

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 2 MARCH 2016**

1.1 PRESENT

Gavin Lloyd-Jones (Presiding Member), Graham Goss, Phil Smith,
Wendy Bell, Ian Crossland, Nick Kerry and Luke Hutchinson

1.2 APOLOGIES

Nil

1.3 IN ATTENDANCE

Rob Tokley - Team Leader – Planning (DAP Executive Officer)
Steve Hooper - Manager, Development Services
Emily Nankivell - Senior Development Officer - Planning

1.4 COMMENCEMENT

The Meeting commenced at 6.30pm



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2. HEARING OF APPLICATIONS

Gavin Lloyd-Jones declared a conflict of interest with Item 1 and left the room.

2.1 Reference No: DAP020316 – 2.1
Application No: 100/2014/1186
Site Location: 19 Oak Avenue, Clovelly Park

- 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: 100/2014/1186 for three, two storey residential flat buildings, comprising a total of 9 dwellings for the purpose of student accommodation, with associated car parking and landscaping at 19 Oak Avenue, Clovelly Park be REFUSED for the following reasons:
 1. The proposal fails to accord with Objective 2 of the Regeneration Policy Area, as it shall not improve the quality of living environments.
 2. The proposal shall not contribute toward improved living conditions, and is therefore at variance with Objective 11, Principle 3 and the Desired Character of the Regeneration Policy Area 16.
 3. The proposal does not create a convenient and pleasant environment in which to live, and therefore fails to fulfil Orderly and Sustainable Development Objective 1.
 4. The number of dwellings result in an average land area substantially less than that sought for two storey residential flat dwellings, and is therefore at variance to Principle 4 of the Regeneration Policy Area 16.
 5. The proposed development does not accord with Orderly and Sustainable Development Objective 4, as the proposal prejudices the achievement of the provisions of the Development Plan.
 6. The proposal does not contribute to the provision of convenient, pleasant and healthy living environments that meet the needs and preferences of the community, and is therefore at variance to Residential Development Objective 1.



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7. The site coverage exceeds that sought in the Regeneration Policy Area 16, and therefore fails to satisfy Policy Area Principle 5.
8. The building is likely to have an unreasonable visual impact upon adjoining properties via a lack of articulation and proximity to the rear boundary; failing to satisfy Design and Appearance Principle 2(a).
9. The streetscape appearance of the site is dominated by sealed surfaces and uninterrupted walling, at variance to Transportation and Access Principle 36(i) and Design and Appearance Principle 17.
10. The proposal fails to satisfy Residential Development Principle 29, as the proposed private open space does not comprise 35 square metres, and does not maintain a minimum dimension of 4 metres.
11. The proposal does not comply with Residential Development Principle 28, as the proposed private open space is not of sufficient area and shape to be functional for likely occupant needs.
12. The proposal fails to provide community surveillance and therefore fails to satisfy Crime Prevention Objective 1 and Principle of Development Control 2.



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Gavin Lloyd-Jones returned to the room.

2.2 Reference No: DAP020316 – 2.2
Application No: 100/2015/1299
Site Location: 55 Bells Road Glengowrie

- Mr Ronald Crosby (Representor) addressed the Panel
- Mr Scott Noble (Representor) addressed the Panel
- Michael Villis of Mirage Homes (Applicant) addressed 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: 100/2015/1299 for the construction of 3 x two storey row-dwellings with garage wall located on the western side boundary at 55 Bells Road, Glengowrie 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. 100/2015/1299, being drawing number(s) WD 01/12, WD 02/12, WD 03/12, WD 04/12, WD 05/12 and HC01(Rev C)" (inclusive) prepared by Mirage Homes/Spectra Building Designers and FMG Engineers, being documentation titled "Site Plan, Front Elevation/Elevation A, Upper Floor Plan, Lower Floor Plan and Rear Elevation/Elevation A and Civil Plan" received by council on 3/12/2016, except when varied by the following conditions of consent.**
- 2. The driveway/crossover of Dwellings 2 and 3 shall be separated by no less than 6.0 metres to ensure the availability of one on-street parking space.**
- 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

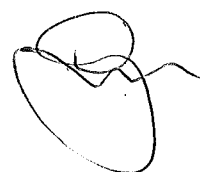


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4. The portion of the upper floor side and rear windows (except the south-facing windows presenting to the street to the front dwellings) less than 1.7 metres above the internal floor level shall be treated prior to occupation of the building in a manner that permanently restricts views of adjoining properties yards and/or indoor areas being obtained by a person within the room, to the reasonable satisfaction of the Council.
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. 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. 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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2.3 Reference No: DAP020316 – 2.3
Application No: 100/2015/1703
Site Location: 22 Hardy Avenue, Glengowrie

- 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:

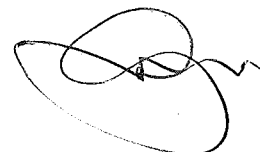
- (a) The Panel note this report and concur with the findings and reasons for the recommendation;
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and
- (c) That Development Plan Consent for Development Application No: 100/2015/1703 to construct a pair of two storey semi-detached dwellings with Residence (B) incorporating a garage wall along the eastern side boundary at 22 Hardy Avenue Glengowrie be GRANTED subject to the following conditions:

CONDITIONS

1. The development shall proceed in accordance with the amended plans and details prepared by Mirage Homes stamped dated received 27 October 2015 submitted with and forming part of Development Application No. 100/2015/1703, except where 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, 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. 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. 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. 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. 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. 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.



