



Development Assessment Commission

Minutes of the 571st Meeting of the Development Assessment Commission held on Thursday, 23 February 2017 commencing at 9.30 AM 28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

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| Presiding Member | Simone Fogarty |
| Members | Helen Dyer (Deputy Presiding Member) Chris Branford Sue Crafter David O'Loughlin Peter Dungey Dennis Mutton |
| Secretary | Cathryn Longdon |
| DPTI Staff | Simon Neldner (Agenda Item 2.2.1) Brett Miller (Agenda Item 2.2.2) Malcolm Govett (Agenda Item 2.2.2) Yasmine Alliu (Agenda Item 3.2.1) Lauren Moore (Agenda Item 3.1.1) Jason Bailey (Agenda Item 3.1.1 and 3.2.1) |
| 1.2. | COUNCIL REPRESENTATIVES – Terry Mosel (Agenda Item 3.2.1), Colleen Dunn (Agenda Item 3.1.1) |
| 1.3. | APOLOGIES – Nil. |

2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS - Nil

2.2. NEW APPLICATIONS

2.2.1 Cedar Woods Properties Ltd

180/E022/16

226 Fullarton Road, Glenside

City of Burnside

Proposal: Demolition of all non-heritage buildings, site remediation works, construction of regional detention basin and the removal 55 regulated and 28 significant trees, construction of a sales office, signage and car park

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

Applicants(s)

- Mark Pivovarovoff (Presented)
- Greg Vincent (Presented)
- Patrick Archer (Presented)
- Elmar Schallliter
- Steve McLanney
- Michael Harvey

Agency

- Michael Queale

Representor(s)

- Ingrid Kellenbach (Representor)
- Mark Parnell (Presented)
- Barry Barber
- Iris Iwanicki
- David Nguyen

The Commission discussed the application.

RESOLVED

1. To DEFER the decision, for the applicant to further provide the following information:

- A more detailed rationale (i.e. site remediation, infrastructure, site levels etc.) for the proposed removal of significant and regulated trees and the location of all trees to be retained within and immediately adjacent to the development site.
- Clarification on the temporary signage details for the development – including proposed locations and specification.

2.2.2 Peregrine Corporation

850/E001/16

21 McRitchie Crescent, Whyalla Stuart

City of Whyalla

Proposal: Demolition of existing service station complex and construction of new service station complex with shop and drive-through facilities

Simone Fogarty declared a conflict of interest and left the meeting.

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

Applicants(s)

- Robert King (Presented)
- George Boumis

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Development Assessment Commission is satisfied that the proposal generally meets the key objectives and principles of the Whyalla Councils' Development Plan.
3. To delegate to staff to approve, subject to clarification of trailer hire on the site and in the event that trailer hire will be provided, plans that show a proposal, which still meets the required car parking for the control building and parking of hire trailers near the refuse compound and to the following conditions and notes:

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 following plans submitted in Development Application No 850/E001/16.

Prepared by ADS Architects:

- Proposed Development Site and Floor Plan, Reference Number 14/JN1194/sk01/e, Dated 7 February 2017;
- West Elevation, Reference Number 14/JN1194/sk02a, Dated 23 May 2016;
- South Elevation, East Elevation, North Elevation, Reference Number 14/JN1194/sk03a, Dated 23 May 2016;

Prepared by Oxigen:

- Landscape Plan, Reference Number 15.047.008, Draft A, Dated 1 August 2016.

Prepared by SAGERO:

- Stormwater Plan Notes, Legend and Schedule, Project Number SA150073, Drawing Number C01, Issue A, Dated 1 June 2016;
- Concrete Joints Plan and Notes, Project Number SA150073, Drawing Number C02, Issue A, Dated 1 June 2016;
- Concrete Joints Plan and Details, Project Number SA150073, Drawing Number C03, Issue A, Dated 1 June 2016.

Reports and Correspondence:

- Construction Environment Management Plan prepared by Fyfe, Report Number 80017-25, Dated 29 July 2016;
- Traffic Compliance Statement prepared by GHD, Project File 33-18137-12, Dated August 2016;
- Environment Noise Assessment prepared by Sonus, Project Number S4945, Dated 21 June 2016;
- Civil Stormwater Calculations prepared by Sagero Civil and Structural, Reference Number SA150073, Dated July 2015.

