



Development Assessment Commission

Minutes of the 561st Meeting of the
Development Assessment Commission
held on Thursday, 27th October 2016 commencing at 9.45 AM
28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member

Simone Fogarty

Members

Helen Dyer (Deputy Presiding Member)
Sue Crafter
David O'Loughlin
Peter Dungey
Dennis Mutton

Secretary

Cathryn Longdon

DPTI Staff

Elysse Kuhar (Agenda Item 3.2.1)
Tom Victory (Agenda Item 3.2.1, 3.1.1, 4.1.1)
Jason Bailey (Agenda item 3.2.1, 3.1.1, 4.1.1)
Lauren Moore (Agenda Item 3.1.1)
Nitsan Taylor (Agenda Item 2.2.1)
Brett Miller (Agenda Item 2.2.1)
Simon Neldner (Agenda Item 6.1/6.2/6.3)
Emma Bradley (Agenda Item 6.4)

1.2. COUNCIL REPRESENTATION Brenton Burman (Agenda Item 3.3.1), Sybella Blencowe (Agenda item 4.1.1)

1.3. APOLOGIES – Chris Branford, Sue Crafter (Agenda item 4.1.1, 2.2.1, 6.1, 6.2, 6.3, 6.4)

2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

- 2.2.1 Shahin Enterprises T/A Peregrine Corporation
674/E002/16
Part Lot 10 Butler Terrace, Narracoorte
Narracoorte / Lucindale Regional Council
Proposal: New petrol filling station

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

Applicants(s)

- Robert King

Council

- David Hutchison
- Justine Aldersey
- Paul McRostie

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 meets the key objectives of the Industry Zone.
3. To grant Development Plan Consent to the proposal by Peregrine Corporation for the construction of a new Petrol Filling Station and associated uses including a shop and fast food restaurant, 'drive thru' facilities, automated car wash facility, manual car wash bays, vacuum bays, signage, car parking, landscaping and site works, at part Lot 10, Butler Terrace, Narracoorte, subject to the following conditions of consent.

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 674/E002/16.

Peregrine Corporation

Letter to J Wood, DPTI, Development Application – New Service Station Complex, dated 5 April 2016

ADS Architects

Site Floor Plan, Dwg No. 16JN1276/sk01e, 19/10/16
Floor Plan, Dwg No. 16JN1276/sk02b, 19/10/16
Mezzanine Plan, Dwg No. 16JN1276/sk03, 24/03/16
Car Wash Plan, Dwg No. 16JN1276/sk04c, 19/10/16
Elevations, Dwg No. 16JN1276/sk05b, 14/10/16
Elevations, Dwg No. 16JN1276/sk06a, 5/09/16
Elevations, Dwg No. 16JN1276/sk07c, 19/10/16

GHD

Traffic Compliance Statement, dated 31/03/16
Turning Profiles B99 Vehicle, Job No. 33-17759-19, Dwg No. SK001A, Rev B, 30/03/16

Turning Profiles B99 Vehicle, Job No. 33-17759-19, Dwg No. SK001B, Rev B, 30/03/16
Turning Profiles 26 B-Double, Job No. 33-17759-19, Dwg No. SK002, Rev B, 30/03/16
Turning Profiles 19m Semi-Trailer, Job No. 33-17759-19, Dwg No. SK003, Rev B, 30/03/16
Turning Profiles Refuse Truck, Job No. 33-17759-19, Dwg No. SK004, Rev B, 30/03/16
Turning Profiles Trailer/Caravan, Job No. 33-17759-19, Dwg No. SK005, Rev B, 30/03/16
Turning Profiles, Site Layout, Job No. 33-17757-19, Dwg No. SK006 Rev C, dated 30 June 2016
Turning Profiles Deviation Road Changes, Job No. 33-17759-19, Dwg No. SK007, Rev B, 30/03/16

