

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, 8 JUNE 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: Mr G Nitschke
Independent Members: Ms J Strange, Mr K Corolis, Mr M Arman

Officers:

Mr Angelo Catinari (Chief Executive Officer - Acting)
Ms Hannah Bateman (Manager City Development and Assessment Manager)
Ms Rachel Knuckey (Team Leader Planning)
Mr Steven Burke (Development Officer Planning)
Mr Phil Smith (Senior Development Officer Planning)
Ms Sonia Gallarello (Senior Development Officer APPS - Acting)
Mr Brendan Fewster (Development Assessment Consultant)

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 11 May 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
CAP Item 6.1.5 - 136 Ashley Street Underdale	Direct	Ms Jane Strange

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 TRANSITIONAL APPLICATIONS

6.1.1 25 Mortimer Street, KURRALTA PARK

Application No 211/1143/2020

Appearing before the Panel was:

Representors: **Geok Leong Sia** of 1/27 Mortimer Street, Kurralta Park appeared via electronic platform (Zoom) in support of the representation.

5:15pm *Mr Corolis advised that he has a direct conflict of interest as he knows the applicant in a professional capacity. Mr Corolis left the meeting for the remainder of the discussion and vote on this item.*

Appearing before the Panel were:

Representors: **Jana & Lubos Janoska** of 6 Gordon Street, Kurralta Park appeared in support of the representation.

Jodie Todd of 4 Gordon Street, Kurralta Park appeared in support of the representation.

Applicant: **Phil Harnett** of URPS and **Ben Wilson** of Circa appeared on behalf of the applicant in response to the representations.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Demolition of existing dwelling and associated structures and construction of two (2) x residential flat buildings, the front building comprising two x three-storey dwellings and one x two-storey dwelling, all including a roof top alfresco area and associated car parking; the rear building comprising three x two-storey dwellings all including a roof top alfresco area and associated car parking; front fencing to a maximum height of 1.4 metres and perimeter retaining walls and fencing to a maximum combined height of 2.3 metres
APPLICANT	Mr A Carbone
LODGEMENT DATE	23 November 2020
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> • City Assets • Waste Management External <ul style="list-style-type: none"> • Nil
DEVELOPMENT PLAN VERSION	Consolidated 21 May 2020

DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a merit form of development and, in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency direct that the application is refused pursuant to section 37 of the Act. • The relevant application proposes residential development of three or more storeys above finished ground level. • The relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Refuse

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 REFUSE Development Plan Consent, for Application No. 211/1143/2020 by A Carbone to Demolish an Demolition of existing dwelling and associated structures and construction of two (2) x residential flat buildings, the front building comprising two x three-storey dwellings and one x two-storey dwelling, all including a roof top alfresco area and associated car parking; the rear building comprising three x two-storey dwellings all including a roof top alfresco area and associated car parking; front fencing to a maximum height of 1.4 metres and perimeter retaining walls and fencing to a maximum combined height of 2.3 metres at 25 Mortimer Street, Kurralta Park (CT 5286/893) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 21 May 2020:

- General Section Medium and High Rise Development (3 or more storeys) Principle of Development Control 14
Reason: The proposal provides insufficient separation between the two residential flat buildings
- General Section Residential Development Principle of Development Control 11
Reason: The proposal will result in the overshadowing of north-facing habitable rooms within proposed Residences 1, 2 and 3
- General Section Residential Development Principle of Development Control 12 and Design and Appearance Principle of Development Control 9
Reason: The proposal will result in the overshadowing of the proposed ground level private open space for proposed Residences 1, 2 and 3
- General Section Residential Development Principles of Development Control 28 and 29
Reason: The proposal has not sufficiently addressed the potential for the transfer of noise to have a detrimental impact on adjoining landowners and occupiers – particularly in relation to the proposed roof terraces
- General Section Transportation and Access Principle of Development Control 34

Reason: The proposal fails to provide sufficient car parking spaces for visitors.

