

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 17 JUNE 2015**

1. PRESENT

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

2.1 APOLOGIES

Wendy Bell

2.2 IN ATTENDANCE

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

2.3 COMMENCEMENT

The Meeting commenced at 6.33pm



DAP170615**3. HEARING OF APPLICATIONS****3.1 Reference No: DAP170615 – 3.1****Application No: 100/2015/147****Site Location: 42- 44 Dunorlan Road, Edwardstown**

- Mark Kwiatkowski from Town Planning HQ on behalf of Active Tree Services (Applicant) addressed the Panel

3.2 Reference No: DAP170615 – 3.2**Application No: 100/2014/1914****Site Location: 10 Grafton Street, Morphettville**

- No persons addressed the Panel in relation to this Item

Jerome Appleby declared a conflict of interest with Item 3.3 as a relation is an employee of the applicant and left the room.

3.3 Reference No: DAP170615 – 3.3**Application No: 100/2015/546****Site Location: 22 Arthur Street, Plympton Park**

- Matthew Hann of SA Quality Home Improvements (Applicant) answered questions of the Panel

Jerome Appleby re-entered to the room.

3.4 Reference No: DAP170615 – 3.4**Application No: 100/2015/650****Site Location: 60 Conmurra Avenue, Edwardstown**

- No persons addressed the Panel in relation to this Item

3.5 Reference No: DAP170615 – 3.5**Application No: 100/2015/299****Site Location: 6A Rockford Place, Marino**

- No persons addressed the Panel in relation to this Item

3.6 Reference No: DAP170615 – 3.6**Application No: 100/2014/963****Site Location: 6 Barossa Crescent, Hallett Cove**

- Mr Greg Vincent on behalf of the Applicant and Phil Martin (owner) addressed the Panel

PUBLIC CLOSURE

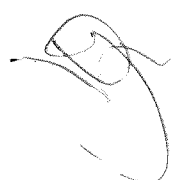
The Panel went into 'closed' session at **6:50pm** in order to allow for discussion and determination of the applications.

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3. DETERMINATION OF APPLICATIONS**3.1 Reference No: DAP170615 – 3.1****Application No: 100/2015/147****Site Location: 42- 44 Dunorlan 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: 100/2015/147 to change the use of a portion of the existing site to undertake motor vehicle repairs at 42-44 Dunorlan 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. 100/2015/147, except when varied by the following conditions of consent.**
 - 2. All acoustic treatments recommended on page 8 and 9 of the Sonus Environmental Noise Assessment report (excluding sealing roller door and window penetrations) at 42-44 Dunorlan Road, Edwardstown shall be undertaken prior to the commencement of the use herein approved.**
 - 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. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.**
 - 5. All industrial and commercial vehicles visiting the site shall enter and exit the land in a forward direction.**
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6. 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.
7. Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
8. 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 of the premises or the use of the development herein approved.
9. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
10. All car parking spaces shall be linemarked or delineated in a distinctive fashion prior to occupation of the premises, with the marking maintained in a clear and visible condition at all times.
11. Bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 "Manual of uniform traffic control devices Part 9: Bicycle facilities".
12. All goods and materials placed in the area designated for the outside display of goods and materials shall be kept in a tidy manner and condition at all times.
13. At no time shall any goods, materials or waste be stored in designated car parking areas, driveways, manoeuvring spaces or landscaping.
14. All deliveries to and from the site (including waste collection) shall be restricted to the following times:
 - 7am to 7pm Monday to Friday
15. The hours of operation of the premises shall be restricted to the following times:
 - 7am to 5.30pm Monday to Friday (excluding public holidays)
 - 7am to 3pm (Saturday)
16. The advertisements and supporting structures shall be prepared and erected in a professional and workmanlike manner and maintained in good repair at all times, to the reasonable satisfaction of the Council.
17. All waste and other rubbish shall be stored in a manner so that it does not create insanitary conditions, unreasonable nuisance



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or pollution to the environment to the reasonable satisfaction of the Council.

NOTES

1. The applicant is reminded to ensure that it has all the necessary consents from SA Water and the Environment Protection Authority if required.
2. Any portion of Council's infrastructure damaged as a result of work or activities undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.
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.



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3.2 Reference No: DAP170615 – 3.2
Application No: 100/2014/1914
Site Location: 10 Grafton Street 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 and Development Approval for Development Application No: 100/2014/1914 to remove a Regulated Tree (*Melaleuca armillaris*), located on Council land, due to risk to pedestrians and motorists at 10 Grafton Street 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. 100/2014/1914, except when varied by the following condition of consent.
- 2. Replacement trees shall be planted to compensate for the removal of the tree. One replacement tree shall be planted in the same place as the removed tree, and the remaining trees planted in a nearby Council reserve.

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

- 3. The replacement tree planting shall occur within twelve months of the tree's removal and shall be maintained in good condition at all times and replaced if necessary.



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4. The replacement trees must not be exempt species listed under regulation 6A clause (5)(b) of the Development Regulations 2008, or a tree belonging to a class of plant declared by the Minister under section 174 of the Natural Resources Management Act 2004.

NOTES

1. The applicant is encouraged to select native tree species of local provenance that are considered suitable replacements for the tree(s) to be removed (i.e. amenity / shade trees, provision of habitat, etc.).



