

**MINUTES OF THE CITY OF MARION  
DEVELOPMENT ASSESSMENT PANEL HELD AT THE  
ADMINISTRATION CENTRE 245 STURT ROAD STURT  
ON  
WEDNESDAY 7 DECEMBER 2016**

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**1.1 PRESENT**

Gavin Lloyd-Jones (Presiding Member), Graham Goss, Nathan Sim,  
Charmaine Thredgold, Nick Westwood, Nick Kerry and Luke Hutchinson

**1.2 APOLOGIES**

Nil

**1.3 IN ATTENDANCE**

Rob Tokley - Team Leader – Planning (DAP Executive Officer)  
Steve Hooper - Manager, Development Services  
Rhiannon Hardy - Development Officer - Planning

**1.4 COMMENCEMENT**

The Meeting commenced at 6.30pm



**DAP071216****2. HEARING OF APPLICATIONS****2.1 Reference No: DAP071216 – 2.1****Application No: 100/2015/952****Site Location: 80 Hendrie Street, Morphetville**

- Mr David Bevan (Representor) addressed the Panel
- Gavin Tonkin and David Hutchinson from Access Planning on behalf of Mr Matt Swinburne (Applicant) addressed the Panel

**The Development 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 for Development Application No: 100/2015/952 to undertake alteration and additions to an existing place of worship including a new 180 seat auditorium, children's play room and outside play area, kitchen and foyer, toilet facilities, car parking and landscaping, at 80 Hendrie Street, Morphetville, 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. 100/2015/952, being drawing numbers A01 04 and A05-1 03 prepared by Tonkin Schultz Design Build, except when varied by the following conditions of consent.
2. The maximum capacity of the premises (including all buildings on the subject land) shall not exceed 180 persons at any one time.
3. Air-conditioning plant, wet area exhausts or any other air-expelling plant shall not be located on the eastern wall of the proposed building.
4. 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, driveway gradients, details of the stormwater disposal



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system, and the surveyed location of all existing street infrastructure and street trees.

5. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
6. 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.
7. 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).
8. 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.
9. 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.
10. 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.
11. Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
12. 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.
13. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
14. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
15. All car parking spaces shall be line-marked 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.
16. Bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 "Manual of uniform traffic control devices Part 9: Bicycle facilities".

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**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. The proposed crossover/access must be constructed a minimum of one (1) metre clear of all infrastructure, at its closest point, including but not limited to, street trees, stobie poles, SEP's, 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.
7. Noise from devices and/or activities on the subject site should not impair or impinge on the amenity of neighbours at any time. This includes noise generated from plant and equipment (including those servicing the building such as air-conditioning), as well as noise generated from activities such as loading and unloading of goods and/or waste. The Environment Protection Authority has restrictions relating to the control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.



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**2.2 Reference No: DAP071216 – 2.2**  
**Application No: 100/2016/993**  
**Site Location: 1 Letcher Road, Oaklands Park**

- Rebecca Robinson from Alliance Development & Construction (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: 100/2016/993, to demolish existing buildings and structures and to construct four (4) dwellings: two (2) two-storey dwellings and a single storey residential flat building comprising two (2) dwellings to the rear of the site, all with associated retaining walls, fencing and landscaping, at 1 Letcher Road, Oaklands Park, 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. 100/2016/993, being drawing numbers PD1A 1 of 10 to 10 of 10 (inclusive) prepared by MCA Design (SA) Pty. Ltd. received by Council on 9 August 2016, and Contour and Drainage Layout prepared by Dennis Sandery Consulting Engineer received by Council on 18 August 2016, except when varied by the following conditions of consent.**
- 2. The driveway crossovers of Res 2 and the common driveway shall be separated by a minimum distance of 6 metres to provide sufficient area for an on-street parking space.**
- 3. 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.**
- 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. A copy of the information guide can be viewed at the City of Marion webpage:**



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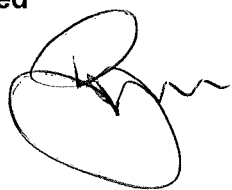
[www.marion.sa.gov.au/page.aspx?u=181](http://www.marion.sa.gov.au/page.aspx?u=181)

Alternatively, 3000 litre rainwater retention tanks fully plumbed into toilet and laundry connected to at least 80% of roof area can be provided for each dwelling instead of dual retention/detention tanks.

