



1. MEETING PROCEDURES

1.1 OPEN MEETING

1.2 PRESENT

1.3 APOLOGIES

1.4 IN ATTENDANCE

2. GENERAL OPERATIONS

- No items listed for discussions

3. DEVELOPMENT ACT 1993 APPLICATIONS

**3.1 DEVELOPMENT NO 100/2021/0239 (100/C013/2021)
4 WILFRED STREET EDWARDSTOWN
Residential Land Division, Community Title - 1 into 6 and a two storey
residential flat building comprising of 6 dwellings with associated carports,
landscaping and solar panels
Report Reference: CAP020621 - 3.2.....2**

**3.2 DEVELOPMENT NO 100/2020/2362
411 MORPHETT ROAD OAKLANDS PARK
Two (2) three storey residential flat buildings: one comprising six dwellings
and one comprising five dwellings, with associated landscaping
Report Reference: CAP020621 - 3.1.....4**

4. PDI ACT APPLICATIONS

- No Items Listed

5. APPEALS UPDATE

- Verbal Update Was Provided

5.1 APPEALS AGAINST PANEL DECISIONS

- Verbal Update Was Provided

5.2 APPEALS AGAINST DELEGATED APPLICATIONS

6. POLICY OBSERVATIONS

- Verbal Update Provided

7. OTHER BUSINESS

8. CONFIRMATION OF THE COUNCIL DEVELOPMENT ASSESSMENT PANEL MEETING HELD ON 02 JUNE 2021

9. MEETING CLOSURE

**CITY OF MARION
COUNCIL ASSESSMENT PANEL MINUTES
FOR THE MEETING HELD ON
WEDNESDAY 02 JUNE 2021**



1.1 OPEN MEETING

The Meeting commenced at 6.29pm

1.2 PRESENT

Terry Mosel - Presiding Member
Yvonne Svensson- Independent Member
Michael Davis - Independent Member
Bryn Adams - Independent Member
Raelene Telfer – Council Member

1.3 APOLOGIES

Nil

1.4 IN ATTENDANCE

Alex Wright - CAP Assessment Manager – Team Leader - Planning
Nicholas Timotheou - Senior Development Officer – Planning
Kai Wardle - Development Officer - Planning
Warwick Deller-Coombs - Manager - Development & Regulatory Services

2. GENERAL OPERATIONS

3. HEARING OF APPLICATIONS

The Panel agreed to alter the order of proceedings, with Item 3.2 to be addressed first.

3.2 Report Reference: CAP020621 - 3.2
Application No: 100/2021/239 (100/C013/2021)
Site Location: 4 WILFRED STREET EDWARDSTOWN

- Rebecca Robinson and Carly Sare of The Village People Project Pty Ltd (Applicant) and Mr Joshua Skinner of URPS – on their behalf, addressed the Panel

The Council Assessment Panel resolved that;

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel note this report and concur with the findings and reasons for the recommendation;**
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and**
- (c) That Development Plan Consent and Land Division Consent for Development Application No: 100/2021/239 (100/C013/21) for a Residential Land Division, Community Title - 1 into 6 and a two storey residential flat building comprising of 6 dwellings with associated carports, landscaping and solar panels at 4 Wilfrid Street, Edwardstown be GRANTED subject to the following Reserved Matter and Conditions:**

RESERVED MATTER

Pursuant to Section 33(3) of the Development Act, Council **RESERVES** its decision in relation to the following matters. Development Approval cannot be issued by the Council unless and until it has assessed such matters and granted its consent in respect thereof.

- 1. A revised set of elevation plans shall be submitted to Council detailing the dimensions and location of all proposed solar panels to the reasonable satisfaction of the Team Leader – Planning.**

Pursuant to Section 33(3) of the Development Act 1993 the Council reserves its decision on the form and substance of any further conditions of development plan consent that it considers appropriate to impose in respect of the reserved matter outlined above.

CONDITIONS

- 1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).**

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2. Prior to the use and/or occupation of the structure(s), all stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details.
3. All car parking areas, driveways and vehicle manoeuvring areas must be constructed, sealed and drained in accordance with recognised engineering practices prior to the occupation of the premises or the use of the development herein approved and maintained in a good condition at all times.
4. Landscaping must be designed, undertaken and maintained in accordance with the plans and details forming part of the development authorisation.
5. Landscaping shall provide clear sightlines at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath, in accordance with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004.

Land Division Consent Conditions

- 1 The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0110176)

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.

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-andrenovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119

- 2 Payment of \$38,805.00 into the Planning and Development Fund (1 allotment/s @ \$7761.00 /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 Development Assessment Commission for Land Division Certificate purposes.

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6:44PM – Bryn Adams declared an indirect professional interest with Item 3.1 and left the meeting for the duration of the Item.

3.1 Report Reference: CAP020621 - 3.1
Application No: 100/2020/2362
Site Location: 411 MORPHETT ROAD OAKLANDS PARK

- James Levinson, of Botten Levinson Lawyers – on behalf of Citify Pty Ltd (Applicant) addressed the Panel

The Council Assessment Panel resolved that;

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel note this report;
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and
- (c) That Development Plan Consent for Development Application No: 100/2020/2362 for Two (2) three storey residential flat buildings: one comprising six dwellings and one comprising five dwellings, with associated landscaping at 411 Morphett Road, Oaklands Park be REFUSED for the following reasons:

REASONS FOR REFUSAL

1. The proposed development fails to meet, to the necessary extent, the provisions for the Zone in respect of:
 - (a) Off-street car parking spaces;
 - (b) The width of landscaping along the side boundaries;
 - (c) The area required for deep soil zones;
 - (d) The setback of the building from the eastern boundary.
2. The proposed development is at odds, to an unacceptable extent, with:
 - (a) The terms of the Desired Character statement which call for:
 - (i) Development to achieve a high quality urban design in both the public and private realm through building design, landscaping, surface treatments and street furniture;
 - (ii) Residential buildings sitting within a landscaped public realm that provides a high quality amenity for its residents, a setback sufficient to achieve physical/visual activation to the streetscape and an arrangement of buildings and infrastructure to create a pleasant outlook.
 - (b) Objectives 3 and 4 of Medium and High Rise Development (3 or More Storeys), which are in the following terms:
 - *Development that is contextual and responds to its surroundings, having regard to adjacent built form and*

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character of the locality and the Desired Character for the Zone and Policy Area.

- ***Development that integrates built form within high quality landscapes to optimize amenity, security and personal safety for occupants and visitors.***

7:10 PM – Bryn Adams re-joined the meeting.

4. PDI ACT APPLICATIONS

No Items Listed

APPEALS UPDATE**5.1 APPEALS AGAINST PANEL DECISIONS**

Staff provided a verbal update to members.

5.2 APPEALS AGAINST DELEGATED APPLICATIONS**6. POLICY OBSERVATIONS**

There was a discussion on the intent behind the Suburban Activity Node Zone and desired development outcomes. There is a perceived conflict between the Zone's quantitative and qualitative criteria, particularly the Desired Character statement.

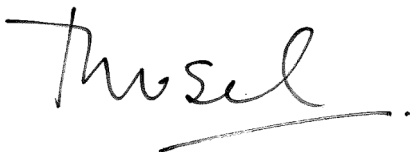
7. OTHER BUSINESS**8. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 2 June 2021 taken as read and confirmed this second day of June 2021.

9. MEETING CLOSURE

- Length of meeting: 56 minutes
- Number of Representors appearing before the Panel: 0
- Number of Applicants appearing before the Panel: 2

MEETING DECLARED CLOSED AT 7.25PM



Terry Mosel
Presiding Member