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Jerome Appleby declared a conflict of interest with Item 3.3 and left the room.

3.3 Reference No: DAP170615 – 3.3
Application No: 100/2015/546
Site Location: 22 Arthur 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: 100/2015/546 for a freestanding garage with walls located on the northern (secondary street) boundary and eastern (rear) boundary and verandah at 22 Arthur 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. 100/2015/546, except when varied by the following conditions of consent.**
- 2. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.**
- 3. Stormwater must be disposed of in such a manner that does not flow or discharge into land of adjoining owners, lie against any building, or create insanitary conditions.**
- 4. The freestanding garage has been granted consent as a domestic outbuilding only and therefore shall not be used for human habitation or for purposes not reasonably incidental to the use of the land for residential purposes, unless the further development approval of the Council is obtained.**

NOTES

- 1. Payment of \$150.00 for the relocation of the existing intersection ahead street sign shall be made prior to Development Approval being issued.**

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Jerome Appleby re-entered to the room

**3.4 Reference No: DAP170615 – 3.4
Application No: 100/2015/650
Site Location: 60 Conmurra Avenue, Edwardstown**

Resolved that;

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel note this report and concur with the findings and reasons for the recommendation;**
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and**
- (c) That Development Plan Consent for Development Application No: 100/2015/650 for a carport to the west of the existing dwelling and a single storey dwelling to the rear of the site, incorporating a garage wall on the western side boundary at 60 Conmurra Avenue, Edwardstown be GRANTED subject to the following conditions:**

CONDITIONS

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2015/650, except when varied by the following conditions of consent.**
- 2. The carport servicing the existing dwelling shall be constructed and available for use, prior to the occupation of the proposed dwelling.**
- 3. 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.**
- 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**




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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.
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.
10. All mortar joints on any face brickwork on the property boundary are to be finished in a professional manner, similar to other external brickwork on the subject dwelling.
11. A landscaping plan shall be submitted to Council for consideration and approval, detailing a mix of native medium and low-level plantings throughout the front yard areas of the properties.

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.
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- 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.**

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3.5 Reference No: DAP170615 – 3.5
Application No: 100/2015/299
Site Location: 6A Rockford Place, Marino

Resolved that;

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel note this report and concur with the findings and reasons for the recommendation;**
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and**
- (c) That Development Plan Consent for Development Application No: 100/2015/299 for a two storey detached dwelling, garage and balcony at 6A Rockford Place, Marino 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. 100/2015/299, except when varied by the following conditions of consent.**
- 2. A landscape plan detailing a mix of low and medium level native plantings throughout the southern and western yard areas of the property shall be provided to Council for consideration and approval, prior to Development Approval being issued.**
- 3. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.**
- 4. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.**
- 5. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that**




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

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

NOTES

1. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
 2. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
 3. All hard waste must be stored on-site in such a manner so as to prevent any materials entering the stormwater system either by wind or water action.
 4. 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.
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3.6 Reference No: DAP170615 – 3.6
Application No: 100/2014/963
Site Location: 6 Barossa Crescent, 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: 100/2014/963 for a carport forward of the associated dwelling at 6 Barossa Crescent, Hallett Cove be REFUSED for the following reasons:**

REASONS FOR REFUSAL

- 1. The proposal fails to achieve a setback of 5.5m and be located 0.5m behind from the main face of the dwelling in accordance with Residential Zone Principle 8.**
- 2. The width of the carport is greater than 6.0 metres, detracting from the appearance of the associated dwelling; at variance to Residential Zone Principle 6.**
- 3. The carport does not have a roof form and pitch, building materials and detailing that complement the associated dwelling which does not accord with Principle 8 of the General Section: Residential Development.**
- 4. The setback of the proposed carport is not consistent with, or compatible with the setback of the majority of dwellings and buildings in the street and is considered have a detrimental impact on the appearance and character of the locality. The proposal therefore fails to comply with the General Section: Design and Appearance Principles 23 and 25.**



DAP170615**4 OTHER BUSINESS****4.1 Review of General Operating Procedures**

The Development Assessment Panel resolved that it shall review its General Operating Procedures at the next meeting where all Members are present. Such review shall occur at the conclusion of the consideration of all Items on the DAP Agenda.

4.2 Development Assessment Panel – Deputy Presiding Member

The Development Assessment Panel resolved that the appointment of the Deputy Presiding Member shall be determined at the next available meeting where all Members are present.

4.3 Appeals update**4.4 Policy Observations****4.5 DAP200515 – 3.1**

The Panel resolve that condition 13 of the Development Plan Consent should read; "Prior to the issue of the Development Approval for each stage of the development (excluding Stage 1A), a "way finding" plan shall be furnished to Council which details how the decked car-parking areas, the subject of the respective stages of the development, will be colour and number coded to assist motorists."

4.6 Sub-delegation Discussion

The Panel request staff to present a report to a future meeting regarding the current and any proposed sub-delegations.

5 CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 17 June 2015 taken as read and confirmed this seventeenth day of June 2015.

6 CLOSURE

MEETING DECLARED CLOSED AT 7.58PM


Gavin Lloyd-Jones
Presiding Member

17/6/15