

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE ADMINISTRATION
CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 10 DECEMBER 2014**

1. PRESENT

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

2.1 APOLOGIES

Jenny Newman

2.2 IN ATTENDANCE

Kathy Jarrett - Director
Robert Tokley - Team Leader – Planning (DAP Executive Officer)
Steve Hooper - Manager, Development Services
Joanne Reid - Development Officer- Planning

2.3 COMMENCEMENT

The Meeting commenced at 6.30pm

DAP101214**3. HEARING OF APPLICATIONS****3.1 Reference No: DAP101214 -3.1****Application No: 100/2014/1642****Site Location: 66 Daws Road, Edwardstown**

- Mrs Chris Sibley (Representor) addressed the Panel
- Mrs Edeltraut Jaucius (Representor) addressed the Panel
- Kevin & Margaret Sandford on behalf of Mr Peter Eitel (Representor) addressed the Panel
- Mr Leslie Craig Bottrill (Applicant) addressed the Panel

3.2 Reference No: DAP 101214-3.2**Application No: 100/2014/1703****Site Location: Lot 503 Lonsdale Road, Hallett Cove**

- No persons addressed the Panel in relation to this Item

3.3 Reference No: DAP101214-3.3**Application No: 100/2014/2106 (100/C255/14)****Site Location: 1-3 Hill Street, Plympton Park**

- No persons addressed the Panel in relation to this Item

3.4 Reference No: DAP101214-3.4**Application No: 100/2014/1187****Site Location: 1-3 Hill Street, Plympton Park**

- No persons addressed the Panel in relation to this Item

3.5 Reference No: DAP101214-3.5**Application No: 100/2014/1258****Site Location: 13-23 Clacton Road, Dover Gardens**

- Mr David Sterk (Representor) addressed the Panel
- Mr Eric Lampard (on behalf of Woolcock Construction (Applicant)) addressed the Panel

3.6 Reference No: DAP101214-3.6**Application No: 100/2014/986****Site Location: 107 Morphett Road, Morphettville**

- No persons addressed the Panel in relation to this Item

3.7 Reference No: DAP101214-3.7**Application No: 100/2014/1493****Site Location: 68 Beadnall Terrace, Glengowrie**

- Mr Andrew Heffernan (Applicant) answered questions of the Panel

DAP101214**3.8 Reference No: DAP101214-3.8****Application No: 100/2014/961****Site Location: 51 Condada Avenue, Park Holme**

- No persons addressed the Panel in relation to this Item

3.9 Reference No: DAP101214-3.9**Application No: 100/2014/1383****Site Location: 226 Oaklands Road, Morphettville**

- No persons addressed the Panel in relation to this Item

3.10 Reference No: DAP101214-3.10**Application No: 100/2014/1536****Site Location: 293-297 Diagonal Road, Oaklands Park**

- Greg Vincent answered questions of the Panel on behalf of Scentre Group (Applicant)

3.11 Reference No: DAP 101214-3.11**Application No: 100/2014/1583****Site Location: 1022 and 1024-1026 South Road, Edwardstown**

- David Lands (Applicant) answered questions of the Panel

3.12 Reference No: DAP101214-3.12**Application No: 100/2014/1031 (DAC Ref: 100/D129/14)****Site Location: 17 Whiteleaf Crescent, Glengowrie**

- No persons addressed the Panel in relation to this Item

3.13 Reference No: DAP101214-3.13**Application No: 100/2014/1430****Site Location: 17 Whiteleaf Crescent, Glengowrie**

- No persons addressed the Panel in relation to this Item

3.14 Reference No: DAP101214-3.14**Application No: 100/2014/819****Site Location: 4 Dunedin Street, Dover Gardens**

- No persons addressed the Panel in relation to this Item

3.15 Reference No: DAP101214-3.15**Application No: 100/2014/1954****Site Location: 1/838-842 Marion Road, Marion**

- No persons addressed the Panel in relation to this Item

DAP101214

3.16 Reference No: DAP101214-3.16
Application No: 100/2014/1046 (100/D136/14)
Site Location: 39 Harbrow Grove, Seacombe Gardens

- No persons addressed the Panel in relation to this Item

3.17 Reference No: DAP151014-3.17
Application No: 100/2014/1178
Site Location: 39 Harbrow Grove, Seacombe Gardens

- No persons addressed the Panel in relation to this Item

3.18 Reference No: DAP101214-3.18
Application No: 100/2014/1177
Site Location: 14 Renown Avenue, Clovelly Park

- No persons addressed the Panel in relation to this Item

3.19 Reference No: DAP101214-3.19
Application No: 100/2014/1124 (100/D155/14)
Site Location: 4 Bowden Grove, Oaklands Park

- No persons addressed the Panel in relation to this Item

3.20 Reference No: DAP101214-3.20
Application No: 100/2014/1006
Site Location: 4 Bowden Grove, Oaklands Park

- No persons addressed the Panel in relation to this Item

PUBLIC CLOSURE

The Panel went into 'closed' session at **7:38pm** in order to allow for discussion and determination of the applications.

