

CITY OF WEST TORRENS



**MINUTES**  
**of the**  
**COUNCIL ASSESSMENT PANEL**

held via electronic platform only

on

**TUESDAY, 11 AUGUST 2020**  
**at 5.00pm**

**Hannah Bateman**  
**Assessment Manager**

## Index

<b>1</b>	<b>Meeting Opened</b> .....	<b>1</b>
	1.1 Evacuation Procedure	
	1.2 Electronic Platform Meeting	
<b>2</b>	<b>Present</b> .....	<b>1</b>
<b>3</b>	<b>Apologies</b> .....	<b>1</b>
<b>4</b>	<b>Confirmation of Minutes</b> .....	<b>2</b>
<b>5</b>	<b>Disclosure Statements</b> .....	<b>2</b>
<b>6</b>	<b>Reports of the Assessment Manager</b> .....	<b>2</b>
	6.1 26 Birdwood Terrace, NORTH PLYMPTON.....	2
	6.2 28 Kintore Street, THEBARTON .....	5
	6.3 48-50 Galway Avenue, NORTH PLYMPTON .....	7
	6.4 32 Hardys Road, 115A and 115B North Parade, TORRENSVILLE .....	9
<b>7</b>	<b>Confidential Reports of the Assessment Manager</b> .....	<b>10</b>
	Nil	
<b>8</b>	<b>Summary of Court Appeals</b> .....	<b>10</b>
	8.1 CAP Summary of SCAP and ERD Court Matters - August 2020 .....	10
<b>9</b>	<b>Other Business</b> .....	<b>10</b>
	9.1 Council Assessment Panel Recruitment.....	10
	9.2 Planning Reform Overview.....	10
<b>10</b>	<b>Meeting Close</b> .....	<b>10</b>

## 1 MEETING OPENED

The Presiding Member declared the meeting open at 5.01pm.

### 1.1 Evacuation Procedure

The evacuation procedures were taken as read.

### 1.2 Electronic Platform Meeting

The Presiding Member explained the housekeeping matters for the online Zoom platform.

## 2 PRESENT

### Panel Members:

Presiding Member: Ms C Dunn  
Council Member: Mr G Nitschke (as proxy for Ms Jassmine Wood)  
Independent Members: Ms J Strange, Mr B Russ, Mr M Arman

### Officers:

Mr Angelo Catinari (General Manager Urban Services)  
Ms Hannah Bateman (Assessment Manager and Manager City Development)  
Ms Rachel Knuckey (Team Leader Planning)  
Mr Phil Smith (Senior Development Officer - Planning)  
Mr Brendan Fewster (Development Assessment Consultant)  
Ms Amy Morden (Development Officer - Planning)

All presented, including the public gallery, were in attendance via the online platform.

## 3 APOLOGIES

### Apologies

#### Panel Member:

Ms Jassmine Wood

## RECOMMENDATION

That the apologies be received.

## COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: B Russ

That the recommendation be adopted.

**CARRIED**

#### 4 CONFIRMATION OF MINUTES

##### RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 14 July 2020 be confirmed as a true and correct record.

##### COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: G Nitschke

That the recommendation be adopted.

**CARRIED**

#### 5 DISCLOSURE STATEMENTS

Nil

#### 6 REPORTS OF THE ASSESSMENT MANAGER

##### 6.1 26 Birdwood Terrace, NORTH PLYMPTON

Application No 211/55/2020 & 211/1/2020

Appearing before the Panel via the Zoom electronic platform were:

Representors: **N Stevenson** of 41 Talbot Avenue, North Plympton appeared in support of the representation.

**P O'Connell** of Unit 1, 37 Keith Avenue, North Plympton appeared in support of the representation.

**K & R Willits** of 24B Birdwood Terrace, North Plympton did not appear in support of the representation.

**V Benelli** of 26B Birdwood Terrace, North Plympton did not appear in support of the representation.

Applicant: **Christian Albertini** of Alba Building Designers and **Mark Psarros** appeared in response to the representations.

##### RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/55/2020 by MARLIP Pty Ltd to undertake Land division - Community Title; SCAP No. 211/C009/20; Create two (2) additional allotments and common property at 26 Birdwood Terrace, North Plympton (CT5214/886) subject to the following conditions of consent:

### Development Plan Consent Conditions

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

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

2. All existing buildings on the land shall be removed prior to the issue of clearance to this land division approved herein.

