

CITY OF WEST TORRENS



# **MINUTES**

## **of the**

# **COUNCIL ASSESSMENT PANEL**

held in the George Robertson Room, Civic Centre  
165 Sir Donald Bradman Drive, Hilton  
Public access provided via livestream only

on

**TUESDAY, 14 DECEMBER 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 M Arman, Mr K Corolis

Mr Corolis appeared via electronic platform.

### **Officers:**

Mr Angelo Catinari	(Deputy Chief Executive Officer)
Ms Hannah Bateman	(Manager City Development and Assessment Manager)
Ms Rachel Knuckey	(Team Leader Planning)
Mr Brendan Fewster	(Development Assessment Consultant)
Ms Amelia DeRuvo	(Development Officer - Planning)

## **3 APOLOGIES**

Nil

## **4 CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the meeting of the Council Assessment Panel held on 9 November 2021 be confirmed as a true and correct record.

### **COUNCIL ASSESSMENT PANEL DECISION**

Moved: Ms Jane Strange  
Seconded: Mr Michael Arman

That the recommendation be adopted.

**CARRIED**

## **5 DISCLOSURE STATEMENTS**

Nil

## 6 REPORTS OF THE ASSESSMENT MANAGER

### 6.1 Transitional Applications

Nil

### 6.2 PDI Act Applications

#### 6.2.1 14 Rankine Road, TORRENSVILLE

Application No 21013814

Appearing before the Panel via electronic platform:

Representor: **Ms Linh Woodley** of 7A Rawlings Avenue, Torrensville did not appear in support of the representation.

Applicant: **Peter Meline** of Adelaide Hills Development Services did not appear in response to the representation.

The Assessment Manager tabled an updated Elevation Plan (prepared by MWM Drafting, Drawing No. 7, Version 5, dated 31 August 2021) illustrating a 1.5 degree roof pitch which had been provided by the applicant to replace the Elevation Plan included in the Item 6.2.1 Attachment 2.

## RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107 (2)(c) of the *Planning Development and Infrastructure Act 2016*, and having undertaken an assessment of the applicant against the Planning and Design Code, the applicant is NOT seriously at variance with the provisions of the Planning and Design Code Versions 2021.7.
2. Application No. 21013814 by MWM Drafting to undertake internal alterations and additions to existing dwelling, including an upper level, and construction of a verandah attached to the rear of the dwelling at 14 Rankine Road, Torrensville (CT5865/896) is GRANTED Planning Consent 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:
  - Planning Report, prepared by MWM Drafting, dated Aug 2020
  - Site Plan, prepared by MWM Drafting, Drawing No. 1, Version 4, dated 15 August 2021
  - Demolition Plan, prepared by MWM Drafting, Drawing No. 2, Version 4, dated 3 August 2021
  - Lower Floor, prepared by MWM Drafting, Drawing No. 3, Version 4, dated 3 August 2021
  - Upper Floor, prepared by MWM Drafting, Drawing No. 4, Version 4, dated 4 August 2021
  - Roof Plan, prepared by MWM Drafting, Drawing No. 5, Version 4, dated 3 August 2021

- Streetscape Elevation, prepared by MWM Drafting, Drawing No. 8, Version 1, dated 31 August 2021
  - Elevations, prepared by MWM Drafting, Drawing No. 7, Version 5, dated 31 August 2021
  - Request for Information Response, prepared by MWM Drafting, dated 2 August 2021
2. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
    - a) Result in the entry of water into a building;
    - b) Affect the stability of a building;
    - c) Create unhealthy or dangerous conditions on the site or within the building;
    - d) Flow or discharge onto the land of an adjoining owner;
    - e) Flow across footpaths or public ways; or
    - f) Discharge to the adjacent creek.
  3. The upper level south and west facing windows to habitable rooms of the dwelling shall be provided with fixed obscure glass to a minimum height of 1.5 metres above the upper floor level to minimise the potential for direct overlooking of adjoining properties, and shall be installed prior to the occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times to the satisfaction of the relevant authority.
  4. The external materials and finishes shall match/be complementary to those of the associated dwelling.

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

#### 6.2.2 437 Henley Beach Road, BROOKLYN PARK

Application No 21014960

Appearing before the Panel via electronic platform:

Applicant: **Domenico Maurici** appeared in support of the application.

Representor: **Nadia Vernari** of 14 Elston Street, Brooklyn Park appeared in support of the representation.

### RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code Version 2021.8; and

2. Application No. 21014960 by Mr Domenico Maurici for variation to Condition 3 in DA 211/262/2016 - extension to hours of operation to include Mondays 11.00am to 11.00pm and Sundays 11.00am to 11.00pm is REFUSED Planning Consent as the proposed development is contrary to the following provisions of the Planning and Design Code:

- General Policies (Transport, Access and Parking) DO 1, PO 3.1 and 5.1.

*Reason: The proposal would result in further interruption to nearby local roads to the detriment of traffic safety and the amenity of residents.*

- General Policies (Interface between Land Uses) DO 1, PO 2.1 and DPF 2.1.

*Reason: The proposed operating hours would have an unreasonable impact on the amenity of nearby residents due to the generation of traffic and on-street parking during evening periods.*

## **COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.

## **7 REVIEW OF ASSESSMENT MANAGER DECISION**

Nil

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

Nil

## **9 RELEVANT AUTHORITY ACTIVITIES REPORT**

### **9.1 Activities Summary - December 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 Council Assessment Panel Annual Report 2021**

To provide Council with information on the activities of the Council Assessment Panel during 2021.

#### **RECOMMENDATION**

It is recommended to Council Assessment Panel that:

1. The draft Council Assessment Panel Annual Report 2021 (appended as **Attachment 1** of Agenda report) be ratified for presentation to Council.
2. That the Assessment Manager be authorised to make any changes of a minor or technical nature, including changes to add the December 2021 CAP meeting data.

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

1. The draft Council Assessment Panel Annual Report 2021 (appended as **Attachment 1** of Agenda report) be ratified for presentation to Council, with the edits made by Panel members during the meeting.
2. That the Assessment Manager be authorised to make any changes of a minor or technical nature, including changes to add the December 2021 CAP meeting data.

## **11 MEETING CLOSE**

The Presiding Member declared the meeting closed at 6.08pm.