

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 7 OCTOBER 2015**

1.1 PRESENT

Gavin Lloyd-Jones (Presiding Member), Graham Goss, Phil Smith,
Jerome Appleby, Nick Westwood and Wendy Bell

1.2 APOLOGIES

Nick Kerry

1.3 IN ATTENDANCE

Rob Tokley - Team Leader – Planning (DAP Executive Officer)
Alex Wright - Development Officer - Planning

1.4 COMMENCEMENT

The Meeting commenced at 6.30pm



DAP071015

2. HEARING OF APPLICATIONS

2.1 Reference No: DAP071015 – 2.1

Application No: 100/2014/959

Site Location: 215 Sturt Road, Seacombe Gardens

This application was withdrawn from consideration at the meeting at request of the applicant.

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2.2 Reference No: DAP071015 – 2.2
Application No: 100/2015/382
Site Location: 17 Township Road Marion

- Kale Stone (Representor) addressed the Panel
- Ms Robyn Stone (Representor) addressed the Panel
- Ms Tanya Peak (Representor) 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: 100/2015/382 for a two storey building comprising 3 dwellings with associated car parking and landscaping at 17 Township Road, Marion be GRANTED be 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. 100/2015/382, being drawing number 89530-A, prepared by Fairmont Homes, and documentation titled 'Proposed dwelling for S & M Rusby; At lot No. 10 (No.17) Township Rd, Marion', 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. The portion of the upper floor windows to northern, eastern and southern elevations (except the west-facing windows presenting to the street) less than 1.7 metres 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.**
- 4. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of**



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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. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details 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. 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.
10. All 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.

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. The proposed crossover/access must be constructed a minimum of 2m from the Eucalyptus Sidroxylon and 1.5m from the Eucalyptus Saligna, with all excavation works being done manually by hand to ensure the health of the tree.
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.



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5. 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: DAP071015 – 2.3
Application No: 100/2015/474
Site Location: 6 Mocalta Street, Glengowrie

- 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: 100/2015/474 for a two storey dwelling, incorporating a garage wall on the northern side boundary and two single storey dwellings to the rear of the site, one of which incorporates a wall on the western (rear) boundary at 6 Mocalta Street, Glengowrie 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. 100/2015/474, 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 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.



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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.
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.



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2.4 Reference No: DAP071015 – 2.4
Application No: 100/2015/1268
Site Location: 10 Ridgecrest Avenue, Darlington

- 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: 100/2015/1268 for Two storey dwelling addition, which involves increasing the existing western boundary wall height by a maximum 2.4 metres at 10 Ridgecrest Avenue, Darlington 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. 100/2015/1268, being drawing numbers 1 through 7 (inclusive) prepared by IN2 Design Building Design, and received by Council 14/07/2015 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. 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

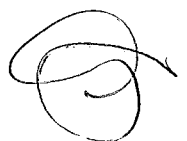
- 1. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.**
- 2. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through 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**



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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. 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.



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2.5 Reference No: DAP071015 – 2.5
Application No: 100/2015/1108
Site Location: 5 and 1/1-3 Scarborough Terrace Dover Gardens

- 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 Development Approval for Development Application No: 100/2015/1108 to remove one Regulated Tree (WA Willow Myrtle) adjacent 5 Scarborough Terrace and one Significant Tree (WA Willow Myrtle) adjacent 1-3 Scarborough Terrace, Dover Gardens, due to risk to pedestrians and motorists at 5 Scarborough Terrace and 1/1-3 Scarborough Terrace, Dover 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. 100/2015/1108, except when varied by the following conditions of consent.
2. 5 replacement trees shall be planted to compensate for the removal of the regulated and significant tree. One replacement tree shall be planted in the same place as the removed tree, and the remaining trees planted in a nearby Council reserve.

Replacement trees must be planted in a suitable position greater than 10 metres in distance from any existing dwelling or in-ground swimming pool. In the event that the replacement tree within the road reserve is located within 10 metres of an existing dwelling or in-ground swimming pool, an additional replacement tree shall be planted in a nearby Council reserve.

3. The replacement tree planting shall occur within twelve months of the tree's removal and shall be maintained in good condition at all times and replaced if necessary.
4. The replacement trees must not be exempt species listed under regulation 6A clause (5)(b) of the Development Regulations 2008, or a tree belonging to a class of plant declared by the Minister under section 174 of the Natural Resources Management Act 2004.



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Jerome Appleby declared a conflict of interest with Items 2.6 and 2.7 and left the room.

