

**MINUTES OF THE CITY OF MARION
DEVELOPMENT ASSESSMENT PANEL HELD AT THE
ADMINISTRATION CENTRE 245 STURT ROAD STURT
ON
WEDNESDAY 19 JULY 2017**

1.1 PRESENT

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

1.2 APOLOGIES

Nil

1.3 IN ATTENDANCE

Alex Wright – Acting Team Leader – Planning (DAP Executive Officer)
Nicholas Timotheou - Development Officer- Planning

1.4 COMMENCEMENT

The Meeting commenced at 6.30pm



DAP190717**2. HEARING OF APPLICATIONS**

**2.1 Reference No: DAP190717 – 2.1
Application No: 100/461/2016
Site Location: 540-542 Cross Road South Plympton**

- Ms Lisa Taglienti (Representor) addressed the Panel
- Andrew Cronin of Aero Plan SA on behalf of Andrash Pty Ltd (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: 100/461/2016 to vary Development Application 100/1870/2012 comprising changes to the daily hours of operation from 5am - 11pm to 5am-12.30am (condition 2), the rebranding of existing pylon and fascia signage (condition 1) and the inclusion of new painted fence signage at 540-542 Cross Road, South Plympton be GRANTED subject to the following conditions:**

CONDITIONS

- 1. The development shall proceed in accordance with the amended site and elevation plans prepared by Angelyn Building Designers stamped and dated 19 May 2016 submitted with and forming part of variation application 100/2016/461; and plans prepared by Angelyn Building Designers stamped and received 3 June 2013, the Traffic Report prepared by Frank Siow and Associates stamped dated received 3 June 2013, the Statement of Effect prepared by Andrew Cronin stamped dated received 7 May 2013 and the site works and stormwater drainage plan prepared by Structural Systems – Consulting Engineers stamped dated received 20 June 2013 all submitted with and forming part of Development Application No. 100/2012/1870, except where varied by the following conditions of consent and variation application 100/2016/461.**
- 2. The access lane adjacent the western side of the canopy and the two car parking spaces closest to the western boundary shall be made inaccessible to patrons between the hours of 10pm to close of business, 7 days a week.**
- 3. The hours of operation of the premises shall be restricted to the following times:**



DAP190717

- 5.00am –12.30am the following day, 7 days a week;
4. All deliveries to and from the site (including waste collection and fuel truck deliveries) shall be restricted to the following times:
 - 7:00am - 7:00pm 7 days a week;
 5. The largest vehicle permitted on site shall be a 11 metre rigid truck.
 6. Bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 “Manual of uniform traffic control devices Part 9: Bicycle facilities” and available prior to the use of the building. Amended plans, detailing the above, shall be provided to Council for consideration and approval, prior to Development Approval being issued.
 7. Car parks 9 and 10 shall be available for the exclusive use of staff at all times and shall be sign-posted to indicate such.
 8. All signs associated with the site shall not contain any element that flashes, scrolls, moves or changes.
 9. A stormwater drainage and management plan reasonably satisfactory to the Council shall be prepared by a suitably qualified engineer or building designer. Such plan must demonstrate that the rate of stormwater run-off from the site complies with Natural Resources Principle 29(a), and must include detention tanks of sufficient capacity to comply with the said Principle.
 10. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
 11. 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.
 12. Prior to discharge to the street watertable, via the galvanised steel section, the two sumps shall be specified as a ‘wet sump’. Amended plans, detailing the above, shall be provided to Council for consideration and approval, prior to Development Approval being issued.
 13. 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.
 14. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees,



DAP190717

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

15. 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.
16. 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).
17. 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.
18. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
19. All industrial and commercial vehicles visiting the site shall enter and exit the land in a forward direction.
20. 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.
21. 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.
22. 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.
23. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
24. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
25. 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.
26. Directional signs indicating the location of car parking spaces must be provided on the subject land and maintained in a clear and legible condition at all times.
27. 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.



