



## CITY OF PROSPECT

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To: Ferrone Architects  
68A Wingfield Road  
WINGFIELD SA 5013

### DECISION NOTIFICATION

Development Application: **050/273/2020**

Dated: 02/07/2020

Registered: 02/07/2020

Location: 18 Richman Avenue PROSPECT

Description: Additions to Detached Dwelling, Carport, Swimming Pool & Safety Fence

The following decisions have been made in respect of the development application:

NATURE OF DECISION	DETERMINATION	NO. OF CONDITIONS	DATE OF DECISION
Development Plan Consent	Granted	3	22/07/2020
Building Rules Consent	Granted	2	19/10/2020
Development Approval	Granted	5	27/10/2020

- Any conditions that have been imposed against the authorisation(s) granted herein and advisory notes that may be relevant to the development are detailed on the following page(s).
- The application was determined to be a **Category 1** application for the purpose of public notification. No representation(s) were received from third parties.
- The building classification assigned to the development under the Building Code is: 1a and 10a
- The development authorisation (consent or approval) granted herein remains operative for a period of 12 months from the date of the decision.

Signed: .....

☐ Chief Executive Officer

☒ Delegate

Date: 27/10/2020

## Conditions and notes that apply to this authorisation

Where relevant to the ongoing maintenance or operation of the development to which this authorisation applies, the condition(s) identified herein will continue to apply unless or until varied or revoked by the relevant authority.

Any conditions detailed herein are binding on and enforceable against:

- the person by whom the development is undertaken;
- any person who acquires the benefit of the decision or the development; and
- the owners and occupiers of the land on which the development is undertaken.

### Conditions of Development Plan Consent

The following conditions apply to the Development Plan Consent. These conditions have been imposed in accordance with the *Development Act 1993* to ensure the development complies with the provisions of Council's Development Plan and relevant legislation:

- (1) The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/273/2020 except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation or the commencement of use of the approved development.
- (2) The drainage system shall be designed, installed and maintained at all times thereafter to ensure that water from the site does not:
  - a) Flow or discharge onto adjoining properties;
  - b) Flow across the surface of footpaths or public ways;
  - c) Affect the stability of any building; or
  - d) Create unhealthy or dangerous conditions on the site or within any building.
- (3) The pool pump station shall be enclosed and located over 5m from the nearest dwelling.

### Conditions of Building Rules Consent

**Please refer to the notes included** on the decision notification form attached from KBS Consultants dated 19/10/2020.

The following conditions apply to the Building Rules Consent:

1. If the building work is to be carried out by a licensed builder, then the owner of the land on which domestic work is to be performed must ensure that a certificate of insurance in relation to that work is lodged with Council on or before the giving of notice to Council of commencement of building work.
2. The insert fireplace or free standing heating appliance and flue must be installed in accordance with AS/NZS 2918 and must comply with parts 3.7.3.4 and 3.7.3.5 of Volume 2 of the Building Code of Australia.  
*Reason: To ensure the safe installation of the fireplace and flue and also ensure safe operation and minimize the potential risk of fire.*

## Advisory Notes

The following advisory notes are provided for your information:

- (1) **Timeframe for Commencement and Completion of Works:** Upon granting of development approval, the development must be:
- a) Substantially commenced within twelve (12) months from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of twelve (12) months from this date (unless Council extends this period); and
  - b) Fully completed within three (3) years from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of three (3) years from this date (unless Council extends this period) and a new development application shall be required.

Any request for an extension of the operative period of this approval must be submitted to Council in writing, accompanied by the applicable fee.

- (2) **Your Appeal Rights:** Pursuant to Section 86(1)(a) of the *Development Act 1993*, you have the right of appeal to the Environment, Resources and Development Court against either:
- a) a refusal of consent; or
  - b) any condition(s) that have been imposed on a consent.

Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period as may be allowed by the Court.

The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (Postal Address: GPO Box 2465, Adelaide SA 5001).

- (3) **Inspections by Council Officers:** Pursuant to Sections 18, 19 and 71A of the *Development Act 1993*, authorised officers of Council may carry out random building inspections at any stage of building work without prior notice.
- (4) **Removing, Replacing or Altering Fences:** You are required to give formal notification to, and consult with, the adjoining property owner if you are removing, replacing or altering an existing fence or building a freestanding wall along the common boundary that would, for all purposes, be a dividing fence (Section 5 of the *Fences Act 1975*).

- (3) **Notification to the Kaurna Nation Cultural Heritage Association Incorporated (Heritage Association) may be required.** Please be advised that it is an offence under the Aboriginal Heritage Act to damage, disturb or interfere with any Aboriginal site, object or remains. In the event that the building works reveal a suspected Aboriginal site, object or remains, the Minister for Aboriginal Affairs and Reconciliation must be notified. The Minister can be contacted via the Department of the Premier and Cabinet – Aboriginal Affairs and Reconciliation Division, GPO Box 2343 Adelaide SA 5001, phone 8226 8900.

Please note that the Heritage Association is responsible for undertaking heritage surveys in the Indigenous Land Use Agreement (ILUA) area, which is defined as that geographical area of land and waters within the outer boundaries of the geographical area of land and waters comprised in, and the subject of, the native title application known as the Kaurna Peoples native title claim SC 00/1 recorded as native title determination application no. SAD 6001/00 in the Federal Court of Australia.