Plan requirement for at least 6 car parking spaces. The proposed car parking provision is therefore adequate and there is also on-street parking availability on the northern side of George Street.

Furthermore, any additional traffic generated by the proposed office would not cause any traffic capacity issues along George Street as the traffic volumes would be well within the capabilities of this local collector road.

Given the above considerations, the proposal would sufficiently meet the anticipated car parking demand generated by the development during peak periods. Accordingly, the proposal would not lead to conditions detrimental to the free flow and safety of pedestrian and vehicular traffic on the surrounding road network.

Landscaping and Trees

A landscape plan has been provided that proposes a mix of small to medium size shrubs along sections of the side and rear boundaries for screening purposes and to enhance the internal amenity in the vicinity of the car park. Permeable paving is also to be provided within the proposed car park. Additional landscaping will be provided within the existing front garden to enhance the street appearance and screen the proposed sign from the western neighbour. The amount of proposed landscaping would exceed the minimum landscaping requirement of 10 percent of the site.

The proposed landscaping would therefore enhance the overall appearance and amenity of the development in accordance with PDC 4 and 5 of Richmond Policy Area 14 and PDC 1, 4 and 5 of the General Section (Landscaping, Fences and Walls).

There are no Regulated Trees on the site or on adjoining land that would be impacted by the development and the existing street in front of the site would be adequately protected with a minimum 1.6m offset between the crossover and the trunk of the tree, which has been supported by Council's City Operations. A note has been included in the recommendation to ensure the applicant is fully aware of the potential conflict between the crossover and the existing gas meter, as well as the requirement for a two metre offset from the tree for any excavation work.

Waste Management

An office of this size would generate minimal waste, which could be readily accommodated within Council's domestic three bin waste service. This arrangement has been confirmed by Council's Team Leader Waste Management.

Stormwater Management

The proposed development includes a new engineered stormwater management system designed by PT Design for the on-site management of stormwater runoff from the existing building and the car park and driveway. The stormwater system includes permeable paving, a series of sumps and drains, a pumping station and two rainwater tanks with a total capacity of 4,000 litres (2,000L retention and 2,000L detention).

The stormwater management measures are considered to satisfy the requirements of Council's City Assets Department.

Advertising

A freestanding sign measuring 2m high and 1.5m wide is to be erected adjacent to the front boundary for business identification purposes. The sign will display the business name and branding in accordance with PDC 4 of the General Section (Advertisements).

In response to concerns from the owners of no. 92 George Street, who subsequently withdrew their representative, the proposed sign has been relocated to the middle of the site and has been reduced in size. The sign would be professionally prepared and is considered to be of suitable height and scale so as not to overwhelm the streetscape or cause distraction to motorists or endanger public safety.

PDC 1, 2, 4 and 14 of the General Section (Advertisements) have been satisfied.

SUMMARY

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

In particular, the proposal:

- is an orderly form of development within the Residential Zone given the low intensive nature and small scale of the proposed use and the characteristics of the site and surrounding land;
- would not prejudice existing or future business activities within nearby centres;
- would not significantly impact upon the amenity of nearby residential properties or the locality as the intensity of the proposed use would be low, the premises would be appropriately managed and traffic generation would be minimal;
- provides sufficient on-site car parking and safe and convenient access so as not to lead to conditions detrimental to the free flow and safety of pedestrian and vehicular traffic within the site and on the adjacent road network;
- includes landscaping that would enhance the overall appearance of the development and assist with the screening of surrounding residential properties; and
- provides advertising that is coordinated and complementary to the respective business and designed and located to avoid visual clutter and driver distraction.

For all of the above reasons, the proposal would achieve the Objectives and Desired Character for the Residential Zone and sufficiently accords with the relevant provisions of the West Torrens Council Development Plan. Accordingly, the application warrants the granting of Development Plan Consent subject to conditions and the concurrence of the State Commission Assessment 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. 211/1221/2019 by Andrew Williams for a change of use from dwelling to office with associated car parking, landscaping, advertising signage and relocation of existing garage (non-complying) at 90 George Street, Thebarton (CT 5837/385) subject to the concurrence of the State Commission Assessment Panel and the following reserved matter and conditions of consent:

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 final vehicle access design that includes:
 - A 5.5m wide crossover with 0.3m flaring on both sides;
 - A minimum offset of 1.6m to the base of the adjacent street tree; and
 - A minimum offset of 0.5m from the property boundary.

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:
 - Site Plan (Drawing A0-01) prepared by South Pacific Design Ltd dated 25/03/20;
 - Dimension Plan (Drawing 21685-A0-02) prepared by South Pacific Design Ltd dated 25/03/20;
 - Stormwater Management Plan (Drawing 21685-C01 Issue B) prepared by PT Design dated 19/05/20;
 - Stormwater Management Report prepared by PT Design dated 15/06/20;
 - Statement of Effect prepared by Planning Chambers Pty Ltd dated 15/04/20; and
 - Email corresponded from Planning Chambers Pty Ltd dated 02/06/20.
2. The hours of operation of the office approved herein shall be between 8.30am and 5.30pm Monday to Friday.

Reason: To ensure minimal disturbance to surrounding properties.
3. 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.

4. All stormwater management measures for the development approved herein, including harvest tanks and supply mechanisms shall be installed and operational prior to the occupation of the development.

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

Reason: To maintain existing Council infrastructure.

6. All landscaping shall be planted in accordance with the approved plans (Site Plan, Drawing A0-01, prepared by South Pacific Design Ltd dated 25/03/20) prior to occupation 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 proposed sign shall not be internally or externally illuminated.

Reason: To maintain the amenity of the site and locality

Notes

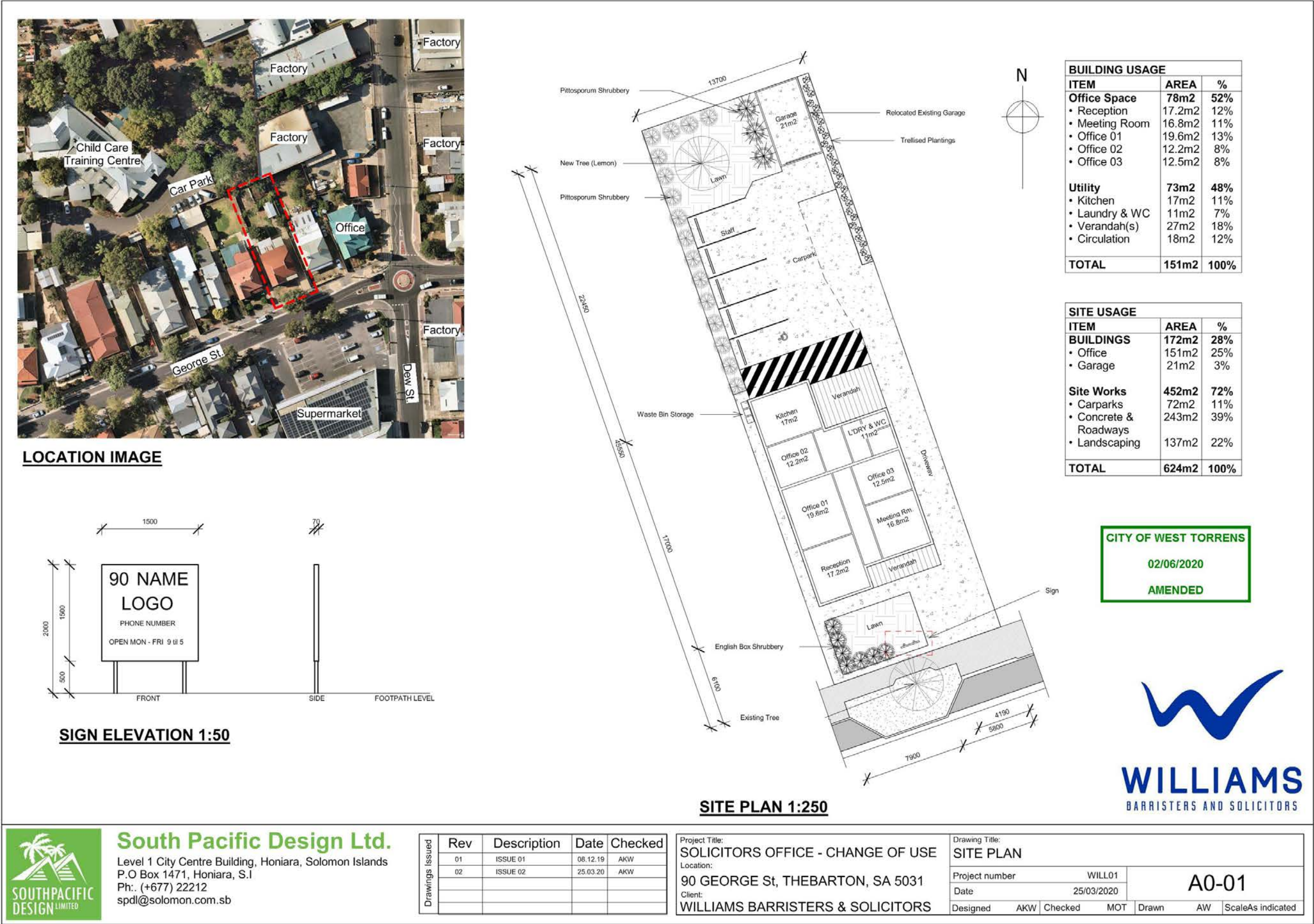
- The applicant is advised that the location of the proposed crossover would be in direct conflict with an existing gas meter. As the relocation of the gas meter may have the potential to cause damage to the root system of the existing street tree during excavation and installation, Council would require any excavation near the base of the tree to be no closer than two (2) metres from the tree trunk.

