



Development Assessment Commission

**Minutes of the 501st Meeting of the
Development Assessment Commission
held on Thursday, 26 June 2014 commencing at 9.00AM
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

1. OPENING

1.1. PRESENT

Presiding Member	Ted Byrt
Deputy Presiding Member	Megan Leydon
Members	Damien Brown Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford
Secretary	Sara Zuidland
A/Principal Planner	Robert Kleeman
DPTI Staff	Nitsan Taylor (Agenda Item 3.1) Laura Kerber (Agenda Item 3.2) Lee Webb (Agenda Item 3.3) Simon Neldner (Agenda Item 3.4) Damian Dawson (Agenda Item 3.5)

1.2. APOLOGIES – Nil.

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

- 3.1. Eldercare**
DA 100/2135/12
**80-86 Oaklands Road, Glengowrie and 112-114 Diagonal Road,
Glengowrie**
Marion Council (Residential Zone, Northern Policy Area 13)
Holdfast Bay Council (Residential Zone)

Damien Brown declared a conflict of interest and left the room for the hearing of the item. Andrew Ford was not present for the hearing of this item.

The Presiding Member welcomed the following people to address the Commission:

Applicant(s)

- Richard Dwyer – Ekistics
- Jane Pickering – CE Eldercare
- Kent Smith – Facilities Project Manager, Eldercare
- Necia Mickel – Walter Brooke

Representor

- Wendy Hillman
- Keith and Lorraine Harvey
- Matthew Foster

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE to GRANT Development Plan consent to Development Application 100/2135/12 by Eldercare Incorporated for the expansion of an existing Nursing Home and associated site works at 86 Oaklands Road, Glengowrie and 112-114 Diagonal Road, Somerton Park, subject to the following conditions:

Planning Conditions:

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in development application number 100/2135/12.

Plans – prepared by Walter Brooke Architects

Council Boundary, Dwg No. DA00 Rev B, 07/04/14

Site Plan, Dwg No. DA01 Rev E, 03/06/14

Ground Floor Plan, Dwg No. DA02 Rev E, 03/06/14

Ground Floor Plan, Dwg No. part DA02 Rev E, 03/06/14

First Floor Plan, Dwg No. DA03 Rev C, 07/04/14

Overlooking Diagrams, Dwg No. part DA03 Rev E, 29/05/14

Roof Plan, Dwg No. DA04 Rev C, 07/04/14

Elevations, Dwg No. DA05 Rev C, 07/04/14

Site Sections, Dwg No. DA07 Rev C, 07/04/14

Overlooking Diagrams, Dwg No. part DA07 Rev D, 29/05/14

Landscape Plan, Dwg No. DA08 Rev D, 03/06/14

Shadow Diagrams, Dwg No. DA09 Rev C, 07/04/14

Materials Board, Dwg No. DA11 Rev C, 07/04/14

Accompanying Reports

Connor Holmes, Planning Statement V2, 08/04/14

MFY, Traffic and Parking Report, Ref. 14-0046, April 2014

Coombe Pearson Reynolds Consulting Engineers, Stormwater Management Plan, ref. 110667, February 2013

TreeVision, Pre-Development Arboricultural Report and Impact Assessment, 30/05/13

Resonate Acoustics, Acoustic Assessment, Ref A13028RP1 Rev B, 14/03/13

2. That all car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and

appropriately line marked to the reasonable satisfaction of the Development Assessment Commission prior to the occupation or use of the development.

