

**CITY OF MARION
COUNCIL ASSESSMENT PANEL MINUTES
FOR THE MEETING HELD ON
WEDNESDAY 17 JANUARY 2018**



1.1 SITE INSPECTION

The Meeting commenced at 2 Fowler Street Seaview Downs at 5.35pm, concluding at 5:50pm

1.2 PRESENT

Terry Mosel - Presiding Member
Gavin Lloyd-Jones - Independent Member
Sue Giles - Independent Member
Janet Byram - Elected Member

1.3 APOLOGIES

Nathan Sim – Independent Member (site inspection only)
Don Donaldson - Independent Member

1.4 IN ATTENDANCE

Alex Wright – CAP Assessment Manager (Acting Team Leader – Planning)
Nicholas Timotheou - Development Officer – Planning

1.5 MEETING COMMENCEMENT

The meeting re-commenced at the Council chambers at 6.33pm

1.6 PRESENT

Terry Mosel - Presiding Member
Gavin Lloyd-Jones - Independent Member
Sue Giles - Independent Member
Nathan Sim - Independent Member
Janet Byram - Elected Member

1.7 APOLOGIES

Don Donaldson - Independent Member

1.8 IN ATTENDANCE

Alex Wright – CAP Assessment Manager (Acting Team Leader – Planning)
Abby Dickson – General Manager – City Development
Jason Cattonar – Manager - Development & Regulatory Services
Nicholas Timotheou - Development Officer – Planning

2. HEARING OF APPLICATIONS

2.1 Report Reference: CAP170118 – 2.1
Application No: 100/2015/1503
Site Location: 6/546 Marion Road, Plympton Park

- Mr Darren Prosser (Applicant) 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: 100/2015/1503 for a change of use to place of worship and associated ancillary uses at 6/546 Marion Road, Plympton Park be GRANTED subject to seeking concurrence from the State Commission Assessment Panel and 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. 100/2015/1503, being drawing numbers A-010, A-011, A-103, A-012, A-701, A-702 prepared by PSA Design, received by Council 29 January 2016, except when varied by the following conditions of consent:
2. Hours of operation for the place of worship and all ancillary uses shall be restricted to 7am to 10pm of each day.
3. The maximum capacity of the premises (Levels 1 and 2) shall not exceed 361 persons at any one time.
4. Noise generated from the site shall not exceed the maximum noise levels stipulated within the Environment Protection (Noise) Policy 2007, or subsequent legislation.
5. 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.
6. All loading and unloading of vehicles associated with the subject premises shall be carried-out entirely upon the subject land.
7. 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.

CAP170118

- 8. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.**
- 9. All car parking spaces shall be maintained in a clear and visible condition at all times.**
- 10. Directional signs indicating the location of car parking spaces must be provided on the subject land and maintained in a clear and legible condition at all times.**
- 11. The car parking spaces herein approved shall be available free of charge to any individual visitor to the site or employee of the site during the business hours of the premises.**

DPTI Conditions

- 12. Access to/from the site shall be gained via the existing access points to/from Marion Road. No additional access shall be created.**
- 13. All vehicles shall enter and exit the site in a forward direction.**
- 14. Any non-illuminated signage point he site shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.**
- 15. Signage associated with the development shall not contain any element that flashes, scrolls, moves, or changes.**
- 16. The utilisation of Trailer Mounter Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.**

CAP170118

**2.2 Report Reference: CAP170118 – 2.2
Application No: 100/100/2017/15
Site Location: 2 Fowler Street, Seaview Downs**

- Angela Davidson of Town Planning HQ on behalf of Wilson Nguyen (Representor) addressed the Panel
- Garth Heynen of Heynen Planning on behalf of Sasha Dale Stella (Applicant) 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: 100/15/2017 for Single and two storey additions to the existing dwelling, including an extension to the existing boundary wall and a detached verandah to the rear of the site with associated deck at 2 Fowler Street, Seaview Downs 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. The applicant shall provide additional details in regard to the external colour and finish of the northern walls. The external colour and finish should be non-reflective and of a colour that is complementary to existing buildings on the subject land and locality, 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. 100/15/2017, except when varied by the following conditions of consent.**
- 2. All mortar joints on any face brickwork on the property boundary are to be finished in a professional manner, similar to other external brickwork on the subject dwelling.**

CAP170118

3. 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 upper level.
4. 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. 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.

CAP170118

2.3 Report Reference: CAP170118 – 2.3
Application No: 100/2017/1222
Site Location: 849 Marion Road, Mitchell Park

- Julie Janson of Master Plan and Aaron Schintler of Studio Nine Architects on behalf of The Hurley Hotel Group (Applicant) answered questions of the Panel

That the Council Assessment Panel determine:

- a) **The amended plans have adequately addressed Reserved Matters 1 and 2.**

CAP170118

2.4 Report Reference: CAP170118 – 2.4
Application No: 100/2017/919
Site Location: 8 Howard Street, Dover Gardens

- Mr Mark Piantedosi (Applicant) 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: 100/919/2017 for three single storey row dwellings with associated car parking and landscaping at 8 Howard Street, Dover Gardens 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. 100/919/2017, except when varied by the following conditions of consent.
2. All mortar joints on any face brickwork on the property boundary are to be finished in a professional manner, similar to other external brickwork on the subject dwelling.
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

4. 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.
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. **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.**

CAP170118

**2.5 Report Reference: CAP170118 – 2.5
Application No: 100/2017/2129
Site Location: 59 Pildappa Avenue, Park Holme**

- David Thompson of InProperty Design on behalf of Mr Byron Bai (Applicant) 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 and Land Division Consent for Development Application No: 100/2129/2017 (DAC: 100/D263/17) for Residential Land Division Torrens Title 1 into 3 allotments and subsequent construction of three single storey row dwellings, one of which incorporating a wall on the eastern boundary at 59 Pildappa Avenue, Park Holme 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. 100/2129/2017, being drawings**
 - a. 01 of 08 to 08 of 08 (inclusive) prepared by InProperty Design, received by Council 27 December 2017**
 - b. Civil Detail – 3 prepared by SCA Engineering, received by Council 27 December 2017**
 - c. Plan of Proposed Plan prepared by SKS Surveyors, dated 22 December 2017**

except when varied by the following conditions of consent.

- 2. All mortar joints on any face brickwork on the property boundary are to be finished in a professional manner, similar to other external brickwork on the subject dwelling.**
- 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

- 4. 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.**

CAP170118

5. 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.
6. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
7. All areas nominated as landscaping or garden areas on the approved plans shall be planted 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.
8. 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.
9. 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.
10. 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.
11. 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 (SA Water H0066036).

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

SA Water Corporation further advise than an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

2. Payment of \$13660 into the Planning and Development Fund (2 allotments @ \$6830/allotment). Payment may be made by credit card via the internet at 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, 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.

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.**

3. OTHER BUSINESS

3.1 APPEALS UPDATE

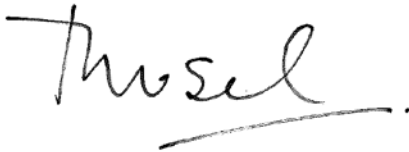
3.2 POLICY OBSERVATIONS

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 17 January 2018 taken as read and confirmed this seventeenth day of January 2018

5. MEETING CLOSURE

MEETING DECLARED CLOSED AT 8.19PM

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 stroke.

Terry Mosel
Presiding Member