



- 1.1 OPEN MEETING**
- 1.2 PRESENT**
- 1.3 APOLOGIES**
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- 2. GENERAL OPERTIONS**
- 3. APPLICATIONS**
 - 3.1 1-6/1 PEERA STREET, HALLETT COVE**
 To divide land (1 into 6) allotments to create six (6) additional allotments and one (1) common property allotment with retention of existing dwellings
 Report Reference: CAP190820 - 3.1.....2
 - 3.2 139 BRADLEY GROVE, MITCHELL PARK**
 Demolition of existing community facility and associated facilities and the construction of a new community facility comprising sporting facilities, clubrooms and multi-functional spaces, two indoor multipurpose courts, two outdoor tennis and netball courts, three new retractable cricket nets, associated car parking, landscaping, lighting, fencing, solar photovoltaic panels, and the removal of five regulated trees including; Significant tree 10 (River Red Gum – Eucalyptus camaldulensis), Regulated tree 16 (River Red Gum – Eucalyptus camaldulensis), Regulated tree 17 (River Red Gum – Eucalyptus camaldulensis), Regulated Tree 22 (River Red Gum – Eucalyptus camaldulensis), Regulated tree 25 (River Red Gum – Eucalyptus camaldulensis)
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**CITY OF MARION
COUNCIL ASSESSMENT PANEL MINUTES
FOR THE MEETING HELD ON
WEDNESDAY 19 AUGUST 2020**



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
Matthew Shilling – Council Member (Deputy Council Member)

1.3 APOLOGIES

Raelene Telfer – Council Member
Alex Wright – CAP Assessment Manager – Team Leader - Planning

1.4 IN ATTENDANCE

Andrew Houlihan – Senior Development Officer - Planning
Danijel Antic - Development Officer - Planning
Warwick Deller-Coombs - Manager - Development & Regulatory Services
Ilia Houridis – General Manager - City Development

2. GENERAL OPERATIONS

Nothing to report.

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3. HEARING OF APPLICATIONS**3.1 Report Reference: CAP190820 - 3.1****Application No: 100/2020/954****Site Location: 1-6/1 Peera Street, Hallett Cove**

- No person 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 notes this report and concur with the findings and reasons for the recommendation;**
- (b) The Panel concurs 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 for Development Application No: 100/954/2020 for To divide land (1 into 6) allotments to create six (6) additional allotments and one (1) common property allotment with retention of existing dwellings at 1 to 6/1 Peera Street, Hallett Cove be GRANTED subject to the following conditions:**

CONDITIONS***Development Plan Consent***

- 1. The development shall be undertaken in accordance with the plans and details submitted with and forming part of Development Application No. 100/954/2020 (SCAP ref: 100/C089/20), except when varied by the following conditions of consent.**
- 2. 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.**
- 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. A certificate from a suitably qualified person shall be submitted confirming that the building has been adequately fire-separated in accordance with the provisions of the Building Code of Australia, 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 S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0099307)**

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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.

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.

2. Payment of \$38,080.00 into the Planning and Development Fund (5 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.
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 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 issue of a certificate pursuant to Section 51 of the Development Act.

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3.2 Report Reference: CAP190820 - 3.2
Application No: 100/2020/461
Site Location: 139 Bradley Grove, Mitchell Park

- The Corporation of the City of Marion Represented by Birgit Stroeher and Greg Salmon (Applicant) and Justin Cucchiarelli Studio 9 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 notes this report and concurs with the findings and reasons for the recommendation;**
- (b) The Panel concurs 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 the Demolition of existing community facility and associated facilities and the construction of a new community facility comprising sporting facilities, clubrooms and multi-functional spaces, two indoor multipurpose courts, two outdoor tennis and netball courts, three new retractable cricket nets, associated car parking, landscaping, lighting, fencing, solar photovoltaic panels, and the removal of five regulated trees including; Significant tree 10 (River Red Gum – Eucalyptus camaldulensis), Regulated tree 16 (River Red Gum – Eucalyptus camaldulensis), Regulated tree 17 (River Red Gum – Eucalyptus camaldulensis), Regulated Tree 22 (River Red Gum – Eucalyptus camaldulensis), Regulated tree 25 (River Red Gum – Eucalyptus camaldulensis), Development Application No: 100/0461/2020 at 139 Bradley Grove, Mitchell Park 5043, be GRANTED, subject to the following conditions;**

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.100/2020/0461 and the following documentation,**
 - **An Ecologically Sustainable Design report prepared by dsquared, dated 28 May 2020;**
 - **Waste Management Plan prepared by dsquared, dated 15 May 2020**
 - **Traffic and parking report prepared by CIRQA, dated 29 May 2020;**
 - **Trees Assessment report and associated plans prepared by Adelaide ARB Consultants, dated 25 May 2020;**
 - **Landscape Plan prepared by DesignWell drawings s20-01-100 0103;**
 - **Music and Environment Noise Assessment Report prepared by SONUS, dated May 2020;**
 - **Stormwater Management Plan prepared by Triaxial consulting, dated 15 May 2020;**
 - **Triaxial Drawings 14508 C1.00 – C6.01, dated 29 May 2020.**
 - **Studio Nine drawings 909-089 PA00 – PA08, dated 29 May 2020;**

except where varied by the following conditions of consent.

