



Development Assessment Commission

Minutes of the 518th Meeting of the Development Assessment Commission held on Thursday, 26 March 2015 commencing at 9.45 AM 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
Principal Planner	Robert Kleeman
DPTI Staff	Laura Kerber (Agenda Item 2.1) Simon Neldner (Agenda Item 2.2, 3.5, 3.6) Daniel Pluck (Agenda Item 3.1) Leif Burdon (Agenda Item 3.2) David Storey (Agenda Item 3.3) Janine Philbey (Agenda Item 3.4)

1.2. APOLOGIES – Nil.

2. DEFERRED APPLICATIONS – Nil.

- 2.1. CR Lindner Nominees Pty Ltd**
DA 313/0363/14
Light Regional Council
Corner Carrington Street and Main Street, Kapunda (various parcels of land)

Megan Leydon declared a conflict of interest and was not present for the hearing of this item. Damien Brown was not present for the hearing of this item.

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

Applicant(s)

- Graham Burns - Masterplan

Council

- Lisa Sapio

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 No. 313/0363/14 by CR Lindner Nominees Pty Ltd for the construction of a supermarket and associated car parking, and associated road works at 6-20 Main Street Kapunda (various parcels of land), 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 plans, including the amended plans as submitted in development application number 313/0363/14.

Plans prepared by DM Lawrence Design:	
Ground Floor Plan & Mezzanine Floor Plan	Sheet WD01, Issue F, Job 1657, Date 27/02/15
Site Setout Plan	Sheet WD02, Issue E, Job 1657, Date 27/02/15
Landscaping Plan	Sheet WD03, Issue G, Job 1657, Date 17/03/15
Plans Prepared by JBG Architects:	
Elevations	Project Number 1321, Drawing Number A201, Issue F, Date 16/03/15
Perspectives	Project Number 1321, Drawing Number A901, Issue E, Date 10/03/15
Cross Sections	Project Number 1321, Drawing Number A202, Issue F, Date 16/03/15
Plans Prepared by FMG Engineering:	
Preliminary Retaining Wall Height Plan	FMG Engineering, Drawing Number RW01, Rev C, Site ID and Jo No S19459-224828, Date 04/03/15

2. 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.
3. 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.

4. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Council.
5. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.
6. The final parking layout, manoeuvring and access areas, vehicular entry points and accessible car parking spaces shall be designed and constructed in accordance with Australian/New Zealand Standards 2890.1:2004 and 2890.6:2009.
7. The car park shall be designed in accordance with the requirements of the *Disability Discrimination Act (DDA) 1992* and AS1428.
8. Vehicle crossovers shall be designed, located and constructed to Council's reasonable requirements at the applicant's expense.
9. Landscaping shown on the plans and otherwise required by condition herein 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.
10. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
11. Trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view. A number of rubbish bins shall be provided to account for the various types of waste, rather than just a single bin.
12. At least one (1) public waste bin(s) shall be provided within the car park area and adjacent the entrance to alleviate the accumulation of general waste in the immediate area of the supermarket.
13. Detail of any air conditioning or air extraction plant or ducting to be placed on the exterior of the building in association with this development shall be submitted to and approved by the Development Assessment Commission.
14. 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.
15. 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.
16. The proposed hours of opening for the supermarket shall be restricted to between the following hours:

Monday to Friday: 7am – 10pm
Saturday & Sunday: 7am – 7pm
17. Deliveries and rubbish collection shall be restricted to between the following hours:

Monday to Friday: 7am – 10pm
Saturday & Sunday: 7am – 5pm

18. At no time shall any goods, materials or waste be stored or displayed in designated car parking areas, driveways, manoeuvring spaces, or landscaping.
19. That the applicant shall submit a master stormwater management plan and construction design drawings undertaken by a qualified civil engineer for approval by Light Regional Council prior to the granting of Development Approval. The plan shall include full details of the approved stormwater drainage system for the site, any works external to the site, the location and allocation of any drainage easements, and details of any temporary works, drains or banks proposed as part of the project inclusive of the following:
 - Final calculations to determine flow rate, time to peak, and duration of discharge for the pre development and uncontrolled post development conditions;
 - Final calculations to determine the detention tank volume required to control the post development peak rate of outflow to the rate of 32lit/sec for all events up to the critical 100Yr ARI.
 - Final calculations to determine the hydrograph of the design storm discharge of the detention tank;
 - How the design of the drainage system is to convey the detention tank flows to the lawful point of discharge as advised by the Council;
 - Provide a final layout drawing showing the proposed drainage arrangement;
 - What stormwater measures are proposed to protect the site from a major storm event (100 year ARI) as well as minor storm events (100 year ARI);
 - The use of above ground or underground rainwater storage tanks with a minimum retention capacity of 15,000 litres;
 - Details of the final proprietary product to be utilised to control and prevent the entry of litter and pollution from the site into the stormwater network including any ponding, detention, extended detention and retention
20. The 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.
21. The drainage detailed in the approved Master Stormwater Management Plan must be constructed to the satisfaction of Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.
22. The development shall be provided a wastewater control system to the satisfaction of Council's Environmental Health Officer, in accordance with the SA Public Health (Wastewater) Regulations 2013, prior to commencement of construction.
23. 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.

Conditions requested by DPTI – Transport Services Division

24. The two-way access to Adelaide Road and the access to Carrington Street along with associated right turn facilities shall be provided in general accordance with DM Lawrence Landscaping Plan (refer Job 1657, Sheet WD03, Issue E (dated 27/02/2015)). This access shall be provided with generous flaring to Adelaide Road in order to minimise the impact of turning vehicles on through traffic.
25. Give way signs and associated line marking shall be provided at the internal car park junction in order to give incoming vehicles from Adelaide Road priority over other car park traffic.
26. A painted median scheme shall be installed in general accordance with the DM Lawrence Landscaping Plan (refer Job 1657, Sheet WD03, Issue E (dated 27/02/2015)) and the GTA Traffic Impact Assessment (Issue A, dated 8/9/14) Appendix C and email correspondence dated 17 December 2014 or an alternative design to the satisfaction of DPTI.
27. 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, with all costs (including design, construction, project management and any changes to road drainage etc.) to be borne by the applicant. Prior to undertaking any detailed design, the applicant shall contact DPTI Road and Traffic Management, Traffic Operations, A/Project Liaison Engineer, Mrs Christina Canatselis on telephone (08) 8226 8262 or mobile 0401 120 490 (christina.canatselis@sa.gov.au) to obtain approval and discuss any technical issues regarding the required works.
28. The applicant shall enter into a Deed of Agreement regarding the road works prior to commencing detailed design.
29. All vehicles shall enter and exit the site in a forward direction.
30. The largest vehicle permitted on-site shall be restricted to a 19.0 metres long articulated vehicle as per AS 2890.2:2002.
31. All car parking areas shall be designed and constructed in accordance with AS/NZS 2890.1:2004. In particular, the Adelaide Road access gradient shall be in accordance with this standard in order to maximise driver sightlines.
32. The trolley bay adjacent the Adelaide Road access point shall be removed or relocated away from the internal car park junction in order to minimise conflict.
33. All signs visible from adjacent roads may use LED lighting for internal illumination of a light box only. No element of LED or LCD display shall otherwise be included in the sign design.
34. Illumination of signs visible from the adjacent roads shall be limited to a low level (i.e. 200cd/m²) and signage shall be finished in a material of low reflectivity to minimise distraction to motorists.
35. Signage visible from adjacent roads shall not contain any element that flashes, scrolls, moves or changes.

36. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
37. Any landscaping adjacent to the access point shall be restricted to vegetation with a mature height no greater than 1.0 metre in order to maintain driver sightlines to/from the new access point and the modified/new kerblines to/from Carrington Street.
38. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the arterial road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

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 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) The monitoring of soil condition and appearance shall be undertaken during any site works upon the site 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 cease all earthworks and notify the Environment Protection Authority. Appropriate testing and remediation/removal of the soil shall be undertaken in accordance with standard industry procedures, as advised by an appropriately qualified person, prior to the recommencement of earthworks upon the site.
- i) All material (waste) proposed to be disposed off-site must be classified and characterised in accordance with the EPA Information Sheet - Current criteria for the classification of waste (http://www.epa.sa.gov.au/xstd_files/Waste/Information%20sheet/current_waste_criteria.pdf) prior to removal off-site to a facility licensed to receive, dispose and/or treat that waste.
- j) Future signage applications should be designed in accordance with DPTI "Advertising Signs - Assessment Guidelines for Road Safety" (August 2014).

