

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 16 AUGUST 2017**

1.1 PRESENT

Gavin Lloyd-Jones (Presiding Member), Graham Goss, Nathan Sim,
Charmaine Thredgold and Nick Westwood

1.2 APOLOGIES

Janet Byram
Luke Hutchinson

1.3 IN ATTENDANCE

Rob Tokley - Team Leader – Planning (DAP Executive Officer)
Jason Cattonar – Manager - Development & Regulatory Services
Nicholas Timotheou - Development Officer- Planning

1.4 COMMENCEMENT

The Meeting commenced at 6.30pm



DAP160817**2. HEARING OF APPLICATIONS**

2.1 Reference No: DAP160817 – 2.1
Application No: 100/950/2017
DAC No: 100/C103/17
Site Location: 32 Castle Street, 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 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) Development Plan Consent and Land Division Consent pursuant to section 33(1)(d) of the Development Act 1993 is hereby granted to Development Application No: 100/950/2017 (issued with Development Assessment Commission land division application number 100/C103/16) for Land Division - Community Title 1 into 3 allotments and further development of those allotments for the construction of a two (2) storey detached dwelling and a single storey residential flat building comprising two (2) dwellings and associated landscaping at 32 Castle Street, Edwardstown, 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. 100/950/2017 (DAC No. 100/C103/16), being drawing numbers;**
 - 1.1 PL02.D, PL01.C, PL03.D (inclusive) prepared by Alexander Brown Architects, received by Council on 10/07/2017**
 - 1.2 'Plan of Proposed Division' prepared by SKS Surveys Pty Ltd except when varied by the following conditions of consent.**
- 2 Details and elevations of the fencing proposed for Dwelling 1 shall be provided to Council for consideration and approval prior to the issuing of Development Approval. To provide visibility of buildings to the street and allow appropriate casual surveillance, the fence should be of low height and not completely solid to enable partial visibility.**
- 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**



DAP160817

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 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 and indigenous trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
- 7 All 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 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.
- 12 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.

DAP160817

Land Division Consent

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

The developer must advise SA Water the preferred servicing option. Information can be found at:

<http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

2. Payment of \$13352 into the Planning and Development Fund (2 allotment(s) @ \$6676/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, 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.

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. Vehicle crossovers should be setback a minimum 2 metres from existing street trees, and 1 metre from street infrastructure and



DAP160817

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 or set of initials in black ink, located in the bottom right corner of the page. The signature is stylized and appears to consist of several loops and a long horizontal stroke.

DAP160817

2.2 Reference No: DAP160817 – 2.2
 Application No: 100/782/2017
 DAC No: 100/D084/17
 Site Location: 20 Cedar Avenue, Warradale

- 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:

- The Panel note this report and concur with the findings and reasons for the recommendation;
- 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
- That Development Plan Consent and Land Division Consent for Development Application No: 100/782/2017 (DA Ref. 100/D084/17) for a Residential Torrens Title Land Division - 1 into 3 allotments and to construct three (3), two storey row dwellings with associated car parking and landscaping at 20 Cedar Avenue, Warradale be GRANTED subject to the following conditions:

CONDITIONS

- The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/782/2017 (100/D084/17), being:
 - Plan of Proposed Division, Ref. No. 17-093, prepared by Cavallo Forest and received by Council on 27 April 2017;
 - Site and Drainage Layout Plan, Job No. 2170401, prepared by Zafiris & Associates Pty. Ltd. and received by Council on 30 June 2017;
 - Drawing No. 1 – 4 (inclusive) of Job No. 010-01-17/PD01, Issue H, prepared by ThreeSixFive Design Studio and received by Council on 12 July 2017;
 except when varied by the following conditions of consent.
- 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.
- 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

DAP160817

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.
5. Landscaping as identified on the approved plan shall be planted prior to the occupation of the premises and 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.
9. 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.
10. 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.
11. 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.

LAND DIVISION CONDITIONS

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0060739).
2. The internal pipe-work shall be altered to the satisfaction of the SA Water Corporation.

SA Water Corporation further advise that should this application be approved and new assessment numbers created, all internal pipe-work that cross the allotment boundaries would be retained to be



DAP160817

severed, such that the pipe-work relating to each allotment is contained within its boundaries.

3. Payment of \$13352 into the Planning and Development Fund (2 allotments @ \$6676/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. 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.

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. 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.