DAP190717

28. At no time shall any goods, materials or waste be stored in designated car parking areas, driveways, manoeuvring spaces or landscaping.
29. All external lighting of the site, including car parking areas and buildings, 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.
30. 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.
31. 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 the Council, and be turned off outside the hours of operation.
32. The proposed free-standing pylon sign shall be constructed wholly on the subject site and no part shall extend beyond the property boundaries.

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. 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.



DAP190717

5. **Portable fire extinguishers (PFEs) should be installed to provide protection to all areas within the building (other than bedrooms and non occupied/concealed spaces) in accordance with sections 1, 2, 3 and 4 of Australian Standard 2444-2001 and Clause E1.6 of the Building Code of Australia 2004 Volume One. All PFEs should be located in a conspicuous and readily accessible position and, where practical, be along normal paths of travel and near exits. PFEs should be selected, sized, and of a type suitable to the hazard present in the area to be protected and, in particular:**
 - for class F fire risks, in areas involving cooking oils and fats in kitchens
 - for class B fire risks, in areas where flammable liquids in excess of 50 litres are stored or used
 - for class A fire risks, in areas where fire hose reels are not installed
 - for class E fire risks, in areas where a nurse's station or the like is provided.

6. **Council requires at least one business days notice of the following stages of building work:-**
 - prior to the placement of any concrete for footings or other structural purposes (Note - Where an engineer carries out an inspection, Council will also require a copy of the inspection certificate); and
 - at the completion of wall and roof frames prior to the fixing of any internal linings.

7. **On completion of building work, Certificates of Installation of Essential Safety Provisions in accordance with Form 2 of Schedule 16 of the Development Regulations 2008, must be submitted to the Council.**



DAP190717

**2.2 Reference No: DAP190717 – 2.2
Application No: 100/1448/2016
Site Location: 1 Joseph Street, Marion**

- 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: 100/1448/2016 for two single storey dwellings and associated garages at 1 Joseph Street, Marion 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. 100/1448/2016, except when varied by the following conditions of consent.**
- 2. 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.**
- 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 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.**



DAP190717

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. 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.



DAP190717

**2.3 Reference No: DAP190717 – 2.3
Application No: 100/468/2017
Site Location: 87 Lascelles Avenue, Warradale**

- Mrs Miyeon Lee (Representor) addressed the Panel
- Mr Gregg Jenkins of Haynen Planning Consultants, on behalf of the 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: 100/2016/468 (DAC Reference:100/C218/16) for a two storey detached dwelling and a residential flat building comprising two dwellings to the rear with associated car parking and landscaping at 87 Lascelles Avenue, Warradale be GRANTED subject to the following conditions:**

CONDITIONS

- 1. The development shall proceed in accordance with the amended plans and details prepared by Alexander Brown Architects stamped and dated 19 April 2017 and 'Site Works and Drainage Plan' prepared by PG Structures stamped and dated 4 June 2017 submitted with and forming part of Development Application No. 100/2017/468; and plans and details prepared by Alexander Brown Architects stamped and dated 14 December 2016 submitted with and forming part of Development Application No. 100/2016/1787 except when varied by the following conditions of consent.**
- 2. 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.**
- 3. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of Council.**
- 4. 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).**



DAP190717

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 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.
7. 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).
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 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.

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. 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, stobie poles, SEP's, pram ramps etc.
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.



DAP190717

**2.4 Reference No: DAP190717 – 2.4
Application No: 100/1354/2016
Site Location: 3 Winton 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 for Development Application No: 100/1354/2016 for a two-storey detached dwelling and a single-storey residential flat building comprising two dwellings at 3 Winton 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. 100/1354/2016, except when varied by the following conditions of consent.**
- 2. Common mail box facilities shall be provided at the front property boundary of the subject land. An amended site plan illustrating the mail facilities shall be submitted to Council for consideration and approval prior to Development Approval being issued.**
- 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 street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.**
- 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.**

DAP190717

6. 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.
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.

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.



