

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 15 APRIL 2015**

1. PRESENT

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

2.1 APOLOGIES

Nil

2.2 IN ATTENDANCE

Emily Nankivell – Acting Team Leader – Planning (DAP Executive Officer)

Donna Ferretti – Acting Manager, Development Services
Joanne Reid - Development Officer- Planning

2.3 COMMENCEMENT

The Meeting commenced at 6.30pm

DAP150415

3. HEARING OF APPLICATIONS

3.1 Reference No: DAP150415 – 3.1

Application No: 100/2015/410

Site Location: 17 Whiteleaf Crescent Glengowrie

- Pip & Virginia Michelmore (Representor) addressed the Panel
- Mr Garth Heynen and Mr Tom Game addressed the Panel on behalf of the applicant

3.2 Reference No: DAP150415 – 3.2

Application No: 100/2014/2034

Site Location: 49 Cungen Avenue Park Holme

- Louise Moore (Representor) addressed the Panel
- Zheng Yin (Representor) addressed the Panel

3.3 Reference No: DAP150415 – 3.3

Application No: 100/2014/107

Site Location: 37 Hardy Avenue Glengowrie

No persons were present in relation to this item

3.4 Reference No: DAP150415 – 3.4

Application No: 100/2014/200

Site Location: 43 Jervois Terrace, Marino

- Mr Diodoro Iuliano (Applicant) and Mr Ken Body answered questions of the Panel

PUBLIC CLOSURE

The Panel went into 'closed' session at **7:08pm** in order to allow for discussion and determination of the applications.

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3. DETERMINATION OF APPLICATIONS

3.1 Reference No: DAP150415 – 3.1
Application No: 100/2015/410
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 for Development Application No: 100/2015/410 for Three, two storey row dwellings, one of which (Dwelling 3) incorporates a garage wall on the southern boundary, swimming pool and associated fencing at 17 Whiteleaf Crescent GLENGOWRIE 5044 be GRANTED subject to the following conditions:

CONDITIONS


- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2015/410, except when varied by the following conditions of consent.
- 2. The front doors of Dwellings on lots 1 and 2 shall include a clear glass insert. Amended plans shall be provided to Council for consideration and approval prior to Development Approval being granted.
- 3. The applicant shall demonstrate alternative materials, colours or finishes to the garage doors for greater articulation of the dwellings on Lots 1 and 2. Details shall be provided to Council for consideration and approval prior to Development Approval being granted.
- 4. 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,

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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.

5. 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.
6. 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.
7. The portion of the upper floor windows to the south-east and south-west elevations less than 1.7m above the internal floor level shall be treated prior to occupation of the building and maintained in a manner that permanently restricts views of adjoining property's yards and/or indoor areas being obtained by a person within the room to the reasonable satisfaction of the Council. (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).
8. 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

9. 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.
 10. 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.
 11. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
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12. 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.
13. 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.
14. 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.
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3.2 Reference No: DAP150415 – 3.2
Application No: 100/2014/2034
Site Location: 49 Cungen 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: 100/2014/2034 for a single storey dwelling incorporating a garage wall on the western boundary and two single storey dwellings to the rear with associated common driveway, car parking and landscaping at 49 Cungen 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. 100/2014/2034, being drawing number A-1 prepared by D'Andrea and Associates, and documentation titled 'Proposed: Three Single Storey Residences At: 49 Cungen Ave, Park Holme For: Mr Ali', and received by Council on 20 March 2015 except when varied by the following conditions of consent.**
- 2. Landscaping shall be provided along the western end of the visitor parking bays. Amended plans shall be provided for consideration and approval prior to Development Approval being granted.**
- 3. Landscaping shall be planted to a height and density in front of Bedroom 1 of Dwelling 2 that shall restrict headlight glare from entering the bedroom. Amended plans shall be provided for consideration and approval prior to Development Approval being granted.**
- 4. A fully engineered site works and drainage plan shall be provided to Council for consideration and approval prior to**

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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.

5. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.


Note: A copy of the information guide can be viewed at the City of Marion webpage www.marion.sa.gov.au/page.aspx?u=181

6. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
7. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
8. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
9. All car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.
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.

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12. All waste must be stored on-site in such a manner so as to prevent any materials entering the stormwater system either by wind or water action.

NOTES

1. The relocation of the speed cushion shall be undertaken at the developer's expense. Please contact Council's infrastructure department on 8375 6600 to schedule in the works required.
 2. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
 3. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
 4. 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.
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3.3 Reference No: DAP150415 – 3.3
Application No: 100/2014/107
Site Location: 37 Hardy Avenue Glengowrie

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 Fairmont Homes for Development Application No: 100/2014/107 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. 100/2014/107 being Job numbers 85315-D-House 1 and 85316-D-House 2 prepared by Fairmont Homes, and received by Council on 30 March 2015, except when varied by the following conditions of consent.
- 2. The driveways shall be tapered to provide a minimum distance of 6.0 metres separation between the driveways of House 1 and House 2. An amended plan shall be provided to Council for consideration and approval prior to Development Approval being granted.
- 3. An amended 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.
- 4. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which

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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. The portion of the upper floor windows to eastern, western and southern elevations 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. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
8. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
9. All 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.

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3.4 Reference No: DAP150415 – 3.4
Application No: 100/2014/200
Site Location: 43 Jervois Terrace, Marino

Resolved that;

- (a) The Panel note this report, have considered all relevant planning matters and concurs with the findings and reasons for the recommendation;**
- (b) The proposed development is not seriously at variance to the Marion Council Development Plan; and**
- (c) That the Development Assessment Panel advise the Environment, Resources and Development Court that Council supports the comprise proposal submitted by Diodoro Iuliano for Development Application No: 100/2014/200 and recommends the following conditions:**

CONDITIONS


- 1. The development shall be constructed and maintained in accordance with the plans and details submitted with and forming part of Development Application No.100/200/2014 (being drawing number(s) JER2792-1 A01 Revision J, A02 Revision J, A03 Revision J, A04 Revision J, A05 Revision C prepared by Dean Iuliano & Company, received by Council on 20 March 2015) except when varied by the following conditions of consent.**
- 2. All areas nominated as landscaping or garden areas on the approved plans shall be planted and maintained with a suitable mix and density of trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.**
- 3. All existing vegetation nominated to be retained and all new vegetation to be planted, including the screening plantings along the northern boundary, 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.**
- 4. All car parking areas, driveways and vehicle manoeuvring areas must be constructed, sealed and drained in accordance with recognised engineering practices prior to the occupation**

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of the premises or the use of the development herein approved.

5. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
6. The screening on the north-west corner of the balcony proposed as part of the Development Application to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises and maintained for the life of the building.
7. 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.
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 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.
10. 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.

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. 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
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information is available by phoning the Environment Protection Authority on 8204 2000.

2. Noise from devices and/or activities on the subject site should not impair or impinge on the amenity of neighbours at any time. The Environment Protection Authority has restrictions relating to the control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.
3. Before commencing any site works, a temporary vehicular access to the property for machinery, delivery of building materials and general vehicles should be provided. In the case where no driveway invert exists, the kerb can be saw cut and removed at the intended location for the new driveway invert to provide the necessary temporary access. In addition, if a paved Council footpath exists, this should also be removed in alignment with the removed section of kerb. The applicant should also take note of other information provided regarding use of, damage to and construction on Council owned land.
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. 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.
7. 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.
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.

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OTHER BUSINESS

No other business

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 15 April 2015 taken as read and confirmed this fifteenth day of April 2015

5. CLOSURE

MEETING DECLARED CLOSED AT 7.53PM

A handwritten signature in cursive script, appearing to read 'Rebecca Thomas', is written over a horizontal line.

Rebecca Thomas
Presiding Member