- Residential Zone Principle of Development Control 10

Reason: The proposal fails to progressively increase setbacks from side and rear boundaries along with the height of the building

- Residential Zone Principle of Development Control 11

Reason: The proposal fails to meet the minimum side boundary setbacks

- Medium Density Policy Area 18 Principle of Development Control 5

Reason: The proposal fails to meet the minimum setback from the back boundary

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

5.48pm Mr Kon Corolis returned to the meeting.

6.1.2 13 Hughes Street, MILE END

Application No 211/787/2020

Appearing before the Panel were:

Representor/s: **Teresa Fogliano** of 6 Gladstone Road, Mile End appeared in support of the representation.

Applicant/s: **Belinda Falsone** did not appear in response to the representations.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Combined Land division - Torrens Title; SCAP No. 211/C086/20; Create two (2) additional allotments and common property; and construction of two (2) x two-storey detached dwellings.
APPLICANT	Belinda Falsone
LODGEMENT DATE	2 September 2020
ZONE	Residential
POLICY AREA	(Mile End Conservation Area Policy Area 30)
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> City Assets Heritage Advisor External <ul style="list-style-type: none"> Nil
DEVELOPMENT PLAN VERSION	Consolidated 21 May 2020
DELEGATION	<ul style="list-style-type: none"> The relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33.

	<ul style="list-style-type: none"> The relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Support with conditions
AUTHOR	Phil Smith

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. 211/787/2020 by Belinda Falsone to undertake the Combined Land division - Torrens Title; SCAP No. 211/C086/20; Create two (2) additional allotments and common property; and construction of two (2) x two-storey detached dwellings at 13 Hughes Street, Mile End (CT5327/210) subject to the following conditions of consent and reserved matters:

Reserved Matters

1. A comprehensive Landscape Plan to be provided for front and rear of the proposed new dwellings. Such planting shall include a mix of trees, shrubs and groundcovers that are complimentary to the desired character sought for this Policy Area and to assist in the softening of the built form and hard paved surfaces
2. A Construction Environmental Management Plan (CEMP) shall be prepared and submitted to Council administration for endorsement prior to Development Approval being granted. The plan shall provide for:
 - a) Establishment of a controlled washing zone located on a hard surface at each entry/exit point to the site.
 - b) Containment of water run-off within the site for filtering and cleaning before being discharged into the stormwater system.
 - c) Reduction of the potential for dust and other airborne particles by the use of water sprinklers or other means.
 - d) Establishment of a compound on the site for storage of waste materials and litter. The compound must be covered to prevent litter from being blown away; and
 - e) Correct positioning of all mechanical equipment to minimize the potential for noise pollution. The maximum noise level shall not exceed 45db(A) between the hours of 8.00pm until 8.00am the following morning and from 8.00pm Saturday until 9.00am on the following Sunday morning.
 - f) Management of vehicles within Fisher Place with respect to parking, loading and unloading of materials, contractors, sub-contractors and the like.
3. Details of fencing (front, side and rear), including dimensioned elevations, are to be provided that demonstrate a consistent appearance and materiality with the local character of the area.

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:

- The land division plan prepared by Alexander Symonds Surveying Consultants, Drawing Number 20A1427PROP(B), dated 26 August 2020;
- The plans prepared by Belinda Falsone Design Studio - Plans DA01, Issue B, DA02, Issue B, DA03, Issue C, DA04, Issue C, DA05, Issue C;
- The Drainage Plan prepared by TMK Consulting Engineers, Drawing Number CRD/PA, dated September 2020.

Reason: To ensure that the development is carried out in accordance with the approved plans.

2. That the finished floor levels shall be 19.53 in reference to the plan provided by TMK Consulting Engineers (Job Number 2009175 dated September 2020).

Reason: To ensure that the dwellings are reasonably protected against future flood events.

3. 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 the development manages stormwater in an appropriate manner.

4. With respect to stormwater and kerbing matters, the stormwater connection discharging to a laneway is to be constructed of shape and material to satisfy Council's standard requirements. Apart from where the driveway connects to the Fisher Place road pavement, upright kerb is to be constructed at the interface between the landscaping and road pavement at property boundary. Please contact Council's City Assets department for information regarding Council's requirements.

Reason: To ensure that the development manages stormwater in an appropriate manner.