DAP190717

**2.5 Reference No: DAP190717 – 2.5
Application No: 100/867/2017
Site Location: 37-41 Travers Street, Sturt**

- 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 Development Approval for Development Application No: 100/867/2017 to remove a Regulated Tree (Lemon Scented Gum), situated within the Travers Street Reserve at 37-41 Travers Street, Sturt be REFUSED for the following reasons:**

REASONS FOR REFUSAL

- 1. The tree is considered to provide an important aesthetic benefit and removal of the tree is at variance to Regulated Trees: Objective 1.**
- 2. The subject tree is not diseased, does not have a short life expectancy, does not represent a material risk to public or private safety, is not causing damage to a building and its retention does not prevent development that is reasonable and expected. As such, the proposal fails to satisfy Regulated Trees: Principle 2(a), 2(b), 2(c) and 2(d).**



DAP190717

**2.6 Reference No: DAP190717 – 2.6
Application No: 100/1192/2015
Site Location: 31 Masters Avenue, Marion**

- 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: 100/1192/2015 for a freestanding carport forward of the dwelling at 31 Masters Avenue, Marion be REFUSED for the following reasons:**

REASONS FOR REFUSAL

- 1. The proposal fails to achieve a setback of 8 metres and is not considered to be ancillary to the existing dwelling, thereby failing to accord with Residential Zone Principles of Development Control 5 and 8.**
- 2. The carport does not have a roof form and pitch, building materials and detailing that complement the associated dwelling, thereby failing to accord with Residential Development Principle of Development Control 8.**
- 3. The proposed carport is not of a standard and appearance that responds to and reinforces positive aspects of the local environment and built form. The setback of the proposed carport is not consistent with, or compatible to the setback of the majority of dwellings and buildings in the street and is considered have a detrimental impact on the appearance and character of the locality, thereby failing to accord with Design and Appearance Objective 1.**

DAP190717

2.7 Reference No: DAP190717 – 2.7
Application No: 100/1700/2016
Site Location: 31 Travers Street Sturt

- 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: 100/1700/2016 for a single storey dwelling and garage at 31 Travers Street, Sturt be GRANTED subject to the following conditions:

CONDITIONS

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/1700/2016, 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. 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.



DAP190717

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.



DAP190717

2.8 Reference No: DAP190717 – 2.8
Application No: 100/2004/2016
DAC Number: 100/C248/16
Site Location: 67 Lascelles 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;
- (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 REFUSED to Development Application No: 100/2004/2016 (issued with Development Assessment Commission land division application number 100/C248/16) 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 67 Lascelles Avenue, Warradale, for the following Reasons:

REASONS FOR REFUSAL

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. 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.
4. The dimensions of POS of Dwellings 2 and 3 does not meet the minimum required, thereby failing to accord with Residential Zone Principle 7.
5. The proposed site coverage does not provide a minimum pervious area of 20%, thereby failing to accord with Residential Development Principle 15.



DAP190717

6. The proposed front setback of Dwelling 1 is not the average of the two adjoining dwellings and is not considered to be similar to, or compatible with the setbacks of buildings on adjoining land and therefore will not contribute positively to the desired character of the locality. The proposal fails to accord with Design and Appearance Principle 21.
7. The dwellings have not been sited and designed so that open spaces associated with the main activity areas face north for exposure to winter sun, thereby failing to accord with Energy Efficiency Principle 2(b).
8. The proposed bulk and scale of Dwelling 1 adversely impacts on the amenity of adjacent land and does not promote a cohesive streetscape, thereby failing to accord with Northern Policy Area 13 Principle 2.



DAP190717

2.9 Reference No: DAP190717 – 2.9
Deferred DAP070617 – 2.12
Application No: 100/368/2016
Site Location: 24 Wattle Terrace, Plympton 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 for Development Application No: 100/368/2016 for a carport addition to an existing habitable outbuilding at 24 Wattle Terrace, Plympton 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. 100/368/2016, 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 onto land of adjoining owners, lie against any building or create insanitary conditions.
4. The external appearance, materials and finishes of the new structure/building shall match or complement those of the existing building, to the reasonable satisfaction of the Council.
5. The carport structure shall not be enclosed on any side with any solid material, roller door, or the like at any time unless the further development approval of the Council is obtained.



