

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, 14 SEPTEMBER 2021**  
**at 5.00pm**

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

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## 1 MEETING OPENED

The Presiding Member declared the meeting open at 5.01pm.

### 1.1 Acknowledgement of Country

The Acknowledgement of Country was read by the Presiding Member.

### 1.2 Evacuation Procedure

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

## 2 PRESENT

### Panel Members:

Presiding Member:	Ms S Ditter
Council Member:	Ms G Nitschke
Independent Members:	Ms J Strange, Mr K Corolis, Mr M Arman

### Officers:

Mr Angelo Catinari	(General Manager Urban Services)
Ms Hannah Bateman	(Manager City Development and Assessment Manager)
Ms Rachel Knuckey	(Team Leader Planning)
Mr Brendan Fewster	(Development Assessment Consultant)
Ms Sonia Gallarello	(Senior Development Officer - Planning)
Mr Seb Anderson	(Development Technician)

## 3 APOLOGIES

Nil

## 4 CONFIRMATION OF MINUTES

### RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 10 August 2021 be confirmed as a true and correct record.

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

## 5 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Panel Member
Confidential CAP Item 8.1 - 25 Mortimer Street, KURRALTA PARK	Indirect	Mr Kon Corolis

## 6 REPORTS OF THE ASSESSMENT MANAGER

### 6.1 Transitional Applications

#### 6.1.1 3 Dudley Avenue, NORTH PLYMPTON

Application No 211/244/2021

Appearing before the Panel were:

Representors: **Aaron McKinnon** of 4 Dudley Avenue, North Plympton did not appear in support of the representation.

**Cathy Paspaliaris** of 6 Dudley Avenue, North Plympton did not appear in support of the representation at this point in the meeting.

**Angie Paspaliaris** of 6 Dudley Avenue, North Plympton appeared via online platform in support of the representation.

Applicant: **Joshua Skinner** of URPS appeared in response to the representations.

**5.16pm** **Cathy Paspaliaris** of 6 Dudley Avenue, North Plympton entered the meeting and appeared in support of the representation.

### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land, resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/244/2021 by Sage Developments for Combined Application: Land division - Community Title; SCAP No. 211/C019/21, Create five (5) additional allotments and common property; and construction of a two storey residential flat building comprising six (6) dwellings and associated landscaping (Affordable Housing Development) at 3 Dudley Avenue, NORTH PLYMPTON (CT5346/533) subject to the following conditions of consent:

#### Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the following plans and information detailed in this Application except where varied by any conditions listed below:
  - Plan of Division prepared by Weber Frankiw Surveyors (Ref: 6758-01div)
  - Paving / Landscaping Layout prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 1 of 10 dated 22/04/21)
  - Proposed Site Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 2 of 10 dated 22/04/21)
  - Proposed Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 3 of 10 dated 22/04/21)
  - Res 1-3 Lower Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 4 of 10 dated 22/04/21)
  - Res 4-6 Lower Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 5 of 10 dated 22/04/21)
  - Res 1-3 Upper Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 6 of 10 dated 22/04/21)
  - Res 4-6 Upper Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 7 of 10 dated 22/04/21)

- Proposed Elevations 1 prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 8 of 10 dated 22/04/21)
  - Proposed Elevations 2 prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 9 of 10 dated 22/04/21)
  - Typical Details prepared by MCA Design SA Pty Ltd (Drawing No. PD1D, Sheet 10 of 10 dated 22/04/21)
  - Proposed Landscape Documentation (Drawing No. LS.010.21.001, Sheet 1 of 2) prepared by LSC Landscapes dated 09/03/21
  - Proposed Landscape Documentation (Drawing No. LS.010.21.002, Sheet 2 of 2) prepared by LSC Landscapes dated 09/03/21
  - Siteworks Plan (Drawing No. C31368, Sheet 1 of 2, Issue A) prepared by HWC Engineers dated 28/04/21
  - Sewer Plan (Drawing No. C31368, Sheet 2 of 2, Issue A) prepared by HWC Engineers dated 28/04/21
  - Structural calculations prepared by RCI Engineers dated 26/02/21
  - Planning Report prepared by URPS dated 24/03/21
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 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 rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

6. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

7. 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.*

8. All landscaping shall be planted in accordance with the approved plans (Proposed Landscape Documentation, Drawings No. LS.010.21.001 and LS.010.21.002 prepared by LSC Landscapes dated 09/03/21) and incorporate an appropriate irrigation system within three (3) months of the occupancy of the development or the next available planting season. 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.*

9. That the upper storey windows of all dwellings (except for the south-facing windows of Dwellings 1 and north-facing windows of Dwelling 6) 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.*

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

*Reason: To ensure safe and convenient vehicle access*

11. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

*Reason: To minimise odour and to maintain the amenity of neighbouring properties*

12. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development and shall be maintained to the satisfaction of Council at all times. The following bins shall be provided:

- 3 x 140L General Waste Bins
- 3 x 240L Recycling Bins
- 1 x 240L Organic Bin

*Reason: To ensure adequate provision is made for waste management.*

## Land Division Consent Conditions Council Requirements

Nil

## SCAP Requirements

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

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

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

13. Payment of \$38,805.00 into the Planning and Development fund (5 Allotments @ \$7,761.00/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.
14. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

## NOTES

- The applicant is reminded that a retaining wall and fence with a combined height exceeding 2.1 metres will require a separate Development Application to be lodged with Council for approval.
- The applicant is reminded that a fee of \$1000.00 will be required for the removal of an existing *Sapium sebiferum* (Chinese Tallow) street tree.

## COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

### 6.1.2 5 Dudley Avenue, NORTH PLYMPTON

Application No 211/262/2021

Appearing before the Panel were:

Representors: **Aaron McKinnon** of 4 Dudley Avenue, North Plympton did not appear in support of the representation.

**Cathy Paspaliaris** of 6 Dudley Avenue, North Plympton appeared in support of the representation.

**Angie Paspaliaris** of 6 Dudley Avenue, North Plympton appeared via online platform in support of the representation.

Applicant: **Joshua Skinner** of URPS appeared in response to the representations.

### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Planning, Development and Infrastructure Act 2016* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/262/2021 by Sage Developments for Combined Application: Land division - Community Title; SCAP No. 211/C043/21, Create five (5) additional allotments and common property; and construction of a two storey residential flat building comprising six (6) dwellings and associated landscaping (Affordable Housing Development) at 5 Dudley Avenue, Plympton (CT5707/804) subject to the following conditions of consent:

### Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the following plans and information detailed in this Application except where varied by any conditions listed below:
  - Plan of Division prepared by Weber Frankiw Surveyors (Ref: 6758-02div)
  - Paving / Landscaping Layout prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 1 of 10 dated 22/04/21)
  - Proposed Site Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 2 of 10 dated 22/04/21)
  - Proposed Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 3 of 10 dated 22/04/21)
  - Res 1-3 Lower Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 4 of 10 dated 22/04/21)
  - Res 4-6 Lower Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 5 of 10 dated 22/04/21)
  - Res 1-3 Upper Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 6 of 10 dated 22/04/21)
  - Res 4-6 Upper Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 7 of 10 dated 22/04/21)
  - Proposed Elevations 1 prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 8 of 10 dated 22/04/21)
  - Proposed Elevations 2 prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 9 of 10 dated 22/04/21)
  - Typical Details prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 10 of 10 dated 22/04/21)



- Proposed Landscape Documentation (Drawing No. LS.012.21.001, Sheet 1 of 2) prepared by LSC Landscapes dated 09/03/21
  - Proposed Landscape Documentation (Drawing No. LS.012.21.002, Sheet 2 of 2) prepared by LSC Landscapes dated 09/03/21
  - Siteworks Plan (Drawing No. C31369, Sheet 1 of 2, Issue A) prepared by HWC Engineers dated 28/04/21
  - Sewer Plan (Drawing No. C31369, Sheet 2 of 2, Issue A) prepared by HWC Engineers dated 28/04/21
  - Structural calculations prepared by RCI Engineers dated 26/02/21
  - Planning Report prepared by URPS dated 24/03/21
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 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 rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

6. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

7. 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.*

8. All landscaping shall be planted in accordance with the approved plans (Proposed Landscape Documentation, Drawings No. LS.012.21.001 and LS.012.21.002 prepared by LSC Landscapes dated 09/03/21) and incorporate an appropriate irrigation system within three (3) months of the occupancy of the development or the next available planting season. 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.*

9. That the upper storey windows of all dwellings (except for the south-facing windows of Dwellings 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.*

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

*Reason: To ensure safe and convenient vehicle access*

11. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

*Reason: To minimise odour and to maintain the amenity of neighbouring properties.*

12. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development and shall be maintained to the satisfaction of Council at all times. The following bins shall be provided:

- 5 x 140L General Waste Bins
- 5 x 240L Recycling Bins
- 2 x 240L Organic Bin

*Reason: To ensure adequate provision is made for waste management.*

## **Land Division Consent Conditions Council Requirements**

Nil

## SCAP Requirements

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

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

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

14. Payment of \$38,805.00 into the Planning and Development fund (5 Allotments @ \$7,761.00/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.
15. 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.

## NOTES

- The applicant is reminded that a retaining wall and fence with a combined height exceeding 2.1 metres will require a separate Development Application to be lodged with Council for approval.