DAP101214

3. DETERMINATION OF APPLICATIONS

- 3.1 Reference No: DAP101214 -3.1
Application No: 100/2014/1642
Site Location: 66 Daws Road, 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: 100/2014/1642 for a change of use to mortuary with associated car parking (Tenancy 2) at 66 Daws Road, 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. 100/2014/1642, except when varied by the following conditions of consent.
- (2) All equipment used in the lifting or transferring of bodies within the premises shall be electric or hydraulic lifting equipment.
- (3) The total number of bodies stored on the premises at any one time shall not exceed 25.
- (4) The total visitations (vehicular or in person) to or from the premises between the hours of 10pm and 7am the following day shall not exceed 5.
- (5) Vehicles accessing the property between the hours of 10pm and 7am the following day shall not use or incorporate reversing beepers, horns or similar.
- (6) All north and west facing façade windows shall be 'painted out' or 'blacked out' to appropriately reduce light spill, to the reasonable satisfaction of Council. This should occur prior to occupation of the premises.
- (7) The pickup of all waste from the premises shall be restricted to the following times;
 - 7:00am – 5:00pm Monday to Friday;
 - 8:00am – 5:00pm Saturday;

DAP101214

NOTES

- (1) Activity 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.

7/1

DAP101214

3.2 Reference No: DAP 101214-3.2
Application No: 100/2014/1703
Site Location: Lot 503 Lonsdale Road, Hallett Cove

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: 100/2014/1703 for the construction of a balcony to the (western) upper level of the existing club rooms (above approved, not yet constructed ground floor additions in Development Application 100/2014/1704) at Lot 503 Lonsdale Road, 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. 100/2014/1703, except when varied by the following conditions of consent.
- (2) The external appearance, materials and finishes of the new structure/building shall match or complement those of the existing building, to the reasonable satisfaction of the Council.
- (3) 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.
- (4) 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.
- (5) The balcony shall not be used after 10:30 pm on any given day. The balcony doors shall be closed at this time.

NOTES

- (1) 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

DAP101214

control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.

TH

DAP101214

3.3 Reference No: DAP101214-3.3
Application No: 100/2014/2106 (100/C255/14)
Site Location: 1-3 Hill Street, Plympton Park

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: 100/2014/2106 for a Community Title Land Division - 1 into 6 allotments at 1-3 Hill Street, Plympton Park, be GRANTED subject to the following conditions:

CONDITIONS

Development Plan Consent

- (1) The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2014/2106, except when varied by the following conditions of consent.
- (2) Party/common wall(s) associated with the development proposed to be built on the land shall be accurately identified on the plan of division 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) 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.
- (4) 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.

DAP101214

Land Division Consent

- (1) The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
- (2) For further processing of this application by SA Water to establish the full requirements and costs of this development 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/SAWater/DevelopersBuilders/ServicesForDevelopers/Custom+Connections+Centre.htm>. For further information or queries please contact SA Water Land Developments on 7424 1119.
- (3) 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.
- (4) Payment of \$32440 into the Planning and Development Fund (5 allotment(s) @ \$6488/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (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.
- (5) 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) This approval has been granted on the basis of the suitability of the land for residential flat dwellings, as demonstrated in Development Application No: 100/2014/1187. Should the proposed allotments be created and sold without that development occurring, new applicants/owners should be aware that any variation to the approved dwellings requires the lodgement and assessment of a new Development Application with the Council. Please note that the proposed allotments may not meet the minimum allotment size required for other forms of dwellings (e.g. the Marion Council Development Plan requires a larger site area for detached dwellings than it does for residential flat dwellings) and other dwelling layouts may not be suitable for the proposed allotments.

DAP101214

3.4 Reference No: DAP101214-3.4
Application No: 100/2014/1187
Site Location: 1-3 Hill Street, Plympton Park

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: 100/2014/1187 for two, two storey residential flat buildings, each comprising two dwellings and a single storey residential flat building, comprising two dwellings, all with associated car parking and landscaping, at 1-3 Hill Street, 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. 100/2014/1187, 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 on the southern side elevation of Residences 1 and 2 and the northern side elevation of Residences 5 and 6 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 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.

18

DAP101214

- (5) 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.
- (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) 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.

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.

