

**1.1 OPEN MEETING**

**1.2 PRESENT**

**1.3 APOLOGIES**

**1.4 IN ATTENDANCE**

**2. GENERAL OPERATIONS**

**3. APPLICATIONS**

**3.1 DEVELOPMENT NO 100/2020/2224**

**4 - 10 Chambers Street, Marion**

**To undertake a staged development: Stage 1 - The construction of a two storey residential flat building containing ten (10) dwellings with associated car parking and landscaping and the removal of three (3) Significant Trees (Eucalyptus cladocaylx - Sugar Gums) and Stage 2 - The construction of two (2), two storey residential flat buildings, one containing three dwellings and one containing six dwellings with associated car parking, landscaping and front fencing**

**Report Reference: CAP070421 – 3.1.....2**

**3.2 DEVELOPMENT NO 100/2020/2212**

**175/293-297 Diagonal Road, Oaklands Park**

**To vary DA 100/2018/2225 (100/E103/18) - alterations and additions to an existing bulky goods outlet comprising modifications to car parking area, the construction of shade sails, two (2) canopies and fencing**

**Report Reference: CAP070421 - 3.2.....4**

**3.3 DEVELOPMENT NO 100/2020/613**

**148 Sturt Road, Warradale**

**The construction of a residential flat building comprising three (3), two storey dwellings with associated front fence, landscaping and car parking**

**Report Reference: CAP070421 - 3.3 .....5**

**3.4 DEVELOPMENT NO 100/2020/486**

**86 Oaklands Road, Glengowrie**

**Advertising sign attached to existing fence**

**Report Reference: CAP070421 - 3.4.....7**

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<b>8.</b>	<b>MEETING CLOSURE</b>	

**CITY OF MARION  
COUNCIL ASSESSMENT PANEL MINUTES  
FOR THE MEETING HELD ON  
WEDNESDAY 07 APRIL 2021**

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**1.1 OPEN MEETING**

The Meeting commenced at 6.30pm

**1.2 PRESENT**

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

**1.3 APOLOGIES**

Nil

**1.4 IN ATTENDANCE**

Alex Wright – CAP Assessment Manager – Team Leader - Planning  
Nicholas Timotheou - Senior Development Officer - Planning  
Warwick Deller-Coombs - Manager - Development & Regulatory Services

**2. GENERAL OPERATIONS**

6.33pm Bryn Adams declared an actual conflict of interest with Items 3.1 and 3.2 as he is employed by Future Urban who are representing each Item and left the room.

### 3. HEARING OF APPLICATIONS

#### 3.1 Report Reference: CAP070421 – 3.1

Application No: 100/2020/2224

Site Location: 4 - 10 Chambers Street, Marion

- Adam Crawford (Representor) answered questions of the Panel
- Fabian Barone of Future Urban (Representing the Applicant) and Yong Guo 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: 100/2224/2020 for To undertake a staged development: Stage 1 - The construction of a two storey residential flat building containing ten (10) dwellings with associated car parking and landscaping and the removal of three (3) Significant Trees (*Eucalyptus cladocaylx* - Sugar Gums) and Stage 2 - The construction of two (2), two storey residential flat buildings, one containing three dwellings and one containing six dwellings with associated car parking, landscaping and front fencing at 4 Chambers Street, Marion be GRANTED subject to the following Conditions:

### 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. Prior to commencement of any site works, a "Tree Protection Area", consisting of a 2.0m high solid, chainmesh, steel or similar material fence with posts at 3m intervals, shall be erected at the distance identified in the 'Arboricultural Assessment and Report' prepared by The Adelaide Tree Surgery for the applicable Regulated. A sign displaying the words "Tree Protection Area" shall be placed on the fence and no persons, vehicles or machinery shall enter the Area and no goods, materials or waste shall be stored within the Area until after construction is complete. A layer of organic mulch (woodchips) to a depth of 100mm shall be placed over all root systems within the Area to assist with moisture retention and to reduce impact of compaction and supplementary watering shall be provided through any dry periods during the construction process.
3. Any structural roots (i.e. greater than 25mm in diameter) of any *Regulated* tree to be retained (including those on adjoining land) that are uncovered outside of the Tree Protection Area shall be retained where possible or, if not, shall be severed

by saw cutting, sharp axe or secateurs and not with a backhoe or machinery or blunt instrument. Wounds shall be immediately dressed with a commercially available tree-wound healing compound.