The document is available via the following link:
http://www.dpti.sa.gov.au/__data/assets/pdf_file/0019/145333/DPTI-AdvertisingSigns-Assessment-Guidelines.pdf

- 2.2. **Mark Fiora**
DA 473/D064/10
Adelaide Hills Council
Princes Highway, Beaumont Road, Ambulance Road, Grivell Road and Gallasch Road, Verdun

Damien Brown was not present for the hearing of this item.

The Commission discussed the application.

RESOLVED

RESOLVE to proceed to an assessment of a non-complying application.

3. NEW APPLICATIONS

- 3.1. **Shahin Enterprises Pty Ltd trading as Peregrine Corporation**
DA 145/E001/15
City of Onkaparinga
Lot 3 Port Road, Aldinga

Simone Fogarty declared a conflict of interest and was not present for the hearing of this item.

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

Applicant(s)

- Thuy Luu Nguyen
- Robert King
- Brent Carolan
- Jason Schulz

Council

- Ben Victory

Representor

- Stephanie Johnston
- Geoff Hayter

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 with the following planning conditions and notes attached:

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 145/E001/15.

Plans:

10JN981/SK02k – Dated 26/03/15 – Locality Plan
10JN981/SK03j – Dated 18/02/2015 – Elevations
10JN981/SK03L – Dated 18/02/2015 – Elevations
10JN981/SK01ab – Dated 26/03/15 – Site and Floor Plan
SA140038 S03 B – October 2014 – Grading Plan and Notes Sheet 1 or 2
SA140038 S04 B – October 2014 – Grading Plan and Notes Sheet 2 of 2
SA140038 C01 B – October 2014 – Stormwater Plan Notes, Legend and Schedule Sheet 1 of 2
SA140038 C02 B – October 2014 - Stormwater Plan Notes, Legend and Schedule Sheet 2 of 2
33-17XXX A – September 2014 – 19m Semi Trailer Turn Path

2. The extent and detail of landscaping along boundary fence lines, including the picket fence along Port Road, shall be submitted for the approval of the Development Assessment Commission.

Reason for condition: The application lacks clarity on the planting along fence lines, and its performance as a visual barrier. For example, the notation of conifer planting along the western edges does not specify species, spacing or extent, and the density and height of vegetation adjacent to the Temperance Hotel and along Port Road is unclear.

3. 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.
4. 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.
5. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
6. 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.
7. 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.
8. No pylon sign to be erected shall exceed 6 metres in height from ground level.

Conditions 8-15 are applied on the recommendation of the Environment Protection Authority

9. Development must be undertaken in accordance with the 'Construction Environment Management Plan – Proposed Aldinga On The Run Service Station' (CEMP) prepared by Fyfe Pty Ltd, (ref: 80014-2-2), dated 3 February 2015.

10. All fuel storage tanks (apart from diesel and LPG) must 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 tanker during filling.
11. The space between the walls of all double-walled fibreglass tanks must be filled with a gel that is monitored for any changes in colour. Any changes in colour must be promptly investigated.
12. 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 and immediately signal an alarm.
13. Following the installation of the in-ground fuel tanks all trafficked areas must be hard surfaced using either bitumen, concrete or other impervious material.
14. The forecourt canopy must 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.
15. All runoff from hard paved areas in the refuelling and fuel delivery area must be diverted to a 10,000 litre blind tank (with alarm), which is emptied as necessary via an EPA licensed waste transporter to an appropriate waste facility.
16. Any sludge and oily waste collected within the blind tank is considered waste and must be removed by an EPA licensed waste transporter to a licensed waste depot.

Conditions 16-17 are applied on the recommendation of the DPTI, Traffic Operations Group

17. The Main South Road access shall be located in accordance with the Site and Floor Plan 10JN981/SK01Y, dated 25 November 2014 and shall cater for left-turn ingress movements only and shall be provided with a channelized left turn lane.
18. All road works required to facilitate safe access to the site via Main South Road shall be designed and constructed in accordance with Austroads Guidelines, Australian standards and to the approval of the Development Assessment Commission in consultation with the Department of Planning Transport and Infrastructure. The design shall ensure that adequate room is available within the road reserve for a possible future footpath. The required road works shall be completed prior to the opening of the development. All associated costs (including project management and any necessary road lighting/drainage upgrades) shall be borne by the applicant. The applicant shall contact DPTI, Traffic Operations Group, Senior Planning Engineer, Mrs Peta McBride on (08) 8343 2163 or via email peta.mcbride@sa.gov.au prior to commencing detailed design.