3. That a 'No Exit' sign shall be erected in advance of the crossover to York Street from the Diagonal Road car park area and a 'No Entry' sign shall be erected in advance of the Diagonal Road crossover to alert motorists to the flow of traffic.
4. That signage stating 'No Smoking Beyond This Point' shall be provided at the entrance to the new car park areas.
5. That the applicant shall consult the adjoining residences of 3 and 5 Wendover Walk regarding the preferred colour of the render on their side of the masonry common property boundary wall.
6. That the applicant shall submit a detailed landscaping plan for approval by the Development Assessment Commission prior to the commencement of site works. The landscaping shown on that approved plan shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
7. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
8. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
9. That no stormwater from this development shall be permitted to discharge on-surface to Oaklands Road or Diagonal Road. In addition, any existing drainage of the road shall be accommodated by the development and any alterations to road drainage infrastructure as a result of this development are to be at the expense of the applicant.
10. That prior to Development Approval being issued, the following shall be provided to Marion Council for consideration and approval:
 - a. A detailed Site Drainage Plan that locates and specifies drainage facilities (including north-east car park); and
 - b. Drainage calculations that support detention volumes nominated.
11. That an appropriate Construction Environment Management Plan (CEMP) which addresses the mitigation or minimisation of impacts (especially from noise and dust) during the construction phase shall be prepared and implemented. Dust generated by machinery and vehicular movement during site works, and any open stockpiling of soil or building materials at the site, must be suppressed to ensure that dust generation does not become a nuisance off-site. Site development machinery should generally not be operated outside the hours of 7 AM to 6 PM daily.
12. That an appropriate *Soil Erosion and Drainage Management Plan* (SEDMP) (as described in the "Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government") shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.

13. That all Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.
14. That all obsolete crossovers shall be reinstated to Council standard kerb and gutter at the applicant's cost.
15. That the plant and equipment associated with the development herein approved shall be designed and constructed to comply with the noise targets listed in the *Environment Protection (Noise) Policy*, Part 5-Development authorisation applications, Clause 20 Development authorisation applications.

Advisory Notes:

1. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
2. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
3. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
4. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
5. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow.
6. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
7. The Metropolitan Adelaide Road Widening Plan (MARWP) shows that a strip of land up to 4.5 metres in width may be required from both the Diagonal Road and Oaklands Road frontages of this site for the possible future upgrading of the Diagonal Road / Oaklands Road intersection, together with an additional 4.5 metres x 4.5 metres cut-offs at the Diagonal Road / York Street and Oaklands Road / Chalfont Way corners. The consent of the Commissioner of Highways is required for all new building works located on or within 6.0 metres of the possible requirement.

The applicant should complete the attached consent form and forward it to DPTI, along with three copies of the stamped plans, for approval of the building works within the MARWP requirement and consent area. Consent can be anticipated.

8. DPTI Transport Services Division has advised that no additional access points direct to/from Diagonal Road or Oaklands Road to serve the development shall be permitted.
9. The *Environment Protection (Water Quality) Policy 2003* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to avoid the discharge or deposit of waste from that activity or land into any waters or onto land in a place from which it is likely to enter any waters (including the stormwater system).

The policy also creates offences that can result in on-the spot fines or legal proceedings. The following information is provided to assist with compliance with this legislation:

- i. Building and construction must follow sediment control principles outlined in the "Stormwater Pollution Prevention – Code of Practice for the Building and Construction Industry (EPA, 1999). Specifically, the applicant must ensure:

During construction no sediment should leave the building and construction site. Appropriate exclusion devices must be installed at entry points to stormwater systems and waterways.

A stabilised entry/exit point should be constructed to minimise the tracking of sand, soil and clay off site. However, should tracking occur, regular clean-ups are advised.

- ii. Litter from construction sites is an environmental concern. All efforts should be made to keep all litter on site. The applicant should ensure that bins with securely fitted lids, capable of receiving all waste from building and construction activities, are placed on site.
- iii. All building and construction wastewaters are listed pollutants under the *Environment Protection (Water Quality) Policy 2003* and as such must be contained on site.

It is important that the applicant familiarise themselves with the terms of the Policy and ensure that all contractors engaged by the applicant are aware of the obligations arising under it. For further information the applicant may contact the Environment Protection Authority on telephone (08) 8204 2004.

3.2. **Gilles Plains Shopping Centre**

DA 040/2485/13

575 North East Road, Gilles Plains (various parcels of land)

Port Adelaide Enfield Council (District Centre Zone, Policy Area 6)

Andrew Ford was not present for the hearing of this item.