5. A 3000L rainwater tank (applicable to all three dwellings) is to be installed for each dwelling.

Reason: To ensure that the development manages stormwater in an appropriate manner.

6. Any retaining walls shall be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm. All combined fence and retaining wall heights shall be no greater than 2.1m in height above natural ground level.

Reason: To ensure that the development is carried out in accordance with the approved plans.

7. 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 that the development is carried out in accordance with the approved plans.

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

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

9. That the upper level windows of the dwelling (including the front elevation, upper level windows) shall be provided with fixed obscure glass or fixed louvre screening as shown on the approved plans, 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/louvres in these windows shall be maintained in reasonable condition at all times.

Reason: To ensure that the development does not unreasonably affect the amenity of the adjoining landowners.

Land Division Consent Conditions

Council Requirements: Nil

SCAP Requirements

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

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

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

2. Payment of \$15,522 into the Planning and Development Fund (2 allotment(s) @ \$7,761/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel (SCAP) for Land Division Certificate purposes.

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 and Land Division Consent for Application No. 211/787/2020 by Belinda Falsone to undertake the Combined Land division - Community Title; SCAP No. 211/C086/20; Create two (2) additional allotments and common property; and construction of two (2) x two-storey detached dwellings at 13 Hughes Street, Mile End (CT5327/210) subject to the following conditions of consent and reserved matters:

Reserved Matters

1. A comprehensive Landscape Plan to be provided for front and rear of the proposed new dwellings. Such planting shall include a mix of trees, shrubs and groundcovers that are complimentary to the desired character sought for this Policy Area and to assist in the softening of the built form and hard paved surfaces
2. A Construction Environmental Management Plan (CEMP) shall be prepared and submitted to Council administration for endorsement prior to Development Approval being granted. The plan shall provide for:
 - a) Establishment of a controlled washing zone located on a hard surface at each entry/exit point to the site.
 - b) Containment of water run-off within the site for filtering and cleaning before being discharged into the stormwater system.
 - c) Reduction of the potential for dust and other airborne particles by the use of water sprinklers or other means.
 - d) Establishment of a compound on the site for storage of waste materials and litter. The compound must be covered to prevent litter from being blown away; and
 - e) Correct positioning of all mechanical equipment to minimize the potential for noise pollution. The maximum noise level shall not exceed 45db(A) between the hours of 8.00pm until 8.00am the following morning and from 8.00pm Saturday until 9.00am on the following Sunday morning.
 - f) Management of vehicles within Fisher Place with respect to parking, loading and unloading of materials, contractors, sub-contractors and the like.
3. Details of fencing (front, side and rear), including dimensioned elevations, are to be provided that demonstrate a consistent appearance and materiality with the local character of the area.

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:
 - The land division plan prepared by Alexander Symonds Surveying Consultants, Drawing Number 20A1427PROP(B), dated 26 August 2020;
 - The plans prepared by Belinda Falsone Design Studio - Plans DA01, Issue B, DA02, Issue B, DA03, Issue C, DA04, Issue C, DA05, Issue C;
 - The Drainage Plan prepared by TMK Consulting Engineers, Drawing Number CRD/PA, dated September 2020.

Reason: To ensure that the development is carried out in accordance with the approved plans.

2. That the finished floor levels shall be 19.53 in reference to the plan provided by TMK Consulting Engineers (Job Number 2009175 dated September 2020).

Reason: To ensure that the dwellings are reasonably protected against future flood events.

3. 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 the development manages stormwater in an appropriate manner.

4. With respect to stormwater and kerbing matters, the stormwater connection discharging to a laneway is to be constructed of shape and material to satisfy Council's standard requirements. Apart from where the driveway connects to the Fisher Place road pavement, upright kerb is to be constructed at the interface between the landscaping and road pavement at property boundary. Please contact Council's City Assets department for information regarding Council's requirements.

Reason: To ensure that the development manages stormwater in an appropriate manner.

5. A 3000L rainwater tank (applicable to all three dwellings) is to be installed for each dwelling.

Reason: To ensure that the development manages stormwater in an appropriate manner.

6. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy of that dwelling.

Reason: To ensure that the development manages stormwater in an appropriate manner.