*Reason: To ensure development is undertaken in an orderly manner*

### Land Division Consent Conditions

#### Council Requirements

Nil

#### SCAP Requirements

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

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

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

4. Payment of \$15,232.00 into the Planning and Development fund (2 lots @ \$7,616/lot). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.

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

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

## RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1/2020 by Alba Building Design for construction of one (1) two-storey detached dwelling fronting Birdwood Terrace and three (3) two-storey group dwellings with associated landscaping at 26 Birdwood Terrace, North Plympton (CT5214/886) subject to the following conditions of consent:

### Development Plan Consent Conditions

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

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

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

- a) Result in the entry of water into a building; or
- b) Affect the stability of a building; or
- c) Create unhealthy or dangerous conditions on the site or within the building; or
- d) Flow or discharge onto the land of an adjoining owner; or
- e) Flow across footpaths or public ways.

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

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

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

*Reason: To maintain existing Council infrastructure*

4. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times to the satisfaction of Council.

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

5. All landscaping shall be planted in accordance with the approved plans (Site Plan prepared by Alba Building Designers dated 20/06/2020) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

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

6. The upper storey windows of all dwellings (except for the front windows of Dwelling 1) shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained to the satisfaction of Council at all times.

*Reason: To maintain the privacy of neighbouring residents*

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

*Reason: To ensure safe and convenient vehicle access*

8. All stormwater management measures for each dwelling approved herein, including harvest tanks and supply mechanisms, shall be installed and operational prior to occupancy of the dwellings.

## Notes

The existing *Lophostomen confertus* (Queensland brush box) street tree has been assessed and considered acceptable to be removed by Council's Arborist. Based on Council's standard schedule of fees and charges, a fee for the removal of the street tree is currently valued at \$1380.00. The fee stated is a value for the current financial year and will vary depending upon the year of removal, which is due to annual price increases and changes to the tree.

## COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

### 6.2 28 Kintore Street, THEBARTON

Application No 211/188/2020

Appearing before the Panel via the Zoom electronic platform were:

Representors: **Peter Wilson** on behalf of Kumar Madadevan and Katherine Wilson of 30 Kintore Street, Thebarton did not appear in support of the representation.

Applicant/s: **Keith Teagle** of Billson and Sawley Architects Pty Ltd and **Mitch Mead** appeared to answer questions of the Panel.

## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/188 /2020 by Billson and Sawley Architects Pty Ltd to undertake the construction of alterations and additions to the existing dwelling, plus a two storey garage and habitable outbuilding at 28 Kintore Street, Thebarton (CT5634/240) subject to the following conditions of consent and reserved matters:

**Reserved Matter/s:**

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. Details of acoustic treatments for the development in accordance with the *Minister's Specification SA 78B - Construction requirements for the control of external sound* are to be provided to Council prior to Development Approval being granted to demonstrate that the occupants of the dwelling will have an acceptable level of amenity. The details shall highlight but not be limited to insulation, double glazing, plant equipment screening and any other requirements deemed necessary to mitigate noise impacts.

*Reason: To ensure that the development proceeds in an orderly manner.*

**Development Plan Consent Conditions:**

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

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

2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:

- a) Result in the entry of water into a building; or
- b) Affect the stability of a building; or
- c) Create unhealthy or dangerous conditions on the site or within the building; or
- d) Flow or discharge onto the land of an adjoining owner; or
- e) Flow across footpaths or public ways.

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

3. The stormwater connection through the road verge area is 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.

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

4. That the upper level windows of the approved addition and garage shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in reasonable condition at all times.

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

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

### 6.3 48-50 Galway Avenue, NORTH PLYMPTON

Application No 211/2/2020

Appearing before the Panel via the Zoom electronic platform were:

Representor: **Gregg Jenkins** on behalf of the representor, Samuel Williams at 46 Galway Avenue, North Plympton appeared in support of the representation.

Applicant/s: **Michael Mestros** on behalf of the applicant appeared in response to the representation.

#### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/2/2020 by Mik Beth Pty Ltd to undertake the Change of use from motor repair station to warehouse and office, and construction of a warehouse containing three (3) tenancies, each with offices, car parking and landscaping at 48-50 Galway Avenue, North Plympton (CT 5418/687) 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:
  - Site Plan, by Renown Building Designs, Drawing No. 1908 - DP1'B', Dec '19
  - Floor Plan, by Renown Building Designs, Drawing No. 1908 - DP2'B', Dec '19
  - Elevation Plans, by Renown Building Designs, Drawing No. 1908 - DP3'A' and DP4'A', Dec '19
  - Site and Drainage Plan, by Austruct Consulting Engineers, Drawing No. SD1/P4, Nov '19
  - Shadowing Diagram, by Renown Building Designers, Drawing No.1908-DW00'A', Jul '20
  - Stormwater Calculations, Revision B (21.04.2020), Oct '19
  - Typical Section Details, by Austruct Consulting Engineers, Drawing No. SD2/P4, Apr '20
  - Water Sensitive SA, Raingarden Planting Guide
  - Above Ground Detention/ Retention Tank Details, by Austruct Consulting Engineers, Drawing No. RWT, Aug '18
  - Planning Statement, prepared by Liz Mestros, Updated 01 June 2020