The Presiding Member welcomed the following people to address the Commission:

Applicant(s)

- Chris Vounasis - Connor Holmes
- John Blunt - Makris Group
- Paul Froggat - GTA Consultants
- Simon Moore - AECOM Australia Pty Ltd

Council

- Tim Hicks - Senior Planning Officer

Representor

- Sue Manifold

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.

2. RESOLVE to GRANT PLANNING CONSENT to Development Application 040/0245/13 for the staged expansion of the Gilles Plains Shopping Centre comprising part demolition of existing shopping centre; part refurbishment of existing shopping centre; construction of addition to shopping centre; ancillary car parking; reconfiguration of existing and construction of new vehicle crossovers; and associated landscaping and site works, subject to the following reserved matters, conditions and advisory notes:

Reserved Matter:

1. That pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
 - 1.1 An updated Traffic Impact Assessment, focussing on AIMSUN modelling of the shopping centre precinct that identifies any negative impacts on the surrounding road network post development and appropriate treatments to mitigate those impacts. This work needs to be completed in consultation with the Transport Services Division, Department of Planning, Transport and Infrastructure (DPTI).

Reason: to ensure that the development provides safe and efficient movement for all motorised transport modes and does not negatively impact on the existing road network, particularly the Sudholz Road/Blacks Road and Sudholz Road/North East Road intersections.

Reserved Matter:

2. That pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
 - 2.1 A set of amended plans that include a left turn deceleration lane at the Sudholz Road shopping centre access, developed in consultation with the Transport Services Division, Department of Planning, Transport and Infrastructure (DPTI).

Reason: to cater for the expected increase in left turning traffic generated by the proposed development. A deceleration lane will minimise the impact to the free flow of southeast bound traffic on Sudholz Road and to improve the safety of the left turn movement.

Planning Conditions

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 040/02485.

Name	Drawing or document details or number
<u>REPORTS</u> Gilles Plains District Centre DA – Planning Report Gilles Plains Shopping Centre – ESD Report Gilles Plains Shopping Centre Proposed Expansion – Transport Impact Assessment Gilles Plains Shopping Centre Development – Development Application – Acoustic and External	Connor Holmes Property Services, November 2013 Hames Sharley, October 2013 GTA Consultants, 6 November 2013 AECOM, 24 March 2014

<u>PLANS</u>	
Google Site Photo – Existing	Drawing No DA001, Revision 1, Makris Group & Hames Sharley, 11/10/2013
Site Plan Existing	Drawing No DA002, Revision 1, Makris Group & Hames Sharley, 11/10/2013
Existing Centre Building Works and Staging	Drawing No DA002, Revision 1, Makris Group & Hames Sharley, 11/10/2013
Proposed Ground Floor	Drawing No DA004, Revision 2, Makris Group & Hames Sharley, 27/03/2014
Proposed Roof Plan	Drawing No DA005, Revision 1, Makris Group & Hames Sharley, 11/10/2013
Movement Maps	Drawing No DA006, Revision 2, Makris Group & Hames Sharley, 27/03/2014
Landscape Plan	Drawing No DA007, Revision 1, Makris Group & Hames Sharley, 11/10/2013
External Elevations – Woolworths	Drawing No DA008, Revision 1, Makris Group & Hames Sharley, 11/10/2013
External Elevations – Existing Tenancies	Drawing No DA009, Revision 1, Makris Group & Hames Sharley, 11/10/2013
Perspective Render – Entry	Drawing No DA010, Revision 1, Makris Group & Hames Sharley, 11/10/2013
Cut and Fill Detail	Ginos Engineers Pty Lts, Drawing No 25860 C4, November 2013

2. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
3. That the air conditioning units and other mechanical plant shall be screened such that no nuisance or loss of amenity is caused to residents and users of properties in the locality.
4. Noise emissions from all loading docks, service areas and mechanical plant shall be within the recommended *Environment Protection (Noise) Policy 2007* criteria.
5. That the automated gates for the loading and service areas remain closed other than when vehicles are entering or exiting the loading area.
6. That all earthworks shall be restricted to only those which are shown on the approved plan as required for building and/or access purposes.
7. That an appropriate Construction Environment Management Plan (CEMP) which addresses the mitigation or minimisation of impacts (especially from noise and dust) during the construction phase shall be prepared and implemented. Dust generated by machinery and vehicular movement during site works, and any open stockpiling of soil or building materials at the site, must be suppressed to ensure that dust generation does not become a nuisance off-site. Site development machinery should generally not be operated outside the hours of 7 AM to 6 PM daily.
8. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to

Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

9. That the upgrade required to Sudholz Road, including a left turn deceleration lane, will be undertaken to the standards of the Transport Services Division, DPTI, and at the Applicant's expense.
10. That the landscaping shown on the plans forming part of the application shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
11. That the trees to be planted along the acoustic barrier on Lynton Avenue be entirely evergreen species.
12. Subject to condition 13, all deliveries to the shopping centre shall occur only between the hours of 7.00am - 10.00pm.
13. There shall be no more than one delivery to the ALDI store per day during the hours of 10.00pm - 7.00am.

Transport Services Division Conditions

14. All vehicles shall enter and exit the site in a forward direction.
15. All on site carparking shall be consistent with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
16. All on site commercial vehicle manoeuvring areas shall be consistent with AS/NZS 2890.2:2002.
17. Signage associated with the development shall not contain any element of LED or LCD display that is viewable from the abutting roads.
18. Internally illuminated signage associated with the development shall be limited to a low level of illumination so as to minimise distraction to motorists.
19. Signage associated with the development shall not contain any element that flashes, scrolls, moves or changes.
20. Signage associated with the development shall be finished in a material of low reflectivity to minimise the risk of sun/headlamp glare.
21. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
22. No stormwater from this development shall be permitted to discharge on-surface to the abutting roads. In addition, any existing drainage of the roads is to be accommodated in the development and any alterations to road drainage infrastructure as a result of this development are to be at the expense of the applicant.

Council Conditions

23. That stormwater management and site works plans be prepared to the satisfaction of Council's Director, Technical Services, prior to the commencement of site works.

24. That safe crossings for vision impaired pedestrians be provided to relevant Australian Standards in consultation with Council's Director, Technical Services, prior to the commencement of site works.
25. That operations associated with the loading and service areas on Lynton Avenue are undertaken in accordance with the limitations outlined in the AECOM acoustic and external lighting report. Each delivery to ALDI between 10:00pm and 7:00am must adhere to the following requirements:
 - a. Delivery vehicles to turn off tonal reversing alarms and utilise broadband reversing alarms (not tonal) in vicinity of the loading dock.
 - b. Delivery vehicles to turn off refrigeration plant whilst in vicinity of the loading dock.
 - c. Forklifts or any other mechanical equipment shall not be used.

Advisory Notes

- a. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
- c. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- e. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow.
- f. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- g. The *Environment Protection (Water Quality) Policy 2003* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to avoid the discharge or deposit of waste from that activity or land into any waters or onto land in a place from which it is likely to enter any waters (including the stormwater system).

The policy also creates offences that can result in on-the spot fines or legal proceedings. The following information is provided to assist with compliance with this legislation:

- i. Building and construction must follow sediment control principles outlined in the "Stormwater Pollution Prevention – Code of Practice for the Building and Construction Industry (EPA, 1999). Specifically, the applicant must ensure:

During construction no sediment should leave the building and construction site. Appropriate exclusion devices must be installed at entry points to stormwater systems and waterways.

A stabilised entry/exit point should be constructed to minimise the tracking of sand, soil and clay off site. However, should tracking occur, regular clean-ups are advised.

- ii. Litter from construction sites is an environmental concern. All efforts should be made to keep all litter on site. The applicant should ensure that bins with securely fitted lids, capable of receiving all waste from building and construction activities, are placed on site.
- iii. All building and construction wastewaters are listed pollutants under the *Environment Protection (Water Quality) Policy 2003* and as such must be contained on site.

It is important that the applicant familiarise themselves with the terms of the Policy and ensure that all contractors engaged by the applicant are aware of the obligations arising under it. For further information the applicant may contact the Environment Protection Authority on telephone (08) 8204 2004.

