

CITY OF WEST TORRENS



MINUTES

of the

COUNCIL ASSESSMENT PANEL

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

on

TUESDAY, 21 JANUARY 2020
at 5.00pm

Donna Ferretti
Assessment Manager

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.01pm.

1.1 Evacuation Procedure

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

2 PRESENT

Panel Members:

Presiding Member: Ms C Dunn
Council Member: Ms J Wood
Independent Members: Ms J Strange, Mr B Russ, Mr M Arman

Officers:

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

3 APOLOGIES

Officers:

Mr Terry Buss (Chief Executive Officer)
Mr Angelo Catinari (General Manager Urban Services)

RECOMMENDATION

That the apologies be received.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange
Seconded: J Wood

That the recommendation be adopted.

CARRIED

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 10 December 2019 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange
Seconded: M Arman

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 27 Wilson Street, COWANDILLA, 240 & 242 Sir Donald Bradman Drive, COWANDILLA

Application No 211/854/2019

Appearing before the Panel was:

Representor: **Kenneth Lester** and **Carol William** of 20 Wilson Street, Cowandilla appeared in support of the representation.

Applicant: **Michael Richardson** of Master Plan appeared to respond 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. 211/854/2019 by A Atighi to install two light boxes, two x 6m high banner signs, illuminated letterbox sign at 27 Wilson Street, Cowandilla, 240 Sir Donald Bradman Drive, Cowandilla, 242 Sir Donald Bradman Drive, Cowandilla (CT 5534/478; CT 5231/571; CT 5231/537) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any conditions listed below:
 - a) site plan by Matthews Architects, Job No. 17024, Drawing No. DPC 01;
 - b) external elevations - east and west - Job No. 17024, Drawing No. DPC 02;
 - c) four signage diagrams.

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. The signage facing Wilson Street shall be limited by way of illumination to between the hours of 6.00am and 9.00pm during the days that the child care centre is in operation.

Reason: To ensure the proposed signage does not undue disturbance, annoyance or inconvenience to the general public and adjoining landowners.
3. The entry and exit signs shall not be internally or externally illuminated at any time without the prior approval of Council.

Reason: To reduce unnecessary distraction to motorists and assist in preserving the amenity for residents of the adjoining dwellings.
4. The illumination of the signage shall be such that no hazard, nuisance or discomfort is caused to any person beyond the site, including passing motorists and adjoining residents to the satisfaction of Council.

Reason: To ensure the proposed signage does not undue disturbance, annoyance or inconvenience to the general public, adjoining landowners.

COUNCIL ASSESSMENT PANEL DECISION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to AUTHORISE THE ASSESSMENT MANAGER TO GRANT Development Plan Consent for Application No. 211/854/2019 by A Atighi to install two light boxes, two x 6m high banner signs, illuminated letterbox sign at 27 Wilson Street, Cowandilla, 240 Sir Donald Bradman Drive, Cowandilla, 242 Sir Donald Bradman Drive, Cowandilla (CT 5534/478; CT 5231/571; CT 5231/537) subject to amended plans showing the removal of the banner sign from the Wilson Street frontage and the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any conditions listed below:
 - a) site plan by Matthews Architects, Job No. 17024, Drawing No. DPC 01;
 - b) external elevations - east and west - Job No. 17024, Drawing No. DPC 02;
 - c) four signage diagrams.

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. The signage facing Wilson Street shall be limited by way of illumination to between the hours of 6.00am and 7.00pm during the days that the child care centre is in operation.

Reason: To ensure the proposed signage does not undue disturbance, annoyance or inconvenience to the general public and adjoining landowners.
3. The entry and exit signs shall not be internally or externally illuminated at any time without the prior approval of Council.

Reason: To reduce unnecessary distraction to motorists and assist in preserving the amenity for residents of the adjoining dwellings.
4. The illumination of the signage shall be such that no hazard, nuisance or discomfort is caused to any person beyond the site, including passing motorists and adjoining residents to the satisfaction of Council.

Reason: To ensure the proposed signage does not undue disturbance, annoyance or inconvenience to the general public, adjoining landowners.

6.2 17 Kinnaird Avenue, RICHMOND

Application No 211/670/2019

Appearing before the Panel was:

Representor: **Gordan Griff** of 19 Kinnaird Avenue, Richmond appeared in support of the representation.

Applicant: **Pasquale Papalia** of Five Star Homes appeared to respond 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 and Land Division Consent for Application No. 211/670/2019 by Five Star Homes to undertake a Combined Application - Land division - Torrens Title; SCAP No. 211/D088/19; Creating one additional allotment and the construction of one (1) two-storey detached dwelling and one (1) two-storey residential flat building containing two dwellings and a combined retaining wall and fence with a maximum height of 2.25 metres at 17 Kinnaird Avenue, Richmond (CT 5704/405) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. 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 a 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 ensure that adequate provision is made for the collection and dispersal of stormwater that maintains 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. That all landscaping shall be planted in accordance with the approved plans (Site Plan prepared by Five Star Homes dated 25 July 2019) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.

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

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

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

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

Land Division Consent Conditions

Council Requirements

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

Reason: To ensure the development is undertaken in an orderly manner.

