

**MINUTES OF THE CITY OF MARION  
DEVELOPMENT ASSESSMENT PANEL HELD AT THE  
ADMINISTRATION CENTRE 245 STURT ROAD STURT  
ON  
WEDNESDAY 3 AUGUST 2016**

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**1.1 PRESENT**

Gavin Lloyd-Jones (Presiding Member), Graham Goss, Nathan Sim,  
Charmaine Thredgold, Ian Crossland, Nick Kerry and Luke Hutchinson

**1.2 APOLOGIES**

Nil

**1.3 IN ATTENDANCE**

Alex Wright – Acting Team Leader – Planning (DAP Executive Officer)  
Steve Hooper – Manager - Development and Regulatory Services

**1.4 COMMENCEMENT**

The Meeting commenced at 6.31pm



**DAP030816****2. HEARING OF APPLICATIONS****2.1 Reference No: DAP030816 – 2.1****Application No: 100/2015/2087****Site Location: 403 Diagonal Road, Sturt**

- Mr Simon Jeffs (Representor) addressed the Panel
- Mrs Shivani Taneja (Owner) answered questions of the Panel

**The Development Assessment Panel 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: 100/2015/2087 for to construct a two-storey detached dwelling, incorporating a garage wall on the north-western side boundary at 403 Diagonal Road, 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. 100/2015/2087, being drawing numbers 1-6 of Job No: 14475 (inclusive) prepared by Rendition Homes, received by Council on 14 April 2016 and the Site and Drainage Plan, file ref: DIA3208-1, prepared by Dean Iuliano and Company Consulting Engineers, received by Council on 20 April 2016, except when varied by the following conditions of consent.**
2. **Prior to Development Approval being issued, correspondence is sought from the relevant authority which confirms the street sign can be removed and/or relocated. Any costs associated with the street sign removal and/or relocation shall be paid by the applicant/home owner. The removal and/or relocation of the street sign shall be undertaken prior to the occupation of the dwelling.**
3. **The motorised vehicle turntable shall be installed and available for use prior to the occupation of the dwelling.**
4. **Revised elevation plans shall be submitted to Council prior to Development Approval being issued, nominating the windows on the front facade being double glazed for sound attenuation purposes.**



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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](http://www.marion.sa.gov.au/page.aspx?u=181)*

6. All devices/treatments proposed as part of the Development Application to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises.
7. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
8. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
9. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
10. All car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.
11. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
12. All west facing windows and glass doors shall be either externally shaded, fitted with solar glass, or protected with an anti-glare, heat reflective adhesive film or similar to the reasonable satisfaction of the Council or its delegate, prior to occupation. (Refer to the City of Marion Information Brochure "Energy Efficiency" for further information and please note that some external shading structures may require the further Development Approval of the Council).
13. All north facing windows and glass doors shall be externally shaded to allow winter sun access but provide complete shading during summer to the reasonable satisfaction of the Council or its delegate, prior to occupation. (Refer to the City of Marion Information Brochure "Energy Efficiency" for further information and please note that some external shading structures may require the further Development Approval of the Council).



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14. All mortar joints on any face brickwork on the property boundary are to be finished in a professional manner, similar to other external brickwork on the subject dwelling.

## NOTES

1. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
2. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
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.



## DAP030816

2.2 Reference No: DAP030816 – 2.2  
Application No: 100/2015/2137  
Site Location: 17 Adelaide Terrace, Edwardstown

- No persons addressed the panel in relation to this item.

The Development Assessment Panel resolved that;

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

- (a) The Panel note this report;
- (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 land Division Consent for Development Application No: 100/2015/2137 for Residential Land Division - Community Title 1 into 2 allotments and construction of a two (2) storey detached dwelling, single (1) storey group dwelling and a residential flat building comprising two (2) dwellings at 17 Adelaide Terrace, Edwardstown be REFUSED for the following reasons:

#### REASONS FOR REFUSAL

1. The development results in a dwelling density that does not comply with that sought within the Medium Density Policy 12 and is at variance with Objective 1 and 4, Principle 3 and the Desired Character of the Policy Area.
2. The site areas of the proposed dwellings are at variance with Medium Density Policy Area 12 Principle of Development Control 7 as they fail to satisfy the minimum 300 square metres for a detached dwelling, 250 square metres for a group dwelling, and 250 square metres for a residential flat dwelling within the Medium Density Policy Area 12.
3. The site coverage of Dwellings 3 and 4 exceeds 100 square metres and therefore fails to accord with Medium Density Policy Area 12 Principle of Development Control 8.
4. The rear setbacks of Dwellings 3 and 4 do not meet the minimum 6 metres required for a single storey and therefore fail to comply with Residential Zone Principle of Development Control 7.
5. The proposed allotment areas do not maximise solar orientation and do not have area and dimensions to accommodate the provision of landscaping and private open space, and therefore fails to comply with Residential Development Principle of Development 1(b).



