

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 21 JANUARY 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

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

2.3 COMMENCEMENT

The Meeting commenced at 6.37pm

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DAP210115**3. HEARING OF APPLICATIONS****3.1 Reference No: DAP210115 – 3.1****Application No: 100/2014/1266****Site Location: 17 Gertrude Street, Glandore**

- No persons addressed the Panel in relation to this Item

3.2 Reference No: DAP210115 – 3.2**Application No: 100/2014/1629****Site Location: 3 Kappler Court, Glengowrie**

- No persons addressed the Panel in relation to this Item

3.3 Reference No: DAP210115 – 3.3**Application No: 100/2014/963****Site Location: 6 Barossa Crescent, Hallett Cove**

- This item was withdrawn from the meeting at the request of the Applicant

3.4 Reference No: DAP210115 – 3.4**Application No: 100/2014/2142****Site Location: 3 Western Avenue, Park Holme**

- No persons addressed the Panel in relation to this Item

3.5 Reference No: DAP210115 – 3.5**Application No: 100/2014/2267****Site Location: 10 Pine Avenue, Warradale**

- No persons addressed the Panel in relation to this Item

3.6 Reference No: DAP210115 – 3.6**Application No: 100/2014/1788****Site Location: 10 Pine Avenue, Warradale**

- No persons addressed the Panel in relation to this Item

3.7 Reference No: DAP210115 – 3.7**Application No: 100/2014/1435****Site Location: 8 Sherwood Avenue, Sturt**

- No persons addressed the Panel in relation to this Item

3.8 Reference No: DAP210115 – 3.8**Application No: 100/2013/1905****Site Location: 48 English Avenue, Clovelly Park**

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- Ben Green (on behalf of the applicant) and Russell & Vera Burton (owners) answered questions the Panel

PUBLIC CLOSURE

The Panel went into 'closed' session at **6:49pm** in order to allow for discussion and determination of the applications.



DAP210115**3. DETERMINATION OF APPLICATIONS**

- 3.1 Reference No: DAP210115 – 3.1**
Application No: 100/2014/1266
Site Location: 17 Gertrude Street, Glandore

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: 100/2014/1266 for a single storey detached dwelling, incorporating a garage wall on the eastern side boundary at 17 Gertrude Street Glandore 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. 100/2014/1266, being Job no. 85778-B, prepared by Fairmont Homes, and received by Council on 11 November 2014, except when varied by the following conditions of consent.**
- 2. 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.**
- 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.**


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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. 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. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
7. 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.
8. All waste must be stored on-site in such a manner so as to prevent any materials entering the stormwater system either by wind or water action.

NOTES

1. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
 2. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
 3. The proposed crossover/access must be constructed a minimum of 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.
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3.2 Reference No: DAP210115 – 3.2
Application No: 100/2014/1629
Site Location: 3 Kappler Court, 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: 100/2014/1629 for Alterations and additions to the existing dwelling, including a wall, 5.09 metres in length on the northern side boundary at 3 Kappler Court Glegowrie 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. 100/2014/1629, being drawing numbers A01, A02 and A03, prepared by James Rutt Design, and project titled 'Proposed Extension @ 3 Kappler Crt Glengowrie', 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. 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 watertable (inclusive of any system that connects to the street watertable via detention or rainwater

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tanks) immediately following roof completion and gutter and downpipe installation.

5. Any walls on the property boundary are to be finished in a professional manner, similar to other external walls on the subject dwelling.
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. 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. 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: DAP210115 – 3.3
Application No: 100/2014/963
Site Location: 6 Barossa Crescent, Hallett Cove

This item was withdrawn from the meeting at the request of the Applicant.



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3.4 Reference No: DAP210115 – 3.4
Application No: 100/2014/2142
Site Location: 3 Western 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 concurrence be sought from the Development Assessment Commission for the GRANTING of Development Plan Consent for 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, 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. 100/2014/2142, except when varied by the following conditions of consent.**
- 2. The proposed sign shall be constructed wholly on the subject site and no part shall extend beyond the property boundaries.**

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3.5 Reference No: DAP210115 – 3.5
Application No: 100/2014/2267
Site Location: 10 Pine Avenue, Warradale

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: 100/2014/2267 (100/D277/14) for a residential land division (Torrens title) 2 into 5 allotments at 10 Pine Avenue, Warradale 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. 100/2014/2267 (100/D277/14), 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.**

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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. 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 \$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.

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 two semi-detached dwellings and three row dwellings as demonstrated in Development Application No: 100/2014/1788. Existence of party walls 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

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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.

