

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 18 MARCH 2015**

1. PRESENT

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

2.1 APOLOGIES

Rebecca Thomas

2.2 IN ATTENDANCE

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

2.3 COMMENCEMENT

The Meeting commenced at 6.31pm



DAP180315**3. HEARING OF APPLICATIONS****3.1 Reference No: DAP180315 – 3.1****Application No: 100/2014/2223****Site Location: 54 Nilpena Avenue, Park Holme**

- No persons addressed the Panel in relation to this Item

3.2 Reference No: DAP180315 – 3.2**Application No: 100/2014/2263 (Unit 1)****100/2014/1817 (Unit 2)****Site Location: 13 Seaforth Avenue, Dover Gardens**

- Geoff Atkins and Amy Cosh answered questions of the Panel

3.3 Reference No: DAP180315 – 3.3**Application No: 100/2014/2310****Site Location: 445 Marion Road, South Plympton**

- No persons addressed the Panel in relation to this Item

3.4 Reference No: DAP180315 – 3.4***Previously deferred item DAP040315*****Application No: 100/2014/2058****Site Location: 3 Short Street, Marino**

- Jay Bateman answered questions of the Panel

3.5 Reference No: DAP180315 – 3.5***Previously refused at DAP180215*****Application No: 100/2013/259****Site Location: 1 Grey Road, Hallett Cove**

- John Ward and Damien Ellis answered questions of the Panel

PUBLIC CLOSURE

The Panel went into 'closed' session at **6:48pm** in order to allow for discussion and determination of the applications.



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3. DETERMINATION OF APPLICATIONS**3.1 Reference No: DAP180315 – 3.1****Application No: 100/2014/2223****Site Location: 54 Nilpena 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: 100/2014/2223 for Construction of a single storey residential flat building comprising three dwellings and the construction of two single storey detached dwellings at 54 Nilpena 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. 100/2014/2223, being plans titled "Landscape Layout, Proposed Site Plan, Residence 1 & 2 Floor Plans, Res. 3, 4, & 5 Floor Plans, Residence 1 Elevations, Residence 2 Elevations, Res. 3, 4 & 5 Elevations and Existing Contour Plan" (inclusive) prepared by MCA Design (SA) Pty Ltd, 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, the extent of cut/fill required, the location and height of proposed retaining walls, proposed bench levels and finished floor level of 100.250 for dwellings 1 & 2 and 100.40 for dwellings 3, 4 and 5, 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**



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

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).

WPB

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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: DAP180315 – 3.2
Application No: 100/2014/2263 (Unit 1)
100/2014/1817 (Unit 2)
Site Location: 13 Seaforth Avenue, 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;
- (c) That Development Plan Consent for Development Application No: 100/2014/2263 for a single storey detached dwelling and carport (Unit 1) at 13 Seaforth Avenue Dover Gardens be GRANTED subject to conditions: and
- (d) That Development Plan Consent for Development Application No: 100/2014/1817 for a single storey detached dwelling and carport (Unit 2) at 13 Seaforth Avenue Dover Gardens be GRANTED subject to conditions:

CONDITIONS (DEVELOPMENT APPLICATION 100/2014/2263)

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2014/2263, being Job No. 42708, Drawing Numbers WD01 to WD10 (inclusive) prepared by Weeks Macklin Homes, received by Council on 13 February 2015, except when varied by the following conditions of consent.
- 2. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.

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

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



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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. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
6. 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 applicant/owner is encouraged to reconsider the location of the retention/detention tank and/or to provide a 'slim-line' tank to provide a minimum 600mm-wide passage.
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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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.

CONDITIONS (DEVELOPMENT APPLICATION 100/2014/1817)

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2014/2263, being Job No. 42663, Drawing numbers WD01 to WD09 (inclusive) prepared by Weeks Macklin Homes, received by Council on 14 October 2014, except when varied by the following conditions of consent.
2. The driveway width shall be no wider than 4m at the front of the site. Amended shall be provided to Council for consideration and approval, prior to Development Approval being granted.
3. A 500mm-wide landscaping strip shall be provided along the entire length of the southern side of the hammerhead driveway. Amended plans shall be provided to Council for consideration and approval, prior to Development Approval being granted.
4. A landscaping plan shall be submitted to Council for consideration and approval, detailing a mix of native medium and low-level plantings along the hammerhead driveway of the property.
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. 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

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. 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



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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.
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. 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 applicant must bear the cost associated with the removal of the existing street trees, and the installation of replacement street trees to the Council verge at an estimated cost of \$165. An invoice for this amount will be issued to the owner/applicant when Development Approval is granted.
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.



