

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 6 APRIL 2016**

1.1 PRESENT

Gavin Lloyd-Jones (Presiding Member), Graham Goss, Phil Smith, Ian Crossland, Nick Kerry and Luke Hutchinson

1.2 APOLOGIES

Wendy Bell

1.3 IN ATTENDANCE

Rob Tokley - Team Leader – Planning (DAP Executive Officer)
Steve Hooper - Manager, Development Services
Emily Nankivell - Senior Development Officer- Planning

1.4 COMMENCEMENT

The Meeting commenced at 6.30pm



DAP060416**2. HEARING OF APPLICATIONS****2.1 Reference No: DAP060416 – 2.1****Application No: 100/2015/1887****Site Location: 7 Moore Street, Seacombe Heights**

- 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:

- The Panel note this report and concur with the findings and reasons for the recommendation;**
- 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**
- That Development Plan Consent for Development Application No: 100/2015/1887 for a second storey dwelling addition resulting in a building height exceeding 9.0 metres, pedestrian ramp, earthworks and retaining walls at 7 Moore Street, Seacombe Heights be GRANTED subject to the following conditions:**

CONDITIONS

- The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2015/1887, except when varied by the following conditions of consent.**
- 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.**
- 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.**
- 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.**
- 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.**

NOTES

DAP060416

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. 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.



DAP060416**2.2 Reference No: DAP060416 – 2.2****Application No: 100/2015/2007****Site Location: 313 - 315 Morphett Road & 37-39 Milton Street
Oaklands Park**

- Mr Nigel Camin (Representor) addressed the Panel
- Stewart Hocking of Ben Green & Associates on behalf of Jonson Business Consulting Services (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: 100/2015/2007 for Thirteen, two storey group dwellings, with associated car parking and landscaping at 313 - 315 Morphett Road & 37-39 Milton 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. 100/2015/2007, being drawing number(s) 15-830-A01, 15-830-A02, 15-830-A03, 15-830-A04, 15-830-A05, 15-830-A06, 15-830-A07, 15-830-A08, 15-830-A09, 15-830-A10, 15-830-A11, 15-830-A12, 15-830-A13, 15-830-A14, 15-830-A15, 15-830-A16, 15-830-A17, 15-830-A18, 15-830-A19, 15-830-A20, 15-830-A21, 15-830-A22, 15-830-A23, 15-830-A24 and 160339 C1, 160339 C2, 160339 C3 (inclusive) prepared by Looka and Lelio Bibbo Consulting Engineers Pty Ltd, except when varied by the following conditions of consent.
2. An amended engineered site works and drainage plan shall be provided to Council for consideration and approval prior to Development Approval being issued, which details the following:
 - a. the FFL of all dwellings set at 17.3, except Dwellings 1 and 13 at 17.4; and
 - b. the pave level shall be set down 300mm below the FFL of each dwelling.
3. The portion of the upper floor windows to the:
 - a. southern elevation of Dwellings 1-7 (inclusive)
 - b. the eastern elevation of Dwellings 3-7 (inclusive); and
 - c. the western elevation of Dwellings 1-5 (inclusive)



DAP060416

that are less than 1.7 metres above the internal floor level shall be treated prior to occupation of the building and maintained in a manner that permanently restricts views of adjoining property's yards and/or indoor areas being obtained by a person within the room, to the reasonable satisfaction of the Council.

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 and maintained for the life of the building.
5. 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

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. 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 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.
11. The windows on the western elevation of Dwellings 6, 7, and 8 shall be double glazed for sound attenuation purposes.

NOTES

1. This approval does not relate to the removal of, or to any tree-damaging activity to, any regulated tree (as defined under the Development Act 1993) that may be located on the subject site or adjacent land. If any tree-damaging activity is anticipated, a separate Development Application is required to be lodged with Council for assessment prior to any such damage occurring.



DAP060416

For your information, a regulated tree is any tree that has a trunk circumference of 2.0m or more - or, in the case of trees with multiple trunks, that have trunks with a total trunk circumference of 2.0m or more and have an average circumference of 625mm or more - measured at a point 1m above natural ground level. Tree-damaging activity means the killing, destruction or removal of a tree, the severing of branches, limbs, stems or trunk of a tree, ringbarking, topping or lopping of a tree or other substantial damage (including damage to root systems of trees).