2. 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.

3. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant 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.
4. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Development Assessment Commission.
5. The exit route from the site onto McRitchie Crescent for the 19 metre long fuel trucks shall be constructed consistent with the engineering specifications and requirements of the Whyalla Council relating to road construction. All costs associated with these works shall be met by the proponent.
6. Only one access driveway shall be constructed along the Pine Street property boundary of the site in order to service the integrated service station complex.
7. A 2.1 metre high solid barrier shall be constructed along the property boundary of the site from the beginning of the drive through food facility to the outdoor seating area near the end of the drive through food facility as shown in Appendix B: Extent of Acoustic Treatment contained in the Environmental Noise Assessment report (S4928C1) prepared by Sonus and dated 21 June 2016. The solid barrier shall be constructed of Colorbond sheet metal and be sealed airtight at all junctions including with the ground.
8. A 1.8 metre high barrier shall be constructed around the outdoor seating area for the extent shown in Appendix B: Extent of Acoustic Treatment contained in the Environmental Noise Assessment report (S4928C1) prepared by Sonus and dated 21 June 2016. The solid barrier shall be constructed of any material with a surface density greater than 8 kilograms per square metre and be sealed airtight at the ground and joins.
9. The collection of rubbish from the site by the rubbish truck shall occur only between the hours of 9.00am to 7.00pm on a Sunday or public holiday and between 7.00am to 7.00pm on any other day.
10. The delivery of fuel products to the site by the 19 metre long fuel trucks shall occur only between the hours of 7.00am to 10.00pm on any day.
11. 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.
12. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
13. All waste and rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
14. 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.

15. 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.
16. A copy of the validation report for the underground storage systems excavations shall be provided to the Environment Protection Authority prior to occupancy of the developed site.
17. The forecourt canopy shall be designed to extend beyond the bunded area by one metre for every three metres of canopy height to minimise the entry of clean stormwater.
18. All fuel storage tanks (apart from diesel and LPG) shall be fitted with a Stage 1 vapour recovery system (which includes the underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.
19. All fuel lines between the tanks and dispensers shall be double walled and fitted with a pressure leak detection system. In the event of a fuel leak, the lines must lose pressure and immediately signal an alarm which must be promptly investigated.
20. Following the installation of the in-ground fuel tanks, all trafficked areas shall be made hard surfaced using either bitumen, concrete or other impervious material.
21. All run-off (including spillages) from hard paved areas in the refuelling and fuel delivery area shall be bunded and diverted to a blind tank (with alarm) with a capacity exceeding 10,000 litres.
22. Any material including sludge and oily residue collected within the blind tank is considered waste and shall be removed only by an Environment Protection Authority licensed waste transporter to a licensed waste depot authorised to receive such waste.

ADVISORY NOTES

- a. The development must be substantially commenced or application for certificate made within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- b. The authorisation will lapse if not commenced within 12 months of the date of this Notification.
- c. The applicant is also advised that the final land division certificate must be obtained from the Development Assessment Commission to complete the development within 3 years of the date of the Notification unless this period is extended by the Commission.
- 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 0289).

- g. The applicant is encouraged to negotiate with Council to provide an enhanced public realm integrated with the site landscaping.
- h. 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.
- i. The applicant is reminded that if, in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, the contamination may need to be remediated in accordance with Environment Protection Authority guidelines.
- j. The applicant is reminded that if, at any stage, contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to section 83A of the *Environment Protection Act 1993* must be submitted to the Environment Protection Authority.
- k. The applicant is reminded the emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.

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

3.1. **DEFERRED APPLICATIONS**

3.1.1 **PRD Project Management Pty Ltd c/- Intro Design**

211/M014/16

79 Port Road, Hindmarsh

City of West Torrens

Proposal: Demolition of existing buildings and construction of three (3) mixed use, multi-level buildings comprising residential apartments, offices, hotel accommodation, commercial tenancies and ancillary car parking and landscaping

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

Applicant(s)

- Damien Ellis (Presented)
- Anthony Gatti (Presented)
- Paul Costa
- Rob Bremert

Council

- Andrew King (Presented)
- Frank Siow (Presented)