7. Any retaining walls shall be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm. All combined fence and retaining wall heights shall be no greater than 2.1m in height above natural ground level.

Reason: To ensure that the development is carried out in accordance with the approved plans.

8. 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 that the development is carried out in accordance with the approved plans.

9. That all landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development or the first available planting season. All trees, at the time of planting, will be semi-mature. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.

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

10. That the upper level windows of the dwelling (including the front elevation, upper level windows) shall be provided with fixed obscure glass or fixed louvre screening as shown on the approved plans, 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/louvres in these windows shall be maintained in reasonable condition at all times.

Reason: To ensure that the development does not unreasonably affect the amenity of the adjoining landowners.

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

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

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

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

2. Payment of \$15,522 into the Planning and Development Fund (2 allotment(s) @ \$7,761/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel (SCAP) for Land Division Certificate purposes.

6.1.3 6-10 Railway Terrace, MILE END (DA211/33/2021)

Application No 211/33/2021

Appearing before the Panel were:

Representors: **Dr Kristen Lochert** of 12 Railway Terrace, Mile End did not appear in support of the representation.

J&G Chalacas of 4 Hughes Street, Mile End withdrew their representation prior to the meeting and did not appear in support of the representation.

Applicant: **Rob Gagetti** from Ekistics on behalf of the applicant appeared to answer questions of the Panel.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Combined application- Land division - Torrens Title; SCAP No. 211/D004/21; Creating four additional allotments; the demolition of a Contributory item and other structures, the construction of four, 2 storey dwellings and a front fence.
APPLICANT	DLH Projects
APPLICATION NUMBER	211/0033/21 (SCAP ref - 211/C001/21)
LODGEMENT DATE	7 January 2021
ZONE	Residential Zone and Urban Corridor Zone
POLICY AREA	Policy Area 30 – Mile End Conservation and Policy Area 35 – High Street
APPLICATION TYPE	Merit

PUBLIC NOTIFICATION	Category 2
REFERRALS	<p>Internal:</p> <ul style="list-style-type: none"> • City Assets • Arboriculture Advisor • Heritage Advisor <p>External:</p> <ul style="list-style-type: none"> • State Commission Assessment Panel (SCAP) • South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 21 May 2020
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33. • The relevant application is for a merit, Category 2 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Support with conditions

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. 211/0033/2021 by DLH Projects to Combined application - Land division - Torrens Title; SCAP No. 211/D004/21; Creating four additional allotments; and the construction of four, 2 storey dwellings at 6-10 Railway Terrace, Mile End 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 drawing package by Studio Nine Architects, Dated 19/03/21
 - b) Plan of Division by Alexander Symonds, Drawing Number 20A0518PROP(a), dated 05.01.2021
 - c) Civil plan by P&G Structures Pty Ltd, Drawing No. C-C6, Revision P1, Dated 02/2021
 - d) Heritage Statement by Stevens Architects Pty Ltd, Dated. 16 February 2021
 - e) Waste management plan by Colby Phillips Advisory, Dated 16 February 2021
 - f) Landscaping plan by Landscape techniques, Drawing No. 00857, dated. 09/02/21
 - g) Traffic report by CIRQA, Dated 15/02/21

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

2. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy of that dwelling.

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

3. The rainwater tanks for each dwelling shall be plumbed to deliver recycled water to all toilets and laundry cold water outlet. (Can also be connected to Hot Water Service if desired).

Reason: To ensure that captured water is used effectively.

4. The upper storey windows on rear and side elevations of all dwellings shall be fitted with fixed obscure glass, raised sills or louvered screens 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

5. Prior to the occupation or use of the development, the 'privacy screening / screening' depicted on the plans shall be installed and thereafter maintained in good condition at all times to the reasonable satisfaction of Council.

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

6. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or use of the development or the next available planting season, and shall be maintained in good health at all times to the reasonable satisfaction of Council. Any plants that become diseased or die shall be replaced with a suitable species.

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

7. A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

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

8. 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.

9. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

10. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0108576).

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.