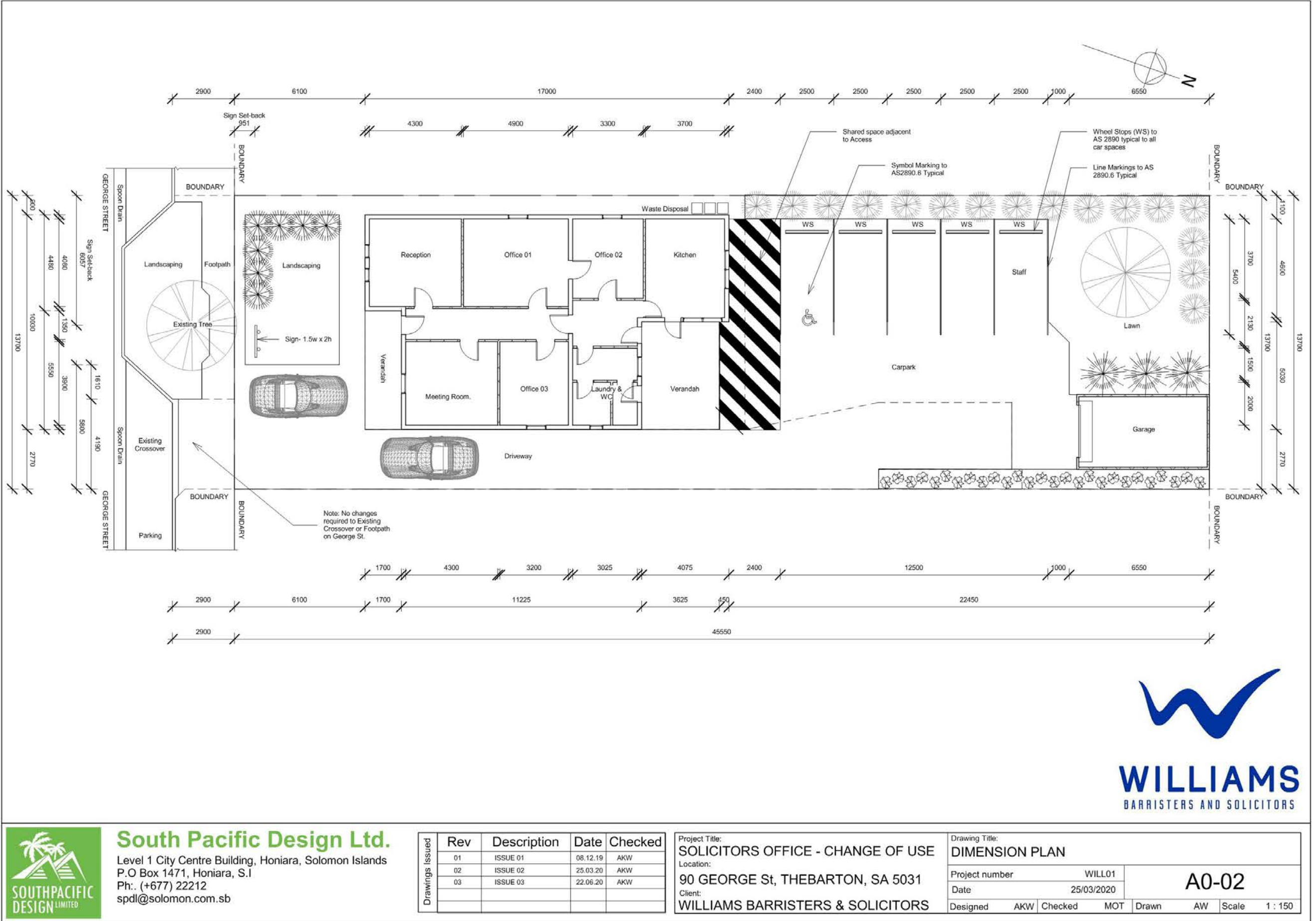
Attachments

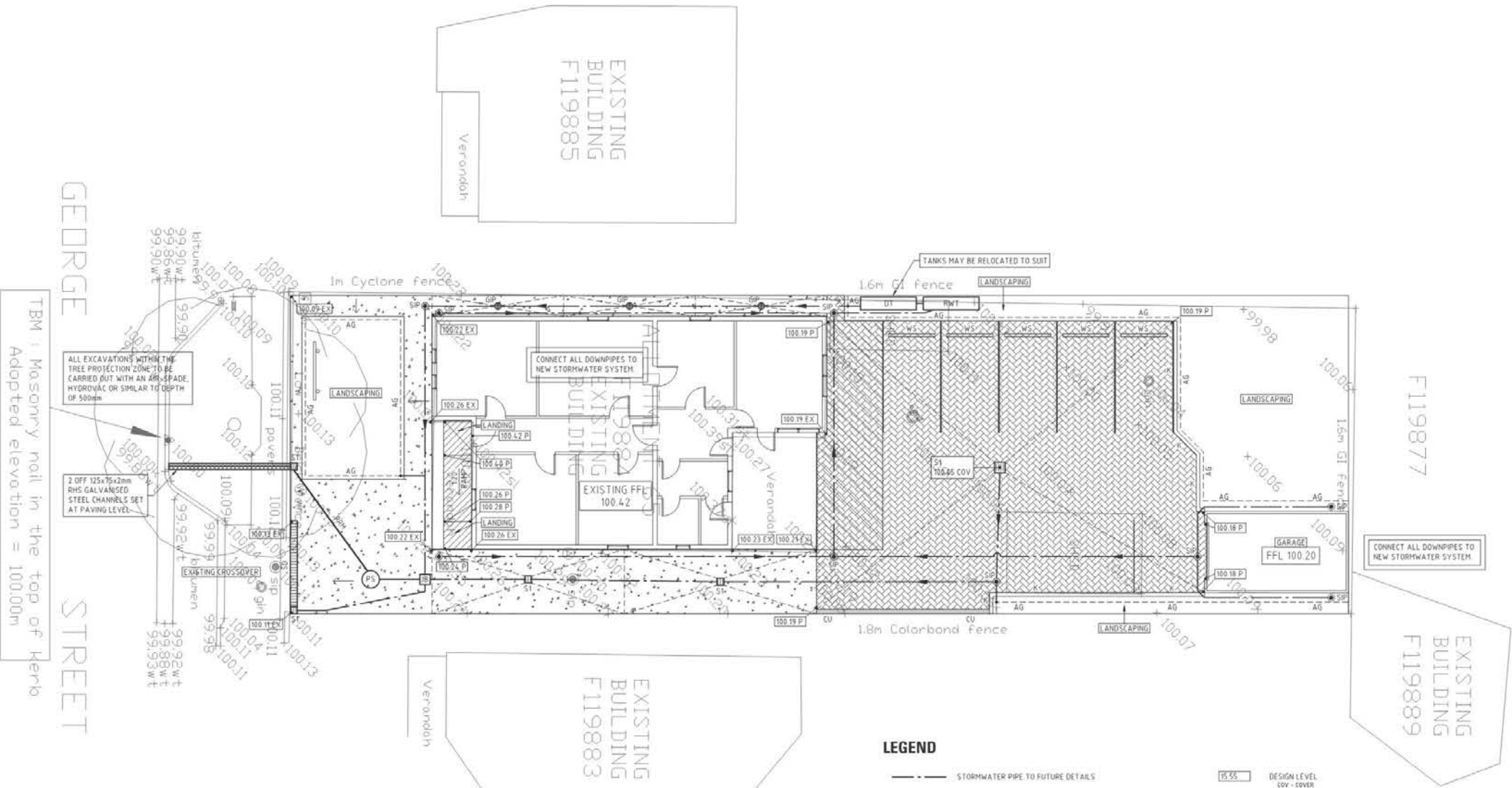
1. **Relevant Development Plan Provisions**
2. **Application Plans and Documents**
3. **Statement of Effect**
4. **Internal Referral Responses**

Relevant Development Plan Provisions

<u>General Section</u>		
<i>Advertisements</i>	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 & 22
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8 & 10
<i>Interface between Land Uses</i>	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7, 8, 9, 12 & 13
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 8
<i>Transportation and Access</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 & 43
<i>Waste</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6







NOTE:
PIPE SIZES, INVERTS AND LOCATIONS SHOWN INDICATIVE

PUMP NOTES:
PUMP SHALL BE DUAL PUMP. THE PUMP CONTROLS SHALL BE SET UP TO ENABLE ALTERNATE PUMP OPERATION AT EACH START. IN THE EVENT THAT A PUMP FAILS TO OPERATE WHEN THE WATER LEVEL IN THE WELL REACHES THE PUMP START, THE OTHER PUMP SHALL BE ACTIVATED AND A VISIBLE ALARM INITIATED. IN THE EVENT THAT BOTH PUMPS FAIL TO OPERATE, AN AUDIBLE ALARM SHALL BE INITIATED.

NOTE:
DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS' DRAWINGS AS A PACKAGE. REFER TO ARCHITECTS DRAWINGS FOR ALL SETOUT DIMENSIONS.
ALL LEVELS SHALL BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION. SHOULD ANY DISCREPANCY OCCUR THE CONTRACTOR SHALL CONTACT THIS OFFICE IMMEDIATELY FOR FURTHER INSTRUCTION.

CONTRACTORS NOTES:
COVER LEVELS GIVEN FOR PITS ARE NOMINAL ONLY. COVER LEVELS SHALL MATCH FINISHED PAVING LEVELS.
THE CONTRACTOR IS RESPONSIBLE FOR CHECKING LOCATION OF ALL UNDERGROUND SERVICES PRIOR TO COMMENCING ANY EXCAVATION WORK. ANY DAMAGE CAUSED TO ANY SERVICES SHALL BE REPORTED IMMEDIATELY TO THE SUPERINTENDENT & SHALL BE REPAIRED BY THE APPROPRIATE AUTHORITIES. ALL COSTS ASSOCIATED WITH REPAIRS SHALL BE AT THE CONTRACTOR'S EXPENSE. PHONE 'DIAL BEFORE YOU DIG' (1100) FOR ASSISTANCE.

15.06.2020	PRELIMINARY ISSUE	B
19.05.2020	PRELIMINARY ISSUE	A
Date	Revision	Issue

PT Design Pty Ltd 141-149 Rundle Street Adelaide SA 5000
T (08) 9412 4300 E [info@ptdesign.net.au]

Designed	MB	Drawn	MB
Approved		Date	MAY 20
CIVIL		Sheet	1 of 1

Project
**PROPOSED DEVELOPMENT
90 GEORGE STREET
THEBARTON**

Client	WILLIAMS BARRISTERS & SOLICITORS	Scale	1:100
Drawing Title	STORMWATER MANAGEMENT PLAN	Issue	B
Drawing Number	21685-C01		

Notes: 21685-C01.dwg
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structural • civil • engineers

W [ptdesign.com.au] ABN [35 008 116 916]

T [08 8412 4300]

PT DESIGN Pty Ltd 141-149 Ifould Street Adelaide SA 5000

STORMWATER MANAGEMENT REPORT

George Street (90), Thebarton

Prepared by:

PT Design ABN 35 008 116 916
141 – 149 Ifould Street, ADELAIDE SA 5000
Tel: (08) 8412 4300

Project No: 21685
Revision: 01
Date of Issue: 15/06/2020



STORMWATER REPORT

SITE: Proposed Development
90 George Street,
Thebarton

DATE OF ISSUE: 15/06/2020

PROJECT #: 21685

CLIENT: William Barristers & Solicitors

Scope of Works

In preparation of the Stormwater Management Plan the following items require consideration and comment by this office:

- Effect of the proposed development on the existing stormwater infrastructure.
- Preparation of a preliminary stormwater drainage plan incorporating the proposed method of disposing stormwater runoff from the site as a result of the proposed development.

Proposed Development

The proposed development is located in a residential zone at 90 George Street, Thebarton. The development involves the change of use of the existing dwelling to an office and will incorporate a new car parking area, areas of outdoor paving and landscaping. The development also involves the relocation of an existing garage to the rear of the property, to allow for a vehicle turning area.

The site for the proposed works measures approximately 624m² and is currently made up of existing buildings, paving, and landscaping.

The existing Council stormwater infrastructure directly abutting the boundary of this site is sufficient to support the proposed stormwater runoff.



Council Requirements

The following items are based upon the City of West Torrens development guidelines:

- Stormwater detention measures will be required to be undertaken to limit the peak discharge rate for the site critical 20-year ARI storm event to equivalent to a predevelopment arrangement with a 0.25 runoff coefficient. In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration. It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council.

Stormwater Management Recommendations

It is the recommendation of this office that the items requested by Council be undertaken for the proposed development.

Car Park Development

The car park shall be paved with permeable paving to reduce the rate of stormwater runoff from the area. The ground stormwater shall be directed to a drainage sump, determined by pavement gradients.

Roof Stormwater, Paving and Landscaped Area Development

All existing downpipes from the dwelling and garage, which currently discharge to the ground, shall be connected to the new stormwater system. The building roof area and garage roof runoff shall be collected in a 2.0kL rainwater tank, for reuse on site. A 2.0kL detention tank shall detain all roof stormwater runoff. The detention tank outlet pipe shall be fitted with a 25Ø orifice plate to restrict the stormwater discharge rate to 1.8L/sec (equivalent to the stormwater runoff from a 61m² roof area).

Stormwater runoff from paved surfaces shall be collected by a series of sumps and grated drains, determined by pavement gradients.

Ag. pipes shall collect stormwater runoff from landscaped areas.

Stormwater runoff collected from the roof, paved, and landscaped areas shall be detained within the chamber of the pre-packaged pumping station. Stormwater from the detention tank outlet pipe shall also be collected within the pumping station.



Pumping Station

The pre-packaged pumping station shall have a 0.5kL holding capacity and discharge the stormwater from site at a rate not exceeding predevelopment rate of 5.2L/sec

Refer to Civil drawing 21685-C01 and stormwater calculation contained within this report for further details.

Report Summary

It is the opinion of this office that the implementation of the above recommendations will allow the proposed development to comply with these Stormwater Management Objectives once detailed design has been completed.

Please contact the undersigned if you wish to discuss any aspect of this report.

