

**MINUTES OF THE CITY OF MARION  
DEVELOPMENT ASSESSMENT PANEL HELD AT THE  
ADMINISTRATION CENTRE 245 STURT ROAD STURT  
ON  
WEDNESDAY 18 JANUARY 2017**

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**1.1 PRESENT**

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

**1.2 APOLOGIES**

Nick Kerry

**1.3 IN ATTENDANCE**

Rob Tokley - Team Leader – Planning (DAP Executive Officer)  
Kristen Sheffield - Development Officer - Planning

**1.4 COMMENCEMENT**

The Meeting commenced at 6.30pm



**DAP180117**

**2. HEARING OF APPLICATIONS**

**2.1 Reference No: DAP180117 – 2.1  
Application No: 100/2016/1802  
Site Location: 13 Glengarry Avenue, Glandore**

- 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: 100/2016/1802 for alterations and additions to the existing dwelling, and incorporating an outbuilding (garage) situated adjacent the northern (rear) and eastern (side) boundaries at 13 Glengarry Avenue, Glandore be 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. 100/2016/1802, except when varied by the following conditions of consent.**
- 2. Stormwater from the 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 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. 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.**

**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.**



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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.

A handwritten signature in black ink, consisting of a large, stylized 'G' followed by a smaller, less distinct mark.

**DAP180117**

**2.2 Reference No: DAP180117 – 2.2**  
**Application No: 100/2016/1639**  
**Site Location: 69 Lemon Road, Trott Park**

- Mr Stephen Rust (Representor) addressed the Panel
- Mr Chris Esteve (Owner) on behalf of Bargain Steel Centre (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: 100/2016/1639 for an outbuilding (garage) incorporating a wall on the western side boundary at 69 Lemon Road, Trott 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. 100/2016/1639, except when varied by the following conditions of consent.**
- 2. 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.**
- 3. Stormwater must be disposed of in such a manner that does not flow or discharge into land of adjoining owners, lie against any building, or create insanitary conditions.**
- 4. The structure has been granted consent as a domestic outbuilding only and therefore shall not be used for human habitation or for purposes not reasonably incidental to the use of the land for residential purposes, unless the further development approval of the Council is obtained.**



**DAP180117**

**2.3 Reference No: DAP180117 – 2.3**  
**Application No: 100/2016/1373**  
**Site Location: 5 First 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;**
- (c) That Development Plan Consent for Development Application No: 100/2016/1373 for a single-storey split-level detached dwelling incorporating a wall on the southern boundary at 5 First Street, Hallett Cove, 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. 100/2016/1373, except when varied by the following conditions of consent.**
- 2. An amended, fully engineered site works and drainage plan shall be provided to Council for consideration and approval prior to Development Approval being issued. This plan must detail top of kerb level, existing ground levels throughout the site and on adjacent land, proposed bench levels and finished floor levels, the extent of cut/fill required, the location and height of proposed retaining walls, driveway gradients, and the location of all existing street infrastructure and street trees.**
- 3. 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.**
- 4. 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.**
- 5. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.**



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6. 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.



## DAP180117

2.7 Reference No: DAP180117 – 2.7  
*Previously deferred at DAP211216*  
Application No: 100/2016/1752  
Site Location: 2-6 York Avenue, Clovelly Park

- City Of Marion (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: 100/2016/1752 to erect six (6) light towers, incorporating a maximum height of 12 metres (excluding light fixture atop) at 2-6 York Avenue, Clovelly 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. 100/2016/1752, except when varied by the following conditions of consent.
2. All external lighting shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.
3. With the exception of condition 4, the maximum operable days and times the lights herein approved shall be limited to Monday to Wednesday (inclusive): 5:00pm to 9:30pm.
4. Outside of the days and times in which the lights can be operational pursuant to condition 3, the lights can be operated up to a maximum additional 6 (six) times per calendar year, between the hours of 5.00pm – 9.30pm.

**NOTES**

1. The applicant is encouraged to liaise with all relevant users of the facility to consider ways in which traffic and on-street parking impacts upon nearby residents can be minimised.