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2.4 Reference No: DAP020316 – 2.4
Application No: 100/2015/1762
Site Location: 1 Ella Street, Dover Gardens

- Ms Anne Mills (Representor) addressed the Panel
- Mr Malcolm Puckridge (Representor) addressed the Panel
- Garth Heynen of Heynen Planning Consultants on behalf of Mr Craig Whitting (Applicant) addressed 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: 100/2015/1762 for three single storey row dwellings, one of which incorporates a garage wall on the eastern side boundary at 1 Ella Street, Dover Gardens 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. 100/2015/1762, being drawing numbers 1-4 of 15-550 (inclusive) prepared by Daring Digital Architecture and Contour and Drainage Plan 79085 prepared by Dennis Sandery Consulting Engineers, received by Council 22 January and 2016 and 2 February 2016 respectively, except when varied by the following conditions of consent.**
- 2. An amended contour and drainage plan shall be submitted to Council prior to Development Approval being issued, identifying the location of driveways and crossovers, for further consideration.**
- 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**



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

5. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
6. All new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
7. 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. 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. The applicant is reminded that a fee of \$150.00 must be paid for the removal and replacement of the existing street tree on Clacton Road, prior to Development Approval being issued.
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.
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

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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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2.5 Reference No: DAP020316 – 2.5
Application No: 100/2015/1821
Site Location: 18 Sutton Avenue Seacombe Gardens

- 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: 100/2015/1821 for three single storey row dwellings, one of which incorporates a garage wall on the western side boundary at 18 Sutton Avenue Seacombe Gardens 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. 100/2015/1821, being drawing number(s) ZYB.032 Pages 01 to 07 and 151001 C2 Issue C (inclusive) prepared by Verrocchi Building Design and K P Squared Engineering, 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 areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.**
- 4. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.**



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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.
8. 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.
9. Any habitable room walls shared with the garage of another dwelling shall be treated with an appropriate noise acoustic treatment to minimise noise transfer between dwellings.

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.



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2.6 Reference No: DAP020316 – 2.6
Application No: 100/2015/1871
Site Location: 4 Historic Close Sheidow Park

- Zayd Matti addressed the Panel on behalf of Imad Matti (Representor)
- Alex Sacca (owner) addressed the Panel on behalf of Design Tech (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 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: 100/2015/1871 for a two storey detached dwelling with associated earthworks and retaining walls at 4 Historic Close, Sheidow Park be GRANTED subject to the following conditions:

CONDITIONS

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2015/1871, being plans titled "Site Plan, Ground Floor Plan, Front / Rear Elevation, Left / Right Elevation, Locality Plan" (inclusive) prepared by Design tech (Architectural Services) and plan titled "Site Plan (site works plan) prepared by FYFE Pty Ltd, received by Council on 13/10/2015, and fencing/retaining detail title "Left / Right Elevation" prepared by Design tech (Architectural Services), received by Council on 8/2/2016, except when varied by the following conditions of consent.
2. Stormwater from all structures 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 Sheet "Stormwater Detention" to the reasonable satisfaction of the Council (copies of relevant documents are attached).
3. 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.
4. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the



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

5. 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.
6. 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.
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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2.7 Reference No: DAP020316 – 2.7
Application No: 100/2015/1261
Site Location: 3 Casey Street, Hallett Cove

- 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 a decision for Development Application No: 100/2015/1261 for two, two-storey residential flat buildings each comprising six dwellings (12 dwellings in total), with associated freestanding garages, common driveway, earthworks and retaining walls at 3 Casey Street, Hallett Cove be DEFERRED to enable the applicant to address the following concerns:
 1. To increase the amount of landscaping throughout the common driveway area; and
 2. To improve the compliance of the proposal with the Development Plan's Crime Prevention criteria, including, but not necessarily limited to; increased surveillance over the common driveway and ensuring the entries to properties (from the common driveway) are visible from the public street.



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OTHER BUSINESS

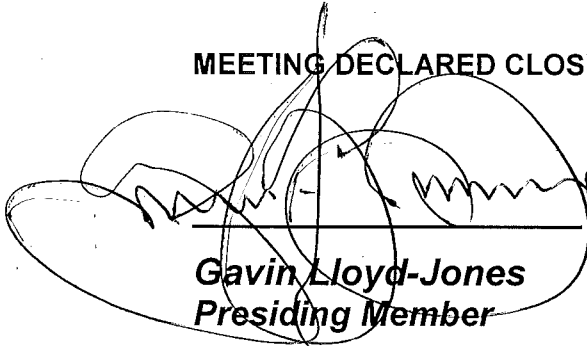
- 3.1 INFORMATION ONLY ITEM
74 DAWS ROAD EDWARDSTOWN
Change of use to consulting rooms including associated alterations and additions
- 3.2 Appeals update
- 3.3 Policy Observations

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 2 March 2016 taken as read and confirmed this second day of March 2016.

5. CLOSURE

MEETING DECLARED CLOSED AT 7.55PM



Gavin Lloyd-Jones
Presiding Member

2/3/16.