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) Any changes to the proposal on which this report is based 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 described in the planning documentation.
- h) 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.
- i) 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.
- j) 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*.
- k) The applicant must engage a suitably qualified and experienced site contamination consultant to implement the 'Construction Environment Management Plan – Proposed Aldinga On The Run Service Station' (CEMP) prepared by Fyfe Pty Ltd, (ref: 80014-22), dated 3 February 2015, and to:
 - i. Manage and dispose of contaminated material in accordance with EPA and other relevant guidelines (as stated in the CEMP).
 - ii. Validate Underground Storage Systems (USS) excavations in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 (ASC NEPM) and other EPA Guidelines prior to backfilling or replacement of USS.
- l) 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 remediation) during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- m) If in carrying out the activity, contamination is identified which poses actual or potential harm to health or safety of human beings or the environment

that is not trivial, taking into account the land use, the applicant may need to remediate the contamination in accordance with EPA guidelines.

- n) 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.
- o) EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.
- p) The Metropolitan Adelaide Road Widening Plan (MARWP) shows that a strip of land up to 30.0 metres in width may be required from the Main South Road frontage of the site, together with a 4.5 metres x 4.5 metres cut-off from the Main South Road / Port Road corner of the site, for possible future road purposes. The consent of the Commissioner of Highways under MARWP Act is required for all building works on or within 6.0 metres of the possible requirement. Accordingly, the required consent form should be completed and returned to DPTI with three copies of the approved site plans. Consent can be anticipated, subject to the two proposed pylon signs on the Main South Road frontage being removed at no cost to DPTI in the event that the land is required for road widening purposes.

3.2. **Lifecare Incorporated Pty Ltd C/- Jensen Planning & Design**

DA 155/E001/15

City of Norwood, Payneham & St Peters

247-261 Payneham Road, Joslin

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

Applicant(s)

- Allen Candy, CEO, Life Care
- Scott Colegate, Marchese Partners
- David Barone, Jensen Planning + Design

Representor

- Antonio Di Giovanni
- Dr Chris Bollen
- Jason Schell

The Commission discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the relevant provisions of the Norwood Payneham and St Peters (City) Development Plan.
- 2) RESOLVE to grant Development Plan Consent to the proposal by Life Care Incorporated Pty Ltd C/- Jensen Planning + Design, for an 'integrated residential aged care facility comprising supported accommodation, a wellness centre and corporate facilities including offices, together with basement car parking and landscaping' at 247 - 261 Payneham Road, Joslin subject to the following conditions:

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, as submitted in Development Application 055/E001/15 including:

Plans by Marchese Partners

Plan Number/Name	Revision	Date issued
DA 01 – Site Plan - Existing	-	31/10/2014
DA 02 – Staging Plans	-	31/10/2014
DA 03 – Ground Floor Plans	A	19/03/2015
DA 04 – Level 1 Plans	A	19/03/2015
DA 05 – Level 2 Plans	A	19/03/2015
DA 06 – Roof Plan	-	31/10/2014
DA 07 – Basement Plan	-	31/10/2014
DA 08 – Elevations 01	A	10/03/2015
DA 09 – Elevations 02	A	10/03/2015
DA 13 – Perspective Image 1	A	19/03/2015
DA 14 – Perspective Image 2	A	19/03/2015
DA 15 – Perspective Image 3	A	19/03/2015
DA 19 – Overlooking Study - Site Plan	A	10/03/2015
DA 20 – Overlooking Study - Sections 1	A	10/03/2015
DA 21 – Overlooking Study - Details	A	10/03/2015
DA 22 – Overlooking Study Sections 2	-	10/03/2015

Plans by Taylor Brammer

Plan Number/Name	Revision	Date issued
LA01 – Landscape - Ground Floor	A	12/09/2014
LA02 – Landscape - First Floor and Roof Terrace	A	12/09/2014