DAP101214

3.5 Reference No: DAP101214-3.5
Application No: 100/2014/1258
Site Location: 13-23 Clacton Road, Dover Gardens

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: 100/2014/1258 for Demolition of existing storage shed and construction of a 495 square metre building, incorporating a 6m wall height for the purposes of winery storage, and additional landscaping at 13-23 Clacton Road, 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. 100/2014/1258, being the 'Site Development Plan' with drawing number WG-PATRITTI-01-SP, Floor Plan and Elevation, prepared by Woolcock Group, except when varied by the following conditions of consent.
- (2) The trees proposed to be planted as part of the application shall be planted at a height of no less than 2m and within the appropriate planting season, no less than 6 months of the building being erected.
- (3) All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition for the life of the development with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
- (4) 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.
- (5) A trap shall be installed as part of the site's stormwater system to prevent grease, oil, sediment, litter and other substances capable of contaminating stormwater from entering the Council's stormwater drainage system. The trap shall be regularly cleaned and maintained in good working order to the reasonable satisfaction of the Council.

13

DAP101214

- (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 loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
- (8) All industrial and commercial vehicles visiting the site shall enter and exit the land in a forward direction.
- (9) At no time shall any stored goods, products or materials be visible above the height of the fence and/or screen surrounding the storage area(s).
- (10) At no time shall any goods, materials or waste be stored in designated car parking areas, driveways, manoeuvring spaces or landscaping.
- (11) All external lighting of the site, including car parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.

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) 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.
- 

DAP101214

3.6 Reference No: DAP101214-3.6
Application No: 100/2014/986
Site Location: 107 Morphett Road, Morphettville

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: 100/2014/986 for Four group dwellings (one two storey and three single storey) with associated common driveway, car parking, landscaping and masonry front fencing at 107 Morphett Road Morphettville 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. 100/2014/986, being Job No. 42362, Drawing numbers WD01, WD02, WD03, WD04 and WD05, Rev F; Job No. 42398, Drawing Numbers WD02 and WD03, Rev C; Job No. 42355 and Drawing Numbers WD02 and Wd03, Rev B; and Job No. 42345 and Drawing Numbers WD 02 and WD 03, Rev C, all prepared by Weeks and Macklin Homes.
- (2) Further details of the material and finishes of the masonry front fence and elevations shall be provided for consideration and approval prior to Development Approval being granted.
- (3) A landscaping plan shall be submitted to Council for consideration and approval prior to Development Approval being issued, detailing a mix of native medium, low-level plantings throughout the site and some taller broader canopied trees in front of Unit 1.
- (4) All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details (being, Drawing No. 26586, SR2-1/B, prepared by Ginos Engineers and received by Council on 11 November 2014) prior to the occupation of the premises to the reasonable satisfaction of Council

7/7

DAP101214

- (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) The portion of the upper floor windows (to south facing windows to bedroom 2 and 3 of Unit 1) 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. (Note, suggested treatments include, but are not restricted to, permanently fixed translucent glazing in any part of the window below 1.7m above the internal floor level or a window sill height of 1.7m above the internal floor level).
- (7) 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.
- (8) 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.
- (9) 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.
- (10) 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.
- (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.
- (13) 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.
- (14) The windows on the western elevation of Unit 1 shall be double glazed for sound attenuation purposes.

DAP101214

- (15) 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.

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 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.
- (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.
- (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.

DAP101214

3.7 Reference No: DAP101214-3.7
Application No: 100/2014/1493
Site Location: 68 Beadnall Terrace, Glengowrie

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;
- (c) That Development Plan Consent for Development Application No: 100/2014/1493 to make alterations and additions to an existing detached dwelling including a garage with a wall on the western side boundary at 68 Beadnall Terrace Glengowrie be GRANTED subject to the following conditions:

CONDITIONS

- (1) The development shall proceed in accordance with the plans stamped dated received 26 August 2014 and the Drainage Plan stamped dated received 27 October 2014 all submitted with and forming part of Development Application No. 100/2014/1493 except where varied by the following conditions of consent.
- (2) 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.
- (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) The stormwater collection and disposal system shall be connected to the street water table (inclusive of any system that connects to the street water table 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.

DAP101214

- (6) All mortar joints or any textured rendering to be applied to walls along the property boundary are to be finished in a professional manner, similar to other external walls on the subject dwelling(s).

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.

