

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 5 OCTOBER 2016**

1.1 PRESENT

Gavin Lloyd-Jones (Presiding Member), Graham Goss, Nathan Sim,
Charmaine Thredgold, Ian Crossland and Luke Hutchinson

1.2 APOLOGIES


Nick Kerry

1.3 IN ATTENDANCE

Rob Tokley - Team Leader – Planning (DAP Executive Officer)
Kristen Sheffield - Development Officer - Planning

1.4 COMMENCEMENT

The Meeting commenced at 6.30pm



DAP051016**2. HEARING OF APPLICATIONS****2.1 Reference No: DAP051016 – 2.1****Application No: 100/2016/967****Site Location: 12 Kelmscott Street, Oaklands 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: 100/2016/967 to construct a two storey dwelling, incorporating a garage wall on the eastern side boundary and a single storey dwelling and associated garage at 12 Kelmscott Street 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. 100/2016/967, except where varied by the following conditions.**
- 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

- 4. 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.**
- 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 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.



DAP051016

2.2 Reference No: DAP051016 – 2.2
Application No: 100/2016/905
Site Location: 100 Finniss Street, Oaklands 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: 100/2016/905 for a verandah and freestanding garage incorporating a wall on the northern boundary at 100 Finniss Street, 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. 100/2016/905, except when varied by the following conditions of consent.**
- 2. 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.**
- 3. Stormwater must be disposed of in such a manner that does not flow or discharge into land of adjoining owners, lie against any building, or create insanitary conditions.**
- 4. The garage has been granted consent as a domestic outbuilding only and therefore shall not be used for human habitation or for purposes not reasonably incidental to the use of the land for residential purposes, unless the further development approval of the Council is obtained.**



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2.3 Reference No: DAP051016 – 2.3
Application No: 100/2016/1490
DAC Reference No: 100/C177/16
Site Location: 15 Kent Avenue, Warradale

- 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 and Land Division Consent for Development Application No: 100/2016/1490 (DAC Ref. 100/C177/16) for Residential Community Title Land Division - 1 into 3 allotments and to construct three (3), two storey row dwellings with associated car parking and landscaping at 15 Kent Avenue, Warradale 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. 100/2016/1490 (DAC Ref. 100/C177/16), being:
 - a. Arboricultural Assessment and Report prepared by The Adelaide Tree Surgery, received by Council on 2 September 2016;
 - b. Email correspondence prepared by Mark Elliot, dated 2 September 2016;
 - c. Sheets 1 – 8 of Drawing No. PD2A, prepared by MCA Design Pty. Ltd., received by Council on 6 September 2016;
 - d. Sheets 1 – 3 of Drawing No. SD2A, prepared by MCA Design Pty. Ltd., received by Council on 6 September 2016;
 - e. Plan of Proposed Community Division, Ref. No. 16-205, prepared by Cavallo Forest and Associates, received by Council on 7 September 2016;
 - f. Siteworks Plan of Job No. C21847, prepared by RCI Consulting Engineers, received by Council on 19 September 2016;except when varied by the following conditions of consent.
2. A revised site plan shall be submitted to Council prior to the issue of Development Approval, that provides consistent finished floor levels to that detailed in the Siteworks Plan, prepared by RCI Consulting Engineers.



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3. 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 a distance of 5 metres from the outside of the trunk of the Angophora costata tree, situated in the Council road reserve. 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.
4. The existing Angophora costata tree located within the Council road reserve adjacent the subject land shall be retained. The area beneath the tree's canopy shall be retained at its existing level at all times with no excavation or fill occurring. Any pruning of the Angophora costata street tree is only to occur through contact with Council's Coordinator of Arboriculture.
5. Any structural roots (i.e. greater than 25mm in diameter) of the Angophora costata tree 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.
6. 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.
7. 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

8. 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.
9. 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.
10. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the



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street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.

11. 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.
12. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.

LAND DIVISION CONDITIONS

1. 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.
2. The final survey plan shall be available to the Council, prior to the Council advising the Development Assessment Commission that it has no objection to the issue of a certificate pursuant to Section 51 of the Development Act. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
3. Payment of \$13352 into the Planning and Development Fund (2 lots @ \$6676/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. 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.
5. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0049348).

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



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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. 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).
7. 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.
8. 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.
9. 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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2.4 Reference No: DAP051016 – 2.4
Application No: 100/2016/443
Site Location: 53 Maxwell Avenue, Edwardstown

- 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: 100/2016/443 for a single-storey detached dwelling as well as alterations and additions to the existing dwelling 53 Maxwell Avenue, 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. 100/2016/443, 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.**
- 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

- 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.**

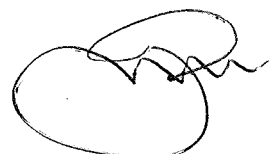


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5. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of 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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2.5 Reference No: DAP051016 – 2.5
Application No: 100/2015/431
Site Location: 22 Moor Crescent, Hallett Cove

- 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; but that**
- (c) That Development Plan Consent for Development Application No: 100/2015/431 for a single-storey detached dwelling and alterations to the existing dwelling at 22 Moor Crescent, Hallett Cove be REFUSED for the following reasons:**

REASONS FOR REFUSAL

- 1. The site areas of the proposed detached dwelling fails to satisfy the minimum of 420 square metres prescribed by Principle of Development Control 4 of the Southern Policy Area 18.**
- 2. The development results in a built form density that does not comply with that sought within the Southern Policy Area 18 and is at variance to Objective 2, Principles 2 and 3 and the Desired Character of the Southern Policy Area 18.**
- 3. The front setback of the proposed dwelling is not similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality and does not contribute positively to the appearance and desired character of the locality. Therefore, the proposed dwelling fails to satisfy Principle of Development Control 23 of the General Section: Design and Appearance. Further, the proposed dwelling does not comply with Principle of Development Control 25 of the General Section: Design and Appearance, and fails to satisfy the Desired Character and Principle 3 of the Southern Policy Area 18.**
- 4. The rear setback of the existing dwelling results in unreasonable visual impacts upon adjacent properties and the streetscape as thus fails to satisfy Principle 2(a) of the General Section: Design and Appearance, as well as Principle of Development Control 7 of the Residential Zone and Principle of Development Control 37 of the General Section: Residential Development.**



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OTHER BUSINESS

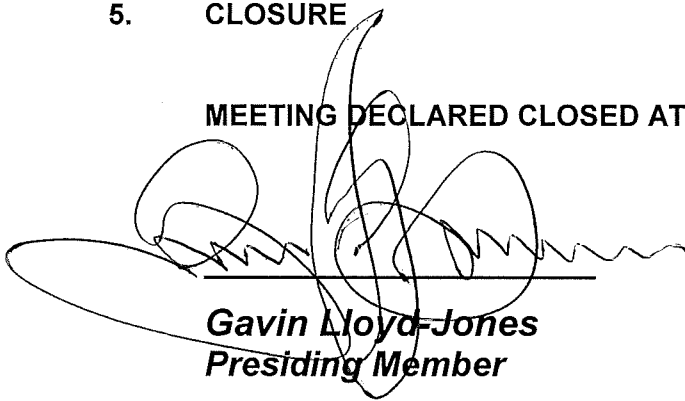
- 3.1 Appeals update
- 3.2 Policy Observations

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 5 October 2016 taken as read and confirmed this fifth day of October 2016

5. CLOSURE

MEETING DECLARED CLOSED AT 6.47PM



Gavin Lloyd-Jones
Presiding Member

5/10/16.