DAP190717

3. OTHER BUSINESS

8:00pm Pursuant to Section 56A(12)(ix) of the Development Act, 1993, the Panel resolve to exclude the public from attendance for the deliberation of Items 3.1 & 3.2.

8.01pm Councillor Byram declared a conflict of interest with Item 3.1, and subsequently left the room.

**3.1 CONFIDENTIAL ITEM
DAP190717 – 3.1**

- (a) The Panel note this report:
- (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 for the following reasons:

REASONS FOR REFUSAL

- 1. The proposed density and resultant site areas of the proposed dwellings fail to satisfy that sought for residential flat dwellings in the Northern Policy Area 13 and is at variance to Policy Area Principle 3.
- 2. The proposal fails to provide adequate width within the driveway to enable the passing of Vehicles, failing to satisfy Residential Development Principle 1(c) and 41 and Transport and Access Principle 44(a).
- 3. The proposal fails to provide landscaping of adequate width, at variance to Residential Development Principles 1(b) and 41 and Landscaping, Fences and Walls Principles 1(b) and 1(e).



DAP190717

8:10pm Janet Byram re-entered the room.

3.2 CONFIDENTIAL ITEM
DAP190717 – 3.3

- (a) The Panel note this report, have considered all relevant planning matters and concurs with the findings and reasons for the recommendation;
- (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 supports the comprise proposal submitted by Grant E Walter for Development Application No: 100/2222/2016 and DAC reference number 100/D276/16 at 1 Eton Avenue, Warradale, and recommends the following conditions:

CONDITIONS

Development Plan Consent

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2016/2222, being drawings prepared by Wise Drafting Pty Ltd dated 21/06/2017, except when varied by the following conditions of consent.
2. An amended 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, stormwater disposal details, and the location of all existing street infrastructure and street trees.
3. 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.
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. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the



DAP190717

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

6. The portion of the upper floor windows (except the west-facing windows presenting to the street) less than 1.7m 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.
7. 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.
8. 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.
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. Party/common walls 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.
12. 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.
13. 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 Consent

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

The alteration of internal drains to the satisfaction of SA Water is required.



DAP190717

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.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

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. The applicant shall provide payment of \$700 + GST for removal and replacement of the existing street tree. Payment can be made by credit card by contacting Development Services Administration on 8375 6685 and quoting Development Application Number 100/2016/2222.
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. 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.).
6. Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be



DAP190717

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.

A handwritten signature or set of initials, possibly 'DA', enclosed within a large, loopy circular scribble.

DAP190717

8:14pm Pursuant to Section 56A(12)(ix) of the Development Act, 1993, the Panel resolve to re-open the meeting to the public.

3.3 INFORMATION ONLY ITEM

946-952 Marion Road, Sturt

To attach a 12.58m wide by 3.36m high LED sign to the southern facade of the Marion Road Bridge under the Southern Expressway adjacent 946-952 Marion Road, Sturt

3.4 Appeals update

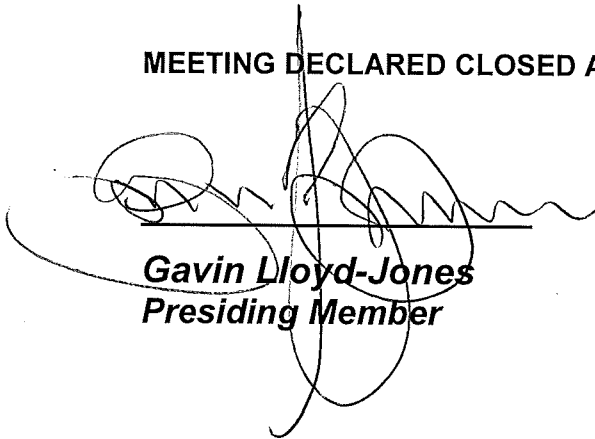
3.5 Policy Observations

4. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 19 July 2017 taken as read and confirmed this nineteenth day 2017.

5. CLOSURE

MEETING DECLARED CLOSED AT 8.23PM



Gavin Lloyd-Jones
Presiding Member

19/7/17.