11. Payment of \$38,805.00 into the Planning and Development Fund (5 allotment/s @ \$7,761.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Infrastructure and Transport marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.
12. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The 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. 211/0033/2021 by DLH Projects to Combined application - Land division - Torrens Title; SCAP No. 211/D004/21; Creating four additional allotments; and the construction of four, 2 storey dwellings at 6-10 Railway Terrace, Mile End subject to the following conditions of consent and reserved matter:

Reserved Matter:

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.

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 drawing package by Studio Nine Architects, Dated 19/03/21
 - b) Plan of Division by Alexander Symonds, Drawing Number 20A0518PROP(a), dated 05.01.2021
 - c) Civil plan by P&G Structures Pty Ltd, Drawing No. C-C6, Revision P1, Dated 02/2021

- d) Heritage Statement by Stevens Architects Pty Ltd, Dated. 16 February 2021
- e) Waste management plan by Colby Phillips Advisory, Dated 16 February 2021
- f) Landscaping plan by Landscape techniques, Drawing No. 00857, dated. 09/02/21
- g) Traffic report by CIRQA, Dated 15/02/21

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

2. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy of that dwelling.

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

3. The rainwater tanks for each dwelling shall be plumbed to deliver recycled water to all toilets and laundry cold water outlet. (Can also be connected to Hot Water Service if desired).

Reason: To ensure that captured water is used effectively.

4. 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

5. The upper storey windows on rear and side elevations of all dwellings shall be fitted with fixed obscure glass, raised sills or louvered screens 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

6. Prior to the occupation or use of the development, the '*privacy screening / screening*' depicted on the plans shall be installed and thereafter maintained in good condition at all times to the reasonable satisfaction of Council.

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

7. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or use of the development or the next available planting season, and shall be maintained in good health at all times to the reasonable satisfaction of Council. All trees, at the time of planting, will be semi-mature. Any plants that become diseased or die shall be replaced with a suitable species.

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

8. A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

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

9. 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.

10. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

11. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0108576).

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.

12. Payment of \$38,805.00 into the Planning and Development Fund (5 allotment/s @ \$7,761.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Infrastructure and Transport marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.
13. 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.

6.1.4 6-10 Railway Terrace, MILE END (DA211/29/2021)

Application No 211/29/2021

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Combined application - Land division - Community Title; SCAP No. 211/C001/21; Creating five additional allotments; Change of land use from Consulting rooms to residential; and the construction of 2, two storey dwellings and 4, three storey dwellings and associated fencing.
APPLICANT	DLH Projects
APPLICATION NUMBER	211/0029/21 (SCAP Ref - 211/C001/21)
LODGEMENT DATE	7 January 2021
ZONE	Residential Zone and Urban Corridor Zone
POLICY AREA	Policy Area 30 – Mile End Conservation and Policy Area 35 – High Street
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal: <ul style="list-style-type: none"> • City Assets • Arboriculture Advisor • Heritage Advisor External: <ul style="list-style-type: none"> • State Commission Assessment Panel (SCAP) • South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 21 May 2021
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes one or more new dwellings and/or land division creating one or more new allotments in Residential Zone Conservation Policy Areas 29-33.
RECOMMENDATION	Support with conditions

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. 211/0029/2021 by DLH Projects to undertake Combined application - Land division - Community Title; SCAP No. 211/C001/21; Creating five additional allotments; Change of land use from Consulting rooms to residential; and the construction of 2, two storey dwellings and 4, three storey dwellings and associated fencing at 6-10 Railway Terrace, Mile End subject to the following conditions of consent:

Development Plan Consent Conditions:

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:

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 drawing package by Studio Nine Architects, Dated 19/03/21
- b) Plan of Division by Alexander Symonds, Drawing Number 20A0518PROP(a), dated 05.01.2021
- c) Civil plan by P&G Structures Pty Ltd, Drawing No. C-C6, Revision P1, Dated 02/2021
- d) Heritage Statement by Stevens Architects Pty Ltd, Dated. 16 February 2021
- e) Waste management plan by Colby Phillips Advisory, Dated 16 February 2021
- f) Landscaping plan by Landscape techniques, Drawing No. 00857, dated. 09/02/21
- g) Traffic report by CIRQA, Dated 15/02/21

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

2. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy of that dwelling.