**DAP180117**

**2.4 Reference No: DAP180117 – 2.4**  
**Application No: 100/2016/1789**  
**Site Location: 12 Walkley 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:**

- (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 and Land Division Consent for Stages 1 and 2 and that Development Approval for Stage 1 for Development Application No: 100/1789/2016 (DAC Ref. 100/C216/16) to undertake a staged development: Stage 1: Residential Community Title Land Division – 1 into 4 allotments and Stage 2: to construct two pairs of two storey semi-detached dwellings with associated car parking and landscaping at 12 Walkley Avenue, Warradale be GRANTED subject to the following conditions:**

**CONDITIONS**

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/1789/2016 (DAC Ref. 100/C216/16) 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.**





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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 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.

## LAND DIVISION CONDITIONS

1. 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.
2. 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. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
3. Payment of \$20028 into the Planning and Development Fund (3 lots @ \$6676/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://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.
5. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0050908).
6. The internal pipe-work shall be altered to the satisfaction of the SA Water Corporation.



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

7. 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.

## 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.



**DAP180117**

**2.5 Reference No: DAP180117 – 2.5**  
**Application No: 100/2016/2367**  
**Site Location: 36 Norrie 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;**
- (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: 100/2016/2367 to undertake a Community Title Land Division (1 into 3 allotments) and to construct a two-storey detached dwelling and a single-storey residential flat building comprising two dwellings, with associated fencing and landscaping at 36 Norrie Avenue, Clovelly Park, be REFUSED for the following reasons:**
  - 1. The proposed density and resultant site areas of the proposed dwellings fail to satisfy that sought for detached and residential flat dwellings in the Northern Policy Area 13 and is at variance to Policy Area Principle 3.**
  - 2. The site coverage of Dwellings 2 and 3 substantially exceed that sought in the Northern Policy Area 13 and therefore fail Policy Area Principle 4.**
  - 3. The front setback of Dwelling 1 is located substantially forward of adjacent dwellings and fails to satisfy Design and Appearance Principles 21 and 22.**
  - 4. Due to the number of proposed driveways, the proposal results in one on-street parking space, failing to satisfy Land Division Principle 22, which seeks for two on-street parking spaces.**



**DAP180117**

**2.6 Reference No: DAP180117 – 2.6**  
**Application No: 100/2016/842**  
**Site Location: 87 Bells Road, 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;**
- (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 pursuant to section 33(1)(d) of the Development Act 1993 is hereby granted to Development Application No: 100/842/2016 (issued with Development Assessment Commission land division application number 100/D095/16) 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 87 Bells Road, Glengowrie, be REFUSED for the following reasons:**
  - 1. The proposed density and resultant site areas of the proposed dwellings fail to satisfy that sought for detached and residential flat dwellings in the Northern Policy Area 13 and is at variance to Policy Area Principle 3.**
  - 2. The site coverage of Dwellings 2 and 3 substantially exceed that sought in the Northern Policy Area 13 and therefore fail Policy Area Principle 4.**
  - 3. The rear setback of Dwellings 2 and 3 fail to satisfy Residential Zone Principle 6, and do not provide adequate separation to the rear boundary.**
  - 4. Due to the number of proposed driveways, the proposal results in one on-street parking space, failing to satisfy Land Division Principle 22, which seeks for two on-street parking spaces.**



**3. OTHER BUSINESS**

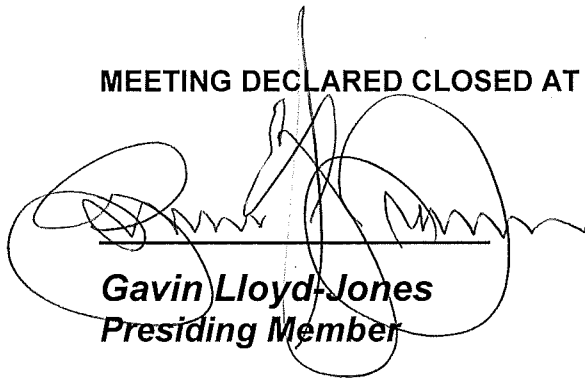
- 3.1 Appeals update
- 3.2 Policy Observations

**4. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 18 January 2017 taken as read and confirmed this eighteenth day of January 2017

**5. CLOSURE**

**MEETING DECLARED CLOSED AT 7.33PM**



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

18/1/17.