5. The portion of the upper floor windows on Res 1 and 2 (except the west-facing windows presenting to the street) less than 1.7m above the internal floor level shall be treated prior to occupation of the building in a manner that permanently restricts views of adjoining properties yards and/or indoor areas being obtained by a person within the room to the reasonable satisfaction of the Council.
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. 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 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.
9. 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.
10. 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.
11. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.

## NOTES

1. The existing 2 Hour Parking sign may be relocated in accordance with the requirements of Council's Traffic/Engineering Department. Please contact Kevin Browne of the Marion Council on 7420 6404 to arrange relocation.
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.
3. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed



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through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council.

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: DAP071216 – 2.3**  
**Application No: 100/2016/1377**  
**Site Location: 18 Russell Avenue, Seacombe Gardens**

- Estephan Maubarak (Applicant) addressed 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: 100/2016/1377 for a single-storey detached dwelling and a pair of single-storey semi-detached dwellings at 18 Russell Avenue, Seacombe 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. 100/2016/1377, 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](http://www.marion.sa.gov.au/page.aspx?u=181)**

- 4. 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.**
- 5. 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.**





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6. 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.
7. 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.
8. 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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**7.04pm** Luke Hutchinson declared a conflict of interest with Item 2.4 and left the room

**2.4** Reference No: DAP071216 – 2.4  
Application No: 100/2016/1716  
Site Location: 28 Clifford Street, Ascot Park

- No persons addressed the Panel in relation to this Item

**The Development Assessment Panel resolved that;**

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

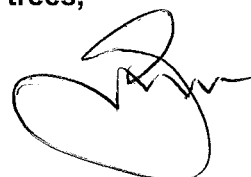
- (a)** The Panel note this report and concur with the findings and reasons for the recommendation;
- (b)** The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and
- (c)** That Development Plan Consent for Development Application No: 100/2016/1716 to construct a pair of semi-detached dwellings with associated garages and landscaping at 28 Clifford Street, Ascot Park 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. 100/2016/1716, being drawing numbers 1 – 4 (inclusive) of Project No. 6042 prepared by Supreme Building Design, received by Council on 10 November, 17 November and 24 November 2016 (respectively) and the Civil Plan, Drawing No. TX-12088.00 C01, prepared by Triaxial Consulting, received by Council on 10 November 2016, except when varied by the following conditions of consent.
- 2.** A revised Civil Plan shall be provided to Council prior to the issue of Development Approval, which ensures consistency with the approved Landscape plan prepared by Supreme Building Design in relation to the driveway and crossover widths.
- 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](http://www.marion.sa.gov.au/page.aspx?u=181)

- 4.** All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees,



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shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.

5. 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.
6. 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.
7. 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.
8. 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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7.06pm Luke Hutchinson re-entered the room

2.5 Reference No: DAP071216 – 2.5  
Application No: 100/2016/1662  
Site Location: 2 Wolseley Terrace, Ascot Park

- No persons addressed the Panel in relation to this Item


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: 100/2016/1662 to construct a single-storey detached dwelling to the rear of the existing dwelling, incorporating a garage wall on the southern boundary, at 2 Wolseley Terrace, Ascot Park, 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. 100/2016/1662, except when varied by the following conditions of consent.
2. A schedule of proposed colours/materials/finishes to be used on the external elements of the proposed dwelling shall be provided to Council for consideration and approval, prior to Development Approval being issued.
3. 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.
4. 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.
5. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and



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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](http://www.marion.sa.gov.au/page.aspx?u=181)

6. 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.
7. 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.
8. 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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**2.6 Reference No: DAP071216 – 2.6**  
**Application No: 100/2015/1611**  
**Site Location: 29, 29A, 29B, 29C, 29D and 29E Trott Grove,**  
**Oaklands Park**

- No persons addressed the Panel in relation to this Item

**RECOMMENDATION**

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
- (c) That Development Plan Consent for Development Application No: 100/2015/1611 to install roof-mounted air conditioning units at 29, 29A, 29B, 29C, 29D and 29E Trott Grove, Oaklands Park, be REFUSED for the following reasons:

**REASONS FOR REFUSAL:**

- 1) The proposed air conditioning units located on the single-storey dwellings at 29, 29A, 29B and 29C Trott Grove, Oaklands Park, do not satisfy Principle of Development Control 4 of the General Section: Design and Appearance given that they are not screened from view and do not form an integral part of the building design in relation to external finishes and shaping.
- 2) The proposed air conditioning units located on the single-storey dwellings at 29, 29A, 29B and 29C Trott Grove, Oaklands Park fail to comply with Objectives 1 and 2 and Principle of Development Control 2 of the General Section: Interface Between Land Uses, as they are not located and designed to minimise adverse impact and conflict between land uses, do not protect community amenity from adverse impacts of development, and are not sited and designed to minimise negative impacts on existing land uses.
- 3) The proposed air conditioning units located on the single-storey dwellings at 29, 29A, 29B and 29C Trott Grove, Oaklands Park fail to comply with Principle of Development Control 28 of the General Section: Residential Development given that the air conditioning units have not been located, designed and attenuated to avoid nuisance to adjoining landowners and occupiers.
- 4) The proposed air conditioning units located on the single-storey dwellings at 29, 29A, 29B and 29C Trott Grove, Oaklands Park, do not satisfy Objective 1 of the General Section: Orderly and Sustainable Development because they do not represent orderly development



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that creates a safe, convenient and pleasant environment in which to live.

- 5) The proposed air conditioning units located on the single-storey dwellings at 29, 29A, 29B and 29C Trott Grove, Oaklands Park do not accord with Principle of Development Control 1(a) and (b) of the General Section: Interface Between Land Uses, as they have the potential to detrimentally affect the amenity of the locality and cause unreasonable interference through the emission of fumes, noise and vibration.

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**2.7 Reference No: DAP071216 – 2.7**  
**Application No: 100/2016/1732**  
**Site Location: 26 Johnstone Road, Oaklands Park**

- Mr Garth Heynen answered questions of the Panel on behalf of Shane Gregory Rusby (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**
- (c) That Development Plan Consent for Development Application No: 100/2016/1732 for Application to vary Development Application 100/441/2015 (A two storey building comprising four dwellings incorporating a garage wall on the western boundary, with associated car parking and landscaping): to increase the upper floor area of House 2, 3 and 4 to provide an upper level family room to these dwellings, as well as alterations to the roof form and materials of the building at 26 Johnstone Road, Oaklands Park, be SUB-DELEGATED to the Manager – Development and Regulatory Services subject to the addressing the following matters:**
  - 1. To provide shading to the northern elevation and amendments to the roof form to improve the presentation of the buildings as viewed from the south.**





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**2.8 Reference No: DAP071216 – 2.8  
Application No: 100/2016/2114  
Site Location: 838-842 Marion Road, Marion**

- No persons addressed the Panel in relation to this Item

**The Development Assessment Panel resolved that;**

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

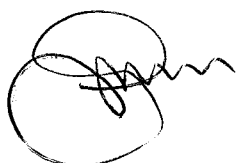
- (a) The Panel note this report and concur with the findings and reasons for the recommendation;**
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan; in accordance with Section 35 (2) of the Development Act 1993; and**
- (c) That Development Plan Consent for Development Application No: 100/2016/2114 seeking retrospective approval for the erection of existing wall mounted advertising signage and the erection of new additional wall mounted advertising signage at 838-842 Marion Road Marion be GRANTED subject to the following conditions:**

**CONDITIONS**

- 1. The development shall proceed in accordance with the Planning Report prepared by URPS Planning Consultants plans and details stamped dated received 30 November 2016, all submitted with and forming part of Development Application No. 100/2016/2114.**

**NOTES**

- 1. No hoardings, flags, flashing lights, bunting or other advertising devices or signs are to be erected or displayed on the site unless Development Approval is obtained from the Council pursuant to the Development Act 1993.**
- 2. The wall mounted advertising signage shall not contain moving or flashing lights or images unless the further development approval of the Council is obtained.**
- 3. Given that some wall mounted advertising structures exist without authorised consent, Council seeks your prompt attention and cooperation to ensure that Building Rules Consent and Development Approval are gained in a timely manner. Failure to do so may result in Council undertaking enforcement action.**

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'G' shape followed by a series of loops and a horizontal line.