- h. The Metropolitan Adelaide Road Widening Plan shows that a strip of land up to 4.5 metres in width may be required from the North East Road frontage and a portion of the Sudholz Road frontage of this site for the possible future upgrading of the North East Road / Sudholz Road intersection, together with a possible 4.5 x 4.5 metres cut-off from the North East Road / Lynton Avenue corner.

The consent of the Commissioner of Highways is required under the Metropolitan Adelaide Road Widening Plan Act for all new building works located on or within 6.0 metres of the possible requirements. It does not appear that any new structures are currently proposed within the possible requirements.

3.3. **District Council of Copper Coast**

DA 340/0244/13

Port Hughes, Yorke Peninsula

District Council of Copper Coast / Out of Councils (Urban Coastal Zone / Coastal Water Zone)

The Presiding Member welcomed the following people to address the Commission:

Applicant(s)

- Paul Thomas – Mayor
- Peter Harder – CEO
- Müller Mentz – Director, Development Services

Representor

- Beverley Schultz (with Barry Schultz)
- Roger Cavanagh
- Robyn Sambell
- Ruth Trigg

The Commission discussed the application.

RESOLVED

RESOLVE to DEFER for further consideration.

3.4. **Lincoln Gap Windfarm Pty Ltd**
DA 010/0011/06 V1
Eyre Highway, Lincoln Gap
Out of Councils (Pastoral Zone)

The Presiding Member welcomed the following people to address the Commission:

Applicant(s)

- Shane Darcy
- Dr Paul Stangroom
- Colin Paterson

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That subject to supportive Environment Protection Authority advice, the final decision to grant Development Plan Consent to Development Application 010/0011/06 V1 by Lincoln Gap Windfarm Pty Ltd, for a variation comprising an increase in turbine height from 124m to 150m, an increase in the power generation of each turbine from 2.0MW up to 3.3MW, alterations to the approved turbine locations (and to enable a micro-siting allowance of 100m) with no more than 59 turbines to be constructed; and the installation of two (2) additional 80m high meteorological and wind monitoring masts on the site; be delegated to the Principal Planner - DAC, subject to the following reserved matters, conditions and advisory notes (except where otherwise advised by the EPA):

Reserved Matters

1. Pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
 - a. the final design, specification, layout and placement of all wind turbines, wind monitoring masts, underground cables, internal access roads and ancillary infrastructure;
 - b. the final design, specification, layout and placement of any temporary construction, substation or control compound - including all buildings, infrastructure, fencing, landscaping, earthworks, and proposed access points to the arterial road network.

Note: The above details must be informed by a comprehensive flora and fauna study to enable the final layout and siting of wind farm infrastructure to ensure environmental impacts are minimised and enable appropriate off-set and rehabilitation requirements to be considered and implemented in accordance with state legislation and Planning Conditions 6, 7 & 8.

Planning Conditions:

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in Development Application No 010/0011/06 V1 including:

Amended Plans & Documentation

- Met Mast Locations Drawing LGWF_MASTS dated 20 December 2013
- Turbine Layout 1 of 3 Drawing WAD110846 C01 Rev B dated 5 March 2014
- Turbine Layout 2 of 3 Drawing WAD110846 C02 Rev A dated 13 December 2013
- Turbine Layout 3 of 3 Drawing WAD110846 C03 Rev A dated 13 December 2013
- Photo Montage Index Map Project 13-005 dated 4 December 2013
- View Points 1-6 Project 13-005 dated 4 December 2013
- Lincoln Gap - Wind Turbine Noise Contours dated June 2013
- Platform Crane Eco 122 Tower 89m Drawing 12000101
- Mast Layout Project Drawing DRW130156-2 Rev 2
- Mast Section Elevation Job No 130156-2 Issue P1
- Mast Assembly Layout and Guy Anchor Footing Plan Job No 130156-2 Issue P1
- General Mast Layout and Footing Sections Job No 130156-2 Issue P1
- Lincoln Gap Windfarm - Schedule of Coordinates - Turbines and Met Masts
- Letter from Paul Stangroom (LGWF PL) to DAC dated 20 December 2013
- Alstom ECO 122 - General Description and Specification dated 2 February 2012