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3.6 Reference No: DAP210115 – 3.6
Application No: 100/2014/1788
Site Location: 10 Pine Avenue, Warradale

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: 100/2014/1788 for three two storey row dwellings and a pair of two storey semi-detached dwellings with associated garages at 10 Pine Avenue, Warradale be GRANTED following the deposit of the Plan of Division (for Land Division 100/D227/14) 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. 100/2014/1788, except when varied by the following conditions of consent.
- 2. The front entry doors of all dwellings shall incorporate an element of glazing to improve energy efficiency and improve the streetscape design of the development.
- 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 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. 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.

NOTES

1. This approval does not relate to the removal of, or to any tree damaging activity to, any regulated or significant tree (as defined under the Development Act 1993) that may be located on the subject site or adjoining land (including Council's road reserve). If any tree-damaging activity is anticipated, a
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separate Development Application is required to be lodged prior to any such damage occurring.

For your information a regulated tree is any tree that has a trunk circumference of 2.0m or more - or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2.0m or more and have an average circumference of 625mm or more - measured at a point 1m above natural ground level. A significant tree is any tree that has a trunk circumference of 3.0m or more - or, in the case of trees with multiple trunks, that have trunks with a total circumference of 3.0m or more and have an average circumference of 625mm or more - measured at a point 1m above natural ground level.

Tree-damaging activity means the killing, destruction or removal of a tree, the severing of branches, limbs, stems or trunk of a tree, ringbarking, topping or lopping of a tree or other substantial damage (including damage to root systems of trees).

Care must be taken during the demolition of the existing dwelling and construction of the proposed dwellings and site works to ensure no damage is done to the tree within Council's road reserve (including its root system) unless otherwise approved by Council. For this reason, a protective barrier should be erected at the dripline of the tree, and that barrier should be maintained for the duration of the demolition/construction. It is also recommended that you seek the advice of a qualified arborist.

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. 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.

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5. 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.
6. 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.
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.



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3.7 Reference No: DAP210115 – 3.7
Application No: 100/2014/1435
Site Location: 8 Sherwood Avenue, Sturt

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: 100/2014/1435 To vary Development Application 100/2012/1844 - retention of existing dwelling and a single storey dwelling to the rear of the site - To construct a single storey detached dwelling at the front of the site at 8 Sherwood Avenue, Sturt 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. 100/2014/1435, except when varied by the following conditions of consent.**
- 2. An amended Drainage Plan shall be provided to Council, for consideration and approval, prior to Development Approval being issued, detailing an increased finished floor level to 100.20, with pave levels set at a minimum of 150mm below floor level.**
- 3. Landscaping of no less than 500mm in width shall be provided to both sides of the hammerhead driveway, servicing the rear dwelling. Amended plans, detailing the above, shall be provided to Council, for consideration and approval, prior to Development Approval being issued.**
- 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.**

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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 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.

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.

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3.8 Reference No: DAP210115 – 3.8
Application No: 100/2013/1905
Site Location: 48 English Avenue, Clovelly Park

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 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 Rossdale Homes Pty Ltd for Development Application No: 100/2013/1905 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. 100/2013/1905, being Job No. L48-A02, Project Title "New Proposed Refurbishment and Boundary Adjustment", Sheets 2 of 6 to 6 of 6 (inclusive), prepared by 'Looka' and document titled 'Proposed Residence for R. Burton and V. Burton' At Lot 98 Windsor Ave, Clovelly Park', all received by Council on 13 January 2015, except when varied by the following conditions of consent.**
- 2. The western alignment of the proposed fencing shall be constructed no further west of the western front façade of the existing dwelling.**
- 3. The alterations proposed to the existing dwelling, the carport servicing the existing dwelling and fencing and landscaping shall be constructed and completed prior to the occupation of the proposed dwelling.**
- 4. A fully engineered site works and drainage plan for the proposed dwelling shall be provided to Council for consideration and approval prior to Development Approval**

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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. 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.
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 approved landscaping as identified in the landscape plan titled 'Landscape', including planting all trees, shrubs and ground covers, shall be completed prior to the occupation of the proposed dwelling, 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:

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1. The applicant/owner is encouraged to retain the tree(s) within the northern yard area of the existing dwelling.

A handwritten signature or mark, possibly initials, located in the bottom right corner of the page.

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OTHER BUSINESS

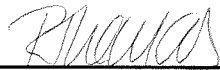
- 3.1 Appeals update
- 3.2 Policy Observations

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 21 January 2015 taken as read and confirmed this twenty first day of January 2015

5. CLOSURE

MEETING DECLARED CLOSED AT 7.56PM



Rebecca Thomas
Presiding Member