Reports / Correspondence

- Jensen Planning and Design – Planning Report – Roselin Court – Integrated Residential Aged Care Facility, Wellness Centre and Office – Project Number: P0514C – Date: 3 November 2014
 - MFY Ltd Pty - Life Care Roselin Court Aged Care Facility Payneham Road, Joslin – Traffic and Parking Report – Rev A – Date: 17 March 2015
 - Wallbridge & Gilbert Consulting Engineers – Roselin Court, Joslin Redevelopment – Stormwater Management Plan – Prepared for Marchese Partners – Job No. WAD140706 – Date: 08 August 2014
2. 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 plan must incorporate, without being limited to, the following matters:
 - 5.1.1 traffic management plan for the duration of demolition and construction
 - 5.1.2 air quality, including odour and dust
 - 5.1.3 surface water including erosion and sediment control
 - 5.1.4 soils, including fill importation, stockpile management and prevention of soil contamination
 - 5.1.5 groundwater, including prevention of groundwater contamination noise
 - 5.1.6 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 both the Development Assessment Commission and the City of Norwood Payneham and St Peters prior to the commencement of site works.

3. 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, to the satisfaction of the Development Assessment Commission. Any alterations to the road drainage infrastructure on Payneham Road required to facilitate this shall be at the applicants cost.
4. That the applicant shall submit a detailed landscaping plan for approval by the Development Assessment Commission prior to the commencement of site works. This landscaping plan should include 'evergreen' species of trees along neighbouring residential boundaries. 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.
5. That landscaping to achieve screening in conjunction with the planter boxes to a height of 1.5 metres for the development 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.
6. Lighting of the site shall be designed, located, shielded and constructed to conform to Australian Standards.
7. A report shall prepared and submitted by a suitably qualified acoustic engineer which demonstrates that:
 - a) this development includes noise attenuation measures to achieve the maximum satisfactory levels in any habitable room for development near major roads, as provided in the *Australian/New Zealand Standard AS/NZS 2107:2000 - 'Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors'*
 - b) noise emissions, including, but not limited to, noise from mechanical plant and equipment and noise generated from delivery and service vehicles, will not exceed the following noise levels for the residential component of the development herein approved and other surrounding existing or envisaged nearby sensitive land uses: 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

Such a report shall be submitted prior to the issue of Building Rules Consent and to the satisfaction of the Development Assessment Commission.

8. Air conditioning plant and equipment shall be visually screened and noise attenuated in accordance with EPA standards, namely the *Environment Protection (Noise) Policy 2007*. For further information refer to the EPA information sheet for noise level limits for fixed domestic machine noise. http://www.epa.sa.gov.au/xstd_files/Noise/Information%20sheet/info_noise_machine.pdf

9. Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like should not occur:
 - i. after 10.00pm; and
 - ii. before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.
10. The proposed car parking layout 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*.
11. The Payneham Road accesses shall be a maximum of 4.0 metres in width, angled at 70 degrees to the road and appropriately signed/line marked to reinforce the desired traffic flow through the site.
12. All vehicles shall enter and exit the site in a forward direction.
13. Obsolete crossovers shall be removed and reinstated with the gutter and kerb to Council standard prior to the practical completion of the development. All costs shall be borne by the developer.
14. All boundary fencing with neighbouring residential properties shall be designed to protect the privacy of neighbouring residents to the satisfaction of the Development Assessment Commission

Advisory Notes:

- a) 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. 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>
- b) An application for an authorisation pursuant to Section 22.1 of the Local Government Act will need to be lodged and approved by the City of Norwood, Payneham and St Peters for any encroachments or works within the public realm.
- c) 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.
- d) 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.
- e) 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.
- f) The development must meet the relevant requirements of the *Minister's Specification SA 78B for Construction Requirements for the Control of External Sound* as part of the building rules assessment.

- g) The development must be substantially commenced within one (1) year of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- h) You are also advised that any act or work authorised or required by this Notification must be completed within three (3) years of the date of the Notification unless this period is extended by the Commission.
- i) The applicant will require a new consent before commencing or continuing the development if you are unable to satisfy the conditions of approval.
- j) 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.
- k) 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 of the day on which you receive this notice or such longer time as the Court may allow. 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).

3.3. **Tyre Storage & Recovery SA**

DA 354/0094/14

Port Pirie Council

Decommissioned SA Water dam – Lot 1 Hatters Road, Warnertown

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

Applicant(s)

- Chris Forrester, Tyre Storage and Recovery SA
- Rob Rodenburg

Agency – Environment Protection Authority

- Melissa Chrystal
- Hayley Riggs
- Marian Lang

Representor

- Dave West, Boomerang Alliance
- Phillip Player, Spencer Gulf Recyclers
- Alby Roeslma on behalf of Jim Fairweather, Tyrecycle Pty Ltd
- Greg Hatter, on behalf of Joan and John Hatter (adjoining resident)
- Alan Munn

The Commission discussed the application.