## 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 *Planning, Development and Infrastructure Act 2016* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/262/2021 by Sage Developments for Combined Application: Land division - Community Title; SCAP No. 211/C043/21, Create five (5) additional allotments and common property; and construction of a two storey residential flat building comprising six (6) dwellings and associated landscaping (Affordable Housing Development) at 5 Dudley Avenue, Plympton (CT5707/804) subject to the following reserved matter and conditions of consent:

### Reserved Matter

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 Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards - including the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites - Second Edition" and, where applicable, "EPA Guidelines for Environmental Management of On-Site Remediation" - to minimise environmental harm and disturbance during construction. The CEMP is to specifically address traffic movements, parking, deliveries and the like during construction.

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 reserved matters outlined above.

## Development Plan Consent Conditions

1. The development must 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:
  - Plan of Division prepared by Weber Frankiw Surveyors (Ref: 6758-02div)
  - Paving / Landscaping Layout prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 1 of 10 dated 22/04/21)
  - Proposed Site Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 2 of 10 dated 22/04/21)
  - Proposed Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 3 of 10 dated 22/04/21)
  - Res 1-3 Lower Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 4 of 10 dated 22/04/21)
  - Res 4-6 Lower Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 5 of 10 dated 22/04/21)
  - Res 1-3 Upper Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 6 of 10 dated 22/04/21)
  - Res 4-6 Upper Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 7 of 10 dated 22/04/21)
  - Proposed Elevations 1 prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 8 of 10 dated 22/04/21)
  - Proposed Elevations 2 prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 9 of 10 dated 22/04/21)
  - Typical Details prepared by MCA Design SA Pty Ltd (Drawing No. PD1B, Sheet 10 of 10 dated 22/04/21)
  - Proposed Landscape Documentation (Drawing No. LS.012.21.001, Sheet 1 of 2) prepared by LSC Landscapes dated 09/03/21
  - Proposed Landscape Documentation (Drawing No. LS.012.21.002, Sheet 2 of 2) prepared by LSC Landscapes dated 09/03/21
  - Siteworks Plan (Drawing No. C31369, Sheet 1 of 2, Issue A) prepared by HWC Engineers dated 28/04/21
  - Sewer Plan (Drawing No. C31369, Sheet 2 of 2, Issue A) prepared by HWC Engineers dated 28/04/21
  - Structural calculations prepared by RCI Engineers dated 26/02/21
  - Planning Report prepared by URPS dated 24/03/21
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 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 rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

6. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

7. 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.*

8. All landscaping shall be planted in accordance with the approved plans (Proposed Landscape Documentation, Drawings No. LS.012.21.001 and LS.012.21.002 prepared by LSC Landscapes dated 09/03/21) and incorporate an appropriate irrigation system within three (3) months of the occupancy of the development or the next available planting season. 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.*

9. That the upper storey windows of all dwellings (except for the south-facing windows of Dwellings 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.*

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

*Reason: To ensure safe and convenient vehicle access*

11. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

*Reason: To minimise odour and to maintain the amenity of neighbouring properties.*

12. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development and shall be maintained to the satisfaction of Council at all times. The following bins shall be provided:

- 5 x 140L General Waste Bins
- 5 x 240L Recycling Bins
- 2 x 240L Organic Bin

*Reason: To ensure adequate provision is made for waste management.*

### **Land Division Consent Conditions Council Requirements**

Nil

### **SCAP Requirements**

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

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

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

14. Payment of \$38,805.00 into the Planning and Development fund (5 Allotments @ \$7,761.00/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.
15. 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.

### **NOTES**

- The applicant is reminded that a retaining wall and fence with a combined height exceeding 2.1 metres will require a separate Development Application to be lodged with Council for approval.

### 6.1.3 20 Keith Avenue, NORTH PLYMPTON

Application No 211/301/2021

Appearing before the Panel were:

Representors: **Judith Fuller** of 15 Dudley Avenue, North Plympton appeared in support of the representation.

Applicant: **Matthew Falconer** of Urban Planning & Design appeared in response to the representation.

### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land, resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/301/2021 by RKMD Investments 1 Pty Ltd for Combined Application: Land Division - Community Title; SCAP 211/C051/21 - Create five additional allotments and common property; and construction of two (2) two-storey residential flat buildings comprising a total of six (6) dwellings and associated landscaping at 20 Keith Avenue, North Plympton (CT5728/569) subject to the following reserved matters 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. Amended landscaping details that include deep soil zones for tall shade trees of an appropriate drought tolerant species within the designated landscape areas to the satisfaction of Council.