PT Design PTY LTD

A handwritten signature in black ink, appearing to read 'Mark Butler', with a long horizontal stroke extending to the right.

Mark Butler

Civil Designer



Project: 90 George Street

Project # 21685

Thebarton

Date 15/06/2020

Design By: MB

Page 1

CRITICAL 1 IN 20 YEAR DETENTION VOLUME

PRE DEVELOPMENT FLOW

Time of Concentration

5 mins

Rainfall Intensity

121 mm/hr

Catchment Area

C

Area (m²)

Site

0.25

624

5.2

Total

5.2

L/sec

Detention tank outlet pipe to be fitted with 25dia orifice plate. Restricts discharge to 1.8L/sec

POST DEVELOPMENT FLOW

Time of Concentration

t mins (critical TBC)

Rainfall Intensity

20I_t mm/hr

Catchment Area

C

Area (m²)

Roof

0.9

61

0.02

Paving

0.75

124.71

0.03

Permeable paving

0.4

190.29

0.02

Pervious

0.2

137

0.01

Total

0.07

20I_t

Equilavent to 1.8L/sec

Pumped System



Project: 90 George Street

Project # 21685

Thebarton

Date 15/06/2020

Design By: MB

Page 2

CRITICAL STORAGE VOLUME**Q in**0.07 20l_t**Q out**5.2 L/sec

Tc (mins)	Intensity, I (mm/hr)	Q in (L/sec)	Pump initiated t (mins)	V total (L ³)
5	121	8.5	3.1	368
6	112	7.8	3.3	413
10	89.3	6.2	4.2	351
20	62.0	4.3	6.0	-757
30	48.8	3.4	7.7	-2449
60	31.5	2.2	11.9	-8771
120	20.0	1.4	18.7	-23355
180	15.3	1.1	24.5	-38934
360	9.62	0.7	38.9	-88036
720	6.01	0.4	62.3	-190306
1440	3.65	0.3	102.6	-400239

PEAK STORAGE REQUIRED 413 L³

Pumped System



Project: 90 George Street

Project # 21685

Thebarton

Date 15/06/2020

Design By: MB

Page 3

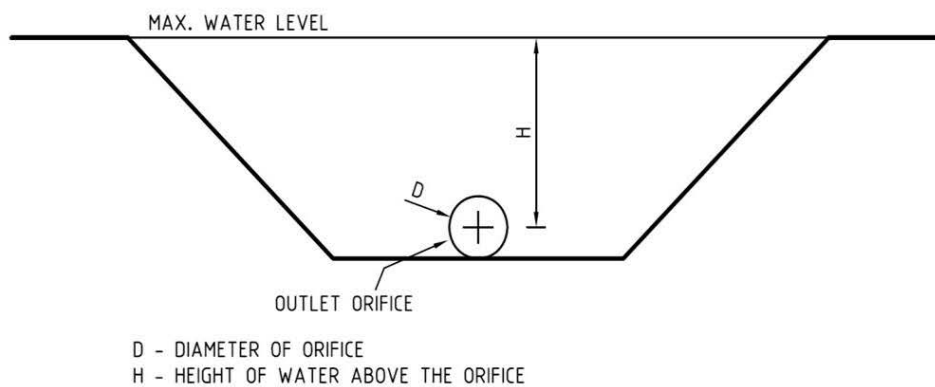
OUTLET ORIFICE CALCULATION

Allowable flow: 1.8 L/sec

Height of water above orifice: 1.89 m

Required orifice area 493 mm²

Outlet orifice diameter 25 mm



Thanks Brendan,

Attached are the latest amendments with the sign relocated more centrally upon the site and reduced in size. With a sign face of 2.25m² I think the sign is appropriately scaled for the overall size of the site, the frontage width and the scale of the existing building. I also note the sign sits at the lower end of the scale of existing examples of signage within the locality including that upon the office/op-shop on the corner of Dew and George Street, across the other side of George Street upon the supermarket, and more broadly within the Urban Corridor Zone to the east.

In terms of fencing the applicant has reached an agreement to undertake the following along the western boundary:

1. Reinstatement of the low level fence from the front boundary to the front alignment of the two dwellings (this fence was recently removed when a car drove through it);
2. Build new fence (2.1 m high) where no fence currently exists, from front to rear of the house;
3. Replacement of the fence from the rear of the house to the northern boundary (2.1 m high).

It is my understanding that the representor was happy to formally withdraw their representation following confirmation of the above, is this the case and has that been adequately expressed to you?

Thank you for Richard's number, I will try and get on to him today.

Regards,

Damian

Damian Dawson | Associate



Planning Chambers Pty Ltd

A: 219 Sturt Street, Adelaide SA 5000

P: (08) 8211 9776 | **M:** 0408 227 493

F: (08) 8212 5979 | **E:** damian@planningchambers.com.au



Please consider the environment before printing this email

From: Brendan Fewster <bfewster@wtcc.sa.gov.au>

Sent: Monday, 1 June 2020 6:08 PM

To: Damian Dawson <damian@planningchambers.com.au>

Subject: RE: DA211/1221/2019 - 90 George St, Thebarton - Category 3 Representation

Hi Damian

I had a call from the neighbour on Friday and he seems satisfied although he is still questioning the size of the sign. If the size of the sign is to be reduced, can you please provide a revised elevation.



Planning Chambers Pty Ltd

Office
219 Sturt Street Adelaide SA 5000

Postal Address
P.O Box 6196 Halifax Street SA 5000

Office 08 8211 9776
Email admin@planningchambers.com.au
Fax 08 8212 5979

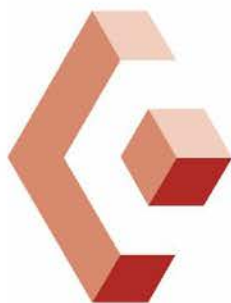
ABN 54 093 576 900

19-084

STATEMENT OF EFFECT

15 April 2020

90 George Street, Thebarton



PLANNING
CHAMBERS
TOWN PLANNING

CONTACT LIST

PROJECT TEAM:

Client: Williams Legal
C/- Planning Chambers Pty Ltd



Project Planner: Mark Troncone

Planning Chambers Pty Ltd
PO Box 6196
Halifax Street SA 5000

T 08 8211 9776
E mark@planningchambers.com.au

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DETAILS OF THE APPLICATION

1.1

SITE DETAILS

Property Description	Allotment 65 in Filed Plan 119884
Certificate of Title	Volume 5837 Folio 385
Address	90 George Street
Area	Thebarton
Existing Use	Dwelling
Local Government Authority	City of West Torrens
Development Plan Zoning and Policy Area Designation	Residential Zone, Thebarton Character Policy Area 27

1.2

APPLICATION DETAILS

Development Type	Non-Complying
Category of Assessment	Category 3
Applicant	Williams Legal
Applicant's Representative	Planning Chambers Pty Ltd Po Box 6196 Halifax Street, SA 5000 P: (08) 8212 9776 E: mark@planningchambers.com.au
Relevant Plan(s)	N/A



2 BACKGROUND

2.1 OVERVIEW

This Statement of Effect has been prepared in response to the correspondence from Council dated 5 March 2020 confirming the determination to proceed with a full assessment of the application and addresses the requirements of Regulation 17(5) of the Development Regulations, 2008.

The proposal is for a change of use from a dwelling to an office with internal alterations and associated car parking at 90 George Street, Thebarton.

The proposal is a non-complying form of development within the Residential Zone as it seeks to develop an office with a total floor area in excess of 100m² with associated advertising signage.

3

SUBJECT LAND & LOCALITY

3.1 SUBJECT LAND

The subject land is described in Certificate of Title Volume 5837 Folio 385 as being Allotment 65 in Filed Plan 119884. The site is not subject to any easements.

The subject land has a frontage of approximately 14 metres to George Street and a depth of 44 metres along the eastern and western allotment boundaries. The land has an approximate area of 616m². A detached dwelling is developed upon the subject land with an approximate floor area of 106m². Vehicle access to the site is from George Street via an existing crossover located at the eastern end of the southern allotment boundary.



Figure 1: Subject Land

Subject land

3.2 LOCALITY

In forming an opinion as to the extent of the locality I have considered the extent to which the proposed development upon the subject land is likely to be evident to surrounding occupiers and landowners.

The locality is characterised by a mixture of commercial and residential land uses. Commercial land uses are predominant to the east and south of the subject land along George Street and to the north and south along Dew Street. The subject land adjoins the Lady Gowrie Childcare Centre and the Furniture Clearance Outlet Warehouse to the north and dwellings on either side of the property. Thebarton Foodland is located to the south on the other side of George Street.



Figure 2: Subject land and locality

Subject Land ————
Zone Boundary ————



4 PROPOSAL

The proposal seeks a change of use from a detached dwelling to an office with associated internal works and car parking.

Since the lodgement of the application, the applicant has prepared an amended site plan and additional plan to show the location of the existing crossover, footpath and street tree. The updated set of plans are attached to this correspondence.

No structural changes are proposed to the building. The layout of the building will remain unchanged as the existing floor plan will be adapted for the proposed use. The proposal will consist of:

- three (3) offices;
- meeting room;
- reception area;
- laundry & WC;
- kitchen;
- car parking;
- garage; and
- free standing signage.

The proposed office will operate between the hours of 8:30 am - 5:30 pm Monday to Friday. No more than 4 staff will be onsite at one time to assist with clients. It is anticipated that at any time during peak periods there will be no more than 2-3 clients visiting the site. As Williams Lawyers is a local firm who deal primarily in wills, estates and criminal law, many dealings with clients will occur off-site as is the case for their existing practice on South Road, Thebarton.



5 DEVELOPMENT ASSESSMENT

5.1 DEVELOPMENT PLAN PROVISIONS

I have undertaken an assessment of the proposal against the relevant provisions of the West Torrens Council Development Plan, consolidated 12 July 2018.

Zone Map WeTo/5 shows the subject land is located within the Residential Zone, with Policy Area Map WeTo/5 showing the land is within the Thebarton Character Policy Area 27.

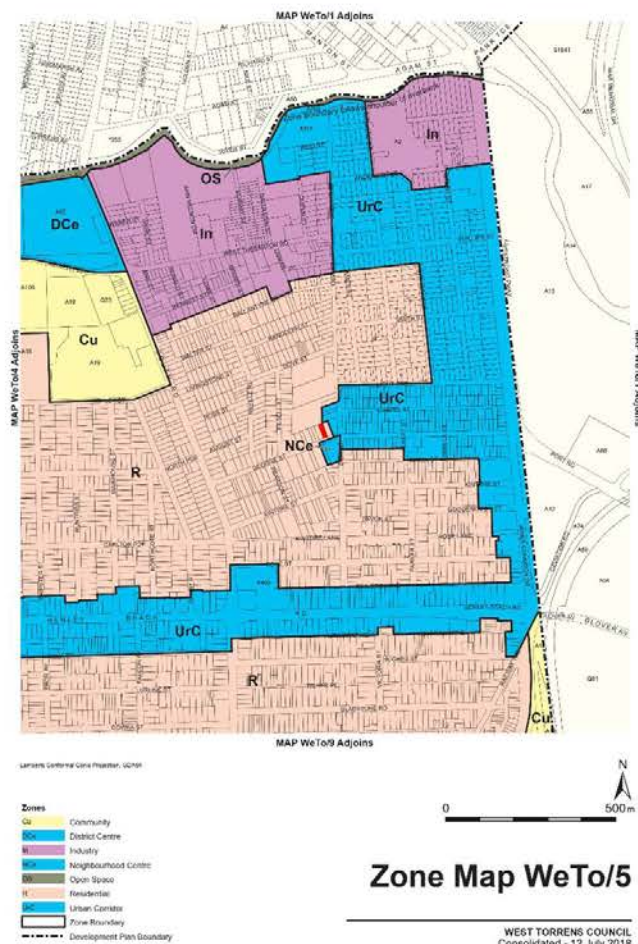


Figure 3: Zone Map WeTo/5

The provisions of the Development Plan of most relevance to an assessment of the proposal are as follows:

Zone Provisions

Residential Zone

Objective: 4

Principles of Development Control: 1, 3, 5 & 18

Thebarton Character Area 27

Objective: 1

Principles of Development Control: 1 & 2

Council Wide Provisions

Advertising

Objectives: 1, 2 & 3

Principles of Development Control: 1, 2, 4, 5, 6 & 14

Design and Appearance

Objective: 1

Principles of Development Control: 1, 2, 8, 13 & 15

Interface between Land Uses

Objective: 1

Principles of Development Control: 1 & 2

Landscaping, Fences and Walls

Objectives: 1 & 2

Principles of Development Control: 1, 2, 3, 4 & 5

Transportation and Access

Objective: 2

Principles of Development Control: 2, 8, 11, 23, 24, 30, 32, 34, 35, 36, 37, 38, 40, 41, 42 & 43

5.1 ASSESSMENT

I have undertaken an assessment of the proposal against the relevant provisions of the West Torrens Council Development Plan, consolidated 12 July 2018.