Supplementary Reports

- Obstacle Lighting Assessment prepared for Lincoln Gap Windfarm Pty Ltd - Aviation Projects - 12 May 2014
 - Aviation Impact Statement - Lincoln Gap Windfarm, South Australia - IDS Australasia DOC no. MA-001-FM4 - 9 May 2014
 - Lincoln Gap Windfarm – Desktop Study – Noise Assessment – Rp 001 R01 2014260AL prepared by Marshall Day Acoustics dated 24 June 2014
2. No wind turbine constructed on the subject land shall exceed a maximum height (from ground level to tip height) of 150 metres, with the maximum number of installed turbines being fifty-nine (59).
 3. The total installed generating capacity of the windfarm development shall not exceed 195 Megawatts (MW) and no individual turbine shall exceed 3.3 Megawatts (MW).
 4. That clearance of or damage to native vegetation on the site or adjacent public roads for access during construction shall be minimised.
 5. The wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities. This shall be confirmed by post-operational monitoring to be conducted by a qualified consultant within six months of wind farm commissioning. If post-operational monitoring confirms a diminution of or interruption to pre-development service levels, the implementation of any on or off-site mitigation measures for affected receivers shall be at the cost of the developer.
 6. A Rehabilitation Plan for the site, including options for environmental offsets and a management program (to be undertaken during the operational life of the project) and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Development Assessment Commission prior to commencement of construction. *Note: The Native Vegetation Council should be consulted in the preparation of this plan.*
 7. A Construction, Environmental Management and Monitoring Plan (CEMMP) for the construction and operational phases of the development shall be prepared and approved by the Development Assessment Commission prior to the commencement of construction and include (but not be limited to) the following elements:
 - Air quality and dust management
 - Flora and fauna management*

- Indigenous and non-indigenous heritage management
- Traffic and access
- Erosion and stormwater management
- Waste management
- Storage and handling of hazardous substances
- Weeds and pest management
- Water quality management
- Emergency and fire management
- Operational water usage
- Maintenance processes
- Emergency response planning

*This plan shall also include an on-going monitoring and mitigation protocol in respect to raptor and other bird species that may be impacted by the development.

8. Following the completion of construction works on-site, the tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.
9. Prior to the construction of the approved turbine layout, a cultural heritage survey shall be undertaken to ensure that no sites of indigenous heritage are damaged through the installation of the wind farm and associated infrastructure (including associated earthworks and road construction).
10. The final design positions of all turbines and meteorological monitoring masts (including location and height details) shall be provided to the Royal Australian Air Force Aeronautical Information Service (RAAAF AIS) prior to the commencement of construction. Following construction, an 'as constructed' report shall be completed and forwarded to the RAAF AIS (www.raafais.gov.au/obstr_form.htm).
11. All state-agency or utility maintained infrastructure (i.e. roads, kerbs, drains, crossovers, cabling, pipe work etc) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to state agency or utility specifications. All costs associated with these works shall be met by the developer.

EPA Conditions - Previous

12. That should any further variations to the assessed wind turbine layout or turbine model be made, a report must be prepared by a specialist noise consultant on behalf of the proponent and submitted to the Development Assessment Commission for approval prior to construction commencing.
13. That post-construction measurement of noise levels shall be carried out by a specialist noise consultant in accordance with EPA guidelines in place at that time. Confirmation of compliance with these guidelines shall be submitted to the planning authority within two months of the commissioning of the wind turbine installation. The report must also demonstrate compliance with the assessed sound power levels and confirm that tonality effects in accordance with IEC 61400-11 are not present.
14. That an erosion control plan must be prepared to the reasonable satisfaction of the Development Assessment Commission prior to construction commencing on the site, and must be implemented as one of the environmental management measures for the site.