State Commission Assessment Panel Requirements

9. The financial requirements of the SA Water Corporation 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.

10. Payment of \$7616.00 into the Planning and Development fund (1 Allotment @ \$7,616.00/lot). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.

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

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

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

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.3 8 Gray Street, PLYMPTON

Application No 211/518/2019

Appearing before the Panel was:

Representors: **Craig Thompson** of 24A Tudor Street, Dulwich appeared in support of the representation.

Applicant: **Phil Harnett** (URPS) appeared to respond 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. 211/518 /2019 by Mario Civitarese to undertake the construction of a residential flat building containing two 2-storey dwellings and front fence at 8 Gray Street, Plympton (CT 6093/819) subject to the following Reserved Matters and conditions of consent:

Reserved Matter

The following detailed information shall be submitted for further assessment and approval by the Council as reserved matter pursuant to Section 33(3) of the Development Act 1993:

- An amended Stormwater Management Plan that specifies the following matters:
 - The installation of a 3,000 litre rainwater tank (no detention element).
 - A rainwater tank plumbed to deliver recycled water to all toilets and the laundry cold water outlet (which may also be connected to the hot water service if desired).
 - A minimum of 90% of the dwelling roof area to have stormwater runoff directed to the rainwater tank.
 - Mains water backup, pump and plumbing arrangements as typically required to support such an installation are to be compliant with the standard Building Code requirements associated with a compulsory rainwater tank installation.
 - The stormwater collection and re-use system is to be installed and operational prior to occupancy of the dwelling.

Pursuant to Section 42(1) of the Development Act 1993, the Council reserves its decision on the form and substance of any further Development Plan consent conditions that it considers appropriate to impose in respect of the reserved matter set out above.

Development Plan Consent Conditions:

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

Reason: To ensure the proposal is established in accordance with 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. That all driveways, parking and manoeuvring areas shall 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.

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

4. That all planting and landscaping shall be completed within the first planting season after the completion of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.

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

5. That the upper level windows of the dwellings including the windows facing the driveway 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 maintain the level of privacy to residents of adjoining dwellings.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.4 15B Sherriff Street, UNDERDALE

Application No 211/1000/2019

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. 211/1000/2019 by Dechellis Homes to undertake the construction of a two-storey group dwelling at 15B Sherriff Street, Underdale (CT 6224/255) subject to the following conditions of consent:

Development Plan Consent Conditions:

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

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

2. 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. That all driveways, parking and manoeuvring areas shall 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.

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

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

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

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

Reason: To ensure that the development does not unreasonably diminish the privacy of residents of adjoining properties.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.5 336 Marion Road, NORTH PLYMPTON

Application No 211/893/2019

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. 211/893/2019 by Southern Cross Care (SA, NT & Vic) Inc to Change the use of a portion of the building from office to consulting rooms, including internal and external alterations at 336 Marion Road, North Plympton (CT 6057/260) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application (except where varied by any conditions listed below):
 - a) Plans drawn by Douglas Gardner Architect, Job No. 1812, Drawing No's: SK01, W05, W06, W19, W20, SK06G; and
 - b) Letter from MasterPlan dated 11 September 2019.

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

2. The hours of operation of the consulting room uses approved herein shall be limited to the following period:
8.00am to 5pm - Monday to Friday.

Reason: To ensure that the development does not unreasonably diminish the amenity of residents of adjoining properties.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.6 154-156 Railway Terrace, MILE END SOUTH

Application No 211/1163/2019

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. 211/1163/2019 by Coonara Pty Ltd for the installation of illuminated signage on building facade at 154-156 Railway Terrace, Mile End South (CT 5420/606 and CT 5420/607) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

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

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. The content of the signage approved herein shall relate to the legitimate use of the land at all times and shall not be used for third party advertising.

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

3. Lighting associated with the signs shall be of an intensity not to cause a light overspill nuisance to adjacent occupiers or distraction to drivers on adjacent public roads.

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

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.7 14 Rowells Road, LOCKLEYS

Application No 211/1158/2019

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Development Approval for Application No. 211/1158/2019 by Dominic Poignand for Removal of a Significant Tree - *Eucalyptus camaldulensis* (River red gum) at 14 Rowells Road, Lockleys (CT 6187/859) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 12 July 2018:

General Section, Significant Trees, Objective 1

Reason: The tree provides important aesthetic and environmental benefits.

General Section, Significant Trees, Objective 2

Reason: The tree is not preventing appropriate development on the site.

General Section, Significant Trees, PDC 1(a)(c)(e)(f)

Reason: The tree makes an important contribution to the character and amenity of the local area, provides an important habitat for native fauna, is important to the maintenance of biodiversity in the local environment and forms a notable visual element to the landscape of the local area.

General Section, Significant Trees, PDC 3(a)(b)(c)(d)(e)

Reason: The tree is not diseased, its life expectancy is not short, it does not represent an unacceptable risk to public or private safety, is not currently causing or threatening to cause substantial damage to a substantial building or structure of value and reasonable alternative remediation options are available.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

8.1 Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - January 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

The Assessment Manager advised Panel Members of the revised sitting fees for members.

10 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.36pm.