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 reserved 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:
  - Plan of Division (Drawing No. 20-314, Rev 01) prepared by Cavallo Forest dated 04/03/21;
  - Existing/Demolition Plan (Drawing No. PL01, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Site Plan - Ground Level (Drawing No. PL02, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Site Plan - Upper Level (Drawing No. PL03, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Floor Plans - Lot 1 (Drawing No. PL04, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Floor Plans - Lot 2 & 3 (Drawing No. PL05, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Floor Plans - Lot 4 (Drawing No. PL06, Rev G) prepared by Mavtect Designs dated 01/07/21;

- Floor Plans - Lot 5 (Drawing No. PL07, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Floor Plans - Lot 6 (Drawing No. PL08, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Elevations (Drawing No. PL09, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Elevations (Drawing No. PL10, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Elevations (Drawing No. PL11, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Elevations (Drawing No. PL12, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Elevations (Drawing No. PL13, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Elevations (Drawing No. PL14, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Elevations - Overall & Fence (Drawing No. PL15, Rev G) prepared by Mavtect Designs dated 01/07/21;
  - Landscape - Ground Level (Drawing No. PL16, Rev G) prepared by Mavtect Designs dated 03/05/21;
  - Civil Plan Details (Drawing No. C1, Issue P3) prepared by MQZ Consulting Engineers dated 15/06/21; and
  - Civil Plan Details (Drawing No. C2, Issue P1) prepared by MQZ Consulting Engineers dated 15/06/21;
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 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 rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

6. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

7. 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*

8. The upper storey windows of all dwellings (except for the north-facing 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 direct 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*

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

*Reason: To ensure safe and convenient vehicle access*

10. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

*Reason: To minimise odour and to maintain the amenity of neighbouring properties*

11. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development. The following bins shall be provided at all times:

- 5 x 140L General Waste Bins
- 5 x 240L Recycling Bins
- 2 x 240L Organics Bins

*Reason: To ensure adequate provision is made for waste management.*

12. The owner shall inform in writing any potential purchaser or occupier of the land (or portion thereof) that a shared waste collection arrangement will service the land for the collection of waste.

*Reason: To ensure waste is appropriately managed on the land*

13. All redundant crossovers along the road frontage shall be closed and reinstated with kerb and gutter to the satisfaction of Council prior to occupation of the development.

*Reason: To ensure safe and convenient vehicle access and to maintain on-street parking*

## **Land Division Consent Conditions**

### ***State Commission Assessment Panel Requirements***

14. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0112867)

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

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

15. Payment of \$38,805.00 into the Planning and Development fund (5 Allotments @ \$7761.00/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.
16. 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.

## **NOTES**

In the event that the proposed access points conflict with an existing service pit, the applicant is reminded that any expenses incurred to relocate or make the pit trafficable are to be borne by the developer/applicant.

## **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

#### 6.1.4 218 Anzac Highway, PLYMPTON

Application No DA 211/318/2021

#### RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land resolves to GRANT Development Plan Consent, for Application No. 211/318 /2021 by Hutt Square Pty Ltd to undertake the Demolition of existing dwelling and construction of a three (3) storey residential flat building comprising seven (7) dwellings, a front masonry wall to a height of 1.6m, perimeter fencing to a height of 2.2m and associated landscaping at 218 Anzac Highway, Plympton (CT 5725/38) subject to the following conditions of consent:

#### Development Plan Consent Conditions:

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any condition listed below:
  - a) Architectural plans by NIC Design Studio including site plan, Site Plan, Ground Floor plan, Level 1 Plan, Level 2 Plan, Roof plan, elevations, and perspectives - Drawing No's N - 20043\_SD000-SD12 Revisions B-C.
  - b) Civil Plan, Project No. HWC-21018. Drawing No. C01, Revision C.
  - c) Traffic report by Phil Weaver & Associates dated 17 June 2021.

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

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

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

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

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

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

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

5. All landscaping shall be planted in accordance with the approved plans and incorporate an appropriate irrigation system prior to the occupation of the development or the next planting season. 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 mitigate against heat loading.*

6. No above structure(s) such as letterboxes service meters or similar are to be installed within the common driveway entrance and passing area.

*Reason: To keep manoeuvring areas safe and clear of obstructions.*

7. 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.*

8. The rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

9. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

10. The regulated street tree located on the verge shall be protected during the entire construction period of the development. The following requirements shall be complied with to the reasonable satisfaction of Council:

- Any work required to be undertaken within the Tree Protection Zone (radius 15m from the trunk of the tree) shall be conducted using non-destructive excavation methods (hand digging or Hydro Vac set at a pressure no greater than 700psi).
- A clearly legible sign displaying the words "Tree Protection Zone - Keep Out" shall be positioned on each side of the fence.
- Any paving within the Tree Protection Zone should be constructed of permeable paving as per the Civil Plan Project No. HWC-21018, Drawing C01, Revision C.
- No materials, soil or vehicles shall be stored within the Tree Protection Zone.
- No parking of vehicles shall occur within the Tree Protection Zone.