15. That following construction of the wind farm and individual components thereof, all site work areas, including access roads not required for on-going maintenance, shall be rehabilitated including replanting with indigenous plant species or other suitable soil binding species and by nurturing plantings at all times to the reasonable satisfaction of the Development Assessment Commission.
16. That upon cessation of the use hereby approved, the owner/operator must remove the wind turbines and other above and below ground infrastructure from the subject land, and all pad areas and access roads shall be reinstated and the land restored to the reasonable satisfaction of the Development Assessment Commission.
17. That there shall be no on-site burial of waste materials.
18. That fuels, chemicals, lubricants and any other dangerous/hazardous materials likely to cause environmental harm must be contained on-site in an appropriately designed containment facility.

Transport – DPTI Conditions

19. All road works shall be designed and constructed to the satisfaction DPTI, with all associated costs to be borne by the applicant. Prior to undertaking the required road works, the applicant shall contact this DPTI's Northern & Western Region, Planning Unit Manager, Mr Bob Bemmerl on ph. (08) 8648 5234 or mobile 0417 815 703 (or email bob.bemmerl@sa.gov.au) to discuss permitted hours of disruption to traffic flows and technical requirements for works on or adjacent to a DPTI maintained road.
20. All necessary over dimensional permits shall be obtained for the construction phase of the project.

SA Country Fire Service Conditions

21. The proponent/wind farm operator must engage with relevant Managers/Officers at CFS Region offices, when designing, installing and operating the wind farm to ensure that CFS response processes are not compromised.
22. The following SA Country Fire Service (SACFS) requirements shall be incorporated into the design of the wind farm (and ancillary infrastructure) and shall be documented in the final CEMP and implemented during the on-going operation for the development:
 - (a) Access will be necessary for fire-fighting vehicles at all times, including during the assembly and erection phases. Access roads on the project site will be built to the following specifications:
 - Minimum width of 5 metres;
 - Shall be all weather construction and surfaces
 - Gradients shall not generally exceed 16° slope
 - Crossovers on any water course shall be constructed to support a minimum 15 tonne vehicle.
 - Curves shall have an inside radii of 9 metres minimum.
 - Dead end access roads shall have a 25 metre diameter all weather turnaround, or a "Y or T" shaped turnaround area with each leg being no less than 17 metres long.

- (b) Tower sites are to be cleared of all flammable vegetation for an area of 40 metres by 40 metres during the construction phase, and maintained post construction phase during subsequent/each Fire Danger Season, to the same dimensions of 40 metres by 40 metres. This will allow an appropriate turn around for vehicles at tower sites.
- (c) During any Fire Danger Season whilst the wind farm is being constructed, the following fire-fighting equipment *at a minimum* must be readily available at all times at each construction site, and mounted on an appropriate 4 x 4 vehicle:
- 2000 litres of firefighting water
 - One 5hp firefighting pump
 - 2 x 30 metre x 19mm fire hose reels with spray/jet nozzles
 - 4 x firefighting knapsacks
 - 4 x rakehoes
 - 4 x long handled shovels
 - 2 x 9 litre stored water pressurized extinguishers
 - 2 x 9kg dry powder extinguishers

This equipment shall then be maintained and replaced (as required) for the life of the project and available for deployment (at all times) during the Fire Danger Season.

- (e) During the construction phase and ongoing maintenance processes into the future, the local emergency services must be provided with:
- Tower identification mapping
 - Security gate numbers and key sets
 - Wind Farm Company all-hours emergency contact telephone numbers
- (f) All company staff that are likely to respond into the project area, must be provided *at a minimum* with the following equipment:
- Reliable radio or telephone (mobile) communications to enable contact from site to emergency services.
 - Crews receive bushfire and other emergency reporting training, and have available at all times a contact and procedures manual.
 - A working knowledge of and be compliant with SA Country Fire Service legislation (use of tools during the Fire Danger Season) and contacts for fire ban advice (CFS and local government).

Advisory Notes:

1. You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
2. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
3. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).