SONUS

Environmental Noise Assessment, Ref. S4917C1, dated May 2016

SAGERO

Stormwater Plan Part 1 of 2, Notes, Legend and Schedule, Project No. SA150062, Dwg No. C01, Issue B, 16/05/16
Stormwater Plan Part 2 of 2, Project No. SA150062, Dwg No. C02, Issue B, 16/05/16
Concrete Grading Plan and Notes Part 1 of 2, Project No. SA150062, Dwg No. C01, Issue B, 16/05/16
Concrete Grading Plan Part 2 of 2, Project No. SA150062, Dwg No. C02, Issue B, 16/05/16

Oxigen

Concept Plan, Ref No. 15.047.300 Issue D, dated 9/09/16

2. The illuminated directional sign located adjacent the Smith Street egress shall be no greater than 2.4 metres in height.
3. 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.
4. The development shall be undertaken in accordance with advice and recommendations contained in the 'Environmental Noise Assessment' prepared by Sonus, Ref. S4917C1, dated May 2016.
5. Rubbish collection shall occur at least once a week and shall occur within the following times:
 - Monday to Saturday: 7:00 am to 7:00 pm
 - Sunday and public holidays: 9:00 am and 7:00 pm
6. 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 or concrete 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.
7. The on-site directional signage and line marking shown on the approved plans and shall be installed prior to operation of the development to ensure safe traffic circulation.

8. The bins stored in the refuse area shall be covered at all times to prevent the entry of stormwater or wind dispersal, be sealed to prevent leakage and shall not be used for the storage of toxic materials, chemicals, solvents, any liquids or sludges and shall be located on hard stand area.
9. The landscaping shown on the plans forming part of the application shall be established using advanced plants, particularly in the north-western corner, prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
10. Permanent drip irrigation shall be installed in the landscaping areas prior to occupation of the approved development.
11. All landscaped areas and structures adjacent to driveways and parking areas shall be separated by kerbing prior to the occupation of the development. Such devices shall not impede the free movement of people with disabilities.
12. 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.

EPA Conditions

13. All underground fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which included underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.
14. All underground fuel storage tanks must be double skinned fibreglass tanks and fitted with an Automatic Tank Gauging (ATG) system to monitor tank levels and detect leaks.
15. All fill lines between the tanks and dispensers must be fitted with pressure leak detection sensors. In the event of product loss, the lines would lose pressure immediately and signal an alarm.
16. Following the installation of the underground fuel storage tanks all trafficked areas must be hard surfaced using either bitumen, concrete or other impervious material.
17. The forecourt canopies must be designed to extend beyond the bunded area by one metre for every three metres of canopy height to minimize the entry of clean stormwater.
18. All runoff (including spillages) from hard paved areas in the refuelling and fuel delivery area (under the canopy) must be diverted to a blind tank (with alarm) with a 13,000 litre capacity.
19. Any material including sludge and oily waste collected within the blind tanks is considered waste and must be removed by an EPA licensed waste transporter to a licensed waste depot authorised to receive such waste.

DPTI Safety and Service Division Conditions

20. Access to Smith Street shall be limited to a left in/right in access for commercial vehicles and a left out egress for passenger cars only.
21. A raised median shall be installed on Smith Street in order to restrict right out movements as the western most access on Smith Street.