Zone Provisions

Residential Zone

Objective: 4

Principles of Development Control: 1, 3, 5 & 18

The desired character and provisions of the zone are generally focussed on residential development however small-scale non-residential activities are also envisaged within the zone.

Whilst it is acknowledged that the proposed floor area of 106m² exceeds the non-complying trigger of 100m², it is acceptable in this instance given the minor nature and small scale of the proposed land use. The proposal is also located adjacent to, and adjoining, several non-residential land uses.

Principle of Development Control (PDC) 3 identifies that non-residential uses be of a nature and scale that:

- a) serves the local community;*
- b) is consistent with the character of the locality; and*
- c) does not detrimentally impact on the amenity of nearby residents.'*

The proposal is consistent with the nature and scale of non-residential development identified within PDC 3 for the following reasons:

- a) serves the local community;*

Williams Barristers & Solicitors have serviced the Thebarton area for almost 5 years at their current location at 121 South Road, Thebarton. Many of their existing clients are from the local area and are aged or have difficulty accessing law firms located within the CBD. The firm intends to remain in the Thebarton area to continue to serve the local community.

- b) is consistent with the character of the locality;*

The retention and re-use of the existing building will ensure the proposal will remain consistent with the character of the locality given the residential appearance of the built form will not change. The applicant intends to restore the original character of the building once the business has established itself within its new location. These restorations will include façade and roofing upgrades and the addition of a bullnose verandah to match the period and style of the dwelling. These works will restore the building to its original character which will lift the streetscape and amenity of the surrounding area.

Given that the car parking is to be located at the rear of the building out of view from George Street and that no external changes are proposed the only indication that the building is to be used for an office would be the low level free standing sign proposed within the front setback. The signage is located and designed such that it will not be overly apparent from George Street and will serve as a confirmation of the location of the office for first time visitors rather than advertising to passing trade.

- c) does not detrimentally impact on the amenity of nearby residents*

The proposed hours of operation from 8:30 am - 5:30 pm Monday to Friday are compatible with the nature of the surrounding commercial development within the locality and are unlikely to result in any unreasonable impacts upon the amenity of the nearby residential properties. The traffic generated by the proposal will be relatively minimal given the limited numbers of staff and clientele on-site and is therefore unlikely to be noticeable along George Street, particularly during the proposed hours of operation. The proposed landscaping within the front and rear yards will assist in softening any impacts that the proposed use and parking may have on the adjoining dwellings.

Thebarton Character Area 27

Objective: 1

Principle of Development Control: 1 & 2

Development within the Thebarton Character Area should be predominantly single-storey dwellings that complement the key character elements of Victorian-era villas, cottages and bungalow-style dwellings. As outlined in the zone, the policy area envisages small-scale non-residential activities that serve the local community.

The proposed development will not alter the façades or internal floor plate of the existing character dwelling. The applicant intends to restore the building to its original 'Adelaide Villa' style in a subsequent application once the firm has established itself within the premises.

The policy area identifies a shop with a maximum leasable floor area of 250m² as being small-scale. As the proposed office will have a floor area of 106m², it is considered that the proposal is of a comparable intensity, if not lower, to that of a shop of 250m².

Council Wide

Advertising

Objectives: 1, 2 & 3

Principles of Development Control: 1, 2, 4, 5, 6 & 14

The Advertising section states that advertisements should be designed to enhance the appearance of the building and locality. The content of advertisements should be limited to information relating to the business and should be readable within the immediate vicinity of the site. They should be located within the boundaries of the allotment and avoid any damage to any on-site landscaping or street trees. Advertisements should not be a distraction to passing drivers with regards to illumination, siting and interpretation.

The role of the proposed sign will be to identify Williams Lawyers as the occupiers of the subject land. The sign will display information only associated with the business such as the address, business name, phone number and operating hours. The total sign face (2.5m²), total height (1-metre) and the orientation of the sign will result in the sign being apparent only to those within proximity to the site along George Street. The sign will be erected within the allotment boundaries and will be developed in conjunction with the proposed landscaping adjacent George Street. The sign will not move, flash, reflect light or be internally illuminated therefore ensuring no distraction to passing motorists.

Design and Appearance

Objective: 1

Principles of Development Control: 1, 2, 8, 13 & 15

The Design and Appearance section identifies that development should reflect and enhance the character of the area. Buildings should create a relationship to the public realm through the coordination of landscaping, paving and signage. Land adjacent to a State Heritage Place should be sited and designed to reinforce the historic area of the place.

As the proposal will retain the existing building upon the site, the building will continue to reflect the desired character of the area and the locality. Landscaping will include a lawned area and formal planting adjacent George Street with screening planting throughout the car parking area at the rear. The proposed sign will be integrated within the landscaping at the front of the building and will be at a height that will not detract from the building or the locality. The proposal is located adjacent to the Lady Gowrie Child Centre (State Heritage Place) to the north, however the interface with the heritage place is limited given the separation between the two and the extent of landscaping and car parking surrounding the heritage item.

Interface between Land Uses

Objective: 1

Principle of Development Control: 1 & 2

The provisions of the Interface between Land Uses section states that development should be designed to minimise adverse impacts on the amenity of adjacent land uses and the locality.

The proposed land use is of a scale and intensity that is considered to be compatible with the surrounding residential and commercial land uses. As mentioned above, the proposed hours of operation are compatible with the nature of the surrounding commercial development within the locality and are unlikely to impact on the amenity of nearby residents. The traffic generated by the proposal will be relatively minimal given the limited staff and clientele expected on-site at one time. The likely level of noise generated, hours of operation and traffic impacts are such that they are unlikely to affect the amenity of the locality.

Landscaping, Fences and Walls

Objective: 1 & 2

Principles of Development Control: 1, 2, 3, 4 & 5

The Landscaping, Fences and Walls section outlines the importance of providing landscaping that enhances the appearance of development while also providing screening to various services and storage areas.

A mixture of landscaping is proposed throughout the site including the front garden, driveway and the car parking area. Landscaping along the western, northern and eastern boundaries will provide a buffer to the adjoining properties and will soften the appearance of the car park when viewed from George Street. Approximately 19.8% (122m²) of the site has been landscaped which complies with the 10% minimum stated within PDC 4.

Transportation and Access

Objective: 2

Principles of Development Control: 2, 8, 11, 17, 21, 23, 24, 26, 34, 35, 36, 37, 38, 40, 41, 43

The Transportation and Access section identifies the need for efficient movement, access and off-street parking.

The proposal seeks to utilise the existing crossover/access from George Street. The access point is well removed from the intersection of George Street and Dew Street and provides safe and convenient access to the rear car parking area. The proposal will accommodate the likely level of traffic generated by the development and will provide a sufficient area for on-site manoeuvring. As such the proposal is anticipated to have minimal impact on the adjoining road network.

The proposed car park will provide parking for 5 vehicles. The desired car parking rate for an office is 4 spaces per 100m² as indicated in Table WeTo/2 of the Development Plan. The provision of 5 spaces satisfies the desired minimum and is therefore appropriate for the intended use.



6

REGULATION 17 OF THE DEVELOPMENT REGULATIONS 2009

6.1 SOCIAL ENVIRONMENTAL AND ECONOMIC EFFECTS

Regulation 17, 5d) of the *Development Regulations 2008* requires an assessment of the expected social, economic and environmental effects of the development on its locality.

The development is likely to have a positive impact in the terms of the social, environmental and economic effects. Williams Lawyers will continue to serve the local community, many of whom are aged or have difficulty travelling outside of the local area. The business has the potential to attract employment to the area which can lead to positive economic effects on nearby businesses and schools. The development will add additional landscaping to the locality which will improve the natural environment of the area.

6.2 OTHER INFORMATION SPECIFIED BY THE RELEVANT AUTHORITY

Regulation 17, 5e) of the *Development Regulations 2008* states that Council may request additional information in order to facilitate the assessment of the application.

Council requested that additional/amended information be provided for the following elements of the proposal:

- signage;
- driveway and access;
- car parking & manoeuvrability;
- landscaping; and
- stormwater.

As detailed below, the applicant has made the following additions and amendments to the application:

Signage

Council requested that the proposed freestanding sign be reduced in size to maintain and compliment the residential character of the Residential Zone.

The proposed sign has been amended with the overall size reduced and the orientation changed from vertical to horizontal to be of a lower scale and better reflect the character of the locality. The sign will be 2 metres in height with 1 metre clearance above the ground and a metre high display. The total width of the sign will be 2.5 metres. The sign will display the address, business name, phone number and operating hours of the business.

The sign will be integrated with the proposed landscaping adjacent George Street and will be of a height that will not detract from the building or the locality.

Driveway and Access

Council have sought that the driveway be widened adjacent to the George Street frontage to allow vehicles to pass when entering/exiting the site. As seen in the attached *Dimension Plan*, the location of the existing crossover, footpath and street tree has been detailed on the plan. The driveway has been widened between the southern boundary of the site and the front of the dwelling to incorporate a passing area with a width of 5.8 metres for the first 6.1 metres of the driveway. As noted on the plan, there will be no change to the existing crossover or footpath nor will there be any impact on the existing street tree adjacent the site.

Car Parking & Manoeuvrability

The proposed car park layout as shown in the amended *Site Plan* and the *Dimension Plan* has been amended to provide a total of 5 car parks including a designated disabled park located adjacent the building and a staff park located at the northern end. A shared space has been located between the rear of the building and the disabled park. Each car park will meet the Australian Standards and will include appropriate line marking, symbols and wheel stops. The car park has been reconfigured to allow for a greater area for on-site manoeuvring and to provide additional landscaping along the northern and eastern boundaries.

Landscaping

Council requested that a landscaping plan and a schedule of plant species be provided. It was suggested the landscaping be planted to soften the appearance of the driveway and car park and enhance the appearance of the development as viewed from George Street.

Landscaping has been proposed along the George Street frontage and throughout the car park area as shown on the plans. English box (*Buxus sempervirens*) will be planted adjacent George Street within the front yard. A mixture of Pittosporum (*Pittosporum tenuifolium*) and Trellised plantings (TBC) will be planted throughout the car park. A lemon tree will also be planted within the northern landscaped area of the car park.



Figure 4: *Buxus sempervirens*



Figure 5: *Pittosporum tenuifolium*

The location of the *Buxus sempervirens* within the front yard and the trellised plantings along the eastern boundary will soften the appearance of the driveway when viewed from George Street. As mentioned above, the landscaping along the western, northern and eastern boundaries will provide a buffer between the car park and the adjoining properties. Overall, the proposed landscaping will utilise a mix

of common species to enhance the appearance of the building and project a residential feel and character.

Stormwater

Council has requested that a stormwater management plan and details be provided.