- At each service installation by SA Water, Gas contractors, Telstra NBN and the like, notification must be given to Council's Arboriculture staff (ph. 8416 6332) of the proposed installation date and method of the service.
  - All on-site inductions during construction address the requirements outlined in this conditions.
11. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development and shall be maintained to the satisfaction of Council at all times. The following shared bins shall be provided:
- 4 x 140L General Waste Bins (individual)
  - 4 x 240L Recycling Bins (individual)
  - 2 x 240L Organic Bin (shared)

*Reason: To ensure adequate provision is made for waste management.*

### **Condition imposed upon recommendation of Department of Infrastructure and Transport**

12. The 5.5m driveway width shall be flared to a 7.5m wide crossover at the kerb line.
13. The common driveway and internal manoeuvring areas shall be clear of all impediments.
14. The redundant crossover on Anzac Highway shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.
15. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

### **COUNCIL ASSESSMENT PANEL DECISION**

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land resolves to GRANT Development Plan Consent, for Application No. 211/318 /2021 by Hutt Square Pty Ltd to undertake the Demolition of existing dwelling and construction of a three (3) storey residential flat building comprising seven (7) dwellings, a front masonry wall to a height of 1.6m, perimeter fencing to a height of 2.2m and associated landscaping at 218 Anzac Highway, Plympton (CT 5725/38) subject to the following reserved matter and conditions of consent:

#### **Reserved Matter**

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 Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards - including the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites - Second Edition" and, where applicable, "EPA Guidelines for Environmental Management of On-Site Remediation" - to minimise environmental harm and disturbance during construction. The CEMP is to specifically address traffic movements, parking, deliveries and the like during construction.

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 reserved matters outlined above.

**Development Plan Consent Conditions:**

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any condition listed below:
  - a) Architectural plans by NIC Design Studio including site plan, Site Plan, Ground Floor plan, Level 1 Plan, Level 2 Plan, Roof plan, elevations, and perspectives - Drawing No's N - 20043\_SD000-SD12 Revisions B-C.
  - b) Civil Plan, Project No. HWC-21018. Drawing No. C01, Revision C.
  - c) Traffic report by Phil Weaver & Associates dated 17 June 2021.

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

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

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

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

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

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

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

5. All landscaping shall be planted in accordance with the approved plans and incorporate an appropriate irrigation system prior to the occupation of the development or the next planting season. 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 mitigate against heat loading.*

6. No above structure(s) such as letterboxes service meters or similar are to be installed within the common driveway entrance and passing area.

*Reason: To keep manoeuvring areas safe and clear of obstructions.*

7. 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.*

8. The rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

9. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

10. The regulated street tree located on the verge shall be protected during the entire construction period of the development. The following requirements shall be complied with to the reasonable satisfaction of Council:

- Any work required to be undertaken within the Tree Protection Zone (radius 15m from the trunk of the tree) shall be conducted using non-destructive excavation methods (hand digging or Hydro Vac set at a pressure no greater than 700psi).
- A clearly legible sign displaying the words "Tree Protection Zone - Keep Out" shall be positioned on each side of the fence.
- Any paving within the Tree Protection Zone should be constructed of permeable paving as per the Civil Plan Project No. HWC-21018, Drawing C01, Revision C.
- No materials, soil or vehicles shall be stored within the Tree Protection Zone.
- No parking of vehicles shall occur within the Tree Protection Zone.
- At each service installation by SA Water, Gas contractors, Telstra NBN and the like, notification must be given to Council's Arboriculture staff (ph. 8416 6332) of the proposed installation date and method of the service.
- All on-site inductions during construction address the requirements outlined in this conditions.

11. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development and shall be maintained to the satisfaction of Council at all times. The following shared bins shall be provided:

- 4 x 140L General Waste Bins (individual)
- 4 x 240L Recycling Bins (individual)
- 2 x 240L Organic Bin (shared)

*Reason: To ensure adequate provision is made for waste management.*

12. Bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

*Reason: To minimise odour and to maintain the amenity of neighbouring properties.*

### **Condition imposed upon recommendation of Department of Infrastructure and Transport**

13. The 5.5m driveway width shall be flared to a 7.5m wide crossover at the kerb line.
14. The common driveway and internal manoeuvring areas shall be clear of all impediments.
15. The redundant crossover on Anzac Highway shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.
16. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

### **6.1.5 8 Long Street, PLYMPTON**

Application No 211/275/2021

### **RECOMMENDATION**

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land, resolves to GRANT Development Plan Consent for Application No. 211/275/2021 by Startari Architects to undertake the construction of a three storey residential flat building comprising seven (7) dwellings with associated landscaping at 8 Long Street Plympton (CT5210/530) 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:
  - Response to RFI, prepared by James Lockington, pages 1-6, dated 10 May 2021
  - Site Plan, prepared by Startari, Number 081 A004, Revision 3, dated 10 May 2021
  - Detailed Site Plan, prepared by Startari, Number 081 A005, Revision 6, dated 10 May 2021
  - Detailed Landscaping Plan Ground, prepared by Startari, Number 081 A006, Revision 1, dated 10 May 2021
  - Detailed Landscaping Plan Second, prepared by Startari, Number 081 A007, Revision 1, dated 10 May 2021
  - Perspective Views, prepared by Startari, Number 081 A009, Revision 2, dated 10 May 2021
  - Ground Floor Plans, prepared by Startari, Number 081 A100, Revision 3, dated 10 May 2021
  - First Floor Plans, prepared by Startari, Number 081 A101, Revision 2, dated 10 May 2021