22. Access to Deviation Road shall be restricted to a left in/left out access for passenger cars and a left out/right out egress for commercial vehicles only.
23. A raised median shall be installed on Deviation Road in order to restrict right in right out movements at the northern most access.
24. The Deviation Road and Smith Street access points shall be constructed in accordance with Drawing No. SK006 Rev C 'Turning Profiles, Site Layout' prepared by GHD, dated 30 June 2016.
25. Deviation Road shall be widened in general accordance with GHD Deviation Road Changes Plan, Job No. 33-17757-19, SK007, Revision B, dated March 2016. The upgrade shall be to an appropriate standard for B-Double traffic and shall incorporate a channelised right turn lane into Brighton Road and the Deviation Road service road.
26. All road works deemed to be required to facilitate safe access must be designed and constructed to comply with Austroads Guides and Australian Standards and to the satisfaction of DPTI. All costs associated with this development must be borne by the Developer. This includes any necessary improvements to road lighting or drainage as well as reimbursing the department all reasonable costs actually and necessarily incurred by the department as a consequence of the project, but is not limited to, costs of administration, design checks, site inspections, seeking approvals, technical advice, general liaison and construction surveillance. Prior to undertaking any detailed design, the applicant shall contact DPTI Road and Marine Assets, Asset Management, Mr Jeff Overall (08) 7223 6071, mobile 0417 084 067 or email jeff.overall@sa.gov.au to obtain approval and discuss any technical issues regarding the required works.
27. The applicant shall enter into a Developer Agreement with DPTI to undertake and complete the required road works.
28. The access immediately adjacent to the southern property boundary shall be permanently closed as shown in the Drawing No. SK006 Rev C 'Turning Profiles, Site Layout' prepared by GHD, dated 30 June 2016. This shall occur prior to any works occurring on site.
29. All road works shall be completed prior to the development becoming operational.
30. All on-site car parking and vehicle manoeuvring areas shall be consistent with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
31. All sections of redundant crossover/s shall be reinstated with Council standard kerb and gutter at the applicant's cost prior to operation of the development.
32. Appropriate signage and line marking shall be installed to reinforce the desired traffic flow at the Deviation Road and Smith Street access points.
33. The largest vehicle permitted to access the main portion of the site shall be an 8.8 metres Medium Rigid Vehicle (MRV). All vehicles larger than a MRV shall only be permitted to access the diesel canopy and truck parking.
34. All service vehicle access to the site (e.g. fuel/refuse) shall be restricted to outside of the peak traffic periods on Deviation Road and Smith Street and peak retail periods.

35. All signage associated with the proposed service station shall be completely installed within private property.
36. All signs viewable from the adjacent roads shall not contain any element of LED or LCD display, except for the fuel prices on the site identification signs, which shall be limited to static white text on a black background only.
37. No element of the signage viewable from the adjacent roads shall flash, scroll, move or change. LED price signs may change on an infrequent basis.
38. The operational system for any electronic signage on the site shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
39. The illuminated pylon signs shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. The following luminance levels shall be adhered to:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m ²) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

40. All other illuminated signs viewable from the adjacent roads shall be limited to a maximum luminance of 150Cd/m² and non-illuminated signage shall be finished in a material of low reflectivity to minimise the likelihood of sun/headlamp glare.
41. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
42. Any flood lighting of the site shall be positioned and/or shielded so as not to produce glare or create undue distraction to motorists travelling on the adjacent roads.
43. All stormwater generated by the proposal shall be appropriately collected and disposed of without entering or jeopardising the safety of the adjacent arterial road network.

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 authorisation will lapse if not commenced within 12 months of the date of this Notification.
- c. 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.

- 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 reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable 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.
- h. The high level alarm of the 13,000 litre blind tank should be set at 3000 litres so that if a tanker loses a compartment the blind tank will be able to contain the entire volume spilt.
- i. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>.
- j. Every endeavour should be made to protect existing trees identified as being retained on site.
- k. The applicant is encouraged to work with Council to establish landscaping in the road reserves.

3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

3.1. DEFERRED APPLICATIONS

- 3.1.1 Austecvs Pty Ltd
090/M004/16
179 Greenhill Road, Unley
City of Unley
Proposal: Mixed use development

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

Applicants(s)

- Greg Molfetas
- Tom Vinall
- Ben Wilson
- Dennis Chung

Agency

- Peter Wells
- Nick Tridente
- Belinda Chan

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 meets the key objectives of the Urban Corridor Zone and the Residential Streetscape (Built form) Zone.
3. To grant Development Plan Consent to the proposal by Austecvs Pty Ltd for a 10-storey mixed development and residential flat building and car parking at 189 Devonport Street Prospect subject to the following conditions of consent.

