

CITY OF



MITCHAM

MINUTES

OF THE

COUNCIL ASSESSMENT PANEL

HELD ON

THURSDAY 2 MAY 2019



COUNCIL ASSESSMENT PANEL

MINUTES

2 MAY 2019

MINUTES OF A MEETING OF THE COUNCIL ASSESSMENT PANEL HELD IN THE MAYOR'S PARLOUR, 131 BELAIR ROAD, TORRENS PARK ON THURSDAY, 2 MAY 2019 AT 6:30PM.

MEMBERSHIP: *David Billington (Presiding Member), Andreea Caddy, Steve Hooper and Michael Osborn*

CR: *Andrew Tilley, Yvonne Todd*

INDEX

1.	PRESENT	1
2.	APOLOGIES	1
3.	ABSENT	1
4.	CONFIRMATION OF MINUTES	1
5.	DISCLOSURE OF PECUNIARY INTERESTS	1
6.	DISCLOSURE OF INTERESTS	1
7.	CATEGORY 3 NOTIFIED APPLICATIONS	2
	7.1 23-51 CARRUTH ROAD TORRENS PARK SA 5062.....	2
	7.2 1/16 ONTARIO AVENUE, PANORAMA (LAND DIVISION)	7
	7.3 1/16 ONTARIO AVENUE PANORAMA.....	9
	7.4 62 PEKINA STREET EDEN HILLS	13
8.	CATEGORY 2 NOTIFIED APPLICATIONS	20
	8.1 64 PRICE AVENUE LOWER MITCHAM	20
9.	DEFERRED ITEMS (FROM PREVIOUS MEETING)	23
	9.1 2 COOLIDGE AVENUE LOWER MITCHAM	23
10.	CATEGORY 1 APPLICATIONS	26
	10.1 23 MATHIAS AVENUE CUMBERLAND PARK.....	26
11.	CONFIDENTIAL ITEMS	28
12.	APPEALS UPDATE	28
13.	OTHER BUSINESS	28
14.	ASSESSMENT MANAGER REPORT	28



15.	STRATEGY AND POLICY CONSIDERATIONS.....	28
16.	CLOSE	28

**COUNCIL ASSESSMENT PANEL****MINUTES****2 MAY 2019**

1. PRESENT

David Billington (Presiding Member)
Michael Osborn
Andreea Caddy
Steve Hooper
Cr Andrew Tilley
Cr Yvonne Todd

2. APOLOGIES

Marc Duncan

3. ABSENT

Nil

4. CONFIRMATION OF MINUTES**RECOMMENDATION**

The Minutes of the Council Assessment Panel Meeting held on 4 April 2019 are confirmed.

CARRIED

5. DISCLOSURE OF PECUNIARY INTERESTS

Nil

6. DISCLOSURE OF INTERESTS

Cr Tilley declared a potential interest as a member of Council to item 7.1.



7. CATEGORY 3 NOTIFIED APPLICATIONS

CR TILLEY LEFT THE MEETING AT 6:35PM

7.1 23-51 CARRUTH ROAD TORRENS PARK SA 5062

Author:	Cassia Byrne
Proposal:	Alterations and Additions to an Existing Educational Establishment Comprising an Upgrade and Extension to an existing Car Park, Pedestrian Infrastructure, Landscaping, Retaining Walls and Removal of One (1) Significant Tree
Development Number:	080/1484/18
Date of Lodgement:	28/11/2018
Owner:	Scotch College (Adelaide)
Applicant:	Hames Sharley Architects
Location:	23-51 Carruth Road TORRENS PARK SA 5062
Zone:	Residential (Central Plains) Zone, Policy Area 8
Application type:	Merit
Public Notification Category:	Category 3
Representations Received:	21
Internal Referrals:	Horticulture Department Project and Development Engineer
External Referrals:	Nil
Development Plan:	Consolidated 20 February 2018
Delegation:	CAP – Category 3 application where representors wish to be heard by the CAP in person.
Recommendation:	To Grant Development Plan Consent subject to reserved matters and conditions

Representors

BARBARA HANCOCK OF 9 LEONARD TERRACE TORRENS PARK (ALSO ON BEHALF OF BRENT AND ROSEMARY BLANKS OF 7 MUGGS HILL ROAD TORRENS PARK & DEAN AND ROSSLYN BROWN OF 11 LEONARD TERRACE TORRENS PARK) ADDRESSED THE PANEL CONCERNING THIS ITEM

PHILIP AND CHRISTINE MENZEL OF 14 INVERLOCH AVENUE TORRENS PARK ADDRESSED THE PANEL CONCERNING THIS ITEM

GERALD CLARK OF C/- PO BOX 171 GUMERACHA ADDRESSED THE PANEL CONCERNING THIS ITEM

TANYA CAMPBELL ON BEHALF OF ROBERT DEAN OF 14A INVERLOCH AVENUE TORRENS PARK ADDRESSED THE PANEL CONCERNING THIS ITEM

Applicant/Owner

RICHARD DWYER, STEPHEN LARSEN AND RICHARD STONE ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER



MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and
2. GRANTS Development Plan Consent to the application by HAMES SHARLEY ARCHITECTS to UNDERTAKE ALTERATIONS AND ADDITIONS TO AN EXISTING EDUCATIONAL ESTABLISHMENT, COMPRISING AN UPGRADE AND EXTENSION TO AN EXISTING CAR PARK AND PEDESTRIAN INFRASTRUCTURE, LANDSCAPING, RETAINING WALLS AND REMOVAL OF ONE (1) SIGNIFICANT TREE at 23-51 Carruth Road TORRENS PARK SA 5062, as detailed in Development Application No. 080/1484/18 subject to the following reserved matters, conditions and advisory notes:

Pursuant to Section 33(3) of the Development Act, 1993, the Council Assessment Panel RESERVES its decision in relation to the following matters, and AUTHORISES Council staff to determine whether consent should be granted in respect of each matter:

1. A detailed civil stormwater design addressing the following matters:
 - Details of the landscape area (detention basin) situated immediately adjacent to the southern car parking area and how it will capture low flow stormwater runoff,
 - Details of the oil / grease arrestors or similar to treated stormwater runoff from both the northern and southern car parking areas,
 - Details of the extent of the proposed permeable paving areas and their discharge points,
 - Details of the civil design plan and how it will comply with Water Sensitive Urban Design principles,
 - Details of the underground stormwater detention tanks including inlets, connections and outlets,
 - A copy of the "Drains" modelling input provided to Council for checking of catchment flows etc.

Reserved conditions Pursuant to Section 42(1) of the Development Act, 1993:

The Council Assessment Panel reserves its decision on the form and substance of any further conditions for the Development Plan Consent that it considers appropriate to impose in respect of the reserved matter(s) outline above, and this is to be authorised to the Manager Development Services.

Development Plan consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/1484/18, in particular plans:

Hames Sharley Architects Plans:

- Locality Plan and Drawing List - Project Number 31817 - Drawing Number 01 - Revision 14 – dated 30.04.19
- Existing Plan - Project Number 31817 - Drawing Number 02 - Revision 14 – dated 30.04.19



- Demolition Plan - Project Number 31817 - Drawing Number 03 - Revision 14 – dated 30.04.19
- Site Hardscape Plan - Project Number 31817 - Drawing Number 04 - Revision 15 – dated 30.04.19
- Site Softscape Plan - Project Number 31817 - Drawing Number 05 - Revision 16 – dated 30.04.19
- Planting Plan - Project Number 31817 - Drawing Number 06 - Revision 15– dated 30.04.19
- Planting Plan – Main Car Park - Project Number 31817 - Drawing Number 07 - Revision 14 – dated 30.04.19
- Planting Plan – Nth Car Park - Project Number 31817 - Drawing Number 08 - Revision 14 – dated 30.04.19
- Grading and Levels – East Lane - Project Number 31817 - Drawing Number 09 - Revision 8 – dated 30.04.19
- Grading and Levels – Main Carpark - Project Number 31817 - Drawing Number 10 - Revision 9 – dated 30.04.19
- Grading and Levels – North Carpark - Project Number 31817 - Drawing Number 11 - Revision 9 – dated 30.04.19
- Sections – Sheet 1 - Project Number 31817 - Drawing Number 13 - Revision 14 – dated 30.04.19
- Sections – Sheet 2 - Project Number 31817 - Drawing Number 14 - Revision 13 – dated 30.04.19
- Planting Schedule - Project Number 31817 - Drawing Number 19 - Revision 15 – dated 30.04.19

GTA Consultants

- Transport Impact Assessment – Campus Linkage Upgrade for Scotch College – Reference S134660 – dated 1/04/2019

FMG Engineering

- Stormwater Management Plan – Job Number 0 S00653-257326 – dated March 2019 – Revision 6

except where varied by any condition(s) listed below:

2. The proposed landscaping must be established in accordance with the approved plan within six (6) months of the completion of works and must be maintained in good condition at all times and to the satisfaction of Council. The proposed woolly bush hedge to the north of the northern carpark shall be planted with specimens of not less than 1.8 metres in height. Any such landscaping must be replaced if it dies or becomes seriously diseased.

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated

3. All Regulated Trees must be protected during construction of the development with the exception of the single Significant Tree (*Pinus halepensis* – Aleppo Pine Tree) approved to be removed in association with the development application.

Reason: To maintain and enhance the amenity of the locality



4. All external lighting must be directed away from residential development and if necessary, shielded to prevent light overspill causing nuisance to the occupiers of adjacent residential properties to the satisfaction of Council.

Reason: To maintain the residential amenity of the locality

5. All fencing and screen hedges to the 'north car park' as nominated in the stamped approved plans shall be installed to the satisfaction of Council prior to the use of this car park.

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

6. Use of the 'north car park' as nominated on the stamped approved plans shall be limited to between the hours of 7:00am and 9:00pm Monday to Saturday and between 9:00am and 7:00pm on Sunday and Public Holidays. Access to this area outside of these times shall be appropriately restricted to the satisfaction of Council. The said car park may only be used for parking.

Reason: To minimise impacts to adjoining residential properties

7. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

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

8. Temporary debris and sediment control Measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments and litter from the construction site must not enter the Council's drainage system, Council's road network, or neighbouring properties.

NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority's "Stormwater Pollution Prevention Codes of Practice":

- For the Community
- For Local, State and Federal Government
- For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligation in regard to the environment and to ensure the appropriate measures of stormwater disposal from building sites.

9. All earthworks associated with the development must be stabilised in accordance with standard engineering design and practices against erosion and failure.

NOTE: The applicant is reminded that earthworks must not encroach across neighbouring property boundaries.

Reason: To ensure all necessary measures are undertaken to stabilise all earthworks on site.



10. Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.

Reason: To ensure any damage to Council's infrastructure is reinstated.

11. All on-site car parking spaces are to be designed, line marked and constructed in accordance with AS / NZ 2890.1-2004 "Parking Facilities Part 1: Off-street car parking" and to the satisfaction of Council.

Reason: To ensure safe and convenient parking for users of the development

12. All on-site car parking spaces for People with Disabilities are to be designed, line marked and constructed in accordance with AS / NZ 2890.6-2000 "Parking Facilities Part 6: Off-street car parking for People with Disabilities" and to the satisfaction of Council.

Reason: To ensure safe and convenient parking for users of the development.

CARRIED

CR TILLEY REJOINED THE MEETING AT 7:38PM

At 7:39pm the Presiding Member presented to the Panel a request from the Applicant for items 7.2 and 7.3, seeking that the Panel hear from the representors for each item concurrently and subsequently the response from and questions to the Applicant's representors. The Panel then to deliberate on the items, with a decision to be issued on item 7.2 and subsequently item 7.3.

CARRIED

Representors for item 7.2

Nil

Representors for item 7.3

CARLA BARON OF 22 BOOTHBY STREET PANORAMA ADDRESSED THE PANEL CONCERNING THIS ITEM

NEIL BARON OF 22 BOOTHBY STREET PANORAMA ADDRESSED THE PANEL CONCERNING THIS ITEM

SANDRA BRADLEY OF 52 ELIZA PLACE PANORAMA ADDRESSED THE PANEL CONCERNING THIS ITEM

SALLY CLARKE OF 29B MORIANE AVENUE PANORAMA ADDRESSED THE PANEL CONCERNING THIS ITEM

Applicant / Owner

RICHARD DWYER, RICHARD HUBERT AND DAVID COOKE ADDRESSED THE PANEL / ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER



7.2 1/16 ONTARIO AVENUE, PANORAMA (LAND DIVISION)

Author:	Tim Pride
Proposal:	Divide Land to Creating Eleven (11) Allotments Resulting in Nine (9) Additional Allotments (2:11) with Party Wall Rights
Development Number:	080/0123/19
Date of Lodgement:	04/02/2019
Owner:	Anglicare SA Housing Ltd
Applicant:	Alexander Symonds Pty Ltd
Location:	1/16 Ontario Avenue PANORAMA SA 5041
Zone:	Light Industry Zone
Application type:	Merit
Public Notification Category:	Category 3
Representations Received:	1
Internal Referrals:	Nil
External Referrals:	Nil
Development Plan:	20 February 2018
Delegation:	Council Assessment Panel – Applications Considered to be Appropriate for Assessment by CAP at the Managers Discretion
Recommendation:	To Grant Development Plan Consent subject to conditions

MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and
2. GRANTS Development Plan Consent, Land Division Consent and Development Approval to the application by Alexander Symonds Pty Ltd to divide the land so as to create ELEVEN (11) ALLOTMENTS RESULTING IN NINE (9) ADDITIONAL ALLOTMENTS (2:11) WITH PARTY WALL RIGHTS at 16 TO 18 Ontario Avenue Panorama SA 5041, as detailed in Development Application No. 080/0123/19 subject to the following conditions:

Development Plan consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/0123/19 and in particular plans:
 - Plan of Division – Alexander Symonds – Drawing No. A124517PROP(B) – Revision B – dated 25/02/2019

except where varied by any condition(s) listed below:

Reason: To ensure the proposal is developed in accordance with plans and details submitted.



Land Division consent Conditions Pursuant to Section 33 1(c):

Council Land Division Conditions:

NIL

State Commission Assessment Panel Land Division Conditions:

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0081799)

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.

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.

2. Payment of \$65,277.00 into the Planning and Development Fund (9 allotment/s @ \$7253.00 /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 State Planning Commission 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.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

CARRIED



7.3 1/16 ONTARIO AVENUE PANORAMA

Author:	Tim Pride
Proposal:	Demolition of Existing Structures & Construction of 10 Two-Storey Dwellings and a Predominately 3 Storey and Part 4 Storey Supported Accommodation Apartment Building Consisting of 24 Residential Apartments, Removal of Three (3) Regulated Trees, Landscaping and Car Parking (NON-COMPLYING)
Development Number:	080/1649/18
Date of Lodgement:	17/12/2018
Owner:	Anglicare SA Housing Ltd
Applicant:	Anglicare SA Housing Ltd
Location:	1/16 Ontario Avenue PANORAMA SA 5041
Zone:	Light Industry
Application type:	Non-Complying
Public Notification Category:	Category 3
Representations Received:	19 Representations Received
Internal Referrals:	Engineering Horticulture
External Referrals:	Nil
Development Plan:	20 February 2018
Delegation:	Council Assessment Panel due to the application being a non-complying form of development.
Recommendation:	To Grant Development Plan Consent subject to conditions

MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and
2. Subject to the concurrence of the State Commission Assessment Panel (SCAP), GRANTS Development Plan Consent to the application by Anglicare SA to Demolish all Existing Structures and Construction of 10 Two-Storey Dwellings and a Predominately 3 Storey and Part 4 Storey Supported Accommodation Apartment Building Consisting of 24 Residential Apartments, Removal of Three Regulated Trees, Landscaping and Car Parking (NON-COMPLYING) at 16 to 18 Ontario Avenue Panorama South Australia 5041, as detailed in Development Application No. 080/1649/18 subject to the concurrence of the State Commission Assessment Panel, and subject to the following reserved matter, conditions and advisory notes:

Pursuant to Section 33(3) of the Development Act, 1993, the Council Assessment Panel RESERVES its decision in relation to the following matters, and AUTHORISES Council staff to determine whether consent should be granted in respect of each matter:



1. A detailed Stormwater Management Plan and associated documentation is to be submitted to Council for assessment and approval, which address the following additional items:
 - Collection and reuse of stormwater from the residential flat building;
 - Details that the rainwater tanks proposed on each dwelling site, will be plumbed to their respective dwellings for reuse purposes;
 - Increased size of the rainwater tank for each two-storey dwelling to meet the detention requirement of 2,400 litres, while meeting the Building Rules requirement for retention (it is encouraged that retention exceed the BR requirement);
 - Details and supporting calculations for the detention of water within the car parking and landscaping areas, including calculations as to the absorption rate from the garden/grassed areas;
 - The discharging of stormwater from the two-storey dwellings into the residential flat building's carpark, is to be managed through the provision of easements provided in the final plan of division, or alternatively each dwelling is to redirect its discharge out to the street water table;
 - Details of the brick stormwater culvert and its capacity to manage the discharge rates and volumes from the subject site post development.
 - Water sensitive urban design principles.

Reserved conditions Pursuant to Section 42(1) of the Development Act, 1993:

The Council Assessment Panel reserves its decision on the form and substance of any further conditions for the Development Plan Consent that it considers appropriate to impose in respect of the reserved matter(s) outline above, and this is to be authorised to the Manager Development Services

Development Plan consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/1649/18 and in particular plans:
 - Demolition Plan – City Collective – Plan No. A005 – Revision D – dated 7/02/2019
 - Site Plan – City Collective – Plan No. SK10 – Revision I – dated 11/12/18
 - Sub-Ground Plan – City Collective – Plan No. SK20 – Revision I – dated 11/12/18
 - Ground Plan – City Collective – Plan No. SK21 – Revision J – dated 06/02/19
 - Level 1 Plan – City Collective – Plan No. SK22 – Revision J – dated 06/02/19
 - Level 2 Plan – City Collective – Plan No. SK23 – Revision I – dated 11/12/18
 - Roof Plan – City Collective – Plan No. SK24 – Revision I – dated 11/12/18
 - East Elevation – Townhouse (Ontario Ave) - City Collective – Plan No. SK – Revision I – dated 11/12/18
 - West Elevation – City Collective – Plan No. SK31 – Revision J – dated 06/02/18
 - South Elevation – City Collective – Plan No. SK 32 – Revision J – dated 06/02/18
 - East Elevation – Street Scape Context – City Collective – Plan No. SK – Revision I – dated 11/12/18
 - Section A-A Through Apartments – City Collective – Plan No. SK40 – Revision I – dated 11/12/18
 - Townhouse Plan Ground Plan & Level 1 Plan – Type A – City Collective – Plan No. SK50 – Revision I – dated 11/12/18



- Townhouse Plan Ground Plan & Level 1 Plan – Type B – City Collective – Plan No. SK 51 – Revision I – dated 11/12/18
- Townhouse Plan Ground Plan & Level 1 Plan – Type C – City Collective – Plan No. SK52 – Revision I – dated 11/12/18
- Typical Apartment level 1 & 2 Plan – City Collective – Plan No. SK53 – Revision I – dated 11/12/18
- Clover Landscape Plan – Plan No. LP-01 – Revision B – dated 09/07/18
- Clover Landscape Plan – Plan No. LP-02 – Revision B – dated 09/07/18
- Clover Planting Palette – Plan No. LP-03 – Revision A – dated 09/07/18

except where varied by any condition(s) listed below:

Reason: To ensure the proposal is undertaken in accordance with the plans and details submitted.

2. Service vehicles (including waste collection) are to access the site (including the collection of waste), only between the following hours:

Monday to Saturday	7:00am to 9:00pm
Sunday and Public Holidays	10:00am to 7:00pm

Reason: To ensure the amenity of the residential area is maintained.

3. The proposed landscaping must be established on the site in accordance with the approved plans, within six months of the first occupation of the residential flat building and must always be maintained in good condition at all times, including the replacement of any dead or seriously diseased plants/trees, to the satisfaction of the Council.

