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**THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 04 DECEMBER 2019**

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**CITY OF MARION
COUNCIL ASSESSMENT PANEL MINUTES
FOR THE MEETING HELD ON
WEDNESDAY 04 DECEMBER 2019**



1.1 OPEN MEETING

The Meeting commenced at 6.30pm

1.2 PRESENT

Terry Mosel – Presiding Member
Yvonne Svensson – Independent Member
Sue Giles – Independent Member
Nathan Sim – Independent Member
Councillor Maggie Duncan – Elected Member

1.3 APOLOGIES

Nil

1.4 IN ATTENDANCE

Alex Wright – CAP Assessment Manager (Team Leader - Planning)
Warwick Deller-Coombs – Manager - Development & Regulatory Services
Andrew Houlihan – Senior Development Officer - Planning
Kai Wardle – Development Officer - Planning
Mitchell Mavrillac – Development Officer - Planning Assistant

2. HEARING OF APPLICATIONS

2.1 Report Reference: CAP041219 – 2.1

Application No: 100/2019/0816

Site Location: 284-286 Sturt Road, Marion, 288 Sturt Road, Marion, 292-296 Sturt Road, Marion, 876 Marion Road, Marion, 24 Tweed Avenue, Marion

- Mrs Blake (Representor) addressed the Panel
- Ms Ambler (Representor) concurred with the views expressed by Mrs Blake
- Mr Denton (Representor) addressed the Panel
- Mr King of URPS (on behalf of the Applicant) addressed and responded to questions of the Panel

The Council Assessment Panel resolved that;

RECOMMENDATION

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: 100/2103/2018 for To undertake a staged development: Stage 1 - alterations and additions to an existing educational establishment including demolition of existing playing courts, outbuilding, fencing and single storey dwelling, relocation of outbuilding and construction of two playing courts, a single storey building for use as a pre-school, alterations to access, internal driveway and car parking, the removal of a Significant Tree (*Eucalyptus camaldulensis*) and associated siteworks and landscaping; Stage 2 - The construction of a two storey educational building (Part 1); Stage 3 - The construction of a two storey educational building (Part 2) at 284-286 Sturt Road, Marion, 288 Sturt Road, Marion, 292-296 Sturt Road, Marion, 876 Marion Road, Marion and 24 Tweed Avenue, Marion be REFUSED subject to the following reasons:

REASONS FOR REFUSAL

1. The proposal seeks to remove a large and prominent significant tree which makes an important contribution to the character, amenity and environment of the locality, in contravention to Significant Trees Objectives 1 and 2, and Principles 1 and 2.
2. The proposal introduces into the Commercial Zone a land use that is not contemplated within that Zone or Policy Area and moreover a land use that is identified in Commercial Zone Principle 2 as being generally not appropriate.
3. The proposed site coverage is excessive for the purpose intended as a school located in a Residential Zone.
4. The proposed traffic access and circulation arrangements are incompatible with the safety needs of school children and external traffic flows.
5. The proposal generates a traffic density incompatible with that expected for the Policy Area.

CAP041219**2.2 Report Reference: CAP041219 – 2.2
Application No: 100/2019/907
Site Location: 1172-1174 South Road, Clovelly Park**

- Mr Casper (on behalf of the Applicant) responded to questions of the Panel
- Mr Bishop of GTA (on behalf of the Applicant) responded to questions of the Panel

The Council Assessment Panel resolved that;**RECOMMENDATION**

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 for Development Application No: 100/907/2019 for an integrated service station, operating over 24 hours, 7 days a week, comprising control building with retail display and sales areas (with gross leasable floor area exceeding 150 square metres), fuel canopies and pump stations, fuel storage tanks, freestanding illuminated signage, associated car parking, access and landscaping at 1172-1174 South Road, Clovelly Park be GRANTED subject to concurrence of the State Commission Assessment Panel (SCAP) and the following conditions and reserved matter:

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 landscaping plan shall be submitted to Council administration for consideration prior to Development Approval being issued, detailing a mixture of hedging or other plantings to Council's satisfaction to a height which obscures the 2.1 metre high western boundary fence.

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 shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/907/2019, being the following site plans drawn by ADS Architects:
 - Site plan dated 09.08.19 with drawing no. 19JN1359sk01d
 - Elevations dated 27.05.19 with drawing no. 19Jun1359sk02c
 - Elevations dated 27.05.19 with drawing no. 19JN1359sk03c

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2. All measures identified in the Environmental Noise Assessment report by Sonus dated July 2019 and with no. S6030C2, to limit noise emissions from the building and the site shall be implemented prior to commencement of the development herein approved and maintained for the life of the development.
3. All deliveries to and from the site (including waste collection) shall be restricted to the following times:
 - Monday to Friday (excluding public holidays) – 7am to 7pm
 - Weekends and Public Holidays – 9am to 7pm
4. Fuel Delivery shall be restricted to the hours of 7am to 10pm.
5. Noise generated from the site shall not exceed the maximum noise levels stipulated within the Environment Protection (Noise) Policy 2007, or subsequent legislation.

Construction Environmental Management Plan (CEMP)

6. A Construction Environmental Management Plan (CEMP) prepared by a site contamination consultant in accordance with the EPA publication *Guidelines for the Assessment and Remediation of Site Contamination (2018)*. The CEMP should incorporate, without being limited to, the following matters:
 - details as to how groundwater at the site would be managed during construction, including when the underground storage tanks are installed
 - surface water, including erosion and sediment control
 - soils, including fill importation, stockpile management and prevention of soil contamination
 - occupational health and safety, management measures to mitigate the potential risk to on-site workers and the environment associated with site contamination
 - air quality controls, outlining dust prevention
 - the engagement of a suitably qualified and experienced site contamination consultant to implement the CEMP and to:
 - manage and dispose of contaminated material in accordance with EPA and other relevant guidelines
 - validate underground storage systems excavations in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (ASCNEPM)* and other EPA guidelines prior to backfilling or replacement of Underground Storage Systems (which includes the preparation of a validation report).

Stormwater

7. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details drawn by Sagero with ref no. SA190006, prior to the occupation of the premises to the reasonable satisfaction of the Council.
8. A trap shall be installed as part of the site's stormwater system to prevent grease, oil, sediment, litter and other substances capable of contaminating stormwater from entering the Council's stormwater drainage system. The trap shall be regularly cleaned and maintained in good working order to the reasonable satisfaction of the Council.
9. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.

Landscaping

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10. Landscaping as identified on the approved plan by Oxigen, titled Landscape Plan with drawing no. 15.047.053, draft A shall be planted prior to the occupation of the premises and be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
11. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon (incorporating ramps or crossovers to facilitate the movement of persons with a disability).
12. Landscaping shall be maintained so as to not obstruct the views of drivers or pedestrians entering or exiting the site, to the reasonable satisfaction of Council.

Vehicle Movements and Car parking

13. All industrial and commercial vehicles visiting the site shall enter and exit the land in a forward direction. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
14. Wheel stopping devices shall be placed within each parking bay so as to prevent damage to adjoining fences, buildings or landscaping to the reasonable satisfaction of the Council.
15. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.
16. Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003. All car parking spaces shall be linemarked or delineated in a distinctive fashion prior to occupation of the premises, with the marking maintained in a clear and visible condition at all times.
17. 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.
18. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
19. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
20. Bicycle parking facilities be provided that are designed and constructed in accordance with Australian Standard, or subsequent standards. The facilities shall be located to ensure ease of access to users.

Lighting

21. All external lighting of the site, including car parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.

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22. Lighting associated with the signs shall be of an intensity that will not cause an unreasonable light overspill nuisance to adjacent occupiers, or be an undue distraction to motorists, to the reasonable satisfaction of the Council.
23. Pedestrian walkways on the subject site shall be adequately lit in accordance with Australian / New Zealand Standard AS/NZS 1158.3.1:1999 "Road Lighting Part 3.1: Pedestrian area (Category P) lighting - Performance and installation design guidelines". Such lighting shall be maintained at all times, to the reasonable satisfaction of the Council.

Signage

24. The advertisement(s) and supporting structure(s) shall be prepared and erected in a professional and workmanlike manner and maintained in good repair at all times, to the reasonable satisfaction of the Council.
25. The proposed sign(s) shall be constructed wholly on the subject site and no part shall extend beyond the property boundaries.

Department of Planning, Transport and Infrastructure Conditions

26. All access to the site shall be constructed in general accordance with ADS Architects Site Plan 19JN1359sk01c, dated 27 May 2019.
27. The South Road access shall cater for left turn in and left turn out movements only. Chevron line-marking shall also be incorporated in the design to reduce the width of the access for passenger vehicles while still permitting access for delivery vehicles.
28. The South Road and English Avenue access points shall be suitably signed and line-marked to reinforce the desired traffic flow.
29. The largest vehicle permitted on-site shall be restricted to a 16.4-metre semi-trailer.
30. All off-street parking shall be designed in accordance with *AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2009*. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in *AS/NZS 2890.1:2004*, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
31. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with *AS2890.2:2018*.
32. Any obsolete crossover/s (or any portion thereof) on South Road and English Avenue shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to operation of the development.
33. Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.
34. Signage shall not flash, scroll, move or change, with the exception of the LED fuel price signs, which may change on an as-needs basis.
35. Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the arterial road network shall be limited to a low level of

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illumination (i.e. $< 150\text{Cd/m}^2$), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m^2) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

36. Signage shall, in the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
37. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Environment Protection Authority Conditions

38. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.
39. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refueling.
40. All runoff from hardstand areas (including the refuelling and fuel delivery areas) of the site (refer to *Stormwater Plan* prepared by Sagero, Project No. SA190006, Drawing No. C01 B, dated July 2019, provided via email by Tim Beazley on 6 November 2019) must be directed via grates and grade changes to a forecourt full retention oil/water separator (no bypass function) that:
 - a. has as a minimum spill capture capacity of 10,000 litres
 - b. reduces oil content in the outlet to less than 5 mg/L (as confirmed by independent third party scientific testing)
 - c. operates effectively in the event of a power failure.
 - d. has an alarm connected by telemetry to appropriate maintenance personnel.
41. Any sludge or residues collected within the forecourt full retention oil/water separator is considered waste and must be removed by an EPA licensed waste transporter.
42. All underground fuel storage tanks must be double-walled and fitted with Automatic Tank Gauging (ATG) as a leak detection and monitoring system.
43. Prior to use, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a mechanical pressure leak detection system.

NOTES

1. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.

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2. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
3. All hard waste must be stored on-site in such a manner so as to prevent any materials entering the stormwater system either by wind or water action.
4. 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.
5. 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.
6. Noise from devices and/or activities on the subject site should not impair or impinge on the amenity of neighbours at any time. This includes noise generated from plant and equipment (including those servicing the building such as air-conditioning), as well as noise generated from activities such as loading and unloading of goods and/or waste. The Environment Protection Authority has restrictions relating to the control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.
7. The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be access on the following website: <http://www.epa.sa.gov.au>.
8. Both the State and Federal Governments have indicated clear commitments to progress a non-stop North-South Corridor for Adelaide. Construction is currently underway on the Northern Connector, Torrens Road to River Torrens and Darlington sections of the corridor, with funding committed towards the delivery of the Regency Road to Pym Street section of South Road. The nature and timing of potential improvements to the section of South Road, in the vicinity of the subject property, have yet to be determined and any potential future land requirements are unknown. Information about the 10 Year Delivery Strategy for the North-South Corridor can be found in the Scoping Report released on 18 May 2015 and is available at www.infrastructure.sa.gov.au/nsc/10yds.

Further information on the North-South Corridor can be obtained at www.infrastructure.sa.gov.au/nsc or if you would like to speak to a member of the North-South Corridor team, please email northsouthcorridor@sa.gov.au or call 1300 951 145.

2.3 Report Reference: CAP041219 – 2.3
Application No: 100/2019/270
Site Location: 2 King George Close, Seacliff Park

- Mr & Mrs Fatchen (Representor) addressed the Panel
- Mr Scothern (on behalf of the Applicant) responded to questions of the Panel

The Council Assessment Panel resolved that;

RECOMMENDATION

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: 100/270/2019 for Single storey dwelling incorporating a garage wall on the south-eastern boundary with associated earthworks and retaining walls at 2 King George Close SEACLIFF PARK 5049 be DEFERRED for the following reason:
 1. For the purpose of amendments being made to reduce the impact of the height of the boundary wall to more closely align with Residential Zone Principle 6.

2.4 Report Reference: CAP041219 – 2.4
Application No: 100/2016/2159
Site Location: 4 Greenock Drive, Sturt

- Mr Barkoukis (Applicant) responded to questions of the Panel

The Council Assessment Panel resolved that;

RECOMMENDATION

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: 100/2016/2159 for a single storey residential flat building comprising three dwellings with associated landscaping and car parking at 4 Greenock Drive, Sturt be REFUSED for the following reasons:

REASONS FOR REFUSAL

1. The proposed average site area is undersized against the minimum specified by Policy Area Principle 3.
2. The proposed site coverage exceeds the maximum specified by Policy Area Principle 4.
3. The proposed front setbacks do not sufficiently satisfy the minimum specified by Design and Appearance Principle 21 and 22, and the proposed side setbacks do not sufficiently satisfy Residential Zone Principle 6.
4. The proposal does not represent good residential design practice as sought by Policy Area Objective 5.

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2.5 Report Reference: CAP041219 – 2.5
Application No: 100/2019/403 - 100/D034/19
Site Location: 355 Diagonal Road, Seacombe Gardens

- No persons addressed the Panel in relation to this item

The Council Assessment Panel resolved that;

RECOMMENDATION

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 and Land Division Consent for Development Application No: 100/403/2019 for Land Division Residential Torrens Title - 1 into 3 allotments; and the subsequent construction of two single storey detached dwellings, and one two storey detached dwelling at 355 Diagonal Road, Seacombe Gardens be REFUSED for the following reasons:

REASONS FOR REFUSAL

1. Each proposed site area fails to meet the minimum specified by Policy Area Principle 6.
2. The proposal exceeds the maximum site coverage specified by Policy Area Principle 7 to an unacceptable level.
3. The proposal, by virtue of the overshadowing impact of Dwelling 3 upon the private open spaces and internal living areas of Dwellings 1 and 2, fails to meet the relevant provisions which speak to good residential design practice.

CAP041219**2.6 Report Reference: CAP041219 – 2.6
Application No: 100/2019/1341 - 100/D135/19
Site Location: 5 Cungena Avenue, Park Holme**

- No persons addressed the Panel in relation to this item

The Council Assessment Panel resolved that;**RECOMMENDATION**

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, Land Division Consent and Development Approval be GRANTED for Stage 1: Land Division Residential Torrens - 1 into 2 allotments; and that Development Plan Consent be GRANTED for Stage 2: The construction of two single storey detached dwellings with associated landscaping, of Development Application No: 100/1341/2019 at 5 Cungena Avenue, Park Holme, subject to the following conditions and Reserved Matter:

RESERVED MATTERS

Pursuant to Section 33(3) of the Development Act, Council RESERVES its decision in relation to the following matters. Development Approval to Stage 2 cannot be issued by the Council unless and until it has assessed such matters and granted its consent in respect thereof.

1. A fully engineered site works and drainage plan shall be provided to Council for consideration and approval prior to Development Approval being issued to Stage 2. This plan must detail top of kerb level, existing ground levels throughout the site and on adjacent land, proposed bench levels and finished floor levels, the extent of cut/fill required, the location and height of proposed retaining walls, driveway gradients, and the location of all existing street infrastructure and street trees.

Stormwater from the structures approved herein shall be collected and directed into a retention tank (or tanks) which are sized in accordance with that required by Natural Resources Principle 17 of the Marion Council Development Plan.

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. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be undertaken in strict accordance with the details and plans submitted in Development Application No.100/2019/1341 (SCAP Reference: 100/D135/19) except where varied by the following conditions of consent.

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2. All buildings and all deleterious materials such as concrete slabs, footings, retaining walls, irrigation, water or sewer pipes and other rubbish shall be cleared from the subject land, prior to the Council advising the Development Assessment Commission that it has no objection to the issue of a certificate pursuant to Section 51 of the Development Act.
3. The final survey plan shall be available to the Council, prior to the Council advising the Development Assessment Commission that it has no objection to the issue of a certificate pursuant to Section 51 of the Development Act.
4. 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.
5. All areas nominated as landscaping or garden areas on the approved plans shall be planted and maintained with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
6. Any existing vegetation nominated to be retained and/or any new vegetation proposed to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.

Land Division Consent

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 H0088894)
2. 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. 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.
4. Payment of \$7,616.00 into the Planning and Development Fund (1 allotment/s @ \$7,616.00 /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 Planning, Transport and Infrastructure 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.
5. 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.

NOTES

1. The applicant is reminded to contact the Council when all of the Council's conditions have been complied with and accordingly, the Council will advise the Development Assessment Commission that it has no objection to the issuance of a certificate pursuant to Section 51 of the Development Act.

CAP041219

2. Payment of a fee of \$385.00 (including GST) shall be required for Council to undertake removal and replacement of the juvenile street tree affected by the proposed crossover on the eastern side of the property frontage.

CAP041219

2.7 Report Reference: CAP041219 – 2.7
Application No: 100/2019/1659 - 100/D168/19
Site Location: 11 Wooton Road, Edwardstown

- Mr Laycock (Applicant) responded to questions of the Panel

The Council Assessment Panel resolved that;

RECOMMENDATION

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 and Land Division Consent for Development Application No: 100/2019/1659 for Residential land division (Torrens-title 1 into 3 allotments) and three single-storey row dwellings, one of which incorporates a wall on the western boundary, as well as associated garages and landscaping at 11 Wooton Road, Edwardstown, be DEFERRED for the following reasons:
 1. That the applicant be advised that the proposal is not sufficiently in accord with the relevant provisions of the Development Plan in respect of site coverage.
 2. To enable the applicant to consider amending the proposal to reduce site coverage to more closely align with the maximum specified by Policy Area Principle 5.

OTHER BUSINESS

3.1 APPEALS UPDATE

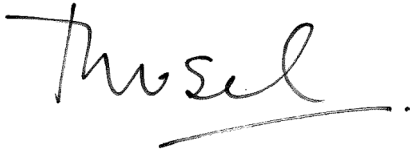
3.2 POLICY OBSERVATIONS

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 4th December 2019 taken as read and confirmed this fourth day of December 2019

5. MEETING CLOSURE

MEETING DECLARED CLOSED AT 9.15PM

A handwritten signature in black ink that reads "Terry Mosel". The signature is written in a cursive style and is underlined with a single horizontal line.

Terry Mosel
Presiding Member