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 090/M004/16 including:

Drawing No.	Sheet Title	Revision	Date
SK00	JPE Design Studio, Project Number 10015, Existing Site Plan	N/A	June 16
SK01	JPE Design Studio, Project Number 10015, Proposed Site Plan	N/A	Nov 15
SK02	JPE Design Studio, Project Number 10015, Greenhill Road Streetscape Elevations	N/A	Nov 15
SK03	JPE Design Studio, Project Number 10015, George Street Streetscape Elevations	N/A	June 16
SK04	JPE Design Studio, Project Number 10015, Basement Floor Plan	N/A	June 16
SK05	JPE Design Studio, Project Number 10015, Ground Level Floor Plan	A	Sep 16
SK06	JPE Design Studio, Project Number 10015, Landscape Plan	A	Sep 16
SK07	JPE Design Studio, Project Number 10015, Level 1 Floor Plan	B	June 16
SK08	JPE Design Studio, Project Number 10015, Level 2 Floor Plan	N/A	June 16
SK09	JPE Design Studio, Project Number 10015, Level 3 Floor Plan	A	Sep 16
SK10	JPE Design Studio, Project Number 10015, Level 4 Floor Plan	N/A	June 16
SK11	JPE Design Studio, Project Number 10015, Level 5 Floor Plan	N/A	June 16
SK12	JPE Design Studio, Project Number 10015, Level 6-7 Floor Plan	N/A	June 16
SK13	JPE Design Studio, Project Number 10015, Level 8 Floor Plan	N/A	June 16

SK14	JPE Design Studio, Project Number 10015, Level 9 Floor Plan	N/A	June 16
SK15	JPE Design Studio, Project Number 10015, Roof Plan	N/A	June 16
SK18	JPE Design Studio, Project Number 10015, North and West Elevations Plan	B	Nov 15
SK19	JPE Design Studio, Project Number 10015, South and East Elevations Plan	N/A	Nov 15
SK20	JPE Design Studio, Project Number 10015, Section A Plan	N/A	Nov 15
SK21	JPE Design Studio, Project Number 10015, Detail Section B Overlooking Diagrams Plan	N/A	Nov 15
SK22	JPE Design Studio, Project Number 10015, Detail Section C Overlooking Diagrams Plan	N/A	Nov 15
SK23	JPE Design Studio, Project Number 10015, Detail Section D Overlooking Diagrams Plan	N/A	Nov 15
SK24	JPE Design Studio, Project Number 10015, Detail Plan George Street South	N/A	June 16
	Shadow Diagram Plan		

Reports and Correspondence

- Planning Report and Contextual Information by JPE Consultants dated 24 June 2016
- Planning Report by IBS Consultants dated 28 June 2016
- Traffic and Transport Report by Cirqa Consultants dated 1 September 2016
- Stormwater Management Report by TMK Consulting dated 15 August 2016
- Waste Management Plan Report by Colby Industries dated 9 June 2016
- Sonus Environmental Noise Assessment Report dated June 2016
- Tree Report by Arborman Tree Solutions dated 27 May 2016 and response to council concerns dated 21 July 2016.
- Heritage Impact Statement by Catalyst Consultants dated 28 June 2016
- Heritage Management Strategy by Catalyst Consultants dated 18 March 2016
- Sustainability Strategy Report by d2 Consultants dated 7 June 2016
- Wind Impact Assessment by Vipac Engineers and Scientists dated 25 May 2016
- Community Engagement Summary by Natalie Fuller and Associates dated June 2016
- Revised CIRQA Car parking study dated 30 September 2016
- Response planning report by IBS Consultants dated 30 September 2016
- Additional information response to deferred item by JPE dated 30 September 2016.

State Heritage Conditions

2. The original east facade of St Margaret's shall be reinstated as, and remain legible as, an external face red brick wall, to the satisfaction of the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to the issue of development approval.

3. Glass selection for the new office building adjacent St. Margaret's shall achieve a high degree of transparency, so that the original east facade of St. Margaret's remains legible from the outside. A sample of the proposed glazing system shall be submitted to the Development Assessment Commission for approval, in consultation with the Department of Environment, Water and Natural Resources.
4. Site induction of all contractors and staff undertaking the works shall be undertaken and include information about the heritage significance and listing of the place, and about potential archaeological issues. Site inductions should highlight good heritage practice and what to do if works vary from the approval. A generic site induction is attached for reference.
5. Detailed documentation of the junctions between the proposed link structure and the eastern face of St Margaret's shall be submitted to the satisfaction of the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources.