2.6 Reference No: DAP071015 – 2.6

Application No: 100/2015/1184

Site Location: 752-756 Marion Road, Marion

- Shahin Properties Pty Ltd (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: 100/2015/1184 for one freestanding advertisement incorporating internal illumination to the price board and achieving a total height of 7.02 metres, and a freestanding sign incorporating internal illumination to the price board and achieving a maximum height of 3 metres at 752-756 Marion Road, Marion 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. 100/2015/1184, being drawings 'Site Plan' received by Council 1/07/2015 and 'Front/Side' Elevations received by Council 11/08/2015, except when varied by the following conditions of consent.
2. The advertisements and supporting structures shall be prepared and erected in a professional and workmanlike manner and maintained in good repair at all times, to the reasonable satisfaction of the Council.
3. The proposed non-illuminated signs shall utilise a material of low reflectivity to minimise the possibility of glare and enhance road safety.
4. Lighting associated with the signs shall be of an intensity that will not cause an unreasonable light overspill nuisance to adjacent occupiers, or be an undue distraction to motorists, to the reasonable satisfaction of Council.
5. The proposed signs shall be constructed wholly on the subject site and no part shall extend beyond the property boundaries.



Department of Planning, Transport and Infrastructure Conditions

6. The signs shall not contain any element of LED or LCD display, except for the fuel prices, which shall be limited to static white text on a black background.
7. No element of the signs shall flash, scroll, move or change, with the exception of the fuel prices, which may change on an infrequent basis.
8. The change of fuel prices shall be instantaneous (i.e. less than 0.1 seconds).
9. The operational system for any electronic signage on the site shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
10. The illuminated pylon signs shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. The following luminance levels should be incorporated into an automatic stepped dimming system:

| Ambient Conditions | Sign Illuminance Vertical Component (Lux) | Sign Luminance (Cd/m²) Max |
|---------------------------|--|--|
| Sunny Day | 40000 | 6300 |
| Cloudy Day | 4000 | 1100 |
| Twilight | 400 | 300 |
| Dusk | 40 | 200 |
| Night | <4 | 200 |



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2.7 Reference No: DAP071015 – 2.7
Application No: 100/2015/1183
Site Location: 216 Seacombe Road, Seaview Downs

- Shahin Properties Pty Ltd (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: 100/2015/1183 for freestanding illuminated advertisement at 216 Seacombe Road, Seaview Downs 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. 100/2015/1183, being drawings 'Site Plan' received by Council 1/07/2015 and 'Front/Side' Elevations received by Council 11/08/2015, except when varied by the following conditions of consent.
2. The advertisement(s) and supporting structure(s) shall be prepared and erected in a professional and workmanlike manner and maintained in good repair at all times, to the reasonable satisfaction of the Council.
3. The proposed non-illuminated signs shall utilise a material of low reflectivity to minimise the possibility of glare and enhance road safety
4. Lighting associated with the signs shall be of an intensity that will not cause an unreasonable light overspill nuisance to adjacent occupiers, or be an undue distraction to motorists, to the reasonable satisfaction of Council.
5. The proposed signs shall be constructed wholly on the subject site and no part shall extend beyond the property boundaries.

Department of Planning, Transport and Infrastructure Conditions

6. The signage herein approved shall be relocated to the satisfaction of DPTI at no cost to DPTI should land be required for road purposes in the future.



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7. The signs shall not contain any element of LED or LCD display, except for the fuel prices, which shall be limited to static white text on a black background.
8. No element of the signs shall flash, scroll, move or change, with the exception of the fuel prices, which may change on an infrequent basis.
9. The change of fuel prices shall be instantaneous (i.e. less than 0.1 seconds).
10. The operational system for any electronic signage on the site shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
11. The illuminated pylon signs shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. The following luminance levels should be incorporated into an automatic stepped dimming system:

| Ambient Conditions | Sign Illuminance Vertical Component (Lux) | Sign Luminance (Cd/m ²) Max |
|--------------------|---|---|
| Sunny Day | 40000 | 6300 |
| Cloudy Day | 4000 | 1100 |
| Twilight | 400 | 300 |
| Dusk | 40 | 200 |
| Night | <4 | 200 |

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OTHER BUSINESS

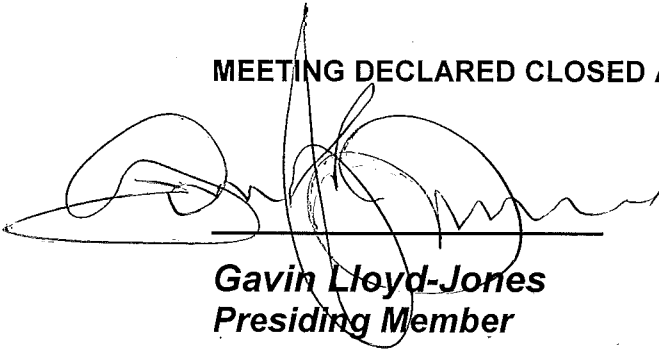
- 3.1 Appeals update
- 3.2 Policy Observations

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 7 October 2015 taken as read and confirmed this seventh day of October 2015

5. CLOSURE

MEETING DECLARED CLOSED AT 7.07PM



Gavin Lloyd-Jones
Presiding Member

7/10/15