**DAP071216****3. OTHER BUSINESS**

7.33pm Nick Kerry declared a conflict of interest with Item 3.1 and left the room.

7.33pm 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 and that the meeting remain closed to the public thereafter.

**3.1 CONFIDENTIAL ITEM**

**DAP071216 – 3.1**

**RECOMMENDATION**

1. The Development Assessment Panel orders pursuant to Section 56A (12) of the Development Act 1993, that the public, with the exception of the Team Leader - Planning, Development Officer – Planning, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Executive Officer, of the Development Assessment Panel.
2. Under Section 56A (12) of the Development Act 1993 an order be made that item 3.1 including the report, attachments and discussions having been dealt with in confidence under Section 56A (12) (ix) of the Development Act 1993, and in accordance with Section 56A(16), shall be kept in confidence until a decision of the Environment, Resources and Development Court relevant to the Item is made.
3. (a) The Panel note this report, have considered all relevant planning matters and concurs with the findings and reasons for the recommendation;  
  
(b) The proposed development is not seriously at variance to the Marion Council Development Plan; and  
  
(c) That the Development Assessment Panel advise the Environment, Resources and Development Court that Council supports the comprise proposal submitted by Scope Development Solutions for Development Application No: 100/2015/2137 and recommends 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. 100/2015/2137, being drawings;
  - PL01.M, PL02.R, PL03.L, PL04.H prepared by Alexander Brown Architects, and received by Council 25/11/2016
  - 'Plan of Proposed Division' prepared by SKS Surveys Pty Ltd, and received by Council 30/11/2016



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- 'Traffic Consultants Report' prepared by MFY, and received by Council on 24/11/2016.

except when varied by the following conditions of consent.

2. A fully engineered site works and drainage plan shall be provided to Council for review and consideration prior to the submission of Building Rules Documentation.
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 premises.
4. 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.
5. 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.
6. 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](http://www.marion.sa.gov.au/page.aspx?u=181)*

7. 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.
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.
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



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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 SA Water shall be met for the provision of water supply and sewerage services.

For SA Water to proceed with the assessment of this application, the developer will need to advise SA Water of their preferred servicing option. Information of our servicing options can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> . For any queries please contact SA Water Land Developments on 7424 1119.

The developer must inform potential purchasers of the community lots of 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 \$19464 into the Planning and Development Fund (3 lots(s) @ \$6488/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell 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.



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4. The proposed crossover/access must be constructed a minimum of one (1) metre clear of all infrastructure, at its closest point, including but not limited to, street trees, stobie poles, SEP's, 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.
7. The applicant is reminded that Development Approval from the Council is required for any retaining wall over one metre in height, any masonry fence over one metre in height, any non-masonry fence (eg colorbond, wood paling, brush etc) over 2.1 metres in height, and any retaining wall with a fence on top with a total height over 2.1 metres in height (measured from the lower of the two adjacent ground levels).
8. Demolition of the existing dwelling and/or other structures on the land cannot occur until a separate application has been lodged, assessed by and approved by the Council.
9. Noise from devices and/or activities on the subject site should not impair or impinge on the amenity of neighbours at any time. The Environment Protection Authority has restrictions relating to the control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.
10. 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.



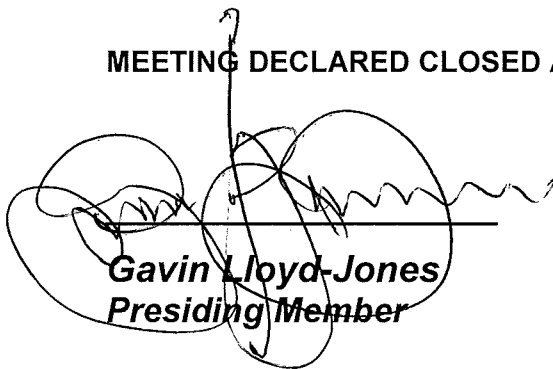
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4. APPEALS UPDATE
5. POLICY OBSERVATIONS
6. OTHER BUSINESS
7. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 7 December 2016 taken as read and confirmed this seventh day of December 2016.

8. CLOSURE

MEETING DECLARED CLOSED AT 7.46PM



**Gavin Lloyd-Jones**  
**Presiding Member**

7/12/16.