

1. MEETING PROCEDURES

1.1 OPEN MEETING

1.2 PRESENT

1.3 APOLOGIES

1.4 IN ATTENDANCE

2. GENERAL OPERATIONS

No items listed for discussions

3. PDI ACT APPLICATIONS

3.1 DEVELOPMENT NO 21017377

50 Fisk Avenue, Glengowrie

Two double storey semi-detached dwellings and associated fencing and landscaping

Report Reference: CAP050122 - 3.12

4. DEVELOPMENT ACT 1993 APPLICATIONS

4.1 DEVELOPMENT NO 100/2021/0129 (SCAP Ref 100/D009/21)

19 & 20 Adelaide Terrace, Edwardstown

Residential land division (Torrens title- 2 into 7 allotments)

Report Reference: CAP05012 4.14

4.2 DEVELOPMENT NO 100/2018/1991

25 Mariner Avenue, Seacliff Park

To construct a two storey detached dwelling incorporating a garage wall exceeding 3.0 metres in height along the northern side boundary with associated earthworks and retaining walls

Report Reference: CAP050122 - 4.26

5. APPEALS UPDATE

- Verbal Update Provided

5.1 APPEALS AGAINST PANEL DECISIONS

- Verbal Update Provided

5.2 APPEALS AGAINST DELEGATED APPLICATIONS

6. POLICY OBSERVATIONS

- No Items Listed for Discussion

7. OTHER BUSINESS

8. CONFIRMATION OF THE COUNCIL DEVELOPMENT ASSESSMENT PANEL MEETING HELD ON 05 JANUARY 2022

9. MEETING CLOSURE

**CITY OF MARION
COUNCIL ASSESSMENT PANEL MINUTES
FOR THE MEETING HELD ON
WEDNESDAY 05 JANUARY 2022**



1.1 OPEN MEETING

The Meeting commenced at 6.32pm

1.2 PRESENT

Terry Mosel - Presiding Member
Yvonne Svensson- Independent Member
Michael Davis - Independent Member
Raelene Telfer – Council Member

1.3 APOLOGIES

Bryn Adams - Independent Member

1.4 IN ATTENDANCE

Alex Wright – CAP Assessment Manager – Team Leader - Planning

2. GENERAL OPERATIONS

3. PDI ACT APPLICATIONS

3.1 Report Reference: CAP050112 - 3.1

Application No: 21017377

Site Location: 50 Fisk Avenue, Glengowrie

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

The Council Assessment Panel resolved that;

RECOMMENDATION

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

- (a) The Panel 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 Planning and Design Code, in accordance with Section 126(1) of the Planning, Development and Infrastructure Act 2016; and
- (c) That Planning Consent for Development Application ID: 21017377 for two, double storey semi-detached dwellings and associated fencing and landscaping at 50 Fisk Avenue, Glengowrie be GRANTED subject to the following Reserved Matter and Conditions.

RESERVED MATTERS

Pursuant to Section 102 (3) of the Planning, Development and Infrastructure Act 2016, Council RESERVES its decision in relation to the following matters. Development Approval cannot be issued by the Council unless and until it has assessed such matters and granted its consent thereof.

1. An amended siteworks and engineering plan, to the satisfaction of the Assessment Manager, shall be provided which accords with Stormwater Management Overlay DTS/DPF 1.1.

Pursuant to Section 102 (3) of the Planning, Development and Infrastructure Act 2016 the Assessment Manager, as a sub-delegate of the Council Assessment Panel, reserves its decision on the form and substance of any further conditions of planning consent that it considers appropriate to impose in respect of the reserved matter outlined above.

CONDITIONS

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. All devices/treatments proposed and nominated on the approved plans, and forming part of the Development Application, to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises and maintained for the life of the building.

3. Prior to the use and/or occupation of the structure(s), all stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details.
4. Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.
5. Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

NOTES

1. The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction.
Easements may include, but are not limited to: drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way.
Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at: <https://sailis.lssa.com.au/home/auth/login>.
2. 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.

4. HEARING OF APPLICATIONS

4.1 Report Reference: CAP050121 - 4.1

Application No: 100/2021/0129 (SCAP Ref 100/D009/21)

Site Location: 19 & 20 Adelaide Terrace, Edwardstown

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

The Council Assessment Panel resolved that;

RECOMMENDATION

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

- (a) The Panel note this report and concur with the findings and reasons for the recommendation;
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and
- (c) That Development Plan Consent, Land Division Consent and Development Approval for Development Application No: 100/129/2021 for Residential land division (Torrens title- 2 into 7 allotments) at 19 Adelaide Terrace, Edwardstown be GRANTED subject to the following conditions:

CONDITIONS

Development Plan Consent

1. The development granted Development Approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
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 State Planning Commission that it has no objection to the issue of a certificate pursuant to Section 138 of the Planning, Development and Infrastructure Act.
3. 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 State Planning Commission that it has no objection to the issue of a certificate pursuant to Section 138 of the Planning, Development and Infrastructure Act.
4. The final survey plan shall be available to the Council, prior to the Council advising the State Planning Commission that it has no objection to the issue of a certificate pursuant to Section 138 of the Planning, Development and Infrastructure Act.

Land Division Consent

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0109466).

2. On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries
3. On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
4. Payment of \$38,805.00 into the Planning and Development Fund (5 allotment/s @ \$7,761.00 /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 Infrastructure and Transport marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

NOTES

1. Payment of \$700 shall be made to Council to facilitate the removal and replacement of the street tree forward of proposed Lot 2 on Woodlands Terrace. Council's Open Space Operations team will issue this invoice separately.
2. 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 138 of the Planning, Development and Infrastructure Act.
3. Any future proposed crossover/access must be constructed clear of the remaining existing street trees and setback the required distances from the tree(s) in accordance with Council requirements.

4.2 Report Reference: CAP050121 - 4.2
Application No: 100/2018/1991
Site Location: 25 Mariner Avenue, Seacliff Park

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

The Council Assessment Panel resolved that;

RECOMMENDATION

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

- (a) The Panel 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 for Development Application No: 100/2018/1991 to construct a two storey detached dwelling incorporating a garage wall exceeding 3.0 metres in height along the northern side boundary with associated earthworks and retaining walls at 25 mariner Avenue, Seacliff Park be GRANTED subject to the following Reserved Matter and Conditions.

RESERVED MATTER

Pursuant to Section 33(3) of the Development Act 1993, Council RESERVES its decision in relation to the following matters. Development Approval will not be issued by the Council unless and until it has assessed the following matters and granted its consent in respect thereof.

1. A revised fully engineered site works and drainage plan shall be provided to Council for its consideration and approval prior to Building Rules Consent being granted. The site works and drainage plan must detail top of kerb level, existing ground levels throughout the subject 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, the location of all existing street infrastructure and street trees and must be to the reasonable satisfaction of the Team Leader Planning.

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 granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. 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.

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. 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.
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.

5. APPEALS UPDATE

5.1 Verbal update on APPEALS AGAINST PANEL DECISIONS provided.

5.2 Verbal update on APPEALS AGAINST DELEGATED APPLICATIONS provided.

6. POLICY OBSERVATIONS**7. OTHER BUSINESS****8. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 5 January 2022 taken as read and confirmed this fifth day of January 2022

9. MEETING CLOSURE

- **Length of meeting:** 26 minutes
- **Number of Representors appearing before the Panel:** 0
- **Number of Applicants appearing before the Panel:** 0

MEETING DECLARED CLOSED AT 6.58PM

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

Terry Mosel
Presiding Member