



Development Assessment Commission

**Minutes of the 460th Meeting of the
Development Assessment Commission
held on Thursday 26 April 2012 commencing at 11:30AM
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

PRESENT

Presiding Member	Ted Byrt
Deputy Presiding Member	Betty Douflias
Members	Damien Brown Geoffrey Loveday Megan Leydon Carolyn Wigg John Dagas
Secretary	Sara Zuidland
A/Principal Planner	Simon Neldner
DPLG Staff	Tom Victory (Agenda Item 9.1) Gabrielle McMahon (Agenda Item 9.2) Philippe Mortier (Agenda Item 9.2) Simon Neldner (Agenda Item 11.1) Steven Copus (Agenda Item 11.1) Glenn Searle (Agenda Item 11.2) Daniel Pluck (Agenda Item 13.1) Lee Webb (Agenda Item 13.1)

1. **ATTENDANCE**
2. **APOLOGIES**
3. **DEFERRED APPLICATIONS**
 - 3.1. **Status of Deferred Applications** – Nil
4. **OUTSTANDING MATTERS**
 - 4.1. **Status of Outstanding Matters** - Nil

5. **COURT MATTERS**

5.1. **Status of Court Matters - Nil**

6. **ENFORCEMENT MATTERS**

6.1. **Status of Enforcement Matters - Nil**

7. **PRESIDING MEMBER'S REPORT - Nil**

8. **DETERMINATION OF CATEGORY 2 HEARINGS - Nil**

9. **SCHEDULE 10 APPLICATIONS**

9.1 **Robe District Council - Waste Transfer Depot - Lot 30 in DP71294, White Street (southern side), Robe, Hundred of Waterhouse, CT 5965/726 – Industry Zone - Robe District Council (822/0006/11)**

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

Applicant(s)

- Michael Hutchison

Representor(s)

- Trevor Thomas

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 defer further consideration pending receipt of amended drawings as outlined by the proponent and the representor at the meeting and delegate to the Acting Principal Planner the authority to GRANT development plan consent for the establishment of a Waste Transfer Station by the Robe District Council (822/0006/11) at White Street, Robe generally in accordance with the following conditions and advisory notes:

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 822/0006/11.
 - Tonkins Consulting, Job Number 2010.0164, Locality Plan, Sheet 1, Revision 1
 - Tonkins Consulting, Job Number 2010.0164, Proposed Site Layout, Sheet 2, Revision 5
 - Tonkins Consulting, Job Number 2010.0164, Section and Details, Sheet 3, Revision 1
 - Tonkins Consulting, Job Number 2010.0164, Signage and Linemarking, Sheet 4, Revision 2
 - Tonkins Consulting, Job Number 2010.0164, Vehicle Movement Paths, Sheet 5, Revision 2
 - Access Planning, Landscape Concept Plan, August 2011

2. That all car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Development Assessment Commission.
3. That 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.
4. That all materials and goods shall be loaded and unloaded within the boundaries of the subject land.
5. That the landscaping shown on the plans forming part of the application shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
6. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
7. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
8. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
9. That appropriate fencing be provided around the site to prevent wind blown litter migrating off-site.

Conditions Directed by the Environment Protection Authority

10. The development must be undertaken in accordance with the plans and specifications contained in Development Application Number 822/0006/11, except as varied by any other condition specified below.
11. Waste must not be disposed of at the premises.
12. Waste must be stored in a manner which prevents litter from spreading over the site.
13. Any material kept on site that is likely to degrade water must be kept undercover in a sealed container, or in a bunded compound suitable for preventing the escape of that material to soil or underground water resources.
14. Operating hours must be restricted to between 7.30am to 5pm weekdays, and 2 hours each on Saturday and Sunday afternoons.
15. Only the following types of waste can be received at the premises:
 - Municipal Solid Waste - Domestic and Hard
 - Construction and Demolition Waste - Inert
 - Green/woody waste
 - Scrap metal
 - Recyclables (paper, cardboard, tins, glass, plastics etc)
 - Waste Oil

- E-Waste
- Drum Muster Containers

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 of the day on which this notice is received 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, 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) An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- i) A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- j) 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>
- k) ETSA advises that buildings or structures are not permitted to be erected on the easement located in the site. It further advises that Council should contact the local ETSA utilities office (Mt Gambier) to discuss whether an upgrade to the existing electricity supply at the site is required.

9.2 Alteman (SA) Pty Ltd - Harris Scarfe Variation - 75-91 Rundle Mall, 90-100 Grenfell Street, 12-18 Frances Street & 1-19 Lindes Lane, Adelaide - Capitol City Zone: Hindley and Main Street Policy Area 14 - Adelaide City Council (020/0020/08 V5)

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

Applicant(s)

- David Barone
- David Tuckett (Pacific Shopping Centres)
- Graeme Bowie (Geyer Architects)

Council

- Helen Dand

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 defer the application and to delegate to the Acting Principal Planner authority to determine an amended design of the Rundle Mall façade to ensure the provision of a canopy to the façade and restore an identity to the entrance of the building.

10. SECTION 34 APPLICATIONS - Nil.

11. SECTION 35 APPLICATIONS

11.1 AR & AS Kleinig – Single storey detached dwelling – Heintze Road, Moppa – Primary Industry Zone – Light Regional Council (313/396/11)

The Commission discussed the application.

RESOLVED

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

RESOLVE to CONCUR with the Light Regional Council to grant Development Plan Consent to Development Application No 313/0396/11 for the construction of a single-storey detached dwelling on Heintze Road, Moppa [s22 in HP160100; CT 5840/247] subject to the conditions recommended by the Council.

11.2 PD Meline - Boarding cattery - Lot 25 Kangaroo Reef Road, Hahndorf - Rural Watershed Protection Zone - DC Mount Barker (580/0188/11)

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 CONCUR with the District Council of Mount Barker to grant Development Plan Consent to Development Application No 580/0188/11 for the construction of a shed to be used as a boarding cattery for 12 cats at Kangaroo Reef Road, Hahndorf [25, FP160002; CT 5786/599] subject to the conditions recommended by the Council.

12. OTHER APPLICATIONS – Nil.

13. CROWN/INFRASTRUCTURE APPLICATIONS

13.1 Report on Minister's Decisions - Nil.

13.2 Investec Bank (Australia) Ltd - Construct up to 105 wind turbines with a maximum overall installed capacity of 315 MW - Land (7500ha over 77 allotments) north of Jamestown - Primary Production zone - Northern Areas Council (764/V001/11)

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

Applicant(s)

- Jