

**CITY OF MARION  
COUNCIL ASSESSMENT PANEL MINUTES  
FOR THE MEETING HELD ON  
WEDNESDAY 7 MARCH 2018**

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**1.1 OPEN MEETING**

The Meeting commenced at 6.30pm

**1.2 PRESENT**

Terry Mosel - Presiding Member  
Don Donaldson - Independent Member  
Sue Giles - Independent Member  
Nathan Sim - Independent Member

**1.3 APOLOGIES**

Deputy Mayor Janet Byram - Elected Member  
Councillor Luke Hutchinson - Elected Member

**1.4 IN ATTENDANCE**

Rob Tokley - CAP Assessment Manager (Team Leader - Planning)  
Adrian Skull – Chief Executive Officer  
Jason Cattonar – Manager - Development & Regulatory Services  
Alex Wright - Development Officer - Planning

## 2. HEARING OF APPLICATIONS

2.1 Report Reference: CAP070318 – 2.1  
Application No: 100/2017/2437  
Site Location: 1 Berrima Road, Sheidow Park

- Michael Lambert of Brown Falconer Group (Applicant) and Mr Craig Fosdike (Principle of St Martin de Porres) answered questions of 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 for Development Application No: 100/2017/2437 for Alterations and additions to an existing educational establishment including the construction of a single-storey building, outdoor learning area and landscaped entry plaza, resurfacing sports courts and the construction of a new roof over, the relocation of an existing transportable building and removal of an existing transportable building at 1 Berrima Road, Sheidow Park be GRANTED subject to the following conditions:

### CONDITIONS

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2017/2437, being drawing numbers 3134 – DA01 (Rev C), 3134 – DA02 (Rev A), 3134 – DA03 (Rev A), 3134 – DA04 (Rev A), 3134 – DA05, 3134 – DA06 (Rev A), 3134 – DA08 prepared by Brown Falconer, and drawing number S-17-10-100 (Rev B) 'Landscape Plan for Planning Approval' prepared by Designwell, documentation titled 'Stormwater Management Plan' prepared by FMG Engineering, and email correspondence from Mr Michael Lambert dated 5 March 2018, except when varied by the following conditions of consent.
2. Noise from devices, including noise generated from plant and equipment (including those servicing the buildings such as air-conditioning), shall not exceed the relevant Environment Protection (Noise) Policy criteria when assessed at the nearest existing noise sensitive premise.
3. Parking areas must be maintained in a good condition at all times.
4. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
5. 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.

**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.**
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. **Vehicle crossovers should be setback a minimum 2 metres from existing street trees, and 1 metre from street infrastructure and utilities (including stormwater side entry pits, stobie poles, street signs, cable pits, pram ramps etc.).**
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.**
6. **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.**

**CAP070318**

**2.2 Report Reference: CAP070318 – 2.2  
Application No: 100/2016/1783 (100/C220/16)  
Site Location: 8 Fourth Avenue, Ascot Park**

- No persons addressed the Panel in relation to this item.

**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: 100/2016/1783 (SCAP No. 100/C220/16) to undertake a Residential Community Title Land Division - 1 into 4 allotments and to construct a two storey residential flat building comprising two dwellings and a single storey residential flat building comprising two dwellings with associated car parking and landscaping at 8 Fourth Avenue, Ascot Park 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 matter. Development Approval cannot be issued by the Council unless and until it has assessed such matters and granted its consent in respect thereof.**

- 1. Provision of a fully engineered site works and drainage plan detailing 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 infrastructure and street trees, to the reasonable satisfaction of the Manager of Development and Regulatory Services.**

**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. 100/2016/1783 (SCAP Ref. 100/C220/16), except when varied by the following conditions of consent.**
- 2. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.**

**Note:** A copy of the information guide can be viewed at the City of Marion webpage [www.marion.sa.gov.au/page.aspx?u=181](http://www.marion.sa.gov.au/page.aspx?u=181)

3. 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.
4. All devices/treatments proposed as part of the Development Application to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises.
5. All existing vegetation nominated to be retained and all new vegetation 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.
6. 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.
7. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
8. Party/common wall(s) associated with the development proposed to be built on the land shall be accurately identified on the plan of division 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.
9. 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.
10. 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.

