

**MINUTES OF THE CITY OF MARION  
DEVELOPMENT ASSESSMENT PANEL HELD AT THE  
ADMINISTRATION CENTRE 245 STURT ROAD STURT  
ON  
WEDNESDAY 16 DECEMBER 2015**

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**1.1 PRESENT**

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

**1.2 APOLOGIES**

Nick Kerry

**1.3 IN ATTENDANCE**

Rob Tokley - Team Leader – Planning (DAP Executive Officer)  
Stephen Both - Senior Development Officer - Planning

**1.4 COMMENCEMENT**

The Meeting commenced at 6.31pm



## DAP161215

## 2. HEARING OF APPLICATIONS

## 2.1 Reference No: DAP161215 – 2.1

Application No: 100/2015/1227

Site Location: 55 Limbert 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: 100/2015/1227 to construct three, two storey row dwellings with Dwelling (1) incorporating a garage wall along the northern side boundary at 55 Limbert Avenue Seacombe Gardens be GRANTED subject to the following conditions:

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**CONDITIONS**

1. The development shall proceed in accordance with the amended plans and details stamped dated received 3 August 2015 and 9 December 2015 and the amended Engineered Site Drainage Plan prepared by ANZAS & Associates (Consulting Engineers) dated 9 December 2015 all submitted with and forming part of Development Application No. 100/2015/1227, except where 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](http://www.marion.sa.gov.au/page.aspx?u=181)
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. 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.



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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 external wall surfaces on the property boundary are to be finished in a professional manner, similar to other external wall surfaces 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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2.2 Reference No: DAP161215 – 2.2  
Application No: 100/2015/1870  
Site Location: 1 St Peters Way, Glengowrie

- Rosemary & Grant Moyle (Representors) addressed the Panel
- Mr Clint S Girardi (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: 100/2015/1870 for three, two storey dwellings, one of which incorporates a garage wall on the western side boundary at 1 St Peters Way, 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. 100/2015/1870, 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](http://www.marion.sa.gov.au/page.aspx?u=181)*

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. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
5. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good

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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. 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.
10. 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.



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6. Any existing driveway crossovers that become redundant as a result of a development must be reinstated to match the existing kerb profile along the road frontage of the property.

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## DAP161215

2.3 Reference No: DAP161215 – 2.3  
Application No: 100/2015/1763  
Site Location: 161 Bradley Grove Mitchell 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; and
- (c) That Development Plan Consent and Development Approval for Development Application No: 100/2015/1763 to undertake tree damaging activity (root severance) to various Regulated and Significant Trees in association with the installation of a walking trail and associated park upgrades at 161 Bradley Grove, Mitchell 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. 100/2015/1763, except when varied by the following condition of consent.
2. During construction of the paths, protective boards shall be placed against the trunk of any Regulated and Significant tree within 5 metres of the proposed path.
3. The protective boards referred to in Condition 2 shall be removed as soon as practicable following completion of the path.



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2.4 Reference No: DAP161215 – 2.4  
Application No: 100/2015/1686  
Site Location: 665 Marion Road, Ascot Park

- Nathan Franklin addressed the Panel on behalf of Seedbird Property Trust (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: 100/2015/1686 for a change of use from dwelling to consulting rooms and retention of existing garage, with associated car parking, signage and landscaping at 665 Marion Road, Ascot Park be GRANTED subject to seeking concurrence from the Development Assessment Commission and 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. 100/2015/1686, except when varied by the following conditions of consent.
2. Bollard lighting shall be provided throughout the car park area to provide improved safety of staff and customers. Details of the location and type of lighting shall be provided to Council, for consideration and approval, prior to Development Approval being issued.
3. Details of the text/imagery contained within the face area of the sign shall be provided to Council, for consideration and approval, prior to Development Approval being issued. The text/imagery shall relate entirely to the approved use of the land and shall not include any third-party text/imagery.
4. Flowering Pear trees, or similar, shall be planted adjacent the rear (eastern) property boundary only, with ground-covers or small plants occupying the remainder, to minimise any opportunity for persons to be concealed by vegetation. An amended landscape plan shall be provided to Council, for consideration and approval, prior to Development Approval being issued.





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5. A bicycle rack, with the ability to accommodate no less than two bicycles shall be provided adjacent the 'procedure room'. Details shall be provided to Council, for consideration and approval, prior to Development Approval being issued.
6. Non-masonry fencing, to a minimum height of 1.8 metres, shall be erected on the northern, eastern and southern boundaries prior to the commencement of the use.
7. The hours of operation of the premises shall be restricted to the following times:
  - a. Monday to Wednesday and Friday: 9:00am – 5:00pm; and
  - b. Thursday: 9:00am – 9:00pm.
8. All deliveries to and from the site (including waste collection) shall be restricted to the following times:
  - a. Monday to Friday: 9:00am – 5:00pm.
9. A trap shall be installed as part of the site's stormwater system to prevent grease, oil, sediment, litter and other substances capable of contaminating stormwater from entering the Council's stormwater drainage system. The trap shall be regularly cleaned and maintained in good working order to the reasonable satisfaction of the Council.
10. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
11. 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.
12. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon (incorporating ramps or crossovers to facilitate the movement of persons with a disability).
13. Landscaping shall be maintained so as to not obstruct the views of drivers or pedestrians entering or exiting the site, to the reasonable satisfaction of Council.
14. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
15. Wheel stopping devices shall be placed within each parking bay so as to prevent damage to adjoining fences, buildings or landscaping to the reasonable satisfaction of the Council.
16. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.



