



Development Assessment Commission

Minutes of the 542nd Meeting of the Development Assessment Commission held on Thursday, 10 03 2016 commencing at 9.30 AM 28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey Sue Crafter David O'Loughlin John Hodgson (Agenda Item 3.2.1) David Cooke (Agenda Items 3.2.2 and 3.2.3) Sybella Blenclowe (Agenda Item 4.2.1)
Secretary	Cathryn Longdon
DPTI Staff	Mark Adcock Damien Dawson (Agenda Item 3.2.1) Gabriella Vikor (Agenda Item 2.2.1) Elysse Kuhar (Agenda Item 3.2.2) Yasmine Alliu (Agenda Item 3.2.3) Jason Bailey (Agenda Item 4.2.1)

1.2. APOLOGIES – Dennis Mutton, Helen Dyer (Agenda Item 3.2.1, 2.2.1 and 2.1.1),
Simone Fogarty (Agenda item 4.2.1)

2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS -

The following application was tabled at the meeting by Mark Adcock

- 2.1.1. **Grove One Pty Ltd c/ Andrew & Associates Pty Ltd**
DA 455/D028/13
Allotment 920 & 921 Sun Orchid Drive, Hundred of Goolwa
Proposal: to subdivide 1 allotment into 5

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission concurs with the Alexandrina Council to grant development plan consent and land division consent to DA 455/D028/13 to divide one allotment into 5 allotments at pieces 920 & 921 in DP 95272, Sun Orchid Drive, Hundred of Goolwa.

2.2. NEW APPLICATIONS

- 2.2.1. **McDonald's Australia Ltd**
252/R006/16
837 Port Road Woodville
Proposal: McDonald's restaurant, drive through facility, car parking and signage (Concurrence)

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

Council

- John Tarasiuk – Charles Sturt Council

The Commission discussed the application.

RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission is satisfied that the proposal meets the key objectives of the Mixed Use Zone.
3. To grant concurrence to the proposal by McDonald's Australia Ltd for construction of a McDonald's restaurant with drive through facility, associated car parking and signage (including 8m high pylon sign) on Port Road, Woodville.

3. INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

3.1. DEFERRED APPLICATIONS - Nil.

3.2. NEW APPLICATIONS

- 3.2.1. **North Tce Holding - Enigma**
DA 020/A053/15
Allotment 14, Corner of Rose and Newmarket Streets Adelaide
Council: Adelaide City Council
Proposal: Demolition of existing structures, 9 level car park

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

Applicant(s)

- Damien Ellis (Intro)
- Nigel Howden (Intro)
- Anthony Gatti (Intro)
- Paul Morris (GTA)

Agency

- Nick Tridente (Associate Government Architect)

The Commission discussed the application.

RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. To GRANT Development Plan Consent to the proposal by North Terrace Holdings Pty Ltd for the demolition of existing buildings and construction of a nine (9) level car park at 13 West Terrace, Adelaide 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 plans, including the amended plans as submitted in development application number 020/A053/15.

Plans by Intro Design dated 16 November, 2015 including:

Site Plan – SK01 – dated – 20 January, 2016
Ground Floor Plan – SK 10
Typical car park levels 1-8 – SK 11
Landscape/Urban Design (Ground)
South Elevation – SK 50
East Elevation – SK 51
West Elevation – SK 52
North Elevation – SK 53
Section 1 – SK 60
Section 2 – SK 61
Facade Details – SK 95
3D views – SK 101

Reports / Correspondence

- Planning Report prepared by Intro dated July, 2015
 - Traffic Impact Assessment prepared by GTA Consultants dated 29 June 2015
 - Additional traffic report by GTA Consultants dated 23 November 2015 and traffic modelling provided 16 February, 2016.
2. Final details of the external lighting, particularly at the pedestrian entrances, shall be provided to the satisfaction of the Development Assessment Commission prior to the grant of Development Approval for any superstructure works. The approved lighting shall be provided at all times to the reasonable satisfaction of the Commission and prior to the occupation or use of the Development. Such lighting shall be operational

during the hours of darkness at all times to the reasonable satisfaction of the Commission.