Reason: To maintain and enhance the amenity of the locality in which the subject land is situated.

4. The landscaping shall be maintained using an automated watering system installed at the time of development of the landscaping, with the system to be maintained and fully operational at all times.

Reason: To maintain and enhance the amenity of the locality in which the subject land is situated.

5. All services to the site and within the subject site must be placed underground.

Reason: To enhance the amenity of the locality

6. Connection of stormwater to a rear allotment stormwater system must be in accordance with Council Engineering Detail SA-600 Sheet 18. A minimum 150mm diameter PVC pipe (Sewer Class) must be used for a rear allotment stormwater system. Rear allotment stormwater systems located within adjoining properties must be covered with a stormwater easement pertinent to the development.

Reason: To comply with Council policy and to ensure uniformity with stormwater connections from the property boundary to rear allotment stormwater easements.



7. Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter Council's drainage system, Council's road network, or neighbouring properties.

NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority's "Stormwater Pollution Prevention Codes of Practice",

- For the Community
- For Local, State and Federal Government
- For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligations in regard to the environment and to the appropriate measures of stormwater disposal from building sites.

8. All on-site car parking spaces are to be designed, linemarked and constructed in accordance with AS/NZ 2890.1-2004 "Parking Facilities Part 1: Offstreet car parking" and to the satisfaction of Council.

Reason: To ensure the development as adequate and functional car parking.

9. All on-site car parking for People with Disabilities are to be designed, line marked and constructed in accordance with AS/NZ 2890.6-2009 "Parking Facilities Part 6: Off-street car parking for People with Disabilities" and to the satisfaction of Council.

Reason: To ensure adequate car parking is provided to meet the needs of all users.

10. New large car parking facilities driveway crossover must be constructed in accordance with Council's Engineering Detail **SD-600, Sheets 10, 23 & 24**, to the satisfaction of Council.

Reason: To comply with Council Standard invert/crossover construction specifications.

11. New residential driveway crossovers must be constructed in accordance with Council's Engineering detail **SD-600, Sheets 8, 9 & 10**, to the satisfaction of Council.

Reason: To comply with Council Standard Invert/crossover construction specifications.

12. Any existing driveway crossovers that become redundant as a result of a development must be reinstated to match the existing kerb profile along the road frontage of the property.

Reason: To ensure uniformity of kerbing within the street as well as providing protection to pedestrian users etc.

Advisory Notes:

Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.

CARRIED



7.4 62 PEKINA STREET EDEN HILLS

Author:	Cassia Byrne
Proposal:	Demolish Existing Dwelling/Structures and Construct a Two Storey Dwelling, Retaining Walls, Inground Swimming Pool & Safety Fence and Associated Earthworks
Development Number:	080/1518/18
Date of Lodgement:	29/11/2018
Owner:	Mr M H B Down & Ms L M Down
Applicant:	Lisa Marie Down Matthew Henry Brunel Down
Location:	62 Pekina Street EDEN HILLS SA 5050
Zone:	Residential (Hills)
Application type:	Merit
Public Notification Category:	Category 3
Representations Received:	3
Internal Referrals:	Horticulture Unit
External Referrals:	Country Fire Service (CFS)
Development Plan:	20 February 2018
Delegation:	CAP - Category 3 Notified application where a representor has elected to be heard by CAP
Recommendation:	To Grant Development Plan Consent subject to conditions

Representor

KATE DEWIS OF 66 PEKINA STREET EDEN HILLS ADDRESSED THE PANEL CONCERNING THIS ITEM

Applicant / Owner

NICHOLAS INGSON ADDRESSED THE PANEL / ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER

AT 9:21PM THE PANEL SET ASIDE ITEM 7.4 FOR THE PROVISION OF NEIGHBOUR'S DPC PLANS AND PROCEEDED TO CONSIDER ITEMS 9.1 AND 10.1

AT 9:35PM THE PANEL RESOLVED TO RESUME DISCUSSION AND CONSIDERATION OF ITEM 7.4, STAFF PROVIDED THE PANEL WITH A COPY OF THE DPC PLANS FOR 66 PEKINA STREET, EDEN HILLS.

NICHOLAS INGSON AND MATTHEW DOWN ANSWERED FURTHER QUESTIONS OF THE PANEL CONCERNING THIS MATTER



MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and
2. GRANTS Development Plan Consent to the application by Mr M H B Down & Ms L M Down to DEMOLISH EXISTING DWELLING/STRUCTURES AND CONSTRUCT A TWO STOREY DWELLING, RETAINING WALLS, INGROUND SWIMMING POOL & SAFETY FENCE AND ASSOCIATED EARTHWORKS at 62 PEKINA STREET EDEN HILLS, as detailed in Development Application No. 080/1518/18 subject to the following, conditions and advisory notes:

Development Plan consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/1518/18 and in particular:

Plans and Correspondence prepared by Nicholas P. Ingerson Architect

- Existing House to be Demolished – Dwg No D18.04.SD.06 – Dated 06.12.18
- Planting and Existing Vegetation Plan – Dwg No D18.04.SD.13 – Dated 06.12.18
- Siteworks Plan – Dwg No D18.04.SD.11 – Dated 01.02.19
- Excavation Plan – Dwg No D18.04.SD.14 – Dated 06.12.18
- North and East Elevation Plans – Dwg No D18.04.SD.04 – Dated 06.12.18
- West and South Elevation Plans – Dwg No D18.04.SD.05 – Dated 06.12.18
- Perspective and Section Diagrams – Dwg No D18.04.SD.10 – Dated 06.12.18
- Elevations and Retaining Wall Elevations – Dwg No D18.04.SD.12 – Dated 06.12.18
- Ground Floor Plan – Dwg No D18.04.SD.01 – Dated 01.02.19
- First Floor Plan – Dwg No D18.04.SD.02 – Dated 06.12.18
- Site Plan - – Dwg No D18.04.SD.03 – Dated 28.03.18
- Correspondence dated 10.12.18

except where varied by any condition(s) listed below:

Reason: To ensure the proposal is undertaken in accordance with the plans and details submitted.

2. The proposed landscaping must be established in accordance with the approved plan prior to the occupation of the building and must be maintained in good condition at all times. Any such landscaping must be replaced if it dies or becomes seriously diseased.

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated

3. Upper-storey windows of the dwelling other than street elevations must comprise of fixed translucent glazing or fixed shutters to a minimum height of not less than 1.7 metres from the finished floor level.

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



4. CONDITIONS AS IMPOSED BY CFS

ACCESS TO HABITABLE BUILDING

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.3.1 describes the mandatory provision for 'Private' roads and driveways to buildings shall provide safe and convenient access/egress for large Bushfire fighting vehicles, where the furthest point to the building from the nearest public road is more than 30 metres.

SA CFS has no objection to the proposed access driveway as detailed on drawing Ground Floor Plan dated at las revision 01.02.19, with the following conditions:-

- Access to the building site shall be of all-weather construction with a minimum formed road surface width of 3 metres.
- The 'T' shaped turning area (utilising the public road) shall be a minimum formed length of 11 metres with minimum internal radii of 9.5 metres on bends connecting private access to public roads.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metes in width and a vertical height clearance of 4 metres.

ACCESS (to dedicated water supply)

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministers Specification SA 78 describes the mandatory provision for access to the dedicated water for fire-fighting vehicles where the path of travel from the entrance to the property to the water storage facility is more than 30 metres in length, by an all-weather roadway.

Where a water storage facility is required to have a fire authority fitting, the following will apply:-

SA CFS has no objection to the proposed location for the dedicated water supply as detailed on drawing named Ground Floor Plan dated at last revision 01.02.19, providing the outlet is positioned to comply with the following conditions:

- Water supply outlet shall be easily accessible and clearly identifiable from the access way. Stand along tanks shall be identified with signage 'WATER FOR FIRE FIGHTING' and the tank capacity written in 100mm lettering on the side of each tank and repeated so that the sign is visible from all approached to the tank. The sign shall be in fade-resistant lettering in a colour contrasting with that of the background (i.e. blue sign with white lettering).
- Access to the dedicated water supply shall be of an all-weather construction, with a minimum formed road surface width of 3 meters. -



- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.

WATER SUPPLY

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.4.1 prescribes the mandatory provision of a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministers Specification SA78 provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with Minister's Specification SA78.

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliance SA CFS fire service adaptor, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (an any support structure) shall be constructed of non-combustible material.
- The dedicated fire-fighting supply shall be pressurised by a pump that has –
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire fighting purposes.



- The dedicated fire-fighting water supply pump shall be located at or adjacent to the habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instructions Procedure' shall be located with the pump control panel.
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e at opposite ends of the habitable building).
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS2620 or AS1221.
- All fire fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 meters.
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVX nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily accessible at all times.

VEGETATION

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:
 - i. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
 - ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 - iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 - iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.



- v. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
- vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- vii. No understorey vegetation shall be established within 1 metre of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
- viii. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

Compliance with the fire protection requirements is not a guarantee the habitable building will not burn, but its intent is to provide a 'measure of protection' from the approach, impact and passing of a bushfire.

5. New residential driveway crossover(s) must be constructed in accordance with Council's Engineering detail SD-600, Sheets 8, 9 & 10.

NOTE: *An application to construct an invert/crossover in a public street must also be lodged with Council.*

Reason: To comply with Council standard invert/crossover construction specifications for residential driveways

6. Stormwater connections to the street water table, must be in accordance with Council's Engineering Detail SD-600, Sheet 19. Pipes through the Council verge area must be constructed of galvanized steel, not PVC. Trench reinstatements beneath the footpath area must be in accordance with Council's Engineering Detail SD-600 Sheets 14 B & 15 B.

Reason: To comply with Council policy and to ensure uniformity with stormwater connections from the property boundary to the kerb and gutter

7. Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter Council's drainage system, Council's road network, or neighbouring properties.

NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority's "Stormwater Pollution Prevention Codes of Practice";

- For the Community
- For Local, State and Federal Government
- For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligation in regard to the environment and to the appropriate measures of stormwater disposal from building sites



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8. All earthworks associated with the development must be stabilized in accordance with standard engineering design and practices against erosion and failure.