4. The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
5. Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>
6. Please refer to DA 010/0011/06 for the operative period of planning consent - including substantial commencement and project completion dates.
7. Development Approval will not be granted until all reserved matters are satisfied and a Building Rules Consent has been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
8. For the purposes of Conditions 12 and 13 a specialist noise consultant is taken to be one eligible for membership of both the Institution of Engineers Australia and the Australian Acoustical Society.
9. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
10. Prior to the commencement of construction, the developer is advised to:
 - Obtain a written determination from the operator of the Moomba to Port Bonython pipeline as to (a) whether the development has the potential to impact compliance of the pipeline with AS 2885 and (b) where there is potential impact on pipeline compliance, whether a Safety Management Study conducted in accordance with AS 2885 will be required.
 - Participating in a Safety Management Workshop if such a workshop is required
 - Reaching Agreement with the operator of the Moomba to Port Bonython pipeline to address any actions resulting from the Safety Management Study to ensure the pipeline continues to comply with AS 2885
 - Complying with the conditions of the relevant easement.
11. Prior to the commencement of construction, a temporary Notice to Airmen (NOTAM) will need to be issued to cover the construction of the windfarm. The Airservices Aeronautical Information Service (AIS) at docs.amend@airservicesaustralia.com must be advised of the location of turbines and height AHD data to enable all pilots to be warned. A permanent NOTAM will need to be issued on completion of the windfarm.
12. The applicant should liaise with relevant aviation authorities to ensure that the Lowest Safe Altitude for air route W501 be increased from 2400 ft AMSL to 2500 ft AMSL to allow for possible errors in ground elevation and physical survey errors. In addition, a note must be placed in the Port Augusta ERSA FAC entry indicating the proximity of the wind farm to the airfield.

13. If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the Aboriginal Heritage Act, 1988, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
 14. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
 15. The applicant is reminded of the requirement under the *Native Vegetation Act 1991* to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act.
 16. The applicant is reminded of the requirement under the *Environment Protection & Biodiversity Conservation Act 1999* to make a referral pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.
 17. The applicant should contact DPTI Vehicle Permits Team on telephone 1300 882 249 to identify the requirements for the oversize vehicle permits for the construction phase of the wind farm.
 18. The proponent should comply with the National Airports Safeguarding Framework Guideline D, "Managing the risk to aviation safety of wind turbine installations (wind farms)/wind monitoring towers". The guideline is published on the web at;
http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/index.aspx
 19. The proponent should provide details of the of the turbines, their locations and heights to the Department of Defence in accordance with the CASA Advisory Circular AC 139-08(0) published on the web at;
<http://www.casa.gov.au/scripts/nc.dll?WCMS:OLDASSET::svPath=/rules/1998casr/139/,svFileName=139c08.pdf>
 20. The proponent should provide details of the location, dimensions and height of the turbines to the Aerial Agricultural Association of Australia on the following details:

Mail: PO Box 353
MITCHELL ACT 2911
Phone: 02 6241 2100 or 02 6241 2500
Fax: 02 6241 2555
Email: admin@aerialag.com.au
 21. Further to the previous information provided in relation to Civil Aviation Safety Authority (CASA) notifications, due to the potential increase in height the proponent must notify CASA of the proposed height and location of the proposed wind farm turbines, where the turbines are more than 110m high. Additional requirements may be required by CASA.
3. RESOLVE that the operative date of planning consent for Development Application 010/0011/06 be extended until 31 December 2017, with substantial commencement (on the site) not later than 31 December 2015, with the project fully completed by 31 December 2017.

3.5. **George and Esme Savva**
DA 473/0320/13
17 Arkaba Road, Aldgate
Adelaide Hills Council (Public Purpose Zone)

The Commission discussed the application.

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE to CONCUR with the decision of the Adelaide Hills Council to GRANT Development Plan Consent.

4. **ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE**

5. **MAJOR DEVELOPMENTS** - Nil.

6. **ANY OTHER BUSINESS** – Nil.

7. **NEXT MEETING – TIME/DATE**

- 7.1. Thursday, 10 July 2014 in Conference Room 6.2, Level 6, 136 North Terrace, Adelaide SA

8. **CONFIRMATION OF THE MINUTES OF THE MEETING**

- 8.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

9. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 1.50 PM

Confirmed / /2014

.....
Ted Byrt
PRESIDING MEMBER