#### ***Land Division Consent***

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services.
2. Payment of \$20028 into the Planning and Development Fund (3 allotments @ \$6676/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, 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.

**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.
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. Vehicle crossovers should be setback a minimum 2 metres from existing street trees, and 1 metre from street infrastructure and utilities (including stormwater side entry pits, stobie poles, street signs, cable pits, pram ramps etc.).
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.
6. 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.

**CAP070318**

**2.3 Report Reference: CAP070318 – 2.3  
Application No: 100/2015/2273  
Site Location: 18A Shaftesbury Terrace, Marino**

- No persons addressed the Panel in relation to this item.

**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 for Development Application No: 100/2015/2273 for enclosure of existing carport on western boundary and construction of new retaining wall and fencing exceeding 2.1 metres (retrospective) at 18A Shaftesbury Terrace, Marino be GRANTED subject to the following conditions:**

**CONDITIONS**

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2015/2273.**

## CAP070318

**2.4 Report Reference: CAP070318 – 2.4**  
**Application No: 100/2017/1978**  
**Site Location: 36 Sunshine Avenue, Warradale**

- No persons addressed the Panel in relation to this item.

**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 for Development Application No: 100/2017/1978 for Construction of a single storey dwelling and a two storey dwelling, and removal of a significant tree at 36 Sunshine Avenue, Warradale 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 matter. Development Approval cannot be issued by the Council unless and until it has assessed such matters and granted its consent in respect thereof.**

- 1. Provision of a fully engineered site works and drainage plan detailing 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 infrastructure and street trees, to the reasonable satisfaction of the Manager of Development and Regulatory Services.**
- 2. Provision of a landscape plan detailing the location, species and projected growing heights throughout the site should be submitted for further consideration, to the reasonable satisfaction of the Manager of Development and Regulatory Services.**

#### **CONDITIONS**

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2017/1978, being drawing numbers 1, 2, 4 and 5 prepared by Felmeri Homes and stamped as received by Council on 19 January 2018, as well as drawing numbers 3 and 6 prepared by Felmeri Homes and stamped as received by Council on 17 October 2017, except when varied by the following conditions of consent.**
- 2. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.**



*Note: A copy of the information guide can be viewed at the City of Marion webpage [www.marion.sa.gov.au/page.aspx?u=181](http://www.marion.sa.gov.au/page.aspx?u=181)*

3. The portion of the upper floor windows to all side and rear-facing upper floor rooms (except the west-facing windows presenting to the street) of Dwelling 2 not less than 1.5m above the internal floor level shall be treated prior to occupation of the building in a manner that permanently restricts views of adjoining properties yards and/or indoor areas being obtained by a person within the room to the reasonable satisfaction of the Council.
4. All devices/treatments proposed as part of the Development Application to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises.
5. 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.
6. All car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.
7. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.

#### NOTES

1. The applicant is reminded that payment of \$262.50 to the City of Marion Urban Tree Fund is required to be made prior to the issue of Development Approval. Payment can be made via telephone or in person quoting Development Application 100/2017/1978.
2. 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.
3. 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).
4. 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.
5. Vehicle crossovers should be setback a minimum 2 metres from existing street trees, and 1 metre from street infrastructure and utilities (including stormwater side entry pits, stobie poles, street signs, cable pits, pram ramps etc.).
6. 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.

7. 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.
8. The applicant is advised that if an air-conditioning unit is to be fixed or mounted on the roof of a dwelling, a separate Development Application will be required for such works.

**2.5 Report Reference: CAP070318 – 2.5  
Application No: 100/2017/2448  
Site Location: 15 Macklin Street and 19 Parson Street, Sturt**

- No persons addressed the Panel in relation to this item.

**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: 100/2017/2448 for 4 single storey row dwellings and 3 single storey row dwellings with associated landscaping at 15 Macklin Street and 19 Parson Street, Sturt be REFUSED for the following reasons:**
  - 1. The proposal does not display adequate compliance with the Desired Character of the Northern Policy Area 13, which seeks for “cohesive development”, that the “overall character of the built form will...improve” and that medium density development be “appropriately designed”.**
  - 2. The proposal has not had sufficient regard to the express minimum site area for row dwellings in the Northern Policy Area 13, failing to satisfy Policy Area Principle 3.**
  - 3. The site coverage displayed well exceeds the maximum sought for new development within the Northern Policy Area, failing to satisfy Policy Area Principle 4.**
  - 4. The frontage width of Dwellings 5, 6 and 7 fail to accord with the minimum 7.0 metres sought for row dwellings in the Policy Area Principle 4.**

## CAP070318

2.6 Report Reference: CAP070318 – 2.6  
Application No: 100/2017/2183  
Site Location: 65 Sunshine Avenue, Warradale

- No persons addressed the Panel in relation to this Item

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: 100/2017/2183 for Land Division Residential Torrens Title 1 into 3 allotments and subsequent construction of three two storey row dwellings at 65 Sunshine Avenue, Warradale be GRANTED subject to the following conditions:

#### CONDITIONS

1. The development shall be constructed and maintained in accordance with the plans and details submitted with and forming part of Development Application No. 100/2017/2183 except when varied by the following conditions of consent.
2. An amended landscape plan shall be provided to Council, for consideration and approval, detailing an increased mix of plantings with a mature growth height exceeding 6.0 metres and of a type which provides substantial canopy cover.
3. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.

*Note: A copy of the information guide can be viewed at the City of Marion webpage [www.marion.sa.gov.au/page.aspx?u=181](http://www.marion.sa.gov.au/page.aspx?u=181)*

4. All devices/treatments proposed as part of the Development Application to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises.
5. Landscaping as identified on the approved plan 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.
6. 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.

7. All car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.
8. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.

#### LAND DIVISION CONSENT

1. Party/common wall(s) associated with the development proposed to be built on the land shall be accurately identified on the plan of division 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.
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. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services.
5. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
6. Payment of \$13660 into the Planning and Development Fund (2 allotment(s) @ \$6830/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
7. 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.

#### 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.
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).

**CAP070318**

- 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. Vehicle crossovers should be setback a minimum 2 metres from existing street trees, and 1 metre from street infrastructure and utilities (including stormwater side entry pits, stobie poles, street signs, cable pits, pram ramps etc.).**
- 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.**
- 6. 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.**

**CAP070318**

**2.7 Report Reference: CAP070318 – 2.7  
Application No: 100/2017/1786  
Site Location: 30 Nelson Street, South Plympton**

- No persons addressed the Panel in relation to this item.

**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: 100/2017/1786 for one single storey detached dwelling and one single storey residential flat building comprising two dwellings at 30 Nelson Street, South Plympton be REFUSED for the following reasons:**
  - 1. The proposal has not had sufficient regard to the express minimum site area for group and detached dwellings in the Northern Policy Area 13, failing to satisfy Policy Area Principle 3.**
  - 2. The site coverage displayed well exceeds the maximum sought for new development within the Northern Policy Area, failing to satisfy Policy Area Principle 4.**
  - 3. The dimension and functionality of the private open space areas fail to provide adequate compliance with Residential Zone Principle 7.**

### 3. OTHER BUSINESS

#### 3.1 CONFIDENTIAL ITEM CAP070318 - 3.1

- Rob Gagetti and Lachie Hogarth answered questions of the Panel on behalf of Accord Property (Applicant)

7.45pm Pursuant to Section 56A(12)(ix) of the Development Act, 1993, the Panel resolve to exclude the public from attendance for the deliberation of Item 3.1.

**The Council Assessment Panel resolved that;**

- The Panel note this report, have considered all relevant planning matters and concurs with the findings and reasons for the recommendation;**
- 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**
- That the Development Assessment Panel advise the Environment, Resources and Development Court that Council supports the comprise proposal submitted by Accord Property for Development Application No: 100/2017/1285 at 49-51 Vennachar Drive, Hallett Cove and recommends the following conditions:**

### **CONDITIONS**

- The development shall be constructed and maintained in accordance with the plans and details submitted with and forming part of Development Application No.100/2017/1285, being the following documentation prepared by Brown Falconer**
  - Sk-001- Revision C cover sheet & locality plan;
  - Sk-002- Revision C context plan;
  - Sk-003 - Revision C existing site & demolition plan;
  - Sk-004 - Revision D existing floor plan/demolition;
  - Sk-005 - Revision C existing roof plan;
  - Sk-006 - Revision C existing elevations;
  - Sk-007 - Revision Q proposed site plan;
  - Sk-008 - Revision O proposed floor plan;
  - Sk-009 - Revision H proposed roof plan;
  - Sk-010 - Revision K proposed elevations;
  - Sk-011 - Revision F landscape plan;
- All fencing nominated on the subject plans to incorporate 'Acoustic Absorption' shall be undertaken accordance details outlined within the 'Environmental Noise Assessment' prepared by SONUS, dated May 2017.**
- The northern wall of the local heritage building shall be rendered in a colour sympathetic to the predominant colour of the local heritage building.**
- The proposal shall be amended to remove wheel stop devices from parking spaces 11 – 22 (inclusive) and include an upright kerb at the southern extremity of those spaces. Amended plans shall be provided to Council for consideration and approval, prior to Development Approval being issued.**



5. A fully engineered site works and drainage plan shall be provided to Council for consideration and approval prior to Development Approval being issued. 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, shall be provided to Council for consideration and approval prior to the issuing of Development Approval.
6. Further information as to the proposed colours and material intended for all retaining walls throughout the subject site is required prior to the issuing of Development Approval for Council consideration and approval.
7. Bollard lighting shall be provided in appropriate locations throughout the car park and adjacent the building's entry to enhance safety and security in non-daylight hours. Details of the lighting shall be provided prior to the issuing of Development Approval for Council consideration and approval.

#### Hours of Operation

8. The hours of operation of the premises shall be restricted to 6.30am until 6.30pm Monday to Friday (excluding public holidays).
9. The use of the external play areas shall be restricted to 7am to 6:30pm.

#### Waste

10. All waste disposal and pick up shall be undertaken in accordance with the requirements stipulated within the *Environment Protection (Noise) Policy 2007*, or subsequent legislation
11. The collection of waste shall not occur whilst the use is in operation.
12. All waste and other rubbish shall be stored in a manner so that it does not create insanitary conditions, unreasonable nuisance or pollution to the environment to the reasonable satisfaction of the Council.
13. All waste and other rubbish shall be screened from public view to the reasonable satisfaction of Council.
14. 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.

#### Landscaping

15. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers prior to the occupation of the premises and thereafter maintained to the reasonable satisfaction of the Council.
16. 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.

#### Car Park

17. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
18. 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.
19. Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
20. 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.
21. All car parking spaces shall be line-marked 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.
22. Bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 "Manual of uniform traffic control devices Part 9: Bicycle facilities".

#### Stormwater

23. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
24. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.

*Note: A copy of the information guide can be viewed at the City of Marion webpage [www.marion.sa.gov.au/page.aspx?u=181](http://www.marion.sa.gov.au/page.aspx?u=181)*

25. 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.
26. 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.
27. Stormwater must be disposed of in such a manner that does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

**CAP070318**

7.52pm The meeting re-opened to the public

7.54pm Pursuant to Section 56A(12)(ix) of the Development Act, 1993, the Panel resolve to exclude the public from attendance for the deliberation of Item 3.2.

**3.2 CONFIDENTIAL ITEM**  
**CAP070318 - 3.2**

- No persons addressed the Panel in relation to this Item

**The Council Assessment Panel resolved that;**

- (a) The Panel note this report;**
- (b) 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 the Council Assessment Panel advise the Environment, Resources and Development Court that Council acknowledges compliance with the provisions for side setbacks, but nevertheless does not support the compromise proposal submitted by Mrs Canna Jing for Development Application No: 100/2017/981 at 42 Woodland Road, Mitchell Park.**

8.15pm: Meeting re-opened to the Public

**3.3 APPEALS UPDATE**

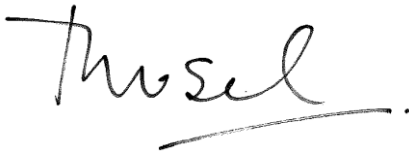
**3.4 POLICY OBSERVATIONS**

**4. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 7 March 2018 taken as read and confirmed this seventh day of March 2018

**5. MEETING CLOSURE**

**MEETING DECLARED CLOSED AT 8.35PM**

A handwritten signature in black ink that reads "Terry Mosel" with a horizontal line underneath.

***Terry Mosel***  
***Presiding Member***