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

2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or

- d) Flow or discharge onto the land of an adjoining owner; or
- e) Flow across footpaths or public ways.

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

3. The stormwater connection through to the street is to be constructed of a 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.

*Reason To ensure stormwater runoff is managed appropriately.*

4. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in good condition at all times to the satisfaction of Council.

*Reason: To minimise the spread of dust and soil and to ensure safe and convenient vehicle manoeuvring onsite.*

5. Delivery trucks and maximum size vehicles accessing the warehouses shall be limited to a ute, van or small truck. SRV or larger sized trucks are not permitted to enter or manoeuvre on the site, or to access the warehouses without prior approval of Council.

*Reason: To ensure the provision of safe vehicle access and manoeuvring onsite.*

6. That any loading and unloading of vehicles connected to the use of the warehouse shall be carried out inside the warehouse. No loading or unloading of vehicles shall be permitted to be carried out on the driveway, car parking areas, or on the public road.

*Reason: To maintain unobstructed driveways and car parking areas that facilitate safe and appropriate vehicle manoeuvrability onsite*

7. That all carparking spaces shall be linemarked, in accordance with the approved plans and in accordance with Australian Standards Association Code AS 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.

*Reason: To ensure safe and orderly vehicle manoeuvring onsite.*

8. The hours of operation of the premises shall not exceed the following period:

- 7:00 a.m. to 6:00 p.m. Monday to Friday inclusively.

*Reason: To minimise disruption to adjacent residential properties.*

9. That all planting and landscaping, including the biofiltration rain garden shall be established prior to the occupation and operation of the development, and should be maintained in good health at all times. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall promptly replace any landscaping which may become diseased or die, with the same or like species/variety.

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

## **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## 6.4 32 Hardys Road, 115A and 115B North Parade, TORRENSVILLE

Application No 211/485/2020 & 211/516/2020

### RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/485/2020 by Mr A Connolly to undertake Land Division - Torrens Title; SCAP No. 211/D052/20; Boundary Re-alignment at 32 Hardys Road & 115B North Parade, Torrensville (CT6093/574, 5856/71 & 5856/73) 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:

#### Land Division Consent Conditions

##### **SCAP Requirements**

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

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

### RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/516/2020 by Mr A Connolly to undertake Land division - Community Title; SCAP No. 211/C053/20; Boundary Re-alignment at 32 Hardys Road and 115A & 115B North Parade, Torrensville (CT6093/574, 5856/71 & 5856/73) 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:

#### Land Division Consent Conditions

##### **SCAP Requirements**

2. SA Water has no requirements pursuant to the Development Act. No requirements, boundary alteration and existing services. On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water) 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.

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.

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

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

Nil

## **8 SUMMARY OF COURT APPEALS**

### **8.1 CAP Summary of SCAP and ERD Court Matters - August 2020**

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.

### **RECOMMENDATION**

The Council Assessment Panel receive and note the information.

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## **9 OTHER BUSINESS**

### **9.1 Council Assessment Panel Recruitment**

The Assessment Manager advised the Panel members that Council have endorsed the recruitment process for the selection of the Council Assessment Panel for its new term to commence on 1 January 2021. Ms Bateman advised that for the term of 1 January 2021 to 31 December 2022, Council has appointed to the Council Assessment Panel Cr Graham Nitschke as the council member and Cr Jassmine Wood as the deputy council member.

### **9.2 Planning Reform Overview**

The Assessment Manager advised the Panel members that a new Minister for Planning has been appointed and there is no further update to the implementation timeframe for the *Planning, Development and Infrastructure Act 2016* (PDI Act) which State Government have currently scheduled for 'late 2020'. As part of the PDI Act implementation, Ms Bateman advised she will provide further information to members of the panel on a proposed Review of Assessment Manager's Decision Policy for the Panel's consideration at a future meeting.

## **10 MEETING CLOSE**

The Presiding Member declared the meeting closed at 6.30pm.