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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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3.3 Reference No: DAP180315 – 3.3
Application No: 100/2014/2310
Site Location: 445 Marion Road, South Plympton

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: 100/2014/2310 seeking retrospective consent for two freestanding LED-illuminated advertising signs at 445 Marion Road, South Plympton, be GRANTED subject to the following conditions:**

CONDITIONS

- 1. The advertising signs shall be constructed in accordance with Drawing No. 44228-S110, Rev. A, dated 12.12.14. The sign identified as 'ID Pylon Sign & Price Sign' and 'Price Sign' shall utilise white LED on a black background only for the fuel price boards.**
- 2. The illuminated fuel price boards of the 'ID Pylon Sign & Price Sign' and 'Price Sign' shall be altered to utilise white LED on a black background within 1 month of Development Approval being granted.**
- 3. The signs, including the LED component, shall be static at all times. No element of the sign shall flash, scroll, move or change.**
- 4. The operational system for the signs shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.**
- 5. The non-illuminated signs shall be finished in a material of low reflectivity to minimise the likelihood of sun/headlamp glare.**



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6. The illuminated signs shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. The following luminance levels shall be incorporated into an automatic stepped dimming system:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m ²) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

7. 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.
8. 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.
9. The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Cross Road and Marion Road frontages of this site for future upgrading of the adjacent intersection, together with a corner cut-off from the Marion Road/Cross Road corner. In the event that the subject land is required for road purposes in the future, all signs located within this area shall be removed at no expense to the Department of Planning, Transport and Infrastructure.

NOTES

1. In the event that the ID pylon sign and price signs are not designed and operated to the satisfaction of DPTI, the Commissioner of Highways, as the delegate of the Minister for Transport and Infrastructure, may undertake action pursuant to Section 31 of the *Road Traffic Act 1961* in order to ensure that the hazard is removed.

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2. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
3. Given that the structures exist without authorised consent, Council seeks your prompt attention and cooperation to ensure that Building Rules Consent and Development Approval are gained in a timely manner. Failure to do so may result in Council undertaking enforcement action.

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3.4 Reference No: DAP180315 – 3.4
Previously deferred item DAP040315
Application No: 100/2014/2058
Site Location: 3 Short Street, 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: 100/2014/2058 to make alterations and additions to an existing two storey detached dwelling including new second storey balcony to the front of the dwelling at 3 Short Street, Marino be GRANTED subject to the following conditions:

CONDITIONS

- 1. The development shall proceed in accordance with the plans and details dated received 3 November 2014, except where amended by plans and details dated as received 10 March 2015, all submitted with and forming part of Development Application No. 100/2014/2058.
- 2. An amended Northern Elevation and Upper Level Plan, detailing the solid northern balustrade, shall be provided to Council for consideration and approval, prior to Development Approval being issued.
- 3. 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.
- 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 the available use of the balcony and maintained for the life of the balcony.



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 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.

CJB

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3.5 Reference No: DAP180315 – 3.5
Previously refused at DAP180215
Application No: 100/2013/259
Site Location: 1 Grey Road, Hallett Cove

Resolved that;

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

- (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 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 comprise proposal submitted by Mr John Ward for Development Application No: 100/2013/259 and recommends the following conditions:

CONDITIONS

- 1. The development shall proceed in accordance with the amended plans marked SK01-D, SK02-D, SK03-D, SK04-C, SK06-C, SK07-D, SK08-D, SK09-D, SK10-D, SK11-C, SK12-A, SK-13A stamped dated received 4 March 2015, SK05-D and SK10-D.1 stamped dated received 10 March 2015 and the Site Works and Drainage Plan prepared by P & G Structures Pty Ltd marked Job Number PG14117 Drawing Number C1 stamped dated received 4 March 2015, all submitted with and forming part of Development Application No. 100/2013/259, except where varied by the following conditions of consent.
- 2. The roof material of the 'pool pavilion' shall not incorporate zincalume, galvanised iron or any other material that will result in unreasonable glare or reflection upon adjoining land. Details shall be provided to Council, for consideration and approval,
- 3. The associated pool pavilion building hereby approved shall only be used ancillary to the existing dwelling by the occupiers of that dwelling and their immediate family members, and at no time shall be used as a separately tenatable building.



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4. All ancillary swimming pool plant/equipment shall be located a minimum 5.0 metres from any adjoining neighbouring dwelling and shall be contained within a sound reducing enclosure.
5. A landscaping plan shall be submitted to Council for consideration prior to Development Approval being issued, detailing a mix of native medium and low-level plantings throughout the site.
6. The existing Telstra Pit as illustrated on the engineered site works plan shall be modified to a trafficable standard with all costs associated with the modification/up grading of this pit to be borne by the applicant/developer.
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. 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 rendered surfaces on the property boundary are to be finished in a professional manner similar to the rendered surfaces on the subject dwelling.



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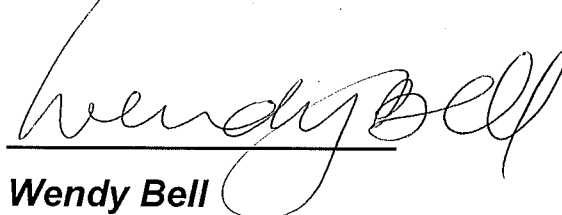
OTHER BUSINESS**4.1 2 SELGAR AVENUE, CLOVELLY PARK****Information Item Only**

A building for the purposes of a warehouse and light manufacturing (exceeding 10m in height) with associated office component with a floor area greater than 250 square metres, showroom, car parking and landscaping

The Development Assessment Panel note the resolution of the Manager – Development Services to proceed to full assessment of the application.

4.2 Appeals update**4.3 Policy Observations****5. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 18 March 2015 taken as read and confirmed this eighteenth day of March 2015

6. CLOSURE**MEETING DECLARED CLOSED AT 7.25PM**A handwritten signature in cursive script, reading 'Wendy Bell', written over a horizontal line.

Wendy Bell
Acting Presiding Member