4. 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.
5. 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.
6. 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.
7. Landscaping must be designed, undertaken and maintained in accordance with the plans and details forming part of the development authorisation.
8. Landscaping shall provide clear sightlines at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath, in accordance with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004.

**CAP070421**

**3.2 Report Reference: CAP070421 – 3.2**  
**Application No: 100/2020/2212**  
**Site Location: 175/293-297 Diagonal Road, Oaklands Park**

- Michael Osbourne – (on behalf of the 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: 100/2212/2020 for Alterations and additions to an existing bulky goods outlet comprising modifications to car parking area, the construction of shade sails, two (2) canopies and fencing at 175/293-297 Diagonal Road Oaklands 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 matters. Development Approval cannot be issued by the Council unless and until it has assessed such matters and granted its consent in respect thereof.

- 1. Revised elevations and site plan detailing an alternative fence design that improves the amenity of the surrounding locality, shall be provided to Council for consideration and approval.**

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. The stormwater collection and disposal system shall be connected to the existing disposal and/or collection system immediately following roof completion and gutter and downpipe installation.**
- 3. 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.**

7.21pm Bryn Adams re-entered the room.

**3.3 Report Reference: CAP070421 – 3.3**  
**Application No: 100/2020/613**  
**Site Location: 148 Sturt Road, Warradale**

- Dr Wright Pat Ham Cheung (Representor) 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 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: 100/2020/613 for the construction of a two storey residential flat building comprising three (3), two storey dwellings with associated front fence, landscaping and car parking at 148 Sturt Road, Warradale be GRANTED subject to the following Conditions:**

#### **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. 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.**
- 3. All car parking areas, driveways and vehicle manoeuvring areas must be constructed in accordance with the approved plans and 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. 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.**
- 5. Landscaping shall be planted and maintained in accordance with the plans and details forming part of the development authorisation.**
- 6. Landscaping shall provide clear sightlines at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath, in accordance with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004.**

***Department for Infrastructure and Transport Conditions***

7. All access to/from Sturt Road shall be gained in accordance with the E.M. Comelli Site & Ground Floor Plan, Project EMC, Number 3/18, Drawing dd 03, Revision A dated 04/20.
8. All vehicles shall enter and exit the site in a forward direction.
9. The shared driveway and internal manoeuvring areas shall be clear of all obstructions.
10. The bus stop and associated infrastructure shall be relocated to the satisfaction of DIT (Mr Wayne Stewart) and Council with all costs being borne by the applicant.
11. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.



**3.4 Report Reference: CAP070421 – 3.4**  
**Application No: 100/2020/486**  
**Site Location: 86 Oaklands Road, Glengowrie**

- 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 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 Holdfast Bay Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and**
- (c) That Development Plan Consent for Development Application No: 100/2020/486 for Advertising sign attached to existing fence at 86 Oaklands Road, Glengowrie be GRANTED subject to the concurrence of the State Commission Assessment Panel (SCAP), and with the following Conditions.**

#### **CONDITIONS**

- 1. The development granted Development Plan Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).**
- 2. The content of the advertisement shall relate only to the legitimate use of the land and shall not display any third-party advertising.**
- 3. The advertisement and supporting structure(s) shall be maintained in good repair at all times.**


**4. APPEALS UPDATE****4.1 APPEALS AGAINST PANEL DECISIONS****4.2 APPEALS AGAINST DELEGATED APPLICATIONS****5. POLICY OBSERVATIONS****6. OTHER BUSINESS****7. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 07 April 2021 taken as read and confirmed this seventh day of April 2021

**8. MEETING CLOSURE**

- Length of meeting: 1 hour and 14 minutes
- Number of Representors appearing before the Panel: 2
- Number of Applicants appearing before the Panel: 2

**MEETING DECLARED CLOSED AT 7.44PM**

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

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