DAP101214

3.8 Reference No: DAP101214-3.8
Application No: 100/2014/961
Site Location: 51 Condada Avenue, Park Holme

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: 100/2014/961 for a single storey detached dwelling, incorporating a garage wall on the eastern side boundary and two, single storey dwellings to the rear of the site with associated car parking and landscaping at 51 Condada Avenue, Park Holme 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. 100/2014/961, being drawing numbers 1/5: Site Plan, 2/5: D2 & 3 - Floor Plan, 3/5: D2 & 3 - Elevations, 4/5: D1 - Floor Plan and 5/5: D1 - Elevations prepared by Perspective Designers and Developers, 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

BT

DAP101214

- (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) 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.
- (8) All render on walls on the property boundary are to be finished in a professional manner, similar to other external render on the subject dwelling.
- (9) All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plan and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
- (10) Stormwater must be disposed of in such a manner that does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

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.
- 

DAP101214

- (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.

10

DAP101214

3.9 Reference No: DAP101214-3.9
Application No: 100/2014/1383
Site Location: 226 Oaklands Road, Morphettville

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: 100/2014/1383 for a two storey building comprising four dwellings, which incorporates a garage wall on the northern side boundary at 226 Oaklands Road, Morphettville 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. 100/2014/1383 (being the site plans, siteworks plan and elevations prepared by Mavtech Designs and Herriot Consulting, except when varied by the following conditions of consent.
- (2) A revised siteworks and drainage plan shall be provided to Council for consideration and approval, prior to Development Approval being issued
- (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 upper storey windows on the northern and western elevation 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. (Note, suggested treatments include, but are not restricted to, permanently fixed translucent glazing in any part of the window below 1.7m above the internal floor level or a window sill height of 1.7m above the internal floor level).

DAP101214

- (5) 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.
- (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) Any vegetation adjacent the intersection of Oaklands Road and Rosedale Avenue corner must be low growing in nature (i.e. less than 1.0 metre in height) to preserve site lines across the corner.
- (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) Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the arterial road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicants cost.
- (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.
- (12) 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.
- (13) The Site Works and Drainage Plan shall not represent the foot print of the dwelling and shall only be used for site level reference (finished floor levels, bench levels, cut and/or fill, existing site levels etc.)

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
- 

DAP101214

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.

DAP101214

3.10 Reference No: DAP101214-3.10
Application No: 100/2014/1536
Site Location: 293-297 Diagonal Road, Oaklands Park

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;
- (c) Development Plan Consent, for Stages 1 and 2, is valid for a period of 5 years from the date of Development Plan Consent; and
- (d) That Development Plan Consent for Development Application No: 100/2014/1536 for Variation to DA 100/2007/48 as subsequently varied by 100/2387/2010 and DA 100/2012/1297 (Amendments to Stage 1 outdoor dining precinct, fresh food precinct and various amendments to tenancies and car parking) at 293-297 Diagonal Road, Oaklands Park be GRANTED subject to the following Reserved Matters and conditions of consent:


RESERVED MATTERS:

- (1) A Design Road Safety Audit shall be undertaken of the whole of the site, including assessment of the internal car park, pedestrian movements, lighting and access arrangements. Any amendments that are proposed will require the further consent of Council.
- (2) An additional acoustic report shall be provided, for consideration and approval, prior to Development Approval being issued for Stage 2, assessing the effect of the construction of the deck car park and extension to the food court upon noise emanating from the outdoor dining precinct and any treatments required to reduce such impacts to acceptable levels.


CONDITIONS OF CONSENT:

- (1) The development shall proceed in accordance with the amended plans and details submitted with and forming part of Development Application No. 100/2014/1536, including;
 - i. Drawings Numbered DA-01 to DA-16 (inclusive) Revision 4 and DA-21 to DA-29 (inclusive) Revision 4, dated 28-08-2014 and received by Council on 1 September 2014;
 - ii. Drawings Numbered DA-17 to DA-20 (inclusive) Revision 5, dated 13-11-2014 and received by Council on 24 November 2014;