3. Final details of the facade screen systems, including a prototype, shall be provided to the satisfaction of the Development Assessment Commission prior to the grant of Development Approval for any superstructure works.
4. Final details of the internal pedestrian access from the secondary pay station to the ground floor of the car park shall be provided to the satisfaction of the Development Assessment Commission prior to the grant of Development Approval for any superstructure works.
5. All stormwater design and construction shall be in accordance with Australian/New Zealand Standards, AS/NZS 3500-2003 and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property.
6. The proposed car parking layout, vehicular entry points and manoeuvring areas shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including clearance to columns and space requirements at the end of blind aisles) for Off-Street Parking Facilities; Australian Standard 2890.6-2009 Parking facilities – Off street commercial vehicle facilities and designed to conform with Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities.
7. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTRROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
8. 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.

9. 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 CEMP must incorporate, without being limited to, the following matters:

- 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

10. The connection of any storm water discharge from the Land to any part of the Adelaide City Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' and be to the reasonable satisfaction of the Adelaide City.

Advisory Notes:

- a) Council maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council specifications. All costs associated with these works shall be met by the proponent.
- b) 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>

- 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) If temporary hoarding or site works require modification of existing Council infrastructure, the works will be carried out to meet Councils requirements and costs borne directly by the developer.
- f) A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
- Work in the Public Realm
 - Street Occupation
 - Hoarding
 - Site Amenities
 - Traffic Requirements
 - Servicing Site
 - Adjoining Buildings
 - Reinstatement of Infrastructure
- g) Insecure building sites have been identified as a soft target for vandalism and theft of general building materials. The Adelaide Local Service Area Police and the Adelaide City Council are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised vehicle access and establishes clear ownership. If you have any further enquiries about ways to reduce building site theft, please do not hesitate

to contact the Adelaide Local Service Area Community Programs Section on 8463 7024. Alternatively, you can contact Adelaide City Council for further assistance and information by calling Nick Nash on 8203 7562.

- h) Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of each stage of the building work on the site. To notify Council, contact City Services on 8203 7332.
- i) 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>

- j) 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.
- k) 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.
- l) You are 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.
- m) You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- n) You have 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, and (telephone number 8204 0300).

3.2.2. **Devonport Apartments P/L**

DA 050/M006/15

189 Devonport Terrace, Prospect

Council: Prospect

Proposal: Demolition of existing buildings, construction of a five storey residential flat building

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

Applicant(s)

- David Tonellato (applicant)
- Nathan Franklin (Masterplan)
- Erick Lampard (Woodcock Group)
- Ralph Pacillo (LG Hooker)

Agency

- Nick Tridente (Ass Gov Architect)

Council

- Scott McLuskey (City of Prospect)

The Commission discussed the application.

RESOLVED

That a decision in respect of the application be deferred to enable the following issues to be addressed:

- departure from side and rear boundary setback policy resulting from balconies on the northern and eastern elevations respectively
- overshadowing caused by the extent of the eastern rooftop canopy
- resolution of materials and finishes and reflection of same in documents forming part of the application (including provision of samples board)
- natural ventilation of the apartments at level 1
- activation of and relationship with Devonport Terrace including improved sense of address and potential for balconies
- landscaping including details of ground level and rooftop plantings and associated design of rooftop garden beds.

3.2.3. **Angelo Properties P/L**

DA 050/M005/15

225 Prospect Road, Prospect

Proposal: For story residential flat building and associated works

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

Applicant(s)

- Greg Vincent (Masterplan)
- Tectvs (Architect)

Agency

- Nick Tridente (Associate Government Architect)

Representor(s)

- Travis Algate on behalf of Strata Corporation
- Shaine Osten and Lynette Donald
- Jecek Zbik

The Commission discussed the application.

RESOLVED

That a decision on the application be deferred to enable further consideration of the following issues:

- apartment amenity (including access to natural light and outlook as well as impacts of the walkway on private open space areas).
- access to apartment building 2 (including legibility and equitability of access).
- the setback of apartment building 1 from the from Prospect Road frontage and the potential for a reduced setback to better align with the streetscape, contribute to mitigation of overlooking and enable provision of useable communal open areas at ground level.
- convenience of waste management for apartment building 2.
- resolution of the Prospect Road facade of apartment building 1.