Construction and site works

6. 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.
7. The management plan must incorporate, without being limited to, the following matters:
 - avoidance of damage to the trees within that part of the road reserve immediately adjacent the site
 - air quality, including odour and dust
 - surface water including erosion and sediment control
 - soils, including fill importation, stockpile management and prevention of soil contamination
 - groundwater, including prevention of groundwater contamination
 - noise
 - 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

The CEMP shall be submitted to the Development Assessment Commission prior to commencement of site works and construction.

Stormwater

8. A detailed stormwater management plan with accompanying calculations (based on 40% pre-development site coverage and best-practice stormwater modelling) shall be submitted which demonstrates the retention/detention volumes to ensure the flow rates discharging from the development are less than or equal to the 40% pre-development site coverage capacity of the existing council infrastructure. Should discharge rates exceed the 40% pre-development site coverage capacity of the infrastructure, upgrades to George Street infrastructure through a deed agreement to the council will be required, the cost of which will be borne by the developer. The above shall be carried out in consultation with Unley council and to the satisfaction of the Development Assessment Commission.
9. As part of the final detailed stormwater management plan, a final location site and elevation and plan for the proposed rainwater tanks along the

eastern boundary showing dimensions, material, colour and how it is intended to screen the tanks from view shall be submitted and approved to the satisfaction of the Development Assessment Commission.

Significant Tree Protection

10. All tree protection measures as outlined in the Recommendations of the report prepared by Aborman Tree Solutions dated 27 May 2016 submitted with and forming part of the application, shall be implemented throughout the project construction to ensure the adequate protection of the Significant Tree.

Plant and Equipment

11. 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.

Noise

12. The acoustic attenuation measures recommended in the Sonus Acoustics report dated June 2016 forming part of this consent shall be fully 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.

Car Park Layout

13. The proposed car parking layout shall be designed and constructed to conform to Australian Standard 2890.1:2004 for Off-Street Parking Facilities and Australian Standard 2890.6:2009 for Parking Facilities.

Access and Loading/Unloading

14. The site shall have vehicular access via George Street only. The vehicular crossovers shall be located approximately 32 metres and 72 metres from the Greenhill Road/ George Street corner respectively.
15. All vehicles shall enter and exit the site in a forward direction.
16. The largest vehicle permitted on site shall be an 8 metre long refuse vehicle.
17. All service vehicle movements associated with the development shall be undertaken between 7am and 10pm Monday to Saturday and 9am and 10pm Sunday and Public Holidays whilst also generally being undertaken outside of peak hours from Monday- Friday.
18. All commercial vehicle facilities shall be designed in accordance with AS 2890.2 2002.

Lighting

19. All external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with the relevant 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.

Infrastructure

20. 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.

Roadways

21. 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.

Landscaping

22. The landscaping shown on the approved plans 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.

ADVISORY NOTES

General

- 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 authorisation will lapse if not commenced within 12 months of the date of this Notification.
- c. 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.
- 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 (08) 8204 0289).

Environmental Duty

- g. 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.
- h. 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>
- i. 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
- j. With regard to the regulated and significant trees are to be retained (including on the council verge), the applicant is advised to consult Australian Standard AS 4970 – 2009 Protection of Trees on Development Sites to ensure the incorporation of protective fencing, mulch and appropriate remedial treatments.

Requirements of the standard include:

- The establishment of Tree Protection Zones to restrict activities including the dumping of waste, machine excavation, storage and preparation of chemicals, and physical damage to trees;
- The erection of protective fencing around a Tree Protection Zone prior to machinery or materials brought onto the site;
- The use of approved signs to identify the Tree Protection Zone;
- Mulching, watering and weed removal recommendations to maintain the tree protection zone.

Regular monitoring of tree protection measures should be undertaken throughout the development and construction process to ensure that any trees to be retained on the site are carefully managed to ensure their long-term survival and growth.

Heritage

- 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
 - an application to vary the planning consent; or
 - Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
- l. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease immediately and the SA Heritage Council shall be notified.
- m. 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 on (08) 8124 4960 or e-mail DEWNR.StateHeritageDA@sa.gov.au
- n. 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) shall be notified under Section 20 of the Aboriginal Heritage Act 1988.