DAP101214

- iii. Landscape Concept Plan prepared by oxigen, being Drawing Number 14.043.101 dated 29.09.14;
 - iv. Landscape Master Plan (drawing no. 210.172.01 Revision A, received 15 November 2010) and Pedestrian Boulevards – Detailed Plan (drawing no. 210.172.02 Revision A, received by Council 15 November 2010) prepared by Herkes Landscape Architects, together with supporting documentation including Crime Prevention Strategy dated 26 July 2007 prepared by Westfield Limited and the car parking analysis; and
 - v. The MFY report dated September 2014 and received by Council on 1 September 2014.
- (2) The outdoor dining precinct shall be limited to the following operating hours, and shall not incorporate any amplified music; 12:00pm, Sunday to Thursday; and 1:00am (the following day), Friday and Saturday
- (3) The proposal shall satisfy relevant EPA noise criteria through the adoption of all acoustic treatment measures as recommended in the report prepared by 'Sonus Pty Ltd', dated 14 December 2006. All acoustic treatment required as per the abovementioned report shall be installed prior to each stage of the development becoming operational.
- (4) A detailed design shall be provided prior to full Development Approval being issued that demonstrates to Council's satisfaction that the new parking for people with disabilities standard, detailed column locations and other suggested modifications recommended in Murray F. Young & Associates' Report, dated November 2010, and received by Council 15 November 2010, will be achieved.
- (5) The 'wombat'/'zebra' crossing, provided adjacent the plaza space of the outdoor dining precinct, shall be constructed at the same level and of materials (but contrasting colour) with the plaza.
- (6) A revised Landscape Master Plan for the whole of the site shall be provided to Council, for consideration and approval, prior to Development Approval being issued, in general accordance with the oxigen Landscape Concept Plans 14.043.101 and the Landscape Master Plan, dated 10 November 2010, and which shall detail a covered focal point midway along the north-south pedestrian link, which shall include opportunities for public art and covered seating, such as that which would be provided by a gazebo or similar.
- (7) The plans shall be revised to accommodate the requirements raised by Phil Weaver and Associates in his correspondence dated 8 August 2007, most specifically under the heading "design aspects", pages 5 & 6 of Phil Weaver correspondence. Revised plans shall be provided to Council prior to the issue of the Development Approval and to the satisfaction of Council.
- 

DAP101214

- (8) The proposed Diagonal Road Traffic Control Layout dated 19 April 2007 (i.e. additional right turn in lane) shall be designed and constructed to the satisfaction of DTEI with all costs (design, construction and project management) being borne by the applicant. Prior to undertaking the detailed design, the applicant must discuss this matter with Ms Catherine Magraith, Senior Consultant Traffic Engineer, Metropolitan Region, telephone (08) 8226 8325.
 - (9) 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.
 - (10) 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.
 - (11) All landscaping areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon.
 - (12) That Tree Protection Zones (TPZ) be established around the trees to be retained prior to the construction of the proposed development, and all works in the vicinity of the trees be carried out in accordance with the report and recommendations contained within the report prepared by Arbortech Tree Services Pty Ltd, dated 20 December 2005.
 - (13) All trees to be retained shall be protected from damage during construction in accordance with the 'Tree Management Report', prepared by Herkes & Associates, dated November 2006 and recommendations contained on page 9 of the above-mentioned report, to the satisfaction of Council and until such time as the construction work in the vicinity of each tree has been completed.
 - (14) Prior to the issue of the Development Approval, a "way finding" plan shall be furnished to Council which details how the decked car-parking areas will be colour and number coded to assist motorists.
 - (15) The rock seating proposed on the north-south pedestrian link shall be spaced at minimum distance of 60 metres excepting where the pedestrian link is under the proposed and existing decks.
 - (16) All car parking spaces shall be line-marked or delineated in a distinctive fashion prior to occupation of the premises, with marking maintained in a clear and visible condition at all times.
 - (17) Entry to and exit from the subject site and direction of traffic flow within the site shall be clearly identified so as to ensure safe and convenient traffic movement at all times.
- 

DAP101214

- (18) Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.
- (19) Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
- (20) Onsite parking shall be designed in accordance with the Australian/New Zealand Standard 2890.2:2004 and the facilities for commercial vehicles shall conform to AS 2890.2 – 2002.
- (21) Internal road network intersections shall be signposted with 'give way' and 'stop' signs so as to minimise vehicle conflicts.
- (22) New bicycle racks shall be positioned in accordance with the applicant's (MasterPlan) correspondence to Council dated 24 April 2007 and shall be installed prior to the opening of the Centre additions. On-site bicycle parking facilities shall be designed in accordance with AS 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles (1999). Details of the bicycle racks location shall be shown on the building plans to Council's satisfaction.
- (23) Any pedestrian links into the site shall be safe and convenient.
- (24) All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
- (25) All industrial and commercial vehicles visiting the site shall enter and exit the land in a forward direction.
- (26) All external lighting of the site, including car-parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as to not cause loss of amenity to any person beyond the site to a reasonable satisfaction of Council.
- (27) Pedestrian walkways on the subject site shall be adequately lit and such lighting shall be maintained at all times, to the reasonable satisfaction of Council.
- (28) The glazing to the food court shall comprise low reflectivity glass with a reflectance figure not exceeding 8%.
- (29) Designated trolley bays shall be secured at night-times to prevent theft and/or vandalism.
- (30) Details of the proposed rainwater retention tanks (including a report outlining where the rainwater will be utilised) shall be furnished to Council prior to the issue of Development Approval and shall be installed prior to the opening of the Centre additions.