Agency

- Nick Tridente - ODASA
- Aya Shirai-Doull - ODASA
- Marc Hryciuk – DPTI Safety and Services Division (Presented)

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Development Assessment Commission is satisfied that the proposal generally accords with the relevant Objectives and Principles of Development Control of the City of West Torrens Development Plan.
3. To GRANT Development Plan Consent to the proposal by PDR Project Management for the demolition of existing buildings and construction of three (3) mixed use, multi-level buildings comprising residential apartments, offices, hotel accommodation, commercial tenancies and ancillary car parking and landscaping subject to the following reserve matters and conditions of consent:

RESERVE 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 concept design for the Port Road deceleration lane (in consultation with both DPTI Safety and Services Division & Council) and the realigned footpath and pedestrian linkage across it. The final concept design plan shall include:
 - i. The relocation of any pylon/s that obstruct the path
 - ii. The design of the footpath to be DDA compliant
 - iii. The design of the footpath to include the installation of barriers to maximise the safety of vision impaired pedestrians
 - b. A final plan for the basement car park in consultation with DPTI Safety and Services Division and Council that demonstrates that all structural elements of the car park and any infrastructure associated with the development support the provision of the footpath above.
 - c. Details of the visitor bicycle parking spaces within the public realm area and within the office storage area.

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 accordance with the details and following plans submitted in Development A

| Drawing No. | Sheet Title | Revision Date |
|-------------|--------------------------------|-------------------|
| SK00 | Title | 15 February 2017 |
| SK01 | Site Plan | 19 January 2017 |
| SK05 | Demolition | 09 August 2016 |
| SK09 | Basement | 19 January 2017 |
| SK10 | Ground Floor Plan | 15 February 2017 |
| SK11 | Level 1 | 21 September 2016 |
| SK11A | Level 1 (Road Widening Option) | 10 February 2017 |
| SK12 | Typical Levels 2-3 | 09 August 2016 |
| SK13 | Typical Levels 4-7 | 09 August 2016 |
| SK14 | Residential Level 1 | 21 September 2016 |
| SK15 | Residential Typical Upper | 09 August 2016 |

| | Level | |
|---------|-------------------------------------|-------------------|
| SK16 | Hotel Typical Upper Level | 09 August 2016 |
| SK17 | Office Typical Upper Level | 09 August 2016 |
| SK18 | Roof Plan | 09 August 2016 |
| SK20 | Shadow Studies | 09 August 2016 |
| SK21 | Slip Lane | 15 February 2016 |
| SK30 | Elevations | 21 September 2016 |
| SK30B | Elevations (Road widening option) | 10 February 2017 |
| SK31-33 | Elevations | 21 September 2016 |
| SK34 | Elevation Details Residential Tower | 21 September 2016 |
| SK35 | Elevation Details Hotel Tower | 21 September 2016 |
| SK36 | Elevation Details Office Tower | 09 August 2016 |
| SK37 | Elevations AHD | 17 November 2016 |
| SK60 | Sections | 21 September 2016 |
| SK61 | Sections | 21 September 2016 |
| SK100 | 3D Residential Tower | 21 September 2016 |
| SK100A | Corner cut-off perspectives | 10 February 2017 |
| SK101 | 3D Hotel Tower | 21 September 2016 |
| SK102 | 3D Office Tower | 09 August 2016 |
| SK104 | 3D Axonometric | 09 August 2016 |
| SK105 | 3D Renders | 22 November 2016 |
| SK106 | 3D Renders | 22 November 2016 |

Reports and Correspondence

- Traffic report – Tonkin Consulting (8/08/16)
- Waste & Recycling report – Colby Industries (5/08/16)
- Wind Impact Assessment- Vipac (29/06/16)
- Air Quality and Odour Assessment- Vipac (22/06/16)
- Acoustic Report – Resonate Acoustics (29/06/16)
- Building Services/ ESD Report- Lucid Consulting (4/08/16)