The applicant has engaged a stormwater engineer to review the proposal and prepare the required information. We will provide this information prior to the finalisation of the planning assessment. It is important to note that there will be no increase in the roofed area with only a slight increase to the area of paving upon the subject land. As such the engineer is confident that any additional run-off from the paving will be able to be accommodated on site. We will provide the full details on the stormwater plan as soon as it is available and request that the public notification of the proposal be undertaken whilst this information is finalised.

7

CONCLUSION

7.1 SUMMARY

The proposal seeks to repurpose the existing residential building as an office. Small scale non-residential land uses are envisaged in the Residential Zone and Thebarton Character Area 27. A change of use to an office is a merit form of development upon the subject land where the total floor area is 100m² or less. The existing building exceeds the non-complying trigger by only 6m². Whilst the proposal is non-complying in the zone it is my opinion that the proposal fulfils the desire of being a small-scale development of low intensity and impact. Likewise, whilst the proposed sign is non-complying it does achieve significant compliance with the provisions of the Advertisement section of the Development Plan and will not detract from the mixed commercial and residential character of the locality.

The proposed office will operate within an existing dwelling and will not seek to extend or change the structure of the building or its residential character/styling. The proposed use will have minimal impact upon surrounding residents as it will operate during daytime hours, have a low number of vehicle movements and will generate little to no noise. The proposal will provide safe and convenient access to and from the site and will provide a sufficient level of car parking and manoeuvring area.

Given the small scale of the proposed use, the retention of the existing built form and the subtle nature of the sign, the proposed development is considered to be consistent with or have the capacity to result in consistency with the following provisions of the Development Plan:

Zone Provisions

Residential Zone

Objective: 4

Principles of Development Control: 1, 3, 5 & 18

Thebarton Character Area 27

Objective: 1

Principle of Development Control: 1 & 2

Council Wide Provisions

Advertising

Objective: 1, 2 & 3

Principles of Development Control: 1, 2, 4, 5, 6 & 14

Design and Appearance

Objective: 1

Principles of Development Control: 1, 2, 8, 13 & 15

Interface between Land Uses

Objective: 1

Principle of Development Control: 1 & 2

Landscaping, Fences and Walls

Objective: 1 & 2

Principles of Development Control: 1, 2, 3, 4 & 5

Transportation and Access

Objective: 2

Principles of Development Control: 2, 8, 11, 23, 24, 30, 32, 34, 35, 36, 37, 38, 40, 41, 42 & 43

7.2 RECOMMENDATION

In summary, I am satisfied the proposed development is not seriously at variance with the requirements of the West Torrens Development Plan (Consolidated 12 July 2018).

The proposal demonstrates a significant degree of merit without offending the relevant provisions of the Development Plan and so warrants the grant of consent by Council and concurrence from the State Commission Assessment Panel (SCAP).

Yours sincerely,



Mark Troncone
Graduate Planner

Enc. *Amended Site Plan*
 Dimension Plan

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/1221/2019

Assessing Officer: Brendan Fewster
Site Address: 90 George Street, THEBARTON SA 5031
Certificate of Title: CT-5837/385
Description of Development Change of use from dwelling to office and associated car parking, landscaping and advertising signage (non-complying)

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

- ☐ Site drainage and stormwater disposal
- ☐ Required FFL
- ☐ On-site vehicle parking and manoeuvrability
- ☐ New Crossover
- ☐ Your advice is also sought on other aspects of the proposal as follows:

.....
.....

PLANNING OFFICER - Brendan Fewster

DATE 5 May, 2020



Memo

To Brendan Fewster
From Richard Tan
Date 05-May-2020
Subject 211/1221/2019, 90 George Street, THEBARTON SA 5031

Brendan Fewster,

The following City Assets Department comments are provided with regards to the assessment of the above development application:

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

1.1 Change of land use application. Building FFL unchanged.

2.0 Verge Interaction

2.1 In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties. Any new driveway access shall be constructed as near as practicable to 90 degrees to the kerb alignment (unless specifically approved otherwise) and must be situated wholly within the property frontage.

New driveways and stormwater connections are typically desired to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the kerb line, except for driveway separation which will be measured from property boundary). An absolute minimum offset of 0.5m from new crossovers and stormwater connections to other existing road verge elements is acceptable in cases where space is limited.

These new features are also desired to be located a minimum of 2.0 metres from existing street trees, although a lesser offset may be acceptable in some circumstances. If an offset less than the desired 2.0 metres is proposed or if it is requested for the street tree to be removed, then assessment for the suitability of such will be necessary from Council's Technical Officer (Arboriculture).



2.1.1 No further assessment provided. Item still considered outstanding.

All verge features (ie. new stormwater connection and crossover) for the proposed development is required to comply with the offset requirement as above.

It is recommended that all verge features for the proposed development is required to comply with the offset requirement as above.

2.2 No further assessment provided. Item still considered outstanding.

It should also be nominated for the stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements

- 100 x 50 x 2mm RHS Galvanised Steel or
- 125 x 75 x 2mm RHS Galvanised Steel or
- Multiples of the above.

It is recommended that revised plans clearly and accurately indicating satisfaction of the above criteria be provided to Council.

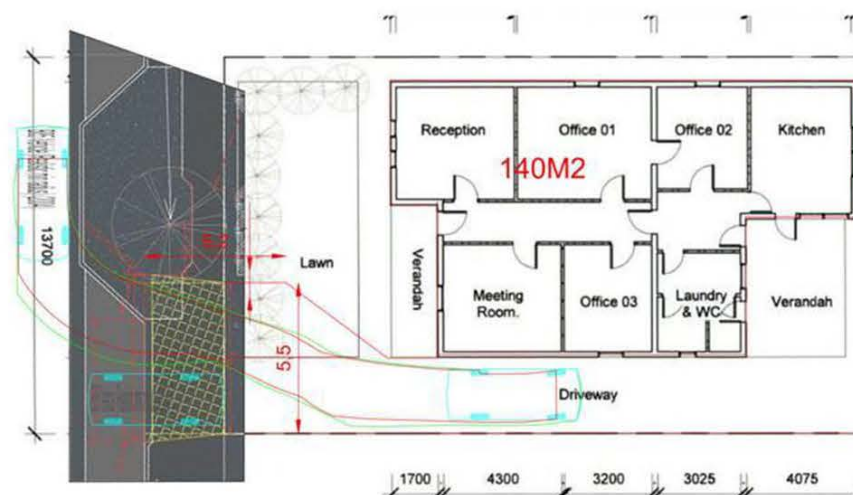
3.0 Traffic Requirements

3.1 The following comment has been provided by Council's Traffic Consultant, Mr Frank Siow:

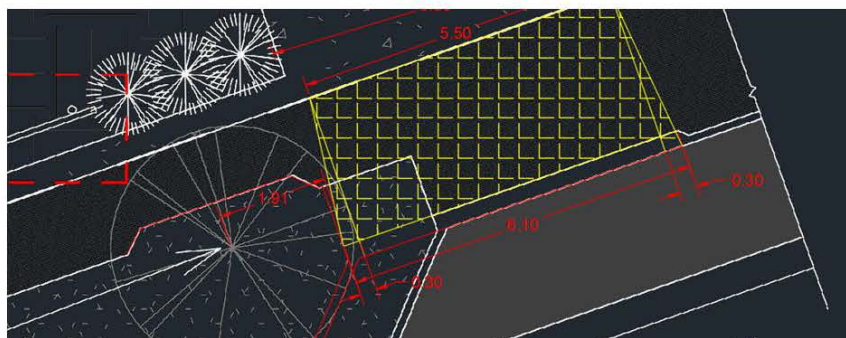
This site is in a Residential Zone Policy Area 27 Thebarton Character area. George Street is a busy collector road, so the entering vehicle should be able to move clear of the through traffic lane when there is an exit vehicle present.

The total floor area is 140m², therefore 5 to 6 spaces would be required, which they have on-site. The aisleway is sufficiently wide at the rear to enable a car to turnaround without a designated turn space. It is a low traffic generator, likely 2 to 3 vph in the peak.

If we try and preserve the verandah, then the layout below (similar to marked up in dot point 3.2) would be reasonable, with the exiting car waiting across and blocking the footpath momentarily. Given the low scale nature of the development, the re-use of the building, the low traffic generation, the residential character consideration and the site constraints, on balance, this layout would be reasonable.



- 3.2 Based on the provided verge survey plan, a 5.5m crossover with 0.3m flaring on both sides will be supportable. However, due to the offset between existing street tree and the crossover is less than 2m, further assessment from Council's Arboriculture team is required. Ideally a 0.5m offset from property boundary should be provided, leaving the offset between existing street tree to proposed crossover to be approximately 1.5m.



It is recommended that further assessment from Council's Arboriculture team regarding the minimum offset from the existing tree is required.

- 3.3 Following dot point 3.2, if Council's Arboriculture team supported the proposed offset to existing street tree, then significant alterations will be required to the existing kerb fronting the subject site to allow for a crossover. This significant alteration are deemed necessary in the circumstances of this application and are to be undertaken by Council or a contractor appointed by Council at applicant's cost.



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Further information which includes an estimated cost for the significant alteration will be provided once the applicant has consent to continue with the alteration works.

It is recommended that clarification and commitment from the applicant is sought in regards to the alteration works to the existing public infrastructure.

3.4 This has previously been accepted in assessment dated 12/16/2019

3.5 No further assessment provided. Item still considered outstanding.

Based on relevant Australian Standards, 1 disabled parking space should be provided.

It is recommended that the provided plan should be updated, to provide 1 disable car park space. It should be noted that a shared space for the car park space should also be provided.

3.6 No further assessment provided. Item still considered outstanding.

The car park width has been designed to 2.5m wide which is reasonable. The length of the car park is measured at 4.8m. Usually car park of this length will include a low kerb at front with 0.6m overhang at the end of space. However, there is wheel stops proposed in the provided plan, which indicates that the car park space is shortfall by 0.6m in length.

It is recommended that a 5.4m car park space should be provided.

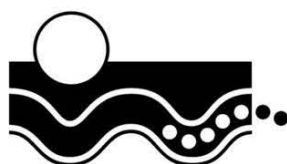
3.7 No further assessment provided. Item still considered outstanding.

Following dot point 3.3, if the applicant removed the wheel stops, it is unlikely that there is sufficient space for vehicle overhang, due to the proposed shrubs along south-western boundary.

If the applicant wishes to maintain current car park space length, then the landscaping species along the south-western boundary should be reconsidered.

3.8 No further assessment provided. Item still considered outstanding.

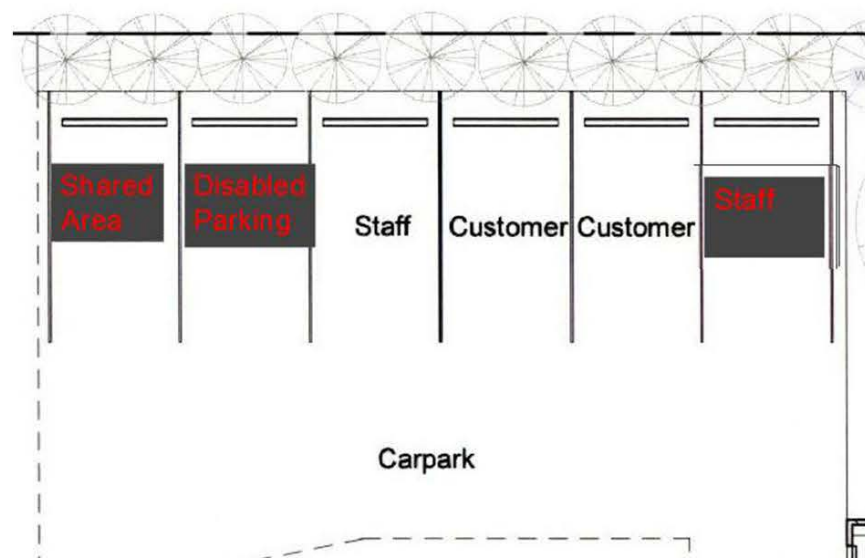
The car park space at the southernmost of the property is unlikely to achieve safe and convenient access. It is recommended that the disabled parking space should be located close to the building, with



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shared area next to the kitchen. It is also recommended that the northernmost space should be marked staff parking.