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

3. The rainwater tanks for each dwelling shall be plumbed to deliver recycled water to all toilets and laundry cold water outlet (can also be connected to Hot Water Service if desired).

Reason: To ensure that captured water is used effectively.

4. The upper storey windows on rear and side elevations of all dwellings shall be fitted with fixed obscure glass, raised sills or louvered screens 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

5. Prior to the occupation or use of the development, the 'privacy screening / screening' depicted on the plans shall be installed and thereafter maintained in good condition at all times to the reasonable satisfaction of Council.

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

6. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or use of the development or the next available planting season, and shall be maintained in good health at all times to the reasonable satisfaction of Council. Any plants that become diseased or die shall be replaced with a suitable species.

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

7. A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

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

8. 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.

9. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

10. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0108576)

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.

11. Payment of \$38,805.00 into the Planning and Development Fund (5 allotment/s @ \$7,761.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Infrastructure and Transport marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.
12. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The 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. 211/0029/2021 by DLH Projects to undertake Combined application - Land division - Community Title; SCAP No. 211/C001/21; Creating five additional allotments; Change of land use from Consulting rooms to residential; and the construction of 2, two storey dwellings and 4, three storey dwellings and associated fencing at 6-10 Railway Terrace, Mile End subject to the following conditions of consent and reserved matter:

Reserved Matter:

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.

Development Plan Consent Conditions:

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:

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 drawing package by Studio Nine Architects, Dated 19/03/21
 - b) Plan of Division by Alexander Symonds, Drawing Number 20A0518PROP(a), dated 05.01.2021
 - c) Civil plan by P&G Structures Pty Ltd, Drawing No. C-C6, Revision P1, Dated 02/2021
 - d) Heritage Statement by Stevens Architects Pty Ltd, Dated. 16 February 2021
 - e) Waste management plan by Colby Phillips Advisory, Dated 16 February 2021
 - f) Landscaping plan by Landscape techniques, Drawing No. 00857, dated. 09/02/21
 - g) Traffic report by CIRQA, Dated 15/02/21

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

2. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy of that dwelling.

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

3. The rainwater tanks for each dwelling shall be plumbed to deliver recycled water to all toilets and laundry cold water outlet (can also be connected to Hot Water Service if desired).

Reason: To ensure that captured water is used effectively.

4. 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.

5. The upper storey windows on rear and side elevations of all dwellings shall be fitted with fixed obscure glass, raised sills or louvered screens 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

6. Prior to the occupation or use of the development, the '*privacy screening / screening*' depicted on the plans shall be installed and thereafter maintained in good condition at all times to the reasonable satisfaction of Council.

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

7. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or use of the development or the next available planting season, and shall be maintained in good health at all times to the reasonable satisfaction of Council. All trees, at the time of planting, will be semi-mature. Any plants that become diseased or die shall be replaced with a suitable species.

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

8. A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

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

9. 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.

10. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

11. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0108576)

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.

12. Payment of \$38,805.00 into the Planning and Development Fund (5 allotment/s @ \$7,761.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Infrastructure and Transport marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.
13. 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.

6.1.5 136 Ashley Street, UNDERDALE

Application No 211/1109/2020 & 211/1056/2020

6:24pm Ms Jane Strange declared a direct conflict of interest in this item as she knows and works with the applicant. Ms Strange left the meeting for the discussion and vote on the item.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land Division - Torrens Title; SCAP No. 211/D132/20; Create five (5) additional allotments with reciprocal party wall rights for purposes of row dwellings	Construction of six (6) two-storey row dwellings and associated landscaping
APPLICANT	1 Six One 8 Pty Ltd	E Walker C/- ESD Planning & Design
APPLICATION NO	211/1109/2020	211/1056/2020
LODGEMENT DATE	10 November 2020	2 November 2020
ZONE	Urban Renewal Zone	
POLICY AREA	Nil	
APPLICATION TYPE	Merit	
PUBLIC NOTIFICATION	Category 1	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> • Nil External <ul style="list-style-type: none"> • SCAP • SA Water 	Internal <ul style="list-style-type: none"> • City Assets External <ul style="list-style-type: none"> • Nil
DEVELOPMENT PLAN VERSION	21 May 2020	
DELEGATION	The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more.	
RECOMMENDATION	Support with conditions	Support with conditions
AUTHOR	Brendan Fewster	