- Second Floor Plans, prepared by Startari, Number 081 A102, Revision 2, dated 10 May 2021
  - Domestic Storage Type A, prepared by Startari, Number 081 A110, Revision 1, dated 10 May 2021
  - Domestic Storage Type B, prepared by Startari, Number 081 A111, Revision 1, dated 10 May 2021
  - Domestic Storage Type C, prepared by Startari, Number 081 A112, Revision 1, dated 10 May 2021
  - Streetscape Elevation (North & West, prepared by Startari, Number 081 A200, Revision 2, dated 10 May 2021
  - External Elevations (Type A), prepared by Startari, Number 081 A201, Revision 2, dated 10 May 2021
  - External Elevations (Type B), prepared by Startari, Number 081 A202, Revision 3, dated 10 May 2021
  - External Elevations (Type C), prepared by Startari, Number 081 A203, Revision 3, dated 10 May 2021
  - Boundary Wall Elevation (Long Street), prepared by Startari, Number 081 A204, Revision 2, dated 10 May 2021
  - Shadow Diagrams, prepared by Startari, Number 081 A210, Revision 1, dated 10 May 2021
  - Storm Water Run Off / Tank Details, prepared by Startari, Number 081 A216, Revision 1, dated 10 May 2021
  - Privacy Protection Diagram, prepared by Startari, Number 081 A217, Revision 1, dated 10 May 2021
  - Turn Path Assessment - Ingress Movements, prepared by CIRQA, Project No. 21149, Sheet No 01\_SH01
  - Turn Path Assessment - Egress Movements, prepared by CIRQA, Project No. 21149, Sheet No 01\_SH02
  - Engineering Recommendations, prepared by CORE Engineering Pty. Ltd., Job No. 421 / 5677, dated 30 April 2021
  - Proposed Site Plan, prepared by CORE Engineering Pty. Ltd., Job No. 421 / 5677, dated April 2021
  - Figure 2, prepared by CORE Engineering Pty. Ltd., Job No. SD65, dated July 2007
  - Figure 3, prepared by CORE Engineering Pty. Ltd., Job No. SD-SS1, dated Nov 1999
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 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 rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

6. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

7. 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.*

8. All landscaping shall be planted in accordance with the approved plans (Detailed Landscaping Plan Ground and Detailed Landscaping Plan Second, Drawing No. 081 A006 & 081 A007 dated 10/05/21 prepared by Startari) and incorporate an appropriate irrigation system within three (3) months of the occupancy of the development or the next available planting season. 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.*

9. That the upper storey windows of all dwellings (except for the west-facing windows of Dwellings 1, staircase windows on first and second floor and internal sliding door on second floor) 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 direct 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.*

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

*Reason: To ensure safe and convenient vehicle access*

11. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

*Reason: To minimise odour and to maintain the amenity of neighbouring properties*

12. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development and shall be maintained to the satisfaction of Council at all times. The following bins shall be provided:

- 5 x 140L General Waste Bins
- 5 x 240L Recycling Bins
- 4 x 240L Organic Bin

*Reason: To ensure adequate provision is made for waste management*

## **COUNCIL ASSESSMENT PANEL DECISION**

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land, resolves to GRANT Development Plan Consent for Application No. 211/275/2021 by Startari Architects to undertake the construction of a three storey residential flat building comprising seven (7) dwellings with associated landscaping at 8 Long Street Plympton (CT5210/530) 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:
  - Response to RFI, prepared by James Lockington, pages 1 - 6, dated 10 May 2021
  - Site Plan, prepared by Startari, Number 081 A004, Revision 3, dated 10 May 2021
  - Detailed Site Plan, prepared by Startari, Number 081 A005, Revision 6, dated 10 May 2021
  - Detailed Landscaping Plan Ground, prepared by Startari, Number 081 A006, Revision 1, dated 10 May 2021
  - Detailed Landscaping Plan Second, prepared by Startari, Number 081 A007, Revision 1, dated 10 May 2021
  - Perspective Views, prepared by Startari, Number 081 A009, Revision 2, dated 10 May 2021
  - Ground Floor Plans, prepared by Startari, Number 081 A100, Revision 3, dated 10 May 2021
  - First Floor Plans, prepared by Startari, Number 081 A101, Revision 2, dated 10 May 2021
  - Second Floor Plans, prepared by Startari, Number 081 A102, Revision 2, dated 10 May 2021
  - Domestic Storage Type A, prepared by Startari, Number 081 A110, Revision 1, dated 10 May 2021
  - Domestic Storage Type B, prepared by Startari, Number 081 A111, Revision 1, dated 10 May 2021