It is recommended that the plan should be revised as above

4.0 Waste Management

- 4.1 Due to the nature of this application being a commercial development, it is recommended that further assessment from Council's Waste Management Team is required.

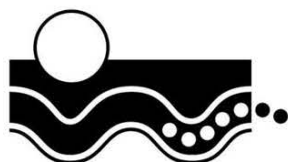
It is recommended that further assessment from Council's Waste Management Team is required.

5.0 Stormwater Requirements

- 5.1 No further assessment provided. Item still considered outstanding.

Stormwater detention measures will be required to be undertaken to limit the peak discharge rate for the site critical 20 year ARI storm event to equivalent to a predevelopment arrangement with a 0.25 runoff coefficient.

In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration.



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It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council.

5.2 No further assessment provided. Item still considered outstanding.

Given the size of the car park, it is recommended that basic stormwater quality devices should be installed to reduce stormwater pollutants from the stormwater flow exiting the site.

An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development.

Regards
Richard Tan
Civil Engineer

Arboricultural Assessment of Street Trees

Development Application No: 211/1221/2019

REFERRAL DUE DATE:

Assessing Officer: **Brendan Fewster**
Site Address: **90 George Street, THEBARTON SA 5031**
Certificate of Title: **CT-5837/385**
Description of Development **Change of use from dwelling to office and associated car parking, landscaping and advertising signage (non-complying)**

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

- ☐ The removal of or impact upon the Street Tree
- ☐ Species of Tree:
- ☐ Your advice is also sought on other aspects of the proposal as follows:

PLANNING OFFICER - Brendan Fewster

DATE 23 April 2020

FROM THE TECHNICAL OFFICER

I have examined the plans as requested and provide comments as follow.

As with all development applications it must be proven beyond reasonable doubt that all alternatives have been explored so not to hinder the progress of any street tree(s).

Any proposed development that does not consider "AS4970 Protection of Trees on Development Sites", is likely to require revision until all plans accurately correspond with the specific tree information detailed in this standard.

Verge interaction must consider all services that cross council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless existing or otherwise negotiated). All services must be indicated /documented on appropriate plans for Council assessment and approval.

A site investigation together with the information provided has revealed that there is an existing *Platanus orientalis* (Oriental Plane) street tree located 7.7m from the eastern property boundary.

Based on the response from City Assets dated 16 Dec 2019,

- **A 5.5m (6.1m including flaring) wide crossover with sufficient offset to existing street tree is required.**

Allowing for the 6.1m crossover will leave an offset from the eastern side of the tree trunk of 1.6m and in this instance City Operations will support this reduced offset.

It is noted that the proposed crossover location will in direct conflict with the existing Gas meter and it is a concern that a relocated gas main into the property may be relocated closer to the existing street tree causing damage to the root system during excavation and installation.

City Operations would require any excavation near the base of the existing street to be no closer than 2.0m from the trunk.

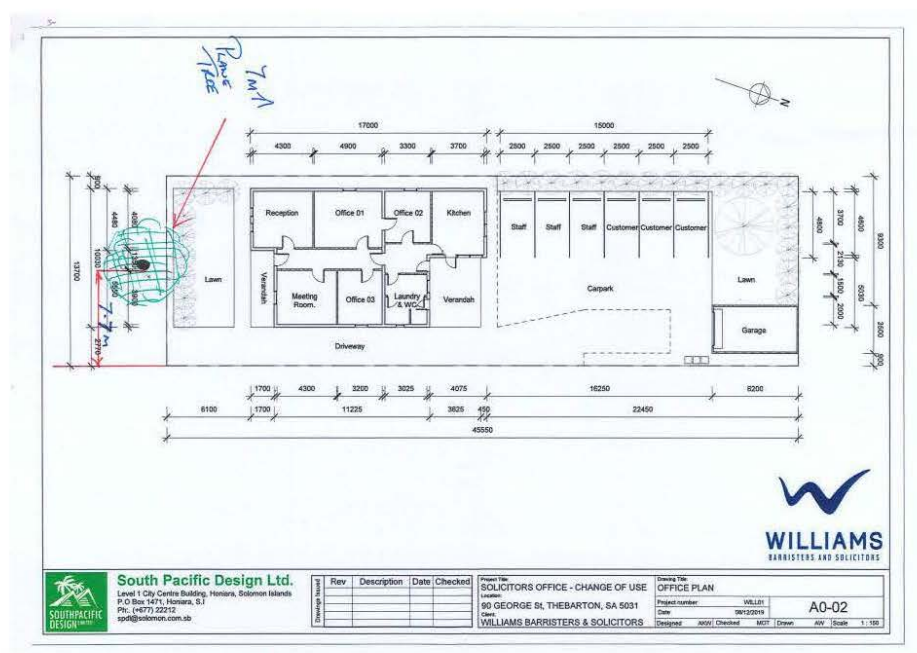
Please note, under no circumstances is any individuals other than council staff permitted to interfere with a street tree. If pruning etc. is required, council must be notified via the appropriate customer request, and council staff will perform all works associated with the community asset.

Final crossover locations will be confirmed once appropriate documentation has been received from the applicant and they have submitted "an application to construct a vehicle crossing place(s) across council land".

Rick Holmes
Technical Support Officer Arboriculture
165 Sir Donald Bradman Drive
Hilton SA 5033

Telephone: 8416 6333
Fax: 8443 5709

DATE: 28/04/2020









6.2 6 Carnegie Crescent, NETLEY

Application No 211/398/2020

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Land division - Torrens Title; SCAP No. 211/D037/20; Creating two (2) additional allotments
APPLICANT	TJE Constructions
LODGEMENT DATE	22 May 2020
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> City Assets External <ul style="list-style-type: none"> State Commission Assessment Panel (SCAP) South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 21 May 2020
DELEGATION	<ul style="list-style-type: none"> The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more.
RECOMMENDATION	Support with conditions
AUTHOR	Amelia De Ruvo

BACKGROUND

This application follows a previously lodged combined land division and built form application that was assessed and approved by Council Administration under delegation. The subject land is predominantly located within 400m of a Local Centre Zone. This therefore allowed reduced allotment site areas in accordance with Principle of Development Control 4 of Low Density Policy Area 20 upon lodgement of a combined land division/land use development application.

The owner is unsure whether they wish to construct the approved dwellings and is subsequently seeking approval for the land division component only. As proposed allotments 101 and 102 are deficient in site areas by more than 7.5% of the minimums described in the Development Plan, the application must be determined by the Council Assessment Panel (CAP).

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 13 Deposited Plan 9032 in the area named Netley, Hundred of Adelaide, Volume 5558 Folio 865, more commonly known as 6 Carnegie Crescent, Netley. The subject site is irregular in shape with a 42.09 metre (m) wide primary road frontage, an average depth of 29.78m and an overall site area of 1018 square metres (m²). Along the northern boundary of the allotment there is a 3.78m wide sewerage easement in favour of the South Australian Water Corporation.

The site currently contains a single storey detached dwelling with an attached pergola and an outbuilding. The site is relatively flat. There is currently a regulated *Agonis Flexuosa* (Willow Myrtle) located at the front of the subject site that would be affected by future development.

The immediate locality consists is residential in nature comprised of single storey detached dwellings. The allotment pattern varies between rectangular allotments and irregular shaped allotments due to the tapering of Carnegie Crescent. The allotment site areas vary between 500m² to approximately 850m².

In the wider locality, predominantly to the east, there are independent living units for Netley Grove as well as a commercial land uses to the north. The commercial land use is comprised of offices, warehouses, indoor recreations centres and show room.

The subject land and locality is shown on the aerial imagery below.



RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/1315/2018	Combined Land division - Torrens Title; SCAP No. 211/D165/18; Creating two (2) additional allotments and the construction of three (3) two-storey detached dwellings	Development Approval	23 January 2020
211/545/2020	Removal of a regulated tree - Agonis Flexuosa (Willow Myrtle)	Currently under assessment	

PROPOSAL

This is an application seeks to divide the subject land into three Torrens Title allotments. The proposed allotments are irregular in shape with a tapering to the western boundary due to the irregular shape of the site. The proposal allotments site area and dimensions are as follows:

Allotments	100	101	102
Site Area	412m ²	305m ²	301m ²
Frontage Width	21.09m	10m	11m

There is a 3.78m wide sewerage easement located along the northern boundary of the subject land and is located on proposed allotment 100.

The existing dwelling and all structures on site and the regulated tree on site is to be removed. A separate application for the removal of the regulated tree was lodged with Council. Furthermore the applicant has provided indicative plans for dwellings on each of the proposed allotments, demonstrating that they can be developed for residential purposes within the parameters of the Development Plan.

The relevant plans and documents are contained in **Attachment 2**.

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Schedule 9 (2)(f) of the *Development Regulations 2008*. As the proposal is Category 1, public notification was not required to be undertaken.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> As there is not any street trees located within the Council verge in front of the subject land there, a single width crossover to all proposal allotments will be acceptable.

EXTERNAL REFERRALS

Department	Comments
SCAP	<ul style="list-style-type: none"> SCAP has raised no concerns with the proposal. Standard conditions of consent have been recommended should the application be supported.
SA Water	<ul style="list-style-type: none"> SA Water has raised no concerns with the proposal. The developer will be required to meet the requirements of SA Water for the provision of water and sewerages services. Standard conditions of consent have been recommended should the application be supported.

A copy of the relevant referral response is contained in **Attachment 3**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Low Density Policy Area 20 as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3, 4
Principles of Development Control	1, 5, 6, 7, 8, 11, 12, 13

Low Density Policy Area 20 - Desired Character	
<p>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</p> <p>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</p> <p>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</p>	
Objective	1
Principles of Development Control	1, 2 & 5

Additional provisions of the Development Plan which relate to the proposed development are contained in **Attachment 1**.

QUANTITATIVE STANDARDS

The proposal is assessed for consistency with the quantitative requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA <i>Low Density Policy Area 20</i> <i>PDC 5</i>	340m ² (min.)	Lot 100: 412m ² Lot 101: 305m ² Lot 102: 301m ² Proposed Allotments 101 and 102 do not satisfy by an average of 37m² or 11%
ALLOTMENT FRONTAGE <i>Low Density Policy Area 20</i> <i>PDC 5</i>	10m (min.)	Lot 100: 21.09m Lot 101: 10m Lot 102: 11m Satisfies

ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

Land Use

Residential development, in the form of detached dwellings are an envisaged form of development in accordance with Principle of Development Control (PDC) 1 of Low Density Policy Area 20. It is noted that the size and configuration of the proposed allotments would enable the construction of detached dwellings on the proposed allotments. Accordingly, the proposed land division is considered to be an appropriate and orderly form of development within the Policy Area.

Desired Character & Pattern of Development

The Desired Character Statement for Low Density Policy Area 20 seeks allotments that are low density to accommodate for detached, semi-detached and group dwellings. It is also noted that a denser allotment pattern is sought when sites are located close to Centre Zones. The intention is to allow for more residents to have greater access to the variety of services and facilities located within these Zones.

The desired character statement also seeks to preserve a rectangular allotments pattern. Given the alignment of Carnegie Crescent and the fact that it is a cul-de-sac, the allotment pattern within the locality is comprised of rectangular and irregular shaped allotments (refer to figure 1 below). In this instance the proposed allotments have sought to maintain the rectangular pattern as much as possible despite the irregular shape of the subject land.