Should regulated tree(s) exit on the subject site or adjoining land, care must be taken during demolition/construction of the proposed buildings to ensure no damage is done to that/those tree(s) (including their root systems) unless otherwise approved by Council. For this reason, a protective barrier should be erected at the dripline of the tree, and that barrier should be maintained for the duration of the demolition/construction. It is also recommended that you seek the advice of a qualified Arborist.

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 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).
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. 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.
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.



DAP060416

6:41pm Ian Crossland declared a conflict of interest with Item 2.3 and left the room

2.3 Reference No: DAP060416 – 2.3
Application No: 100/2015/2050
Site Location: 7 Beachfront Court, Hallett Cove

- Mr Peter Elia (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: 100/2015/2050 for a freestanding building for the purpose of storage at 7 Beachfront Court, Hallett Cove, be GRANTED subject to concurrence from the Development Assessment Commission, and 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. 100/2015/2050, except when varied by the following conditions of consent.**
- 2. The structure shall be used by the owner/occupier of the dwelling on Lot 6 (CT 5242/591) for domestic storage purposes only.**
- 3. The shipping containers unlawfully placed on Lots 17 and 15 Beachfront Court, Hallett Cove, shall be removed within 4 weeks of substantial completion of the proposed structure.**
- 4. The structure shall be removed/demolished if the registered proprietors of Lots 6 or 7 change, or if the construction of a lawfully approved dwelling commences on Lot 7.**
- 5. The structure 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.**
- 6. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the**



DAP060416

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

7. 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.

NOTE:

1. The subject site may be subject to coastal erosion and this risk will increase with sea level rise due to climate change. Protection strategies addressing the erosion risk are required.



DAP060416

6:50pm Ian Crossland re-entered the room

2.4 Reference No: DAP060416 – 2.4

Application No: 100/2015/2439

Site Location: 53-55 Hawker Avenue Plympton 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: 100/2015/2439 for two single storey dwellings with associated carports and a single storey residential flat building comprising three dwellings all with associated garages, landscaping and visitor parking at 53-55 Hawker Avenue, Plympton 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. 100/2015/2439, being drawing number(s) DT160105 and 121.2015 Sheets PA 01 to 06 (inclusive) prepared by Structural Systems Consulting Engineers and Spectra Building Designs, 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. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the



DAP060416

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

5. All car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.
6. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.

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.



DAP060416

2.5 Reference No: DAP060416 – 2.5
(Previously deferred item DAP020316)
Application No: 100/2015/1261
Site Location: 3 Casey Street, 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; and
- (c) That Development Plan Consent for Development Application No: 100/2015/1261 for two, two-storey residential flat buildings each comprising six dwellings (12 dwellings in total), with associated freestanding garages, common driveway, earthworks and retaining walls at 3 Casey Street, Hallett Cove 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. 100/2015/1261, being drawing numbers 1 of 36 to 36 of 36 (inclusive) prepared by MCA Design (SA) Pty Ltd dated as received by Council on 21 March 2016, and Siteworks and Drainage Plan prepared by Herriot Consulting, except when varied by the following conditions of consent.
2. A revised site works and drainage plan, detailing top of kerb, existing ground levels throughout the site, proposed bench and finished floor levels, driveway levels and grades, cut/fill and retaining walls proposed, shall be provided to Council for consideration and approval, prior to Development Approval being issued.
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 prior to the occupation of the premises to the reasonable satisfaction of the Council.
5. 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.



DAP060416

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 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.
9. 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.

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.



DAP060416

2.6 Reference No: DAP060416 – 2.6
Application No: 100/2014/959
Site Location: 215 Sturt Road, Seacombe Gardens

- No persons addressed the Panel in relation to this Item

The Development Assessment Panel 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; and
- (c) That the Development Assessment Panel advise the Environment, Resources and Development Court that Council does not support the comprise proposal submitted by WC Projects Pty Ltd for Development Application No: 100/2014/959.

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

DAP060416

3. OTHER BUSINESS

- 3.1 Appeals update
- 3.2 Policy Observations

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 6 April 2016 taken as read and confirmed this sixth day of April 2016.

5. CLOSURE

MEETING DECLARED CLOSED AT 6.59PM



Gavin Lloyd-Jones
Presiding Member

6/4/16.