- Domestic Storage Type C, prepared by Startari, Number 081 A112, Revision 1, dated 10 May 2021
  - Streetscape Elevation (North & West, prepared by Startari, Number 081 A200, Revision 2, dated 10 May 2021
  - External Elevations (Type A), prepared by Startari, Number 081 A201, Revision 2, dated 10 May 2021
  - External Elevations (Type B), prepared by Startari, Number 081 A202, Revision 3, dated 10 May 2021
  - External Elevations (Type C), prepared by Startari, Number 081 A203, Revision 3, dated 10 May 2021
  - Boundary Wall Elevation (Long Street), prepared by Startari, Number 081 A204, Revision 2, dated 10 May 2021
  - Shadow Diagrams, prepared by Startari, Number 081 A210, Revision 1, dated 10 May 2021
  - Storm Water Run Off / Tank Details, prepared by Startari, Number 081 A216, Revision 1, dated 10 May 2021
  - Privacy Protection Diagram, prepared by Startari, Number 081 A217, Revision 1, dated 10 May 2021
  - Turn Path Assessment - Ingress Movements, prepared by CIRQA, Project No. 21149, Sheet No 01\_SH01
  - Turn Path Assessment - Egress Movements, prepared by CIRQA, Project No. 21149, Sheet No 01\_SH02
  - Engineering Recommendations, prepared by CORE Engineering Pty. Ltd., Job No. 421 / 5677, dated 30 April 2021
  - Proposed Site Plan, prepared by CORE Engineering Pty. Ltd., Job No. 421 / 5677, dated April 2021
  - Figure 2, prepared by CORE Engineering Pty. Ltd., Job No. SD65, dated July 2007
  - Figure 3, prepared by CORE Engineering Pty. Ltd., Job No. SD-SS1, dated Nov 1999
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 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 rainwater tank for all dwellings shall be plumbed to deliver recycled water to all toilets and laundry cold water outlets and shall be connected prior to occupation of the dwellings.

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

6. A minimum of 90 percent of the roof area of each dwelling shall be plumbed to the rainwater tank for that dwelling and completed prior to the occupation of the dwellings.

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

7. 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.*

8. All landscaping shall be planted in accordance with the approved plans (Detailed Landscaping Plan Ground and Detailed Landscaping Plan Second, Drawing No. 081 A006 & 081 A007 dated 10/05/21 prepared by Startari) and incorporate an appropriate irrigation system within three (3) months of the occupancy of the development or the next available planting season. Plants shall be semi-mature at time of planting to ensure appropriate screening. 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 within three (3) months.

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

9. That the upper storey windows of all dwellings (except for the west-facing windows of Dwellings 1, staircase windows on first and second floor and internal sliding door on second floor) 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 direct 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.*

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

*Reason: To ensure safe and convenient vehicle access*

11. The bin storage enclosure shall be kept clean and tidy at all times with bins cleaned regularly to minimise odour.

*Reason: To minimise odour and to maintain the amenity of neighbouring properties*

12. Waste bins shall be provided in accordance with Council's 'shared bin' requirements prior to occupation of the development and shall be maintained to the satisfaction of Council at all times. The following bins shall be provided:

- 5 x 140L General Waste Bins
- 5 x 240L Recycling Bins
- 4 x 240L Organic Bin

*Reason: To ensure adequate provision is made for waste management.*

## 6.2 PDI Act Applications

Nil

## 7 REVIEW OF ASSESSMENT MANAGER DECISION

### 7.1 3 Henning Court, NOVAR GARDENS

Application No 21004664

Appearing before the Panel were:

Applicant: **Mrs Rosemary and Mr Graham Hosking** of 3 Henning Court, Novar Gardens appeared to answer questions of the Panel.

### DRAFT RESOLUTIONS

The Council Assessment Panel resolves to **affirm** the decision of the Assessment Manager that the application is not seriously at variance with the Planning and Design Code (disregarding minor variations), but that DA No 21004664 does not warrant planning consent for the following reasons:

DO 1 - General Neighbourhood Zone - Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

- The unique residential amenity provided by the locality will be compromised by the location of the carport forward of the dwelling and its precedential effect.

PO 11.1 - General Neighbourhood Zone - Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.

- The siting of the carport will detract from the well-preserved streetscape of Henning Court by intruding into the open space between the public and private realm that is integral to the character of the locality.

DO 1 (a) -Design in Urban Areas - Development that is contextual by considering, recognising and responding to its natural surroundings or built environment and positively contributing to the character of the locality

- The carport will detract from the character of the locality and is not *contextual or responsive to the built environment*.