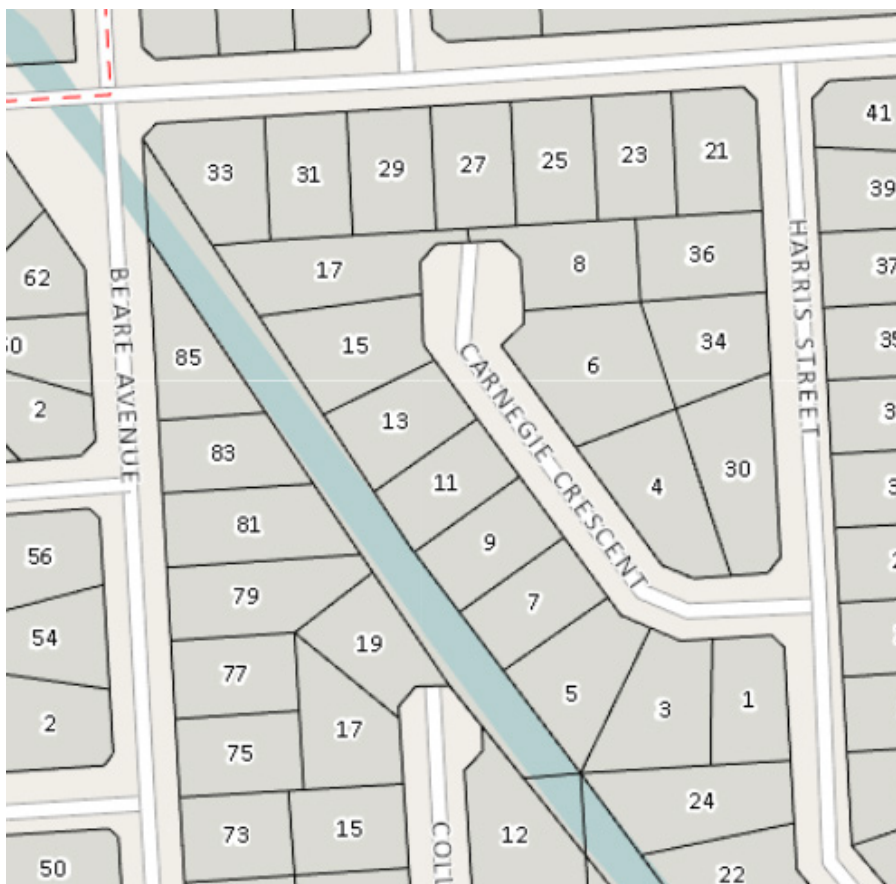


Figure 1: Image of allotment pattern within the immediate locality (Source: West Maps)

As such it has been considered that the proposed allotments satisfy Objective (Obj) 1 and PDC 2 of Low Density Policy Area 20.

Allotment Site Area and Frontage Widths

PDC 5 of Low Density Policy Area 20 seeks to create allotments with frontage widths greater than 10m and site areas greater than 340m². Each of the respective allotments have provided a frontage width in excess of 10m, therefore satisfying the minimum frontage requirements. However proposed allotments 101 and 102 fail to satisfy the minimum site area requirements specified within the Policy Area on average by 37m² or 11%.

The frontage widths for the respective allotments exceed the minimum quantitative requirements of the Policy Area. When viewing the proposed allotments from the public realm there will be little to no impact to the streetscape as it appears that the predominant allotment pattern has been preserved.

PDC 4 of Low Density Policy Area 20 states that when a dwelling is located within 400m of a Centre Zone it is able to obtain reduced allotment site areas of 300m² and frontage widths of 9m. The subject land is predominantly located within 400m of a Centre Zone, therefore some consideration should be given to this provision when assessing the suitability of the division. It is advised that the reduced requirements do not differentiate between dwelling types.

The reduced minimum quantitative requirements allows for a denser allotment pattern within 400m of a Centre Zone. It is considered that the proposed division satisfies the requirements of the Desired Character Statement by increasing the density in accordance with the respective PDC.

It has been suitably demonstrated that the proposed allotments can accommodate the envisioned dwelling types of detached or semi-detached dwellings and satisfy the respective Development Plan requirements in relation to the development of dwellings.

For this application it should be noted that the applicant has previously received Development Approval for a combined land division and built form application. As the application was combined and located within 400m of a Centre Zone the allotments were able to take advantage of the reduced site areas and frontage widths requirements of PDC 4 of Low Density Policy Area 20. As the current application is for a land division only, the larger site area and frontages requirements apply. If the application is not to be supported by the Council Assessment Panel then the applicant is able to continue with the previously approved application which ultimately has the same outcome. Given these considerations, the proposed reduced site areas to allotments 101 and 102 are considered to be acceptable.

Building envelopes

Whilst the built form does not form part of this application building footprints have been provided by the applicant (refer to **Attachment 2**). The building footprints suitably demonstrate that the allotments can be functionally developed whilst satisfying the respective quantitative and qualitative requirements of the Development Plan. The allotments are therefore considered appropriate for their intended use, satisfying General Section - Land Division PDC 5.

Access to services

Proposed allotments 301 and 302 are both able to obtain access to mains water, waste water, sewerage and other effluent satisfying PDC 1(b) and (c) of General Section - Land Division.

Regulated Tree

It is acknowledged that there is a regulated *Agonis Flexuosa* (Willow Myrtle) within the front yard of the subject land (see figures 2 and 3 below). The applicant has since lodged an application for its removal with Council. It has been noted that the subject tree does not contribute to the aesthetic of the locality nor is the tree indigenous to the local area. Notwithstanding the tree is currently to remain, should the tree be supported for removal in the future, at that time replacement plantings will be requested to offset the removal.



Figures 2 and 3: Images of the subject tree located within the front yard of 6 Carnegie Crescent, Netley

SUMMARY

It is acknowledged that proposed allotments 101 and 102 fail to satisfy the minimum site area requirements of Low Density Policy Area 20. However when the allotments are viewed from the public realm they maintain an allotment pattern that is consistent within the locality. As the subject land is located within 400m of a Centre Zone, the reduced site area requirements are in accordance with PDC 4 of Low Density Policy Area 20 and have been satisfied. Whilst the application does not propose the built form to obtain reduced site area requirements, the proposed allotments have increased the net density within 400m of a Centre Zone and can accommodate the envisioned dwellings as per the policy areas Desired Character Statement.

Having considered all the relevant provisions of the Development Plan, the proposal is not considered to be seriously at variance.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 21 May 2020 and warrants Development Plan Consent, Land Division Consent and Development Approval.

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. 211/398/2020 by TJE Constructions to undertake a Land division - Torrens Title; SCAP No. 211/D037/20; Creating two (2) additional allotments at 6 Carnegie Crescent, NETLEY (CT 5590/157) 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.

Land Division Consent Conditions

Council Requirements

Nil

State Commission Assessment Panel Requirements

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

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 developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Reason: To satisfy the requirements of the South Australian Water Corporation.

3. Payment of \$15232 into the Planning and Development Fund (2 allotment(s) @ \$7616/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 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.

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.

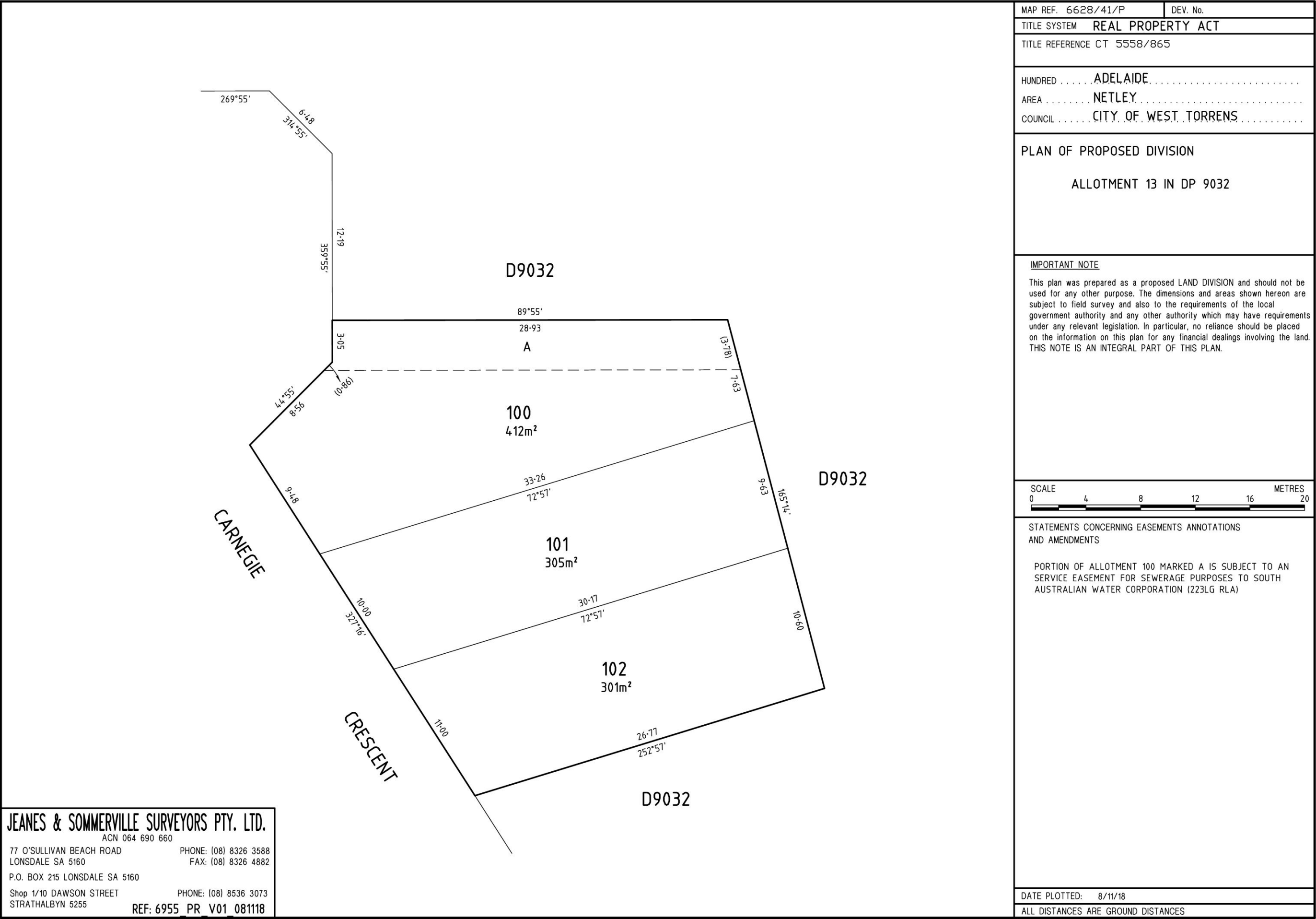
Reason: To satisfy the requirements of the State Commission Assessment Panel.

Attachments

1. Relevant Development Plan Provisions
2. Plan of Division, Certificate of Title and supporting documents
3. Referral Reports














Relevant Development Plan Provisions

General Section		
Land Division	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 8, 11, 12, 13, 14, 15, 16 & 17
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1
Residential Development	<i>Objectives</i>	1, 2, 4 & 5
	<i>Principles of Development Control</i>	1 & 3
Transportation and Access	<i>Objectives</i>	2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 8, 10, 11, 17, 18, 19, 23, 24 & 36



LANDSCAPING LEGEND:

ALL LANDSCAPE BY OWNER

GROUND COVERS	MATURE HEIGHT/SPREAD (m)	PLANTS	MATURE HEIGHT (m)	MATURE SPREAD (m)	PLANTED HEIGHT (m)
 RAINBOW TWIST <i>Dianella Pruriens</i>	SIZE VARIES BETWEEN 50-100mm HIGH WITH A SPREAD OF 1-2 METRES	 CONVULVULUS <i>Convolvulus Mauritanicus</i>	0.4	0.6	0.2
 CREEPING FIG <i>Ficus Pinnatifida</i>		 DIETES <i>Diets Iridoides</i>	0.5-0.7	0.5-0.7	0.2-0.3
 LOBELIA TRAILING <i>Lobelia Elinus</i>		 MURRAYA HEDGE <i>Murraya Paniculata</i>	1.0-2.5	0.8-1.2	0.2-0.5
 LIME JET <i>Lamanda</i>		 NANDINA <i>Nandina Domestica</i>	0.6-0.7	0.6-0.7	0.2-0.3
 MYOPORUM <i>Myoporum Parvifolium</i>		TREES			
 MEDITERRANEAN CREEPING THYME <i>Thymus Longicaulis</i>		 NIGRA <i>Prunus Cerasifera</i>	5.0	4.0	1.2
		 MANCHURIAN PEAR <i>Pyrus Ussuriensis</i>	9.0	7.0	1.8
		 WEEPING MULBERRY <i>Morus Nigra</i>	3.0	4.0	0.9

ALL SPECIES ARE TO BE CONFIRMED BY OWNER PRIOR TO COMMENCEMENT OF LANDSCAPING. ALL NEW LANDSCAPED AREAS TO BE SERVICED BY POLYPIPE SPRAYERS & DRIPPERS

BOUNDARY/SURVEY NOTE:

THIS DRAWING IS INTENDED FOR INDICATIVE BUILDING SETOUT PURPOSES ONLY. REFER TO CIVIL ENGINEER / SURVEYOR DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS, & EARTHWORK DESIGN. FINAL BOUNDARY & BUILDING SETOUT SHALL BE CONFIRMED & CERTIFIED BY LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.

