

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 6 SEPTEMBER 2017**

1.1 The meeting commenced with an on-site viewing at 13 Westcliff Court at 5.15pm, followed by viewings of properties at 12 Westcliff Court, 11 Westcliff Court and 73 The Cove Road, Marino, concluding at 6:10pm

1.2 PRESENT

Gavin Lloyd-Jones (Presiding Member), Nathan Sim, Charmaine Thredgold, Nick Westwood, Janet Byram and Luke Hutchinson

1.3 IN ATTENDANCE

Rob Tokley - Team Leader – Planning (DAP Executive Officer)
Jason Cattonar – Manager - Development and Regulatory Services
Kristen Sheffield - Development Officer- Planning
Kai Wardle – Planning Cadet

1.4 COMMENCEMENT

The Meeting re-commenced at the Council Chambers at 7.00pm

1.5 PRESENT

Gavin Lloyd-Jones (Presiding Member), Nathan Sim, Charmaine Thredgold, Nick Westwood, Janet Byram and Luke Hutchinson

1.6 APOLOGIES

Nil

1.7 IN ATTENDANCE

Rob Tokley - Team Leader – Planning (DAP Executive Officer)
Adrian Skull – Chief Executive Officer
Jason Cattonar – Manager - Development and Regulatory Services
Kristen Sheffield - Development Officer- Planning
Kai Wardle – Planning Cadet



DAP060917**2. HEARING OF APPLICATIONS**

7.01pm: Mr Graham Goss identified that he may have pre-determined the merits of the Item 2.1 and left the room.

2.1 Reference No: DAP060917 – 2.1
Application No: 100/408/2017
Site Location: 73 The Cove Road, Marino

- Mr Tom Game of Botten Levinson Lawyers on behalf of Mr Alex & Mrs Debra Paor (Representor) addressed the Panel
- Mr Alex Paor (Representor) addressed the Panel
- Mr Phillip Brunning of Phillip Brunning & Associates addressed the Panel on behalf of Mr Christopher Thomas and Mr Bob McGivern (Representors)
- Mr Bob McGivern (Representor) addressed the Panel
- Mr Graham Burns of Masterplan addressed the Panel on behalf of Mr Christopher Alan Fleetwood and Mrs Deborah Fleetwood (Applicant)

The Development 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
- (a) That Development Plan Consent for Development Application No: 100/408/2017 for a two storey detached dwelling, with associated fencing, retaining walls, earthworks (filling) and landscaping at 73 The Cove Road, Marino be REFUSED for the following reasons:
1. The development comprises a bulk and mass that results in a built form inconsistent with that sought in the Policy Area, will dominate the landscape and will have an unreasonable visual impact upon adjoining properties and finds conflict Objective 3 and 4, the Desired Character and Principles 2, 3(a) and 6(b) of the Hills Policy Area 11 and Sloping Land Principles 2(a), 2(b) and 2(c).
 2. The proposed dwelling has not been designed in a sensitive manner cognisant with the slope of the land and is therefore at variance to Objective 2, Objective 3, Principle 2, Principle 3(a), Principle 3(b) and the Desired Character of the Hills Policy Area, Siting and Visibility Principle 4(b) and Sloping Land Principle 7(a) and 7(b).
 3. The retaining walls and associated fencing will have an unreasonable visual impact upon adjoining land and the proposal therefore fails to satisfy Sloping Land Principle 2(a) and Landscaping, Fences and Walls Principle 5(g).

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8.03pm: Mr Graham Goss re-entered the room

2.2 Reference No: DAP060917 – 2.2
Application No: 100/1205/2017
Site Location: 93 Raglan Avenue, South Plympton

- Brigit Stroehrer on behalf of the City of Marion (Applicant) answered questions of the Panel

The Development 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: 100/1205/2017 for the demolition of all existing sporting and community structures and subsequent construction of a two storey multi-function building comprising function room facilities with associated office use, commercial kitchen, storage, and amenities for public and sporting groups, new cycling and cricket facilities comprising freestanding storage outbuilding and temporary cricket nets, freestanding groundskeeper outbuilding, modifications to existing velodrome track (including new surface), alterations and expansion of existing carpark, associated landscaping including remodelling of the existing Soldiers Memorial Gardens, removal of a regulated tree, pruning of a regulated tree and general earthworks and associated retaining at 93 Raglan Avenue, South Plympton 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. 100/1205/2017, except when varied by the following conditions of consent.**
- 2. 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.**



