

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 4 FEBRUARY 2015**

1. SITE INSPECTION – 5:30PM

43 Jervois Terrace, Marino – All Members present

2. PRESENT

Rebecca Thomas (Presiding Member), Jenny Newman, Phil Smith, Jerome Appleby, Nick Kerry and Wendy Bell

2.1 APOLOGIES

Nick Westwood (entered the room at 7:10pm)

2.2 IN ATTENDANCE

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

2.3 COMMENCEMENT

The Meeting commenced on site at 43 Jervois Terrace, Marino at 5:30pm, concluding at 6:07pm and resumed at the Council office at 7:04pm.

7/4

DAP040215

3. HEARING OF APPLICATIONS

3.1 Reference No: DAP040215 – 3.1

Application No: 100/2014/1360

Site Location: 1 Calstock Avenue, Edwardstown

- No persons addressed the Panel in relation to this Item

3.2 Reference No: DAP040215 – 3.2

Application No: 100/2014/2276 (100/2014/D281)

Site Location: 72 Castle Street, South Plympton

- No persons addressed the Panel in relation to this Item

3.4 Reference No: DAP040215 – 3.4

Application No: 100/2014/1545

Site Location: 1/838-842 Marion Road, Marion

- No persons addressed the Panel in relation to this Item

PUBLIC CLOSURE

The Panel went into 'closed' session at **7:09pm** in order to allow for discussion and determination of the applications.



DAP040215**3. DETERMINATION OF APPLICATIONS**

7:09pm Nick Kerry declared a conflict of interest with Item 2 and left the room.

7:10pm Nick Westwood entered the room.

3.2 Reference No: DAP040215 – 3.2

Application No: 100/2014/2276 (100/2014/D281)

Site Location: 72 Castle Street, South Plympton

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: 100/2014/2276 for Land Division (Residential Torrens 1 into 3 allotments) and three, 2 storey row dwellings at 72 Castle Street, South Plympton be GRANTED subject to the following conditions:**


CONDITIONS

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2014/2276 (DAC ref. 100/D281/14) except when varied by the following conditions of consent.**
- 2. 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.**
- 3. 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.**

DAP040215

4. A fully engineered site works plan detailing top of kerb level, proposed finished floor levels, any cut/fill and/or retaining walls proposed, shall be provided to Council for consideration and approval, prior to Development Approval being issued.
5. Stormwater from all structures 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 Sheet "Stormwater Detention" to the reasonable satisfaction of the Council (copies of relevant documents are attached).
6. 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.
7. 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.
8. 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.
9. 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.

LAND DIVISION CONSENT

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services. The alteration of internal drains to the satisfaction of SA Water is required. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
 2. Payment of \$19464 into the Planning and Development Fund (3 allotment(s) @ \$6488/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone
- 

DAP040215

(8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, 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.
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.

DAP040215

Nick Kerry re-entered the room

7:14pm The Meeting was re-opened to the public

3.3 Reference No: DAP040215 – 3.3

Application No: 100/2014/200

Site Location: 43 Jervois Terrace, Marino

- Mr Ken Body answered questions of the Panel

7:23pm The Panel went into 'closed' session to allow for discussion and determination of the applications.

7

DAP040215

3.3 Reference No: DAP040215 – 3.3
Application No: 100/2014/200
Site Location: 43 Jervois Terrace, Marino

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: 100/2014/200 for a two storey detached dwelling and garage at 43 Jervois Terrace, Marino be REFUSED for the following reasons:**
 - 1. The proposed dwelling results in an unreasonable visual impact upon the adjoining property to the north, due to the proximity and expanse of the balcony, failing to satisfy Objectives 2 and 3 and Principle 2 of the Policy Area, parts of the Desired Character statement of the Policy Area and Design and Appearance Principle 2(a).**
 - 2. The proposed balconies result in the overlooking of the adjoining property, failing to provide adequate privacy and amenity to that land, at variance to parts of the Desired Character and Objective 3 and Principle 2 of the Policy Area and Design and Appearance Principle 12(a), 12(b) and 12(c).**
 - 3. The design of the dwelling does not incorporate an appropriate level of articulation, accentuating the bulk and visual impact of the building and failing to satisfy Policy Area Principle 6(b) and Design and Appearance Principle 1(a).**

DAP040215

3.1 Reference No: DAP040215 – 3.1
Application No: 100/2014/1360
Site Location: 1 Calstock Avenue, Edwardstown

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: 100/2014/1360 to construct three (3) single storey dwellings and associated garages and landscaping at 1 Calstock 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. 100/2014/1360, being drawings prepared by H.T.P. Drafting Pty. Ltd. for Homestead Homes Pty. Ltd. and Siteworks Plan prepared by RCI Consulting Engineers, except when varied by the following conditions of consent.**
- 2. 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

- 3. 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.**
- 4. 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**

DAP040215

dying plants being replaced, to the reasonable satisfaction of the Council.

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.
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. 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.

DAP040215

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.




DAP040215

3.4 Reference No: DAP040215 – 3.4
Application No: 100/2014/1545
Site Location: 1/838-842 Marion Road, Marion

Resolved that;

- (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 in accordance with Section 35(2) of the Development Act 1993; and**
- (c) That the Development Assessment Panel advise the Environment, Resources and Development Court that Council supports the compromise proposal submitted by Mr Nicholas Budin for Development Application No: 100/2014/1545 and recommends the following conditions:**

CONDITIONS

- 1. The development shall proceed in accordance with the letter of support prepared by URPS Planning Consultants stamped dated 19 January 2015, the amended elevation plan and coloured photographic information stamped dated received 27 January 2015 and the site plan stamped dated received 22 September 2014 all submitted with and forming part of Development Application No. 100/2014/1545, except where varied by the following conditions of consent.**
 - 2. A landscaping plan shall be submitted to Council for consideration prior to Development Approval being issued, detailing a mix of native medium and low-level plantings within the external outdoor display area.**
 - 3. 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.**
 - 4. 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 Council.**
- 

DAP040215

5. All goods and materials placed in the area designated for the outside display of goods and materials shall be kept in a tidy manner and condition at all times.

NOTES

1. The advertising signage hereby approved comprises all text, including the text and symbols outlined within the confines of the orange bordering as illustrated on the approved plans dated received 27 January 2015, and does not incorporate or include any area comprising the blue fascia panelling affixed along the top of the eastern and northern sides of the building.
2. 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.



DAP040215**4. OTHER BUSINESS****4.1 Reference No: DAP051114 – 3.6****Application No: 100/2014/1315****Site Location: 209 Sturt Road, Seacombe Gardens**

The Panel resolve the landscaping plan submitted with and forming part of Development Application No: 100/2014/1315 for the change of use from a bank to shop and consulting rooms with ancillary offices at 209 Sturt Road, Seacombe Gardens, be deemed to satisfy condition 2 of the Development Plan Consent.

4.2 Appeals update**4.3 Policy Observations****5. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 4 February 2015 taken as read and confirmed this fourth day of February 2015.

6. CLOSURE**MEETING DECLARED CLOSED AT 8.01PM**

Rebecca Thomas
Presiding Member