BRUSH FENCE NOTE:

THERE WILL NOT BE ANY BRUSH FENCES WITHIN 3MTRS OF THE PROPOSED BUILDING WORKS. ANY BRUSH FENCES WITHIN 3 METRES OF THE DWELLING ARE TO BE REMOVED (BY OWNER) & REPLACED WITH NON-COMBUSTIBLE MATERIAL. MUST COMPLY WITH BCA REQUIREMENTS.

RWT NOTE:

1000 LTS (MIN) RWT COLLECTING 50M² ROOF CATCHMENT AREA. PLUMBED TO EITHER TOILET, HOT WATER SYSTEM OR ALL LAUNDRY COLD WATER OUTLETS. RWT MUST BE FITTED WITH OVERFLOW DEVICE. INLET & OVERFLOW MUST BE FITTED WITH MOSQUITO-PROOF SCREENS. MUST COMPLY WITH BCA REQUIREMENTS.

STORMWATER NOTE:

REFER TO ENGINEER'S DRAINAGE PLAN FOR ALL LEVEL, RETAINING WALLS & STORMWATER DRAINAGE DESIGN.





Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5558/865)
Date/Time	07/11/2018 02:31PM
Customer Reference	6955
Order ID	20181107007671
Cost	\$28.75

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5558 Folio 865

Parent Title(s)	CT 3558/111		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	29/07/1998	Edition	6
		Edition Issued	24/04/2018

Estate Type

FEE SIMPLE

Registered Proprietor

TIMOTHY JAMES EVANS
NICOLA DIANA EVANS
OF 52 ANGAS CRESCENT MARINO SA 5049
AS JOINT TENANTS

Description of Land

ALLOTMENT 13 DEPOSITED PLAN 9032
IN THE AREA NAMED NETLEY
HUNDRED OF ADELAIDE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED A FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

Dealing Number	Description
12906938	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

Notations

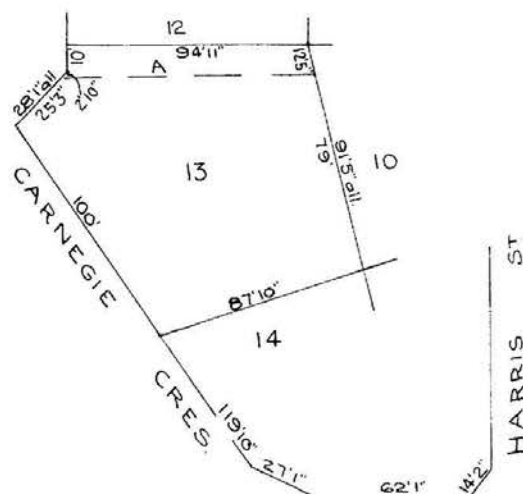
Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product
Date/Time
Customer Reference
Order ID
Cost

Register Search (CT 5558/865)
07/11/2018 02:31PM
6955
20181107007671
\$28.75



60 30 0 60 FT

DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/398/2020

Assessing Officer: Amelia DeRuvo
Site Address: 6 Carnegie Crescent, NETLEY SA 5037
Certificate of Title: CT-5558/865
Description of Development: Land division - Torrens Title; SCAP No. 211/D037/20;
Create two (2) additional allotments

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

- ☐ Site drainage and stormwater disposal
- ☐ Required FFL
- ☐ On-site vehicle parking and manoeuvrability
- ☐ New Crossover
- ☐ Your advice is also sought on other aspects of the proposal as follows:

.....
.....

PLANNING OFFICER - Amelia DeRuvo

DATE 1 June, 2020



Memo

To Amelia DeRuvo
From Richard Tan
Date 01-Jun-2020
Subject 211/398/2020, 6 Carnegie Crescent, NETLEY SA 5037

Amelia DeRuvo,

The following City Assets Department comments are provided with regards to the assessment of the above development application:

1.0 Site Access

- 1.1 In the absence of a detailed site survey plan, Council's West Map has indicated that there is no existing street tree along the frontage of the site. This has been further supported by the report provided by Council's Horticultural Team for previous development of the site in DA211/963/2018.

Based on the above, there will be no issue to support a single width crossover for all proposed subdivision.

2.0 Stormwater

- 2.1 It should be noted that for development of this nature, stormwater detention will be required for all subdivision.

Regards
Richard Tan
Civil Engineer

Contact Planning Services
Telephone 7109 7016
Email dldptpdc Clearanceletters@sa.gov.au



27 May 2020

The Chief Executive Officer
City of West Torrens
Dear Sir/Madam

**Re: Proposed Application No. 211/D037/20 (ID 67938)
for Land Division by TJE CONSTRUCTIONS**

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 21 May 2020, I advise that the State Commission Assessment Panel (SCAP) has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

I further advise that the State Commission Assessment Panel has the following requirements under Section 33(1)(c) of the Development Act 1993 which must be included as conditions of land division approval on Council's Decision Notification (should such approval be granted).

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.
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 developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$15232 into the Planning and Development Fund (2 allotment(s) @ \$7616/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 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.
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.

The SA Water Corporation will, in due course, correspond directly with the applicant/agent regarding this land division proposal.

PLEASE UPLOAD THE DECISION NOTIFICATION FORM (VIA EDALA) FOLLOWING COUNCIL'S DECISION.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Biljana B.'.

Biljana Prokic
Land Division Coordinator - Planning Services
as delegate of
STATE COMMISSION ASSESSMENT PANEL



27 May 2020

Our Ref: H0098357

The Chairman
State Commission Assessment Panel
50 Flinders St
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D037/20 AT NETLEY

In response to the abovementioned proposal, I advise that pursuant to Section 33 of the Development Act it is necessary for the developer to satisfy this Corporation's requirements, which are listed below.

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 developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Yours faithfully

ANN BOND
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries ANN BOND
Telephone 7424 1119

6.3 Implementation of Council Assessment Panel operations under the Planning, Development and Infrastructure Act 2016

Brief

The purpose of this report is for the Council Assessment Panel to consider information for its future operations under the *Planning, Development and Infrastructure Act 2016*.

RECOMMENDATION

It is recommended to Council Assessment Panel that this report be received.

Introduction

The State Government is implementing significant reforms to the planning and development system with the introduction of the *Planning, Development and Infrastructure Act 2016* (PDI Act).

Discussion

Workshop

The State Government is implementing significant reforms to the planning and development system with the introduction of the PDI Act.

The government has been implementing the reforms in stages with the proposed commencement of the new Planning and Design Code and assessment pathways scheduled for the Metropolitan Adelaide area in late 2020.

The Panel will become an authority in their own right under the PDI Act. As a result, the Panel will need to make decisions around the administrative tasks associated with development and how these are delivered, along with the nature of applications that will be directly decided by the Panel versus those that may be delegated to the Assessment Manager.

A workshop on the PDI Act implementation will be held following this meeting. The purpose of the workshop is to provide the Panel with information to assist in the consideration of the Panel operations under the new legislative scheme. The topics to be covered in this workshop include:

- Relevant Authorities and Development Assessment Pathways
- CAP role, obligations and Code of Conduct
- Assessment Manager role, obligations and Code of Conduct
- Accredited Professional requirements
- Continued Professional Development
- CAP member liabilities
- Council Assessment Panel Review of Decisions of the Assessment Manager

Further workshops will be held on other matters relating to the Panel's role in the implementation of the PDI Act will be held in future months.

Council Assessment Panel Review of Decisions of the Assessment Manager

Under Section 203 of the PDI Act the Panel will have the power to review the decision of an Assessment Manager acting as a relevant authority.

This relates to decisions made by an Assessment Manager (or their delegate) as the relevant authority in their own right which in practice will be or deemed-to-satisfy applications and non-notified performance assessed applications. This does not relate to decisions of an Assessment Manager acting as the delegate of the Council Assessment Panel - these decisions may be appealed directly to the Environment, Resources and Development Court.

It is proposed that Panel develop a "Policy for Council Assessment Panel Review of Decisions of the Assessment Manager" to guide the review process. The Local Government Association have developed a Model Policy to this effect. A draft policy will be presented at a future meeting for the Panel's consideration.

Accredited Professionals

Independent Panel members are required to be registered as Accredited Professionals from the commencement of Phase 3 of the Planning Reform (date to be announced).

It is requested that those Panel members who need to obtain accreditation to submit their applications by the end of July, noting that it may take approximately two months for the Accreditation Authority to assess the applications. All Independent Panel members need to be accredited by the 'designated date', which is currently indicated to be in late 2020.

It is proposed that a report will be presented to a future Council meeting to update the Council Assessment Panel Terms of Reference to require Panel members to provide notification of any new or changed accreditation status should be provided within a specified period to a Council representative (likely the CEO or Assessment Manager).

Climate Impact Considerations

(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)

There are no climate impact considerations of this report.

Conclusion

The information be received for the Panel's consideration of its future operations under the PDI Act. A workshop on PDI Act implementation will follow this meeting.

Attachments

Nil

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 - July 2020

Brief

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.

Development Application appeals before the ERD Court

Relevant authority	DA number	Address	Description of development	Status
SCAP	211/M015/19	1 Glenburnie Terrace, PLYMPTON	Six-storey residential flat building (32 dwellings) & associated car parking	Appeal lodged

Matters pending determination by SCAP

Reason for referral	DA number	Address	Description of development
Schedule 10	211/M030/18	192 ANZAC Highway, GLANDORE	Eight-storey residential flat building (40 dwellings) & removal of regulated tree
Schedule 10	211/M018/19	6 Ebor Avenue, MILE END	Mixed use building comprising ground floor shop & residential apartments Note: A further application for a four-storey mixed use building has been determined by the Council Assessment Panel at its 12 May 2020 meeting.

Matters pending determination by the Minister of Planning

Reason for referral	DA number	Address	Description of development
Section 49	211/V040/20	240-246 Marion Road, NETLEY	Minor building additions and alterations: enclosure of existing undercover wash bay
Section 49	211/V037/20	4 Hamra Avenue, WEST BEACH	Construction of a storage shed and internal works to existing building
Section 49	211/V035/20	19 Garden Terrace, UNDERDALE	Demolition of all transportable buildings, redundant toilet blocks and canteen and the construction of a new creative arts centre and canteen with associated landscaping and civil works. Building additions and internal refurbishments.
Section 49	211/V007/12 V3	Lot 2 in FP 1000, West Beach Road WEST BEACH	Variation - removal of east-west internal road

Matters pending determination by the Governor of South Australia

Nil

Deferred CAP Items

Nil

Conclusion

This report is current as at 1 July 2020.

RECOMMENDATION

The Council Assessment Panel receive and note the information.

Attachments

Nil

9 OTHER BUSINESS**10 MEETING CLOSE**