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3. An amended site plan (and elevations if required) shall be provided to Council that nominates location of the plant equipment required for the multi-function building.
4. All uses operating from within the multi-function building shall be undertaken in accordance with the noise mitigation measures outlined within the Environmental Noise Impact Assessment prepared by Resonate Acoustics, dated 22 May 2017.
5. Noise generated from the site shall not exceed the maximum noise levels stipulated within the Environment Protection (Noise) Policy 2007, or subsequent legislation.
6. Noise emissions generated from the plant equipment shall comply with the applicable criteria outlined within the *Environment Protection (Noise) Policy 2007*, or subsequent legislation.
7. Access by service delivery vehicles to the site shall be limited to the hours of 7am to 6pm Monday to Saturday and 9am to 6pm Sunday, and excluding peak activity periods.
8. The exterior of the buildings to be constructed shall incorporate anti-graffiti treatment to assist in the removal of graffiti.
9. 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.
10. 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.
11. A detailed landscaping plan shall be submitted to Council for consideration prior to Development Approval being issued, detailing a mix of native, medium and low-level plantings throughout the site.
12. 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.
13. 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
14. A minimum of 50% of the trees indicated to be planted on the approved plan shall be at least 1.5 metres in height at the time of planting.



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15. 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.
16. 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).
17. All loading and unloading of vehicles associated with the subject premises (excluding waste) shall be carried out entirely upon the subject land.
18. 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.
19. 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.
20. Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
21. 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.
22. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
23. 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.
24. Directional signs indicating the location of car parking spaces, including the nominate delivery bay, must be provided on the subject land and maintained in a clear and legible condition at all times.
25. Bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 "Manual of uniform traffic control devices Part 9: Bicycle facilities".
26. 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.
27. All waste and other rubbish shall be stored in a manner so that it does not create insanitary conditions, unreasonable nuisance or



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pollution to the environment to the reasonable satisfaction of the Council.

28. All waste and other rubbish shall be screened from public view to the reasonable satisfaction of Council.
29. 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.
30. 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.
31. 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.
32. 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.
33. All works to, or within, close proximity to the Spotted Gum and River Red Gum shall be undertaken in accordance with the recommendations made by the City of Marion Coordinator Arboriculture, dated 8/08/2017.
34. Temporary fencing is to be installed at the edge of the Spotted Gum (adjacent the multi-function building) tree crown during the demolition of the adjacent building to prevent machinery coming in contact with the tree. Temporary fencing shall consist of chain-mesh panels with concrete or similar feet and only be moved with the permission of Council's Coordinator Arboriculture.
35. The current carpark surface is to be removed without disturbing the sub-grade within the Spotted Gum TPZ. No machinery excavation, including scraping or levelling is to be carried out within the TPZ and any new surface is to be constructed above the current grade.

NOTES

1. It is recommended rainwater retention tanks be installed and be plumbed into toilets (1000 litres required per toilet).
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.



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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.



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2.3 Reference No: DAP060917 – 2.3
Application No: 100/1268/2016
Site Location: 6 Ashcroft Court, Hallett Cove

- No persons addressed the Panel in relation to Item 2.3

The Development 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: 100/1268/2016 for a two storey detached dwelling with associated earthworks, retaining walls and fencing at 6 Ashcroft Court, Hallett Cove 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. 100/1268/2016, except when varied by the following conditions of consent.**
- 2. All devices/treatments proposed as part of the Development Application to protect the privacy of adjoining properties, including the screen affixed to the boundary fencing, shall be installed and in use prior to occupation of the premises.**
- 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 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.**
- 5. 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.



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2.4 Reference No: DAP060917 – 2.4
Application No: 100/1145/2017
Site Location: 17 Ella Street, Dover Gardens

- No persons addressed the Panel in relation to Item 2.4

The Development 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 Development Approval for Development Application No: 100/1145/2017 for Removal of a significant tree River Red Gum in front of 17 Ella Street Dover Gardens at 17 Ella Street DOVER GARDENS 5048 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. 100/1145/2017, except when varied by the following condition of consent.
2. Three replacement trees shall be planted to compensate for the removal of the Significant tree. One replacement tree shall be planted in the same or similar place as the removed tree, and the remaining trees planted in a nearby Council reserve.
3. 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.
4. 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.



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**2.5 Reference No: DAP060917 – 2.5
Application No: 100/1106/2017
Site Location: 129 Cliff Street, Glengowrie**

- Mr Brad Elliot (owner) answered questions of the Panel on behalf of Scott Salisbury Homes (Applicant)

The Development Assessment Panel resolved that;

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

- (a) That a decision for Development Application No: 100/1106/2017 for two-storey dwelling additions and alterations incorporating a wall on the eastern boundary at 129 Cliff Street, Glengowrie, be DEFERRED for the following reason:**
- 1. To enable the applicant/owner an opportunity to provide clarity regarding the alterations/additions to the dwelling undertaken in approximately 2004-2006.**



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2.6 Reference No: DAP060917 – 2.6
Application No: 100/45/2017
Site Location: 10 Gawler Street, Seaview Downs