**OR**

The Council Assessment Panel resolves to **vary** the decision of the Assessment Manager:

- that the application is not seriously at variance with the Planning and Design Code (disregarding minor variations), but that DA No 21004664 does not warrant planning consent for the following reasons:

*[reasons to be added by CAP]*

**OR**

The Council Assessment Panel resolves to **set aside** the decision of the Assessment Manager to refuse planning consent to DA No 21004664 and substitute the following decision:

- DA No 21004664 is not seriously at variance with the Planning and Design Code (disregarding minor variations) and that planning consent is granted to the application subject to the following conditions:

*[conditions to be added by CAP]*

### **COUNCIL ASSESSMENT PANEL DECISION**

The Council Assessment Panel resolves to **affirm** the decision of the Assessment Manager that the application is not seriously at variance with the Planning and Design Code (disregarding minor variations), but that DA No 21004664 does not warrant planning consent for the following reasons:

DO 1 - General Neighbourhood Zone - Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

- The unique residential amenity provided by the locality will be compromised by the location of the carport forward of the dwelling and its precedential effect.

PO 11.1 - General Neighbourhood Zone - Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.

- The siting of the carport will detract from the well-preserved streetscape of Henning Court by intruding into the open space between the public and private realm that is integral to the character of the locality.

DO 1 (a) - Design in Urban Areas - Development that is contextual by considering, recognising and responding to its natural surroundings or built environment and positively contributing to the character of the locality.

- The carport will detract from the character of the locality and is not *contextual or responsive to the built environment*.

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

### **8.1 25 Mortimer Street, KURRALTA PARK**

Application No. DA 211/1143/2020

#### **Reason for Confidentiality**

It is recommended that this Report be considered in CONFIDENCE in accordance with regulation 13(2)(a) (vii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

#### **RECOMMENDATION**

It is recommended to the Council Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. At the completion of the confidential session the meeting be re-opened to the public.

#### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

**6.40pm** the meeting moved into Confidence and the confidential session commenced.

**6.57pm** the Confidential session closed and the meeting reopened to the public.

**6.58pm** Mr Kon Corolis returned to the meeting.

**Note: The Confidential minutes are kept separate from this document.**



## **9 RELEVANT AUTHORITY ACTIVITIES REPORT**

### **9.1 Activities Summary - September 2021**

This report presents information in relation to:

1. Any development appeals before the Environment, Resources and Development (ERD) Court where the Council Assessment Panel (CAP) is the relevant authority;
2. Other appeal matters before the ERD Court of which SCAP are the relevant authority;
3. Any deferred items previously considered by the CAP
4. Summary of applications that have been determined under delegated authority where CAP is the relevant authority; and
5. Any matters being determined by the State Commission Assessment Panel (SCAP).

### **RECOMMENDATION**

The Council Assessment Panel receive and note the information.

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## **10 OTHER BUSINESS**

### **10.1 Delegations under the Planning, Development and Infrastructure Act 2016 - Proposed Revisions**

This report sought the Council Assessment Panel's decision on recent changes to the framework of delegation of powers and functions under the *Planning, Development and Infrastructure Act 2016*.

### **RECOMMENDATION**

It is recommended to the Council Assessment Panel that:

1. Hereby revokes its previous delegations to the Chief Executive Officer and Assessment Manager of those powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder effective 30 September 2021.
2. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (**Attachment 1**) are hereby delegated to the Chief Executive Officer of the City of West Torrens and Assessment Manager of the City of West Torrens Council Assessment Panel, with commencement of these delegations to occur on 1 October 2021, subject to the conditions and/or limitations, if any, specified herein or in the proposed Instrument of Delegation.
3. Such powers and functions may be further delegated by Chief Executive Officer of the City of West Torrens or Assessment Manager of the City of West Torrens Council Assessment Panel in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer of the City of West Torrens or Assessment Manager of the City of West Torrens Council Assessment Panel sees fit, unless otherwise indicated herein or in the proposed Instrument of Delegation.
4. The Chief Executive Officer be authorised to make amendments or formatting changes of a minor nature to the approved *Instrument of Delegation*, if required.

### **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## **10.2 Resignation of Deputy Independent Member**

The Assessment Manager regretted to advise the Council Assessment Panel that Jim Gronthos, Deputy Independent Member, has resigned from the Council Assessment Panel due ill health.

## **10.3 Policy Discussion**

Mr Corolis complimented staff on the effectiveness of conditions imposed on developments.

The Panel members discussed the extent of community awareness and understanding of recent changes to zoning and infill development policies. The Assessment Manager advised the Panel members of actions undertaken by Council to inform local community members of zoning and infill development policy changes following the implementation of the Housing Diversity Development Plan Amendment in 2015 and the Planning and Design Code in 2021.

The Panel members discussed the effectiveness of planning policies relating to amalgamation of sites in the Urban Corridor Zone to deliver good development outcomes.

The Panel members discussed the effectiveness of the affordable housing policies in the Development Plan, including the consideration of the concentration of affordable housing.

## **11 MEETING CLOSE**

The Presiding Member declared the meeting closed at 7.25pm.