DAP160817

**2.3 Reference No: DAP160817 – 2.3
Application No: 100/563/2017
Site Location: 107 Diagonal Road, Warradale**

- 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 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: 100/563/2017 for a freestanding advertisement incorporating internal illumination achieving a total height of 4.2 metres and fascia signage, one of which is illuminated at 107 Diagonal Road, 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. 100/563/2017, except when varied by the following conditions of consent.**
- 2. 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.**
- 3. The proposed non-illuminated signs shall utilise a material of low reflectivity to minimise the possibility of glare and enhance road safety**
- 4. The proposed signage shall not include any element that scrolls, flashes, moves or changes.**
- 5. 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.**
- 6. The proposed signs shall be constructed wholly on the subject site and no part shall extend beyond the property boundaries.**



DAP160817

Department of Planning, Transport and Infrastructure Conditions

7. The illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only. No element of LED or LCD display shall be included in the design of the signs.
8. The illuminated sign shall be limited to a low level of illumination so as to minimum distraction to motorists ($\leq 150 \text{cd/m}^2$).
9. The signs shall not contain any element that flashed, scrolls, moves or changes.
10. All signage shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
11. The signs shall not display images, texts or backgrounds that are predominantly red, yellow/amber or green in colour.
12. The signage shall be fully located within the property boundary.

NOTES

1. The Metropolitan Adelaide Road Widening Plan (MARWP) shows a possible requirement for a strip of land up to 4.5 metres in width from the Diagonal Road and Oakland Road frontages of the site for future upgrading of the Diagonal Road / Oaklands Road intersection, together with additional land at the north-eastern corner of the site. The consent of the Commissioner of Highways under the MARWP Act is required to all building works within 6.0 metres of the possible requirement.

The proposed pylon sign will be located within the possible requirement. Nonetheless, given the sign utilises foundations that are an existing encroachment on the possible requirement, the consent of the Commissioner of Highways is not required in this case.



DAP160817

**2.4 Reference No: DAP160817 – 2.4
Application No: 100/2129/2016
DAC No: 100/C253/16)
Site Location: 120 Diagonal Road Warradale**

- Matt Atkinson answered questions of the Panel on behalf of the applicant.

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 for Development Application No: 100/2016/2129 (100/C253/16) for Land division 1 into 2 allotments and a change in land use from a single storey detached dwelling to residential flat dwelling comprising two dwellings at 120 Diagonal Road, Warradale be SUB-DELEGATED to the Manager - Development and Regulatory Services, subject to the provision of information pertaining to the construction of a fire-rated party wall between the proposed dwellings and the following condition:**
 - 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2016/2129, except when varied by the following conditions of consent.**



DAP160817**OTHER BUSINESS**

6:58pm Pursuant to Section 56A(12)(ix) of the Development Act, 1993, the Panel resolve to exclude the public from attendance for the deliberation of Item 3.1 and the remainder of the meeting.

**3.1 CONFIDENTIAL ITEM
DAP160817 – 3.1**

- No persons addressed the Panel in relation to this Item
- (a) **The Panel note this report and have considered all relevant planning matters;**
- (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 does not support the comprise proposal submitted by Mr Jack Pete for Development Application No: 100/1785/2016 at 8 Fourth Avenue, Ascot Park.**

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a name, possibly "Jack Pete", written in a cursive or semi-cursive style.

DAP160817

3.2 Development Assessment Panel Annual Performance Review

The Panel notes the report from staff regarding the Annual Performance Review and will discuss the results at the next available DAP meeting.

3.3 Appeals update

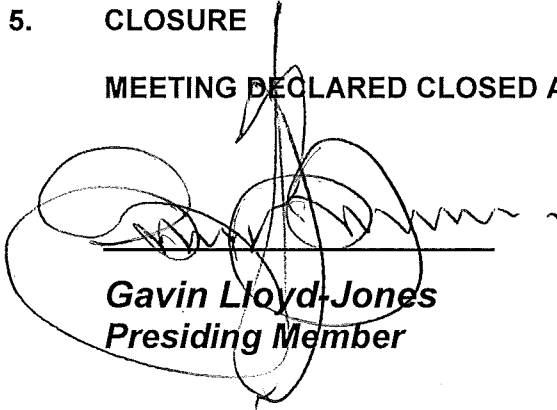
3.4 Policy Observations

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 16 August 2017 taken as read and confirmed this sixteenth day of August 2017.

5. CLOSURE

MEETING DECLARED CLOSED AT 7.26PM



A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke, is written over a solid horizontal line.

Gavin Lloyd-Jones
Presiding Member