DPTI Safety and Services Conditions

2. The Port Road access shall be limited to left turn entry movements only and shall be provided with a left turn deceleration lane. All other vehicular ingress and egress shall be via Walsh Street
3. All required road works associated with the Port Road access shall be designed and constructed in accordance with Austroads Guides/Australian Standards and to DPTI's satisfaction. All associated costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the applicant. The applicant shall contact DPTI, Traffic Operations Section, Network Integrity Engineer, Mrs Christina Canatselis on (08) 8226 8262 or via email christina.canatselis@sa.gov.au to discuss the proposed road works prior to undertaking any detailed design.
4. The pedestrian / public realm areas associated with the development, particularly adjacent to the Port Road / Phillips Street / Bonython Park Access intersection, shall be seamlessly integrated with the adjacent footpaths to maximise pedestrian safety and comfort.
5. A Traffic Management Plan for the construction period of the development shall be produced to the satisfaction of DPTI SSD and Council prior to the commencement of construction. This plan shall detail the types, volumes and distributions of traffic and how they will be managed. All traffic movements shall be in accordance with this plan.

6. Any excavation adjacent to roads shall be designed and undertaken in a manner that does not impact on the structural stability or safety of the roads. Any damage to road assets caused by the development shall be repaired to the satisfaction of the relevant road authority at the applicant's cost.
7. All commercial vehicle facilities shall be designed in accordance with AS 2890.2-2002.
8. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Site works and Construction Management

9. A statement by a suitably qualified professional that demonstrates that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be submitted to the Development Assessment Commission prior to any superstructure works.
10. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including, the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction including:
 - a) air quality, including odour and dust;
 - b) surface water including erosion and sediment control;
 - c) soil management including fill importation, stockpile
 - d) management and prevention of soil contamination;
 - e) prevention of groundwater contamination; and
 - f) minimisation of noise
11. 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. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.
12. No trees or shrubs shall be removed or pruned on Council's road verge without the approval of West Torrens Council.

Stormwater

13. A final detailed Stormwater Management Plan shall be submitted, in consultation with West Torrens Council to the satisfaction of the Development Assessment Commission. The details of the plan shall be incorporated within the Building Rules Consent documentation, submitted for Development Approval, and be implemented prior to occupation or use of the development.

Traffic and Car parking

14. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009) 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.
15. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
16. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Development Assessment Commission.
17. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.
18. All loading and unloading, parking and manoeuvring areas shall be designed and constructed to ensure that all vehicles can safely enter and exit the subject land.
19. All waste service vehicle access shall be undertaken outside of peak vehicle movement times (prior to 7:00am and after 6.00pm).
20. The recommendations detailed in the Traffic Report, dated 8 August 2016 provided by Tonkin Consulting, forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the Development Assessment Commission. Such measures shall be made operational prior to the occupation or use of the development.

Landscaping

21. The applicant shall submit a detailed landscaping plan (which including location of additional visitor bicycle parking facilities within public square) 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.
22. A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

Air Conditioning and Plant Equipment

23. Air conditioning or air extraction plant or ducting shall be screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the Development Assessment Commission.

Noise Management

24. The acoustic attenuation measures recommended in the report by Resonate Acoustics dated 29 June 2016, forming part of this consent, shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.

ADVISORY NOTES:

- a) The Metropolitan Adelaide Road Widening Plan provides for a standard 4.5 metres x 4.5 metres cut-off and may be required at the Port Road / Phillips Street corner of the site. The consent of the Commissioner of Highways is therefore required for all new building works located on or within 6.0 metres of the possible requirement.

DPTI Safety and Services Division acknowledges that the below-ground structural elements of the development have been located clear of the 4.5 metres x 4.5 metres cut-off. Furthermore, as demonstrated in Plans SK10 and SK10A, the above ground elements of the proposal can be removed and be relocated clear of the future road widening area. In light of this, the Commissioner of Highways' consent under the Metropolitan Adelaide Road Widening Plan Act can be anticipated for the subject development. The applicant should fill out the attached form and return it to DPTI along with three copies of the approved plans for consent purposes.