DAP101214

- (31) All waste and other rubbish shall be screened from public view to the reasonable satisfaction of the Council.

NOTES

- (1) The consent of the Commissioner of Highways is required under the Metropolitan Adelaide Road Widening Plan Act for any new building works located within 6.0 metres of the requirements outlined in DTEI's correspondence, dated 24 January 2011.
- (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.
- (3) 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.
- (4) 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.
- (5) 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).
- (6) Measures to prevent silt and mud from vehicle tyres and machinery being transported onto the road shall be installed and maintained at all times during the construction phase of the development, to the reasonable satisfaction of the Council. (A suggested measure is to install a gravelled construction exit with wash down facilities).
- (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.
- (8) 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.

DAP101214

- (9) Approval from DPTI is to be obtained for any stormwater connection to an existing Side Entry Pit in a Main Road.

DAP101214

3.11 Reference No: DAP 101214-3.11
Application No: 100/2014/1583
Site Location: 1022 and 1024-1026 South Road, 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 Approval for Development Application No: 100/2014/1583 to vary Development Application 100/2012/2036 (change of use to Function Centre) - to increase capacity from 80 to 115 persons at 1022 South Road, 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. 100/2014/1583 and 100/2012/2036, being documentation dated 27 May and 4 July 2013, and additional documentation dated 6 November 2014, except when varied by the following conditions of consent.
- (2) The maximum capacity of the function centre is to be limited to 115 patrons.
- (3) The function centre shall only operate during times when the business(es) operating from the land and/or building(s) at 1024-1026 South Road, Edwardstown (properties identified as Lots 1 and 2 in Certificate of Title volume 5590 folio 715 and Lot 142 in Certificate of Title volume 5514 folio 903) is not operating.
- (4) This consent is only valid on the basis that the 22 car park spaces, within the car park area at 1024-1026 South Road, Edwardstown (property identified as Lot 142 in Certificate of Title volume 5514 folio 903) are available for the exclusive use of the function centre during the operating times of the function centre.
- (5) The car parking area at 1024-1026 South Road, Edwardstown (property identified as Lot 142 in Certificate of Title volume 5514 folio 903) shall be appropriately lit during the operation of the function centre to provide safety and security of patrons, during non-daylight hours, to the reasonable satisfaction of Council. Details of the lighting to be installed shall be provided to Council for consideration and approval, prior to Development Approval being issued.

DAP101214

- (6) All car parking spaces shall be line-marked or delineated in a distinctive fashion prior to occupation of the function centre, with the marking maintained in a clear and visible condition at all times.
- (7) The existing signs to the car park shall be modified to reflect after hours use by the function centre.
- (8) Directional signs indicating the location of car parking spaces must be provided on the subject land and maintained in a clear and legible condition at all times. Details shall be provided to Council for consideration and approval, prior to Development Approval being issued.
- (9) Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
- (10) All external lighting of the site, including car parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.
- (11) The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
- (12) 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.

187

DAP101214

3.12 Reference No: DAP101214-3.12
Application No: 100/2014/1031 (DAC Ref: 100/D129/14)
Site Location: 17 Whiteleaf Crescent, Glengowrie

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; and
- (c) That Development Plan Consent and Development Approval for Development Application No: 100/2014/1159 for Residential land division (Torrens title) 1 into 3 allotments at 17 Whiteleaf Crescent, 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. 100/2014/1159, except when varied by the following conditions of consent.
- (2) Party/common wall(s) associated with the development proposed to be built on the land shall be accurately identified on the plan of division 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) 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.
- (4) 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.

LAND DIVISION CONSENT

GRANTED

Conditions of Consent

- (1) The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services.

DAP101214

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 \$12976 into the Planning and Development Fund (2 allotments @ \$6488/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (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.

Note: The SA Water Corporation will, in due course, correspond directly with the applicant/agent regarding the details of the above condition No 1.

NOTES:

General:

- (1) This approval has been granted on the basis of the suitability of the land for three row dwellings as demonstrated in Development Application No: 100/2014/1430. Existence of a party wall should therefore be shown on the plan of division to be lodged with the Land Titles Office. However should the proposed allotments be created and sold without the construction of that development occurring or different dwellings are proposed, new applicants/owners should be aware that new Development Application(s) need to be lodged with and assessed by the Council, noting that the proposed allotments may not meet Council's standard minimum allotment sizes for other forms of dwellings (e.g. the Development Plan requires a larger site area for detached dwellings than it does for semi-detached dwellings or group dwellings) and other dwelling layouts may be difficult to site on the proposed allotments.
- (2) 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.