NOTE: *The applicant is reminded that earthworks must not encroach across neighbouring property boundaries.*

Reason: To ensure that all necessary measures are undertaken to stabilize all earthworks on site

9. Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.

Reason: To ensure any damage to Council's infrastructure is reinstated

CARRIED



8. CATEGORY 2 NOTIFIED APPLICATIONS

8.1 64 PRICE AVENUE LOWER MITCHAM

Author:	Bethany Andretzke
Proposal:	Dwelling Alterations and Additions, Two Domestic Outbuildings, Cellar, Freestanding Carport, Boundary Retaining and Fencing, Swimming Pool and Safety Fence
Development Number:	080/0405/18
Date of Lodgement:	05/04/2018
Owner:	Mr C L Savage
Applicant:	Michael William Fogarty
Location:	64 Price Avenue LOWER MITCHAM SA 5062
Zone:	Residential (Central Plains) / Policy Area 8
Application type:	Merit
Public Notification Category:	Category 2
Representations Received:	1 – in support of application
Internal Referrals:	Horticulture / Local Heritage Advisor
External Referrals:	Nil
Development Plan:	Consolidated 20 February 2018
Delegation:	Council Assessment Panel – applications for alterations and additions where the development is not supported by the Council Heritage Advisor
Recommendation:	To Grant Development Plan Consent subject to conditions

MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and
2. GRANTS Development Plan Consent to the application by Michael William Fogarty to construct dwelling alterations and additions, two domestic outbuildings, cellar, freestanding carport, boundary retaining and fencing, and swimming pool and safety fence at 64 Price Avenue, Lower Mitcham as detailed in Development Application No. 080/0405/18 subject to the following conditions and advisory notes:

Development Plan consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/0405/18
 - Site Plan by Michael Fogarty Building Design – Sheet 1 of 5 – Revision H (21/02/2019)
 - Proposed cellar plan, proposed roof plan, existing and proposed upper floor plan by Michael Fogarty Building Design – Sheet 2 of 5 (21/02/2019)
 - Existing and proposed lower floor plan by Michael Fogarty Building Design – Sheet 3 of 5 – Revision H (21/02/2019)
 - Shed elevations, existing and proposed front (east) elevation, existing and proposed rear (west) elevation by Michael Fogarty Building Design – Sheet 4 of 5 – Revision H (21/02/2019)



- Shed elevations, carport elevations, existing and proposed side (south) elevations, existing and proposed side (north) elevations by Michael Fogarty Building Design – Sheet 5 of 5 – Revision H (21/02/2019)

except where varied by any condition(s) listed below:

Reason: To ensure the proposal is undertaken in accordance with the plans and details submitted.

2. All existing regulated and significant trees within the subject site must be retained and protected during the development. Tree protection and development must be undertaken in accordance with AS 4970-2009 Protection of Trees on Development Sites
3. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

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

4. Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter Council's drainage system, Council's road network, or neighbouring properties.

NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority's "Stormwater Pollution Prevention Codes of Practice";

- For the Community
- For Local, State and Federal Government
- For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligation in regard to the environment and to the appropriate measures of stormwater disposal from building sites

5. Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.

Reason: To ensure any damage to Council's infrastructure is reinstated

6. Stormwater from the site must be managed during construction and until the site is stabilised to ensure that it does not cause nuisance to any adjoining property. Temporary drainage must be installed as soon as the roof is constructed.

Reason: To ensure that all necessary measures are undertaken to stabilise all earthworks on site



Advisory Notes:

Council advises that in accordance with the Environment Protection (Noise) Policy 2007 it is the owner/occupiers responsibility to ensure that the pool equipment does not emit noise levels greater than 45dB(A) between 10pm and 7am the next day, or greater than 52dB(A) between 7am to 10pm, when measured at the receivers.

CARRIED



9. DEFERRED ITEMS (FROM PREVIOUS MEETING)

9.1 2 COOLIDGE AVENUE LOWER MITCHAM

Author:	Marissa Virgara
Proposal:	Construct a Pair of Semi-Detached Dwellings, Garages, Verandahs & Porticos
Development Number:	080/1549/18
Date of Lodgement:	27/11/2018
Owner:	Mrs J F Schapel & Estate Of The Late W J Schapel
Applicant:	Contech
Location:	2 Coolidge Avenue LOWER MITCHAM SA 5062
Zone:	Residential (Central Plains) Zone Policy Area 8
Application type:	Merit
Public Notification Category:	Category 2
Representations Received:	4
Internal Referrals:	NIL
External Referrals:	NIL
Development Plan:	20 February 2018
Delegation:	CAP – application previously deferred by CAP, is presented back for further consideration.
Recommendation:	Grant Development Plan Consent subject to conditions

MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and
2. GRANTS Development Plan Consent to the application by *Lares Homes* to CONSTRUCT A PAIR OF SEMI-DETACHED DWELLINGS, GARAGES, VERANDAHS AND PORTICOS at *2 Coolidge Avenue Lower Mitcham*, as detailed in Development Application No. 080/1549/18 and subject to the following conditions and advisory notes:

Development Plan consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/1549/18 and more specifically the following plans:
 - Site Plan (Both) – Drawing Number C-000 – Contech – 09/04/2019
 - Demolition – Drawing Number C-001 – Contech – 09/04/2019
 - Floor Plan – Drawing Number C-100 – Contech – 09/04/2019
 - Landscape Plan – Drawing Number C-101 – Contech – 09/04/2019
 - Floor Plan Plumbing – Drawing Number C-102 – Contech – 09/04/2019
 - Plumbing Details – Drawing Number C-103 – Contech – 09/04/2019
 - Plan – Roof (Both) – Drawing Number C-104 – Contech – 09/04/2019
 - Elevations – Drawing Number C-200 – Contech – 09/04/2019



- Elevations – Drawing Number C-201 – Contech – 09/04/2019

Reason: To ensure the proposal is established in accordance with the plans and details submitted

2. The proposal must be developed in accordance with the details submitted to the Council and approved plans relating to Development Application Number 080/[document number]/[document year] except where varied by the following conditions.

Reason: To ensure the proposal is established in accordance with the plans and details submitted

3. The erosion control measures must be maintained throughout the progress of the work.

Reason: To protect the natural environment and minimise erosion

4. The proposed landscaping must be established in accordance with the approved plan prior to the occupation of the building and must be maintained in good condition at all times. Any such landscaping must be replaced if it dies or becomes seriously diseased.

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated

5. A detailed landscaping plan to the satisfaction of Council shall be submitted prior to Development Approval being granted. Nominating species and height of vegetation when planted.

Reason: To maintain the visual amenity of the locality and hide larger built forms from street view

6. Stormwater connections to the street water table must be in accordance with Council's Engineering Detail SD-600, Sheet 19. Pipes through the Council verge area must be constructed of galvanized steel, not PVC. Trench reinstatements beneath the footpath area must be in accordance with Council's Engineering Detail SD-600 Sheets 14 B & 15 B.

Reason: To comply with Council policy and to ensure uniformity with stormwater connections from the property boundary to the kerb and gutter

7. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

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

8. New residential driveway crossover(s) must be constructed in accordance with Council's Engineering detail SD-600, Sheets 8, 9 & 10.

NOTE: *An application to construct an invert/crossover in a public street must also be lodged with Council.*



Reason: To comply with Council standard invert/crossover construction specifications for residential driveways

9. Stormwater from the site must be managed during construction and until the site is stabilized to ensure that it does not cause nuisance to any adjoining property. Temporary drainage must be installed as soon as the roof is constructed.

Reason: To ensure that all necessary measures are undertaken to stabilize all earthworks on site

CARRIED



10. CATEGORY 1 APPLICATIONS

10.1 23 MATHIAS AVENUE CUMBERLAND PARK

Author:	Bethany Andretzke
Proposal:	Two Storey Semi Detached Dwellings
Development Number:	080/1429/18
Date of Lodgement:	30 October 2018
Owner:	Mr T Hu & Ms X Yang
Applicant:	Tong Yuan Hu
Location:	23 Mathias Avenue CUMBERLAND PARK SA 5041
Zone:	Residential (Central Plains) / Policy Area 8
Application type:	Merit (Limited Assessment)
Public Notification Category:	Category 1
Representations Received:	N/A
Internal Referrals:	Nil
External Referrals:	Nil
Development Plan:	Consolidated 20 February 2018
Delegation:	Council Assessment Panel - Applications recommended for refusal
Recommendation:	To Refuse Development Plan Consent

MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and
2. REFUSES Development Plan Consent to the application by Tong Yuan Hu to construct a two storey semi-detached dwellings at 23 Mathias Avenue, Cumberland Park as detailed in Application No. 080/1429/18 on the following grounds:
 - The resultant allotments are undersized, and depart from the site area requirements for Residential (Central Plains) Policy Area 8 PDC 1;
 - By virtue of its departure, the proposal will result in an adverse impact on the character and amenity of the locality, therefore not being consistent with the desired character sought for the Residential (Central Plains) Policy Area 8;
 - The proposal is considered to be at variance with the relevant provisions of the City of Mitcham Development Plan consolidated 20 February 2018, in particular;

Development Plan Policies

Council Wide:

Principles of Development Control:

- PDC 57: In that the resultant allotments do not have an area and dimension that complements the objectives and desired character of the zone;



Residential (Central Plains) Zone

Objectives:

- Objective 2: In that the development does not accord with the desired character of the relevant policy area.

Principles of Development Control:

- PDC 2: In that the development is not in accordance with the desired character of the policy area.

Policy Area 8

Principles of Development Control:

- PDC 1: In that the minimum site area of 425 square metres per allotment has not been met.

CARRIED



11. CONFIDENTIAL ITEMS

Nil

12. APPEALS UPDATE

The report was received for information only.

13. OTHER BUSINESS

Nil

14. ASSESSMENT MANAGER REPORT

Nil

15. STRATEGY AND POLICY CONSIDERATIONS

Mitcham considering heritage listing of important historical hedges.

16. CLOSE

There being no further business, the meeting closed at 9:47pm.