RECOMMENDATION 1

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, Land Division Consent and Development Approval for Application No. 211/1109/2020 by 1 Six One 8 Pty Ltd to undertake Land Division - Torrens Title; SCAP No. 211/D132/20; Create five (5) additional allotments with reciprocal party wall rights for purposes of row dwellings at 136 Ashley Street, Underdale (CT5639/243) 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:

- Plan of Division (Amended Plan - Rev 1) prepared by Bartlett Drafting & Development dated 29/04/2021.

Land Division Consent Conditions

SCAP Requirements

2. 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
3. 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 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.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land, resolves to Authorise the Assessment Manager to granted Development Plan Consent for Application No. 211/1056/2020 by E Walker C/- ESD Planning & Design to undertake the construction of six (6) two-storey row dwellings and associated landscaping at 136 Ashley Street, Underdale (CT5639/243) subject to the following conditions of consent and the requirement that the road widening occur through appropriate statutory processes and/or agreements to the satisfaction of the Assessment Manager:

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:
 - 3D View (Sheet No. PA 01 of 07) prepared by Spectra dated 06/05/2021;
 - 3D View (Sheet No. PA 02 of 07) prepared by Spectra dated 06/05/2021;
 - Site Plan (Sheet No. PA 03 of 07) prepared by Spectra dated 06/05/2021;
 - Demolition Plan (Sheet No. PA 04 of 07) prepared by Spectra dated 06/05/2021;
 - Floor Plans (Sheet No. PA 05 of 07) prepared by Spectra dated 06/05/2021;
 - Shadow Diagrams (Sheet No. PA 06 of 07) prepared by Spectra dated 06/05/2021;
 - Elevation Plans (Sheet No. PA 07 of 07) prepared by Spectra dated 06/05/2021;
 - Civil & Drainage Plan (Drawing No. C2 Issue C) prepared by KP Squared Engineering dated 05/05/2021;
 - Level Plan (Drawing No. C1 Issue A) prepared by KP Squared Engineering dated 23/10/2020;

- Stormwater Design Calculations prepared by KP Squared Engineering dated 21/10/2020; and
- Planning Report prepared by ESD Planning & Design

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

2. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
- a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.

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

3. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
- 100 x 50 x 2mm RHS Galvanised Steel; or
 - 125 x 75 x 2mm RHS Galvanised Steel; or
 - Multiples of the above.

Reason: To maintain existing Council infrastructure

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

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

5. All landscaping shall be planted in accordance with the approved plans (Site Plan prepared by Spectra dated 06/05/2021) 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

6. The rear (east-facing) 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 maintain the privacy of neighbouring residents

COUNCIL ASSESSMENT PANEL DECISION 1

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, Land Division Consent and Development Approval for Application No. 211/1109/2020 by 1 Six One 8 Pty

Ltd to undertake Land Division - Torrens Title; SCAP No. 211/D132/20; Create five (5) additional allotments with reciprocal party wall rights for purposes of row dwellings at 136 Ashley Street, Underdale (CT5639/243) 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:
 - Plan of Division (Amended Plan - Rev 1) prepared by Bartlett Drafting & Development dated 29/04/2021.

Land Division Consent Conditions

SCAP Requirements

2. 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
3. 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 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.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land, resolves to Authorise the Assessment Manager to granted Development Plan Consent for Application No. 211/1056/2020 by E Walker C/- ESD Planning & Design to undertake the construction of six (6) two-storey row dwellings and associated landscaping at 136 Ashley Street, Underdale (CT5639/243) subject to the following conditions of consent and the requirement that the road widening occur through appropriate statutory processes and/or agreements to the satisfaction of the Assessment Manager:

COUNCIL ASSESSMENT PANEL DECISION 2

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:
 - 3D View (Sheet No. PA 01 of 07) prepared by Spectra dated 06/05/2021;
 - 3D View (Sheet No. PA 02 of 07) prepared by Spectra dated 06/05/2021;
 - Site Plan (Sheet No. PA 03 of 07) prepared by Spectra dated 06/05/2021;
 - Demolition Plan (Sheet No. PA 04 of 07) prepared by Spectra dated 06/05/2021;
 - Floor Plans (Sheet No. PA 05 of 07) prepared by Spectra dated 06/05/2021;
 - Shadow Diagrams (Sheet No. PA 06 of 07) prepared by Spectra dated 06/05/2021;

- Elevation Plans (Sheet No. PA 07 of 07) prepared by Spectra dated 06/05/2021;
- Civil & Drainage Plan (Drawing No. C2 Issue C) prepared by KP Squared Engineering dated 05/05/2021;
- Level Plan (Drawing No. C1 Issue A) prepared by KP Squared Engineering dated 23/10/2020;
- Stormwater Design Calculations prepared by KP Squared Engineering dated 21/10/2020; and
- Planning Report prepared by ESD Planning & Design

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

2. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.

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

3. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
 - 100 x 50 x 2mm RHS Galvanised Steel; or
 - 125 x 75 x 2mm RHS Galvanised Steel; or
 - Multiples of the above.

Reason: To maintain existing Council infrastructure

4. All stormwater management measures for each dwelling, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy of that dwelling.

Reason: To ensure that the development manages stormwater in an appropriate manner.

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

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

6. All landscaping shall be planted in accordance with the approved plans (Site Plan prepared by Spectra dated 06/05/2021) 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

7. The rear (east-facing) 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 maintain the privacy of neighbouring residents

6:27pm Ms Jane Strange returned to the meeting.

6.1.6 26 East Street, TORRENSVILLE

Application No 211/1026/2020

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Removal of a significant tree - Eucalyptus Camaldulensis (River Red Gum)
APPLICANT	State Surveys
LODGEMENT DATE	26 October 2020
ZONE	Residential Zone
POLICY AREA	Torrensville Character Policy Area 28
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> Arboriculture Advisor (Calypso) External <ul style="list-style-type: none"> Nil
DEVELOPMENT PLAN VERSION	Consolidated 21 May 2020
DELEGATION	<ul style="list-style-type: none"> The relevant application proposes a merit form of development and, in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Development Act 1993 or where a referral agency direct that the application is refused pursuant to section 37 of the Development Act 1993.
RECOMMENDATION	Refuse
AUTHOR	Steven Burke

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 REFUSE Development Plan Consent and Development Approval for Application No. 211/1026/2020 by State Surveys to undertake the removal of a significant tree - Eucalyptus Camaldulensis (River Red Gum) at 26 East Street, Torrensville (CT 5655/278) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 21 May 2020:

- General Section, Significant Trees Objective 1

Reason: The tree provides important aesthetic and environmental benefits.

- 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 2
Reason: The development will have adverse effect on the health of a significant tree.
- 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, it is not currently causing or threatening to cause substantial damage to a substantial building or structure of value, it is not preventing appropriate development on the site and reasonable alternative remediation options have not been considered.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.2 PDI ACT APPLICATIONS

Nil

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

8.1 11 Clifford Avenue, KURRALTA PARK

Application No. 211/1235/2020

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.

6.31pm the meeting moved into Confidence and the confidential session commenced.

6.39pm the Confidential session closed and the meeting reopened to the public.

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

9 RELEVANT AUTHORITY ACTIVITIES REPORT

9.1 Activities Summary - June 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 seeks 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. 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** of the Agenda report) are hereby delegated this eighth day of June 2021 to Chief Executive Officer of City of West Torrens and Assessment Manager of City of West Torrens Council Assessment Panel subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
2. Such powers and functions may be further delegated by Chief Executive Officer of City of West Torrens and Assessment Manager of 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 City of West Torrens and Assessment Manager of City of West Torrens Council Assessment Panel sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

10.2 Council Assessment Panel Apology - Mr Michael Arman

Mr Michael Arman advised that he will be an apology for the Council Assessment Panel meeting on Tuesday 13 July 2021.

11 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.47pm.