18

DAP101214

3.13 Reference No: DAP101214-3.13
Application No: 100/2014/1430
Site Location: 17 Whiteleaf Crescent, Glengowrie

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: 100/2014/1430 for three, two storey dwellings at 17 Whiteleaf Crescent, Glengowrie be sub-delegated to the Manager – Development Services following the deposit of the Plan of Division (for Land Division 100/D129/14) with the Lands Titles Office 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. 100/2014/1430, 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) The driveways servicing all dwellings shall incorporate a width of no greater than 5.0 metres. Amended plans, detailing the above, shall be provided to Council, for consideration and approval, prior to Development Approval being issued.
- (4) A landscape plan, detailing the location, species and projected growing heights of all plantings shall be provided to Council, for consideration and approval, prior to Development Approval being issued.

TA

DAP101214

- (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 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) 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.

7/1

DAP101214

- (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.

DAP101214

3.14 Reference No: DAP101214-3.14
Application No: 100/2014/819
Site Location: 4 Dunedin Street, Dover Gardens

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: 100/2014/819: Alterations and additions to existing dwelling (construction of carport and verandah) and two single storey group dwellings with associated car parking and landscaping to the rear of the site at 4 Dunedin Street, 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. 100/2014/819, except when varied by the following conditions of consent.
- (2) All works to the existing dwelling (including; demolition of verandah, alteration of western side of dwelling and construction of carport and associated driveway and crossover) shall be undertaken and completed prior to the occupation of the proposed dwellings.
- (3) The finished paving level around the rear and side of the proposed dwellings shall be no less than 150mm below floor level.
- (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.


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

- (5) 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.

DAP101214

- (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) 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.

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.
- 

DAP101214


3.15 Reference No: DAP101214-3.15
Application No: 100/2014/1954
Site Location: 1/838-842 Marion Road, Marion

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;
- (c) That Development Plan Consent for Development Application No: 100/2014/1954 to attach new fascia signage along the eastern elevation of an existing commercial building at 838-842 Marion Road Marion be GRANTED subject to the following conditions:

CONDITIONS

- (1) The development shall proceed in accordance with the plans and details stamped dated received 3 November 2014 all submitted with and forming part of Development Application No. 100/2014/1954, except where varied by the following conditions of consent.
 - (2) The advertisements hereby approved 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) 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.
 - (4) The proposed signs shall be constructed wholly on the subject site and no part shall extend beyond the property boundaries.
- 

DAP101214

3.16 Reference No: DAP101214-3.16
Application No: 100/2014/1046 (100/D136/14)
Site Location: 39 Harbrow Grove, Seacombe Gardens

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: 100/2014/1046 for Residential land division (Torrens Title) 1 into 4 allotments at 39 Harbrow Grove, Seacombe Gardens be GRANTED subject to the following conditions:

Development Plan Consent

- (1) The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2014/1046, except when varied by the following conditions of consent.
- (2) The plan of division shall be amended to provide revised boundary dimensions between Lots 1 and 2, as proposed in Development Application 100/2014/1178. Amended details shall be provided to Council, for consideration and approval, prior to the issue of Section 51 Clearance.
- (3) Party/common wall(s) associated with the development proposed to be built on the land shall be accurately identified on the plan of division 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.
- (4) 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.
- (5) 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.

DAP101214

Land Division Consent

- (1) The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0021270). The internal drains shall be altered to the satisfaction of the SA Water Corporation.
- (2) Payment of \$19464 into the Planning and Development fund (3 allotments @ \$6488/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (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) This approval has been granted on the basis of the suitability of the land for row dwellings, as demonstrated in Development Application No: 100/2014/1178. Should the proposed allotments be created and sold without that development occurring, new applicants/owners should be aware that any variation to the approved dwellings requires the lodgement and assessment of a new Development Application with the Council. Please note that the proposed allotments may not meet the minimum allotment size required for other forms of dwellings (e.g. the Marion Council Development Plan requires a larger site area for detached dwellings than it does for row dwellings) and other dwelling layouts may not be suitable for the proposed allotments.

DAP101214

3.17 Reference No: DAP151014-3.17
Application No: 100/2014/1178
Site Location: 39 Harbrow Grove, Seacombe Gardens

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; and
- (c) That Development Plan Consent for Development Application No: 100/2014/1178 for four, two storey row dwellings at 39 Harbrow Grove, Seacombe Gardens be GRANTED subject to the deposit of the Plan of Division with the Lands Titles Office for Land Division Application 100/D136/14 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. 100/2014/1178, 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 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.

DAP101214

- (5) 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.
- (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) 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.

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.