- o. Please note that this consent is granted based upon the context, constraints and locality of this particular site and should not be regarded as an assumed outcome or precedent for other similar development in other locations.
- p. As part of any subsequent land division application, all essential shared areas of the site as a whole (such as, but not limited to, bike parking, car parking and access to the site) shall remain common to all occupiers of the site (State Heritage Office and the Apartment Complex) and shall be appropriately represented on the titles of each allotment via appropriate legal measures such as easements, rights of way or similar.

3.2. NEW APPLICATIONS

3.2.1 Brown Falconer

020/A033/16

11-27 Frome Street and Lot 1021 Synagogue Place, Adelaide

City of Adelaide

Proposal: Demolition of existing structures, construction of multi-level mixed use development

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

Applicants(s)

- Mario Dreosti
- Theo Samaras
- Barry Bradbrook
- Ryan Barbary
- Steve Kotzias
- Sam Adams

Council

- Shanti Ditter
- Helen Dand
- Mike Philippou
- Rocky Fryar
- Trudy Angrave

Agency(s)

- Belinda Chan
- Nick Tridente
- Peter Wells

The Commission discussed the application.

RESOLVED

1. That a decision in respect of the application be deferred to enable the following:
 - demonstration that the project can lawfully rely on Tavistock Lane for access (noting that a revised approach to access that anticipates but does not rely on Tavistock Lane may constitute a means of satisfying the Commission's technical requirements in this respect)

- refinement of the expression of the podium of the proposed Frome Street mixed use building, including height, massing and materiality
- provision of additional detail regarding the proposed Frome Street mixed use building and public realm materiality (preferably comprising samples)
- refinement of the convenience for cyclists to access both of the proposed buildings (including consideration of alternative locations for bicycle storage)

4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE

4.1. DEFERRED APPLICATIONS

4.1.1 Precision Group

040/W030/16

200 Commercial Road, Port Adelaide

Proposal: redevelopment of the Port Canal Shopping Centre

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

Applicants(s)

- Michael Gillette
- Greg Vincent
- David Kwong
- Graham Hardy
- Geoffrey Hodge

Agency

- Ellen Liebelt

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 meets the key objectives of the Regional Centre Zone and Retail Core Policy Area 50.
3. to grant Development Plan Consent to the proposal by the Precision Group for the Redevelopment of an existing Shopping Centre – Stage 2 at 200 Commercial Road, Port Adelaide , subject to the following conditions of consent:

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/W030/16.

Hardy Milazzo Architecture + interior Design for Precision Group			
Drawing	Name of Drawing	Drawing No	Date
Port Canal Shopping Centre Redevelopment - Stage 2	Site Context	SK01	17/06/2016
Port Canal Shopping Centre Redevelopment -	Site Plan – Stage 02	SK02	14/10/2016

Stage 2			
Port Canal Shopping Centre	SK11 Site Plan - Pedestrian Link 1:500	SK11	
Port Canal Shopping Centre Redevelopment - Stage 2	Ground Floor Plan	SK03	17/06/2016
Port Canal Shopping Centre Redevelopment - Stage 2	First floor Plan	SK04	17/06/2016
Port Canal Shopping Centre Redevelopment - Stage 2	Context Perspectives	SK05	17/06/2016
Port Canal Shopping Centre Redevelopment - Stage 2	Elevations	SK06	17/06/2016
Port Canal Shopping Centre Redevelopment - Stage 2	Context Elevations	SK07	17/06/2016
Port Canal Shopping Centre Redevelopment - Stage 2	Perspectives	SK08	17/06/2016
Port Canal Shopping Centre Redevelopment - Stage 2	Sections	SK09	17/06/2016
Port Canal Shopping Centre Redevelopment - Stage 2	Indicative Materials & Finishes	SK10	17/06/2016

- Planning Report Redevelopment of the Port Canal Shopping Centre prepared by Masterplan for the Precision Group
 - Submission for Waste Collection Services prepared by Veolia Environmental Services June 2016
 - Port Canal Shopping Centre Assessment of loading dock noise prepared by Resonate Acoustics 2 June 2016 Reference: A15707RP1 revision 0
 - Traffic Impact Assessment Port Canal Shopping Centre Expansion Stage 2, Port Adelaide prepared by GTA Consultants 17 June 2016.
 - Hardy Milazzo response to Council comments dated 23 September 2016
 - Letter from Masterplan dated 14 October 2016 providing updated plans and responses to deferral matters.
 - Emails between Greg Vincent/David Kwong/ Geoffrey Hodge dated 20 October 2016 – subject Port Canal
2. Mechanical plant or equipment shall be designed, sited 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.
 3. That the air conditioning or air extraction plant or ducting shall be screened such that no 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.