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6. The private open space areas of Dwellings 1, 2 and 3 have not been sited and designed to enable the achievement of a northern orientation and will be shaded during winter by the associated dwelling, and therefore fails to satisfy Residential Development Principles of Development Control 15(f) & (g).
7. The private open space areas of Dwellings 1 and 2 have not been provided with sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension of the site, and therefore fails to satisfy Residential Development Principles of Development Control 15(j).
8. The dimensions of private open space provided for Dwellings 1 and 2 is significantly less than that sought by Residential Development Principle 17 and are unlikely to be appropriate for the likely needs of occupants.
9. Dwellings 1 and 2 have not been sited and designed so that the open spaces associated with the main activity areas face north for exposure to winter sun, and therefore fails to Comply with Energy Efficiency Principle of Development Control 2.

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'D' shape followed by a series of loops and a final horizontal stroke.

## DAP030816

2.3 Reference No: DAP030816 – 2.3  
Application No: 100/2015/2421  
Site Location: 39 Trumara Road, Marino

- Michael Southern (Owner) answered questions of the Panel.

The Development Assessment Panel 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: 100/2015/2421 to undertake development in stages: Stage 1: construction of dwelling to rear of site: Stage 2: demolition of existing dwelling: Stage 3: construction of two storey dwelling: Stage 4: to change use of dwelling to rear of site to dependent accommodation at 39 Trumara Road, 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. 100/2015/2421, including the correspondence from Mr Michael Southern, dated 9 May 2016, except when varied by the following conditions of consent.
2. Greater details (cross-section or similar) of the external screens below the upper level north-facing windows shall be provided to Council, for consideration and approval, prior to Development Approval being issued.
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. 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.



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5. The upper floor window to the study shall be treated in a manner that permanently restricts views of adjoining property's yards and/or indoor areas being obtained by a person within the room, details of which shall be provided to Council for consideration and approval, prior to Development Approval being issued.
6. At the conclusion of Stage 3, the dwelling at the rear of the site shall only be used ancillary to the dwelling at the front of the site, by the occupiers of that dwelling and their relatives, and at no time shall be used as a separately tenatable building.
7. The proposed driveway shall be constructed no closer than 6.0 metres to the existing invert, to ensure one on-street parking space is available.
8. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
9. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
10. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
11. All car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.
12. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.

## 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).





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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. Vehicle crossovers should be setback a minimum 2 metres from existing street trees, and 1 metre from street infrastructure and utilities (including stormwater side entry pits, stobie poles, street signs, cable pits, 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.

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'G' shape with a small flourish at the end.

DAP030816

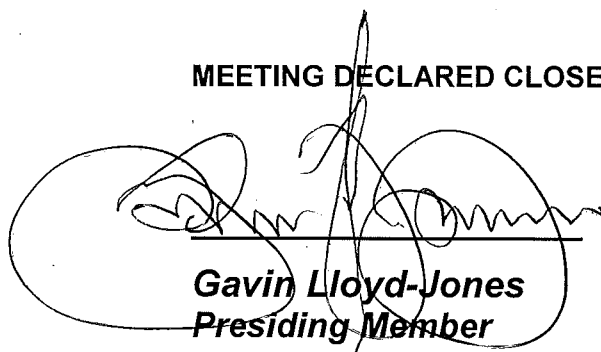
**OTHER BUSINESS****3.1 INFORMATION ONLY ITEM**

1/121 The Cove Road, Hallett Cove

Telecommunications facility comprising a 25 metre monopole, 3 triangular panel antennas, RT Dish, equipment shelter, security fence and alterations to the existing carpark.

**Report noted.****3.2 Appeals update****3.3 Policy Observations****4. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 3 August 2016 taken as read and confirmed this third day of August 2016.

**5. CLOSURE****MEETING DECLARED CLOSED AT 7.26 PM**

**Gavin Lloyd-Jones**  
**Presiding Member**