DAP101214

3.18 Reference No: DAP101214-3.18
Application No: 100/2014/1177
Site Location: 14 Renown Avenue Clovelly Park

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: 100/2014/1177 for Single storey detached dwelling, part demolition of existing dwelling and carport associated with existing dwelling at 14 Renown Avenue Clovelly 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. 100/2014/1177, being the site plan, floor plan and elevations prepared by Creation Development Services, and received by Council on 28 November 2014, 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.

DAP101214

- (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.

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) 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.
- (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.

TA

DAP101214

Nick Kerry declared a conflict of interest with Items 3.19 and 3.20, and left the room at 9.29pm.

3.19 Reference No: DAP101214-3.19

Application No: 100/2014/1124 (100/D155/14)

Site Location: 4 Bowden Grove, Oaklands Park

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 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 the Development Assessment Panel advise the Environment, Resources and Development Court that Council supports the proposal submitted by Mr Jack Pete for Development Application No: 100/2014/1124 (DAC Ref. No. 100/D155/14), Residential Land Division – Torrens Title – 1 into 4 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. 100/2014/1124 (DAC ref. 100/D155/14) 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.

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.

TR

DAP101214

- (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 (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.

DAP101214

3.20 Reference No: DAP101214-3.20
Application No: 100/2014/1006
Site Location: 4 Bowden Grove Oaklands Park

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 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 the Development Assessment Panel advise the Environment, Resources and Development Court that Council supports the compromise proposal submitted by Alex Asteris for Development Application No: 100/2014/1006 and raises no concerns with the granting of Development Plan Consent pending deposit of the Plan of Division (associated with Development Application 100/D155/14) with the Lands Titles Office 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. 100/2014/1006, being drawing number Job #160, Revision G, pages 1 of 13 to 13 of 13 (inclusive), and received by Council on 6 November 2014, 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) 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 Council.
- (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.


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

181


DAP101214

- (5) The portion of the upper floor windows to eastern and southern elevations of Residences 1 to 4 and western elevations of Residences 1 to 3 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. (Note, suggested treatments include, but are not restricted to, permanently fixed translucent glazing in any part of the window below 1.7m above the internal floor level or a window sill height of 1.7m above the internal floor level).
- (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) Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
- (11) 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).
- 

DAP101214

- (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.
- 

DAP101214

Nick Kerry re-entered the room at 9.40pm.

4. OTHER BUSINESS

4.1 Reports to be Noted

**4.1.1 DEVELOPMENT APPLICATION 100/2014/2142
3 Western Avenue, Park Holme**

Resolved that the determination of the Manager – Development Services to proceed with the further assessment of the Non-complying Development Application No: 100/2014/2142 for a freestanding sign, 4.9 metres in height (replacing existing Swim Centre sign) at 3 Western Avenue, Park Holme be NOTED

**4.1.2 DEVELOPMENT APPLICATION 100/2014/1941
201-203 Sturt Road, Seacombe Gardens**

Resolved that the determination of the Manager – Development Services to proceed with the further assessment of the Non-complying Development Application No: 100/2014/1941 for alterations to the existing façade of the building, alterations of existing advertising signage, construction of new illuminated signage on the northern and eastern facades and construction of a new roof mounted illuminated sign at 201-203 Sturt Road, Seacombe Gardens be NOTED.

4.2 Review of General Operating Procedures and Terms of Reference

The Development Assessment Panel resolve to review its "General Operating Procedures" - last adopted by the Panel on 3 August 2011 at the first available meeting, at which all Members are present, after four Development Assessment Panel Meetings.

This shall include a review of the current practice of excluding the public from attendance during the part of the meeting that consists of its discussion or determination of any application or other matter than falls to be decided by the Panel (Section 56A(12)(b) of the Development Act, 1993)

The Development Assessment Panel resolve to review the Council's "Terms of Reference" - last adopted by Council on 25 October 2011 at the same time it reviews the General Operating Procedures and make recommendations to the Council on any changes it considers appropriate.

7a

DAP101214

4.3 Appeals update

4.4 Policy Observations

4.4.1 The Development Assessment Panel notes that the Development Plan policy that applies for interface issues for the Industry Zone has not been reviewed for some 12 years and warrants further consideration by Council.

4.5 DAP Reference No: 051114R – 3.9
Development Application: 100/2014/1545
The Development Assessment Panel resolve that reason for refusal 4 should read,

“The signage extends beyond the parapet and alters the silhouette of the building, and as such, is at variance to the Principle 7(d) of the Industry Zone, and Advertisements Principles 7 and 9”

5. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 10 December 2014 taken as read and confirmed this tenth day of December 2014

6. CLOSURE

MEETING DECLARED CLOSED AT 9.57PM



Rebecca Thomas
Presiding Member