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2. The hours of operation of the facility shall be restricted to the following times:
 - Monday to Thursday 5:00am to Midnight;
 - Fridays and Saturdays 5:00am – 1:00am (the following day)
 - Sunday – 8:00am to Midnight
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. 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.
5. Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS 2890.6.2009.
6. 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.
7. 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.
8. All buildings and paved areas shall be connected to a stormwater collection and disposal system that is connected to the street watertable or, where relevant, back of block drainage pipes.
9. 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.
10. 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.
11. 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.
12. Driveways, parking and manoeuvring areas and footpaths must be lit in accordance with the Australian Standards Association Code AS 1158 during the hours of darkness that they are in use. Such lights must be directed and screened so that overspill of light into the nearby properties is avoided and motorists are not distracted. Such lighting shall be maintained at all times, to the reasonable satisfaction of the Council.
13. 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 (including the prevention of any materials entering the stormwater system either by wind or water), to the reasonable satisfaction of Council.

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14. All waste and other rubbish shall be screened from public view, to the reasonable satisfaction of Council.
15. 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.
16. Waste collection and service vehicles (operated by private contractor/s) required to enter and exit the subject land shall be scheduled to occur outside of peak usage periods for the approved land use(s) and peak traffic periods for the local road network.
17. Eleven (11) replacement trees shall be planted to reach a similar height and form to compensate for the removal of the regulated/significant trees. The replacement trees must not be exempt species listed under regulation 6A clause (5)(b) of the Development Regulations 2008, or a tree belonging to a class of plant declared by the Minister under section 174 of the Natural Resources Management Act 2004.

The replacement tree planting shall occur within twelve months of the tree's removal and shall be maintained in good condition at all times and replaced if necessary.

18. All existing regulated and significant trees within the subject site not directly affected by site work and building work must be protected during development and retained. Prior to any earthworks on the site, fencing must be erected around the base of the trees to be retained. Vehicles must not be parked or earth/materials placed under the trees.
19. All trees must be managed in accordance with the tree protection during construction plan and tree protection zone establishment techniques prepared by Adelaide ARB Consultants including tree protecting zone management and pervious pavement areas and pier and beam footed benches. An arborist shall be consulted throughout the construction and ongoing maintenance of the regulated and significant trees to ensure no tree damaging activity occurs.
20. Noise generated from the site shall not exceed the maximum noise levels stipulated within the *Environment Protection (Noise) Policy 2007*, or subsequent legislation.
21. The development shall be constructed, operated and maintained in accordance with the recommendations of the *Sonus Environmental Noise Assessment Report* dated May 2020 and include the following, unless where reviewed during the detailed design phase when selections are more defined for an alternative solution that achieves *Environment the Protection (Noise) Policy 2007*, or subsequent legislation.

The function space to include;

- Windows and glass doors constructed of minimum 10.38mm thick laminated glass that seal airtight when closed;
- Roof and ceiling construction comprising:
 - minimum 0.42mm BMT sheet steel roofing;
 - thermal insulation to the underside of the sheet steel roof sheeting such as *Anticon HD80* or equivalent;

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- 13mm thick fire rated plasterboard fixed to the underside of roof purlins above the function space (or alternatively, a 22mm thick plywood layer fixed under the sheet steel roof sheeting);
- a layer of 100mm thick insulation of minimum density 60kg/m³ (Rockwool or similar) above the function space ceiling.
- Internal partitions around the function space extending full height and sealing airtight with the plasterboard fixed to the underside of the roof purlins, or to the plywood;
- Ensure all external doors to outside on the ground level, and the internal doors into the function space remain typically closed when music is played at elevated levels (above 80dB(A)).
- Ensure the external doors between the functions space and the deck are not used and remain closed after 10pm, or when music is played at elevated levels (above 80dB(A)).

Mechanical Plant to include;

- Construct a screen on the northern, southern and western sides of the roof mounted evaporative unit that extend 0.5m above the top of the unit. The screens should be constructed from a minimum of 0.42 BMT sheet steel ("Colorbond" or similar) or a material with the same or greater surface density; and,
- Incorporate an attenuator to the discharge side of the kitchen exhaust fan serving the level 1 kitchen that achieves the following minimum insertion loss:

| Octave Band Centre Frequency (Hz) | 125 Hz | 250 Hz | 500 Hz | 1000 Hz | 2000 Hz | 4000 Hz |
|-----------------------------------|--------|--------|--------|---------|---------|---------|
| Minimum Insertion Loss (dB) | 5 | 12 | 20 | 19 | 14 | 8 |

4. APPEALS UPDATE**4.1 APPEALS AGAINST PANEL DECISIONS**

Staff provided updates relating to appeals against previous decision of the Panel.

4.2 APPEALS AGAINST DELEGATED APPLICATIONS

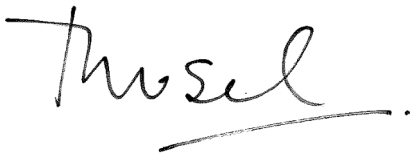
Staff provided updates relating to appeals against delegated applications.

5. POLICY OBSERVATIONS**6. OTHER BUSINESS****7. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 19 August 2020 taken as read and confirmed this nineteenth day of August 2020

8. MEETING CLOSURE

MEETING DECLARED CLOSED AT 7.36 PM

A handwritten signature in black ink, appearing to read "Terry Mosel", with a horizontal line underneath it.

Terry Mosel
Presiding Member