4. **PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMISSION**

4.1. **DEFERRED APPLICATIONS** – Nil

4.2. **NEW APPLICATIONS**

4.2.1. **Anglicare SA**

DA 040/W0062/16

74-76 Dale Street, Port Adelaide

Proposal: Construction of a mixed use building (accommodation, office and car park) plus removal of two regulated trees

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

Applicant(s)

- Greg Vincent (Masterplan)

Agency

- Nick Tridente (Associate Government Architect)

The Commission discussed the application.

RESOLVED

- 1) That the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) To grant Development Plan Consent to the proposal by Anglicare SA for a mixed use development comprising special needs accommodation and associated office, consulting room and meeting room facilities, a separate (independent) commercial / office tenancy, ancillary car parking, site works and removal of two regulated trees subject to the following 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:
 - 1.1 the design of the canopies including their relationship with the built form.
 - 1.2 the design of the waste enclosure.
 - 1.3 specification of the detail illustrated by drawing PL01.17 including the precise dimension of the proposed recess / rebate (noting it is the Development Assessment Commission's clear preference for a 25mm recess / rebate) and where within the built form exterior this recess / rebate is to be applied.
 - 1.4 detail of the screens to be fixed to the windows of the accommodation units.

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 040/W002/16:

Drawings by Hodkison Architects:

Drawing Reference	Date
PL01.5_D	February 2016
PL01.6_D	February 2016
PL01.7_D	February 2016
PL01.8_D	February 2016
PL01.9_D	February 2016
PL01.10_D	February 2016
PL01.11_D	February 2016
PL01.13_D	February 2016
PL01.14_D	February 2016
PL01.17_D	February 2016

2. The accommodation component of the development shall be staffed 24 hours a day.
3. A final schedule of exterior colours shall be submitted to the satisfaction of the Development Assessment Commission, in consultation with the Government Architect, prior to final Development Approval being granted.
4. Final details of materials chosen to surface land adjacent the laneway to the immediate west of the subject site shall be submitted to the satisfaction of the Development Assessment Commission prior to final Development Approval being granted.
5. 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.
6. Four bicycle parking spaces (in the form of racks or similar) shall be installed within the subject site to the satisfaction of the Development Assessment Commission. These shall be designed and constructed in accordance with the relevant Australian Standards.
7. A lighting plan shall be submitted to the satisfaction of the Development Assessment Commission prior to final Development Approval being granted.
8. An assessment of the acoustic attenuation measures required to provide a level of internal acoustic amenity that accords with relevant standards shall be provided to the satisfaction of the Development Assessment Commission prior to final Development Approval being granted.
9. The applicant shall submit a detailed landscaping plan to the satisfaction of Development Assessment Commission prior to the commencement of site works. The landscaping shown on that 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.
10. 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.

11. A statement from a suitably qualified person (who may, if required, be a Site Contamination Auditor accredited by the Environment Protection Authority) that the land is suitable for its intended use shall be submitted to the satisfaction of the Development Assessment Commission prior to any substructure works.
12. A payment of \$336 shall be made into the Planning and Development Fund (4 replacement trees @\$84 per tree) within three (3) months of the date of Development Approval being granted.
13. A stormwater management plan shall be submitted to the satisfaction of the Development Assessment Commission prior to final Development Approval being granted.
14. 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 “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction.
15. 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?*’.

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

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. 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, (telephone number 8204 0289).

- e. The applicant is encouraged to explore means of retaining the regulated tree located towards the centre of the site in order to preserve and exploit the amenity offered by this.

5. MAJOR DEVELOPMENTS

5.1. **DEFERRED APPLICATIONS** – Nil

5.2. **NEW APPLICATIONS** - Nil

6. OTHER BUSINESS

7. NEXT MEETING – TIME/DATE

7.1. Thursday, 17th March 2016 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 4.50 PM

Confirmed 11/ 03 /2016



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Helen Dyer
DEPUTY PRESIDING MEMBER