4. 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.

5. The applicant shall submit a detailed design of the car parking areas (relevant only to the Stage 2 scope of works but still ensuring consistency with Stage 1) including details of all signs and linemarking, access roadways, pedestrian pathways and trolley bays. The areas shall be designed and constructed in accordance with the relevant Australian Standards and be paved with bitumen, concrete or paving bricks in accordance with sound engineering practice. The plan shall be submitted in consultation with the City of Port Adelaide Enfield to the satisfaction of the Development Assessment Commission prior to Development Approval.
6. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.
7. 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 in a forward direction.
8. The applicant shall submit a final detailed landscaping plan (relevant only to the Stage 2 scope of works but still ensuring consistency with landscaping in Stage 1), to the satisfaction of the Development Assessment Commission prior to the commencement of the site works. The landscaping scheme shown on the plan shall be established prior to occupation of the development and shall be nurtured and maintained, with any dead or dying plants to be replaced.
9. A detailed stormwater management plan (relevant only to the Stage 2 scope of works but still ensuring consistency with that in Stage 1), shall be submitted in consultation with the City of Port Adelaide Enfield and to the satisfaction of the Development Assessment Commission prior to Building Rules Consent. 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 Waste Management Plan (relevant only to the Stage 2 scope of works but still ensuring consistency with Stage 1) shall be developed and implemented that details the proposed waste management practices to be adopted for the use and operation of this development. The plan shall cover three phases of the development, namely:

- resource recovery during demolition;
- waste minimisation and resource recovery during construction; and
- resource recovery during occupation or use of the Development including proposed methods of recycling of all recyclable materials.

A copy of this plan shall be submitted in consultation with the City of Port Adelaide Enfield and to the satisfaction of the Development Assessment Commission prior to the commencement of Building Rules Consent.

11. All external lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform to Australian Standards.
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. Graffiti shall be removed within five (5) business days of the graffiti becoming known or visible with the timely removal of graffiti being the responsibility of the operators of the development.

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 authorisation will lapse if not commenced within 12 months of the date of this Notification.
- c. 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.
- 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. That 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.
- h. The Dale Lane Strategy which envisages public realm upgrade works is encouraged to be explored and implemented with the City of Port Adelaide Enfield so as to provide a high quality pedestrian environment. Any proposed works with the public realm adjacent to the site, including the installation of street furniture, bicycle parking infrastructure and planting of street trees should be undertaken in consultation with the Council.

- i. The Commission notes that this stage 2 consent is entirely reliant on the stage 1 consent being undertaken. Any proposal to initiate the stage 2 development without stage 1 being implemented would be in breach of this development plan consent.

4.2. NEW APPLICATIONS – Nil

5. MAJOR DEVELOPMENTS

5.1. DEFERRED APPLICATIONS – Nil

5.2. NEW APPLICATIONS - Nil

6. REPORTING

6.1. Delegations / Decision
RESOLVED that the report be received.

6.2. Appeals / Enforcements
RESOLVED that the report be received.

6.3. Crown / Major Developments
RESOLVED that the report be received.

6.4. BRAC
RESOLVED that the report be received.

7. ANY OTHER BUSINESS

8. NEXT MEETING – TIME/DATE

8.1. Thursday, 10 November 2016 in Leigh Street, Adelaide SA

9. CONFIRMATION OF THE MINUTES OF THE MEETING

9.1. RESOLVED that the Minutes of this meeting held today be confirmed.

10. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 4.30 PM

Confirmed 28/10/2016



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Simone Fogarty
PRESIDING MEMBER