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17. The designated accessible car parking space shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
18. All car parking areas, driveways and vehicle manoeuvring areas must be constructed, sealed and drained in accordance with recognised engineering practices prior to the occupation of the premises or the use of the development herein approved.
19. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
20. All car parking spaces shall be line-marked or delineated in a distinctive fashion prior to occupation of the premises, with the marking maintained in a clear and visible condition at all times.
21. All goods and materials placed in the area designated for the outside display of goods and materials shall be kept in a tidy manner and condition at all times.
22. The advertisement and supporting structure 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.
23. The sign shall incorporate the street number of the premises.

**DPTI CONDITIONS**

24. The site shall be served by a single two-way access point direct to/from Marion Road. The access shall be a minimum of 6.0 metres in width at the property boundary and incorporate a clear area (6.0 metres wide by 6.0 metres inbound from the property boundary) prior to the commencement of car parking to allow vehicles to store off-street while waiting for another vehicle to enter or exit the property.
25. All vehicles shall enter and exit the site in a forward direction.
26. All non-illuminated signage on the site that is visible from Marion Road shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
27. Any illuminated signage associated with the development that is visible from Marion Road shall be limited to a low level of illumination (equal to or less than 200 cd/m<sup>2</sup>) so as to minimise distraction to motorists.
28. Any signage associated with the development that is visible from Marion Road shall not contain any element that flashes, scrolls, moves or changes.



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29. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
30. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Marion Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

**NOTES**

1. 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.
2. Noise from devices and/or activities on the subject site should not impair or impinge on the amenity of neighbours at any time. This includes noise generated from plant and equipment (including those servicing the building such as air-conditioning), as well as noise generated from activities such as loading and unloading of goods and/or waste. The Environment Protection Authority has restrictions relating to the control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.



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**2.5 Reference No: DAP161215 – 2.5  
Application No: 100/2015/1264  
Site Location: 17 Myer Road Sturt**

- Darius Sabou (owner) addressed the Panel on behalf of Inspire Design (Applicant)

**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 for Development Application No: 100/2015/1264 for four single storey dwellings with associated car parking and landscaping at 17 Myer Road, Sturt be SUB-DELEGATED to the Manager – Development Services, subject to the following:**

**That the existing Eucalypt tree, situated south of the adjacent dwelling at 15 Myer Road, be assessed as to whether the tree is a Regulated Tree.**

**If so, measures must be taken to ensure the ongoing health and stability of the tree, subject to the satisfaction of the Manager – Development Services.**

**CONDITIONS**

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2015/1264, except when varied by the following conditions of consent.**
- 2. Solid fencing, to a minimum height of 1.8 metres, shall be erected upon the eastern side boundary, adjacent the common driveway, prior to the occupation of the dwelling/s, to minimise noise and light spill to adjoining land.**
- 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](http://www.marion.sa.gov.au/page.aspx?u=181)**

- 4. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of native trees,**

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shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.

5. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
6. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
7. All roof water and tank overflow is to be discharged directly to the street watertable via a sealed system, separate to the sump/pump which should only carry site paving drainage.
8. Two pumps (one for back-up) shall be installed and provided with both audible and visual alarms in case of pump failure.
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.

## 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



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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: DAP161215 – 2.6**  
**Application No: 100/2015/1814**  
**Site Location: 483 Marion Road, South Plympton**

- Carole Davis answered questions of the Panel on behalf of Sterling Homes Pty Ltd (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: 100/2015/1814 for a single storey detached dwelling and a pair of single storey semi-detached dwellings at 483 Marion Road, South Plympton 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. 100/2015/1814, except when varied by the following conditions of consent.**
- 2. Details of noise-attenuating fencing, of a colour and material that complements House A, to be erected on the Marion Road (western) boundary of the land, shall be provided to Council, for consideration and approval, prior to Development Approval being issued.**
- 3. The fencing referred to in Condition 2, shall incorporate stepping, to provide a minimum of two landscape bays of a length of no less than 2.0 metres and depth of no less than 500mm.**
- 4. Strengthening of the infrastructure pit within the road reserve adjacent House C shall be undertaken and completed prior to the occupation of that dwelling.**
- 5. All motor joints on any face brickwork on the property boundary are to be finished in a professional manner, similar to other external brickworks on the subject dwelling.**
- 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.**



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

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.

**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. 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.
5. 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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**OTHER BUSINESS**

Ian Crossland declared a conflict of interest with Item 3.1 and left the room.

**3.1 INFORMATION ONLY ITEM**  
Development Application 100/2015/2050  
7 (Lot 17) Beachfront Court, Hallett Cove  
Freestanding Garage

**3.2** Appeals update

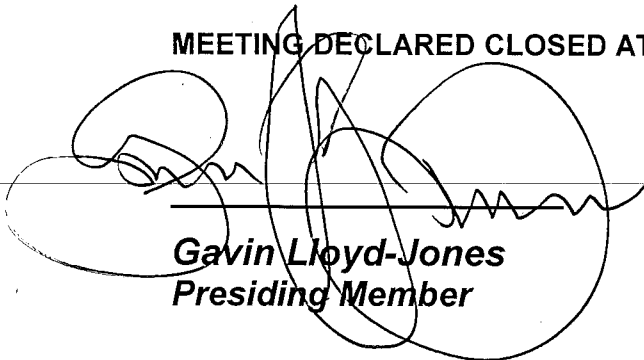
**3.3** Policy Observations

**4. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 16 December 2015 taken as read and confirmed this sixteenth day of December 2015.

**5. CLOSURE**

**MEETING DECLARED CLOSED AT 7.41PM**



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

16 / 12 / 15.