- b) Please note, as per discussions with DPTI Safety and Services Division, road widening may be required along the Phillips Street frontage as shown in the indicative plans SK10A submitted by INTRO dated 15 February 2016.
- c) Approval for the proposed building height and construction methodology is required by the Commonwealth Secretary for the Department of Transport and Regional Services in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.
- d) The applicant is reminded that unless specifically stated, conditions from previous relevant development approvals remain active.
- e) No additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.
- f) 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.
- g) If, at any stage, contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to Section 83A of the Environment Protection Act 1993) must be submitted to the EPA.
- h) Continual monitoring of soil condition and appearance shall be undertaken during any site works including the excavation of footings and the trenching

of services. In the event that any potential soil contamination is detected (discoloured soil or odour) the applicant shall undertake appropriate testing and remediation/removal of the soil in accordance with standard industry procedures and as advised by an appropriately qualified person. Upon completion of all earthworks, a statement from an appropriately qualified person shall be submitted to the Commission confirming the completion of remediation works in accordance with industry procedures.

- i) Demolition waste and excavated materials (including soil) shall be appropriately classified, managed and stored for on-site use or transported off-site for re-use and/or disposal in accordance with the Environment Protection Authority (EPA) Guideline: Standard for the production and use of Waste Derived Fill (October 2013).
- j) The West Torrens Council has advised that an authorisation may be required under Section 221 of the Local Government Act 1999 for the encroachment of your structure or building in, on, across, under or over the public road. Please note that the council may charge an annual fee and that the authorisation may be issued on an annual basis for any encroachment that attracts such a fee. The council may also require any unauthorised encroachments to be removed.
- k) Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
- l) In accordance with Regulation 43 of the Development Regulations 2008, please send the Department of Environment, Water and Natural Resources a copy of the Decision Notification.
- m) The Commission is requested to inform the applicant of the following requirements of the Heritage Places Act 1993.
 - I. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - II. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department of Environment, Water and Natural Resources.

- n) The Commission is requested to inform the applicant of the following requirements of the Aboriginal Heritage Act 1988.
 - I. If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet

(as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

3.2. NEW APPLICATIONS

3.2.1 Calidore

155/M016/16

236-238 The Parade Norwood

City of Norwood Payneham and St Peters

Proposal: Construction of a mixed use development comprising residential and retail land uses and associated car parking and removal of 1 significant tree

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

Applicants(s)

- Andrew Steele
- Paul Rawinski (Presented)
- Graham Burns (Presented)

The Commission discussed the application.

RESOLVED

1. The proposal is NOT seriously at variance with the policies in the Development Plan.
2. The Inner Metropolitan Development Assessment Committee is satisfied that the proposal generally accords with the relevant Objectives and Principles of Development Control of the Norwood, Payneham and St Peters (City) Development Plan.
3. To grant Development Plan Consent to the proposal by Calidore Pty Ltd & ORS to undertake a mixed use development comprising residential and retail land uses and associated car parking and removal of 1 significant tree at 232-238 The Parade, Norwood subject to the following conditions of consent.

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 following plans submitted in Development Application No 155/M016/16.

Drawings by Studio Nine Architects:

| Title | Reference | Print Date |
|----------------------------------|------------------|-------------------|
| Contextural Imagery | 0901-234-SK186 | 08-02-2017 |
| Future Development | 0901-234-SK187 | 08-02-2017 |
| Existing Site & Demolition Plans | 0901-234-SK188 | 09-02-2017 |
| Site Analysis + Level G Plan | 0901-234-SK189 | 09-02-2017 |
| Typical Floor Plans | 0901-234-SK190 | 08-02-2017 |
| Roof & Boundary Setback Plans | 0901-234-SK191 | 08-02-2017 |
| Apartment Typologies | 0901-234-SK192 | 08-02-2017 |
| Streetscape Elevations | 0901-234-SK193 | 14-02-2017 |
| Streetscape Elevations | 0901-234-SK194 | 14-02-2017 |
| Sections | 0901-234-SK195 | 08-02-2017 |
| 3D Views | 0901-234-SK196 | 08-02-2017 |

| | | |
|--------------------------|----------------|------------|
| Street Perspectives | 0901-234-SK197 | 08-02-2017 |
| Built Form | 0901-234-SK198 | 09-02-2017 |
| Shadow Diagrams | 0901-234-SK199 | 08-02-2017 |
| Shadow Diagrams | 0901-234-SK200 | 08-02-2017 |
| Materiality & Precedents | 0901-234-SK201 | 08-02-2017 |

Reports / Correspondence:

- Environmental Noise Assessment Report prepared by Sonus dated July 2015 S4455C2 except where superseded by letter from Jason Turner dated 2 November 2015
2. The finished floor level of the ground floor of the development herein approved, shall be the same as the level of the adjacent footpath to enable all access points to match the existing footpath level.
 3. The proposed car parking layout and ramps shall be designed and constructed to conform to the Australian Standard 2890.1:2004 for Off-Street Parking Facilities; Australian Standard 2890.6-2009 Parking facilities.
 4. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
 5. The recommendations of the Environmental Noise Assessment Report prepared by Sonus dated July 2015 S4455C2 shall be fully carried out and, where applicable, incorporated into the building rules documentation to the satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.
 6. Mechanical plant or equipment shall be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site shall not exceed 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) at the most affected residence when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
 7. All external lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform to Australian Standards.
 8. A Waste Management Plan shall be prepared and submitted to the satisfaction of the Development Assessment Commission prior to the occupation of the site which identifies, but not limited to, how waste would be stored, transported and disposed of so as to minimise the potential for environmental harm.
 9. A stormwater management plan shall be submitted to the satisfaction of the Development Assessment Commission. 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.
 10. A payment of \$252.00 shall be made into the Planning and Development Fund (3 replacement trees @\$84 per tree) within three (3) months from the date of Development Approval being granted.

Note: Cheques to be made payable and marked "Not Negotiable" to the Development Assessment Commission and payment made on the 5th Floor, Roma Mitchell House, 136 North Terrace, Adelaide or sent to GPO Box 1815 Adelaide 5001. Payment may also be made over the phone with Credit Card (Mastercard or Visa) by calling our Customer Service Officer on 7109 7040. All payments must be accompanied by reference to the Development Application number and the reason for the payment.

11. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publication "Environmental Management of On-site Remediation" - to minimise environmental harm and disturbance during construction.

The management plan must incorporate, without being limited to, the following matters:

- a) air quality, including odour and dust
- b) surface water including erosion and sediment control
- c) soils, including fill importation, stockpile management and prevention of soil contamination
- d) groundwater, including prevention of groundwater contamination
- e) noise
- f) occupational health and safety

For further information relating to what Site Contamination is, refer to the EPA Guideline: 'Site Contamination – what is site contamination?': www.epa.sa.gov.au/pdfs/guide_sc_what.pdf

A copy of the CEMP shall be provided to the Development Assessment Commission prior to the commencement of site works.

ADVISORY NOTES

General / Procedural

- a) The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy the conditions and/or reserved matters as contained herein.
- b) The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. 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. 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 (Ph: 8204 0300).
- c) The development must be substantially commenced within three (3) years of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- d) The applicant is also advised that any act or work authorised or required by this Notification must be completed within five (5) years of the date of the Notification unless this period is extended by the Commission.
- e) Any request for an extension of time must be lodged with the Statutory Planning Branch, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001, prior to the time periods specified.

Environmental Duty

- f) 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.
- g) 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>
- h) The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.

Construction

- i) The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
- j) As work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

City of Norwood Payneham and St Peters

- k) Prior to construction, an Application for Authorisation pursuant to Section 221 of the Local Government Act, will need to be lodged and approved by the Council for any encroachments.

4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE

4.1. **DEFERRED APPLICATIONS** – Nil

4.2. **NEW APPLICATIONS** – Nil

5. MAJOR DEVELOPMENTS

5.1. **DEFERRED APPLICATIONS** – Nil

5.2. **NEW APPLICATIONS** - Nil

6. ANY OTHER BUSINESS

7. NEXT MEETING – TIME/DATE

7.1. Thursday, 9 March 2017 in Leigh Street, Adelaide SA

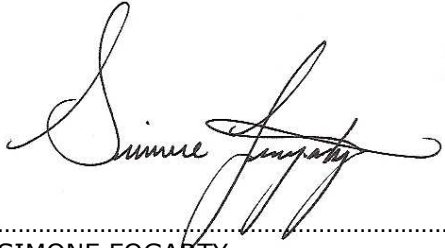
8. CONFIRMATION OF THE MINUTES OF THE MEETING

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 3.25 PM

Confirmed 23/02/2017

A handwritten signature in black ink, appearing to read 'Simone Fogarty', written in a cursive style. The signature is positioned above a horizontal dotted line.

SIMONE FOGARTY
PRESIDING MEMBER