RESOLVED

1. RESOLVE The Development Assessment Commission REFUSE Development Application No.: 354/0094/14 for tyre and other industrial rubber waste storage with associated clearance and excavation works

It is considered the proposed development is not consistent with key objectives of the General Farming Zone and does not display sufficient merit to warrant Development Plan Consent.

The following provisions are relevant to the proposed development:

ZONE POLICIES:

General Farming Zone

OB1 The long term continuation of primary production, including value adding to primary production.

OB2 Economically productive, efficient and environmentally sustainable primary production.

OB3 Allotments of a size and configuration that promote the efficient use of land for primary production.

OB4 Protection of primary production from encroachment by incompatible land uses and protection of scenic qualities of rural landscapes.

OB6 Development that contributes to the desired character of the zone.

PDC1 The following forms of development are envisaged in the zone:

Bulk handling and storage facility

Commercial forestry

Dairy farming

Farming

Horticulture

Intensive animal keeping

Tourist accommodation (including through the diversification of existing farming activities and conversion of farm buildings)

Value-adding activities involving primary produce

Wind farm and ancillary development

Wind monitoring mast and ancillary development.

PDC4 Value-adding agricultural industry and warehousing should only be developed if it supports primary production, processing, storage and distribution of primary produce or products, and should be developed where:

- (a) it has a direct relationship with primary production;
- (b) it is unlikely to limit or inhibit the use of adjoining land for primary production;
- (c) it will not result in the alienation of land or water resources identified as significant for primary production or ecological reasons;
- (d) the use would be inappropriate within a township;
- (e) the capacity of the infrastructure, including roads, is capable of supporting the use without detriment to existing users;
- (f) it is located more than 500 metres from a dwelling not on the subject property; and
- (g) it is screened from public roads and adjacent land by existing vegetation or proposed landscaped buffers.

PDC9 Development listed as non-complying is generally inappropriate.

PDC11 Buildings should primarily be limited to farm buildings, a detached dwelling associated with primary production on the allotment and residential outbuildings and buildings associated with value adding that are:

- (a) grouped together on the allotment and set-back from allotment boundaries to minimise the visual impact of buildings on the landscape as viewed from public roads; and
- (b) screened from public roads and adjacent land by existing vegetation or landscaped buffers.

3.4. **Mr F Perre**
DA 415/D026/13
Yorke Peninsula Council
175-227 Maurice Road, Murray Bridge

Damien Brown was not present for the hearing of this item.

The Commission discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is SERIOUSLY at variance with the policies in the Development Plan.
- 2) RESOLVE to NOT CONCUR with the decision of the Rural City of Murray Bridge Development Assessment Panel to grant Development Plan Consent to Development Application no 415/D026/13 for the land division (1 into 2) at 175-227 Maurice Road, Murray Bridge.

3.5. **Maria Grasso**
DA 145/D030/15
City of Onkaparinga
3 Bonneyview Road, Flagstaff Hill

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

Applicant(s)

- Garth Heynen

The Commission discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is SERIOUSLY AT VARIANCE with the policies in the Development Plan.
- 2) RESOLVE that pursuant to Section 39(4)(d) of the *Development Act 1993* and Regulation 17(3)(a) of the *Development Regulations 2008*, to REFUSE Development Application No. 145/D030/15 without proceeding to make an assessment.

3.6. **Ms K McLachlan**
DA 544/1124/2014
Yorke Peninsula Council
279 North Coast Road, Point Turton

Damien Brown was not present for the hearing of this item.

The Commission discussed the application.

RESOLVED

- 1) That the Commission CONCUR with the proposal by the DC Yorke Peninsula to grant development plan consent to DA 544/1124/2014.

4. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

5. MAJOR DEVELOPMENTS – Nil.

6. ANY OTHER BUSINESS

7. NEXT MEETING – TIME/DATE

- 7.1. Thursday, 9 April 2015 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 4.50 PM

Confirmed / /2015

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Ted Byrt
PRESIDING MEMBER