- No persons addressed the Panel in relation to Item 2.6

The Development 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**
- (b) That Development Plan Consent for Development Application No: 100/45/2017 for a two storey detached dwelling at 10 Gawler Street, Seaview Downs be REFUSED for the following reasons:**
 - 1. The development comprises a bulk and mass that results in a built form inconsistent with that sought in the Policy Area, will dominate the landscape and will have an unreasonable visual impact upon adjoining properties and finds conflict Objective 3, the Desired Character and Principles 2, 3(a) and 6(b) of the Hills Policy Area 11, Design and Appearance Principle 1, and Sloping Land Principles 2(a) and 2(b).**
 - 2. The proposed dwelling has not been designed in a sensitive manner cognisant with the slope of the land and is therefore at variance to Objective 2, Objective 3, Principle 2, Principle 3(a), Principle 3(b) and the Desired Character of the Hills Policy Area and Siting and Visibility Principle 4(b).**
 - 3. The site coverage and floor area ratio proposed exceeds that sought in the Policy Area, resulting in unreasonable impacts upon adjoining land and is therefore at variance to Residential Zone Principle 9 and Principle 7 of the Hills Policy Area 11.**
 - 4. The proposed rear balcony is not integrated with the overall form and detail of the building and adds further to the bulk of the building and is at variance to Design and Appearance Principles 1 and 5.**



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2.7 Reference No: DAP060917 – 2.7
Application No: 100/687/2016
Site Location: 33A Deloraine Road, Edwardstown

- No persons addressed the Panel in relation to Item 2.7

The Development 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: 100/687/2016 for a two-storey dwelling incorporating a garage wall on the western side boundary and single-storey residential flat building comprising two dwellings located to the rear at 33A Deloraine Road, Edwardstown, 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. 100/687/2016, 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. The rear elevation windows and sliding doors of Dwellings 2 and 3 shall be double glazed for sound attenuation purposes, details of which shall be provided to Council for consideration and approval prior to the issue of Development Approval.
4. 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
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.



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6. 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.
7. 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.
8. 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.
9. 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.



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2.8 Reference No: DAP060917 – 2.8
 Application No: 100/1206/2017
 Site Location: 48 Condada Avenue, Park Holme

- No persons addressed the Panel in relation to Item 2.8

The Development Assessment Panel resolved that;

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

- The Panel note this report and concur with the findings and reasons for the recommendation;
- 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
- That Development Plan Consent for Development Application No: 100/1206/2017 for a single-storey detached dwelling incorporating a garage wall on the western boundary and a single-storey residential flat building comprising two dwellings at 48 Condada Avenue, Park Holme, be GRANTED subject to the following conditions:

CONDITIONS

- The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/1206/2017, except when varied by the following conditions of consent.
- 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.
- 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

- 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.
- 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.



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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.



DAP060917**OTHER BUSINESS**

8.50pm: Janet Byram declared a conflict of interest with Item 3.1 and subsequently left the room.

8.51pm 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.

**3.1 CONFIDENTIAL ITEM
DAP160817 – 3.1**

- No persons addressed the Panel in relation to Item 3.1
- (a) **The Panel note this report and have considered all relevant planning matters;**
- (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 Development Assessment Panel advise the Environment, Resources and Development Court that Council does not support the comprise proposal submitted by Mr Jack Pete for Development Application No: 100/1785/2016 at 8 Fourth Avenue, Ascot Park.**



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9.01pm: Meeting re-opened to the Public

3.2 DAP ANNUAL PERFORMANCE REVIEW DISCUSSION

The Panel note the Annual Performance Review report and support the recommendations for review and improvement.

3.3 APPEALS UPDATE

3.4 POLICY OBSERVATIONS

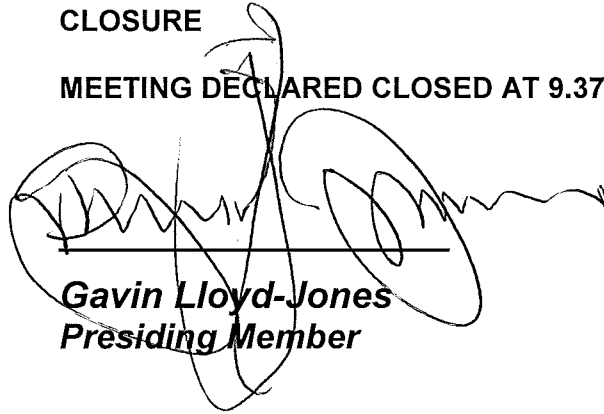
The Development Plan should incorporate provisions that seek for adequate space to the side or rear of the dwelling to enable waste receptacles to be stored out of public view.

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 6 September 2017 taken as read and confirmed this sixth day of September 2017

5. CLOSURE

MEETING DECLARED CLOSED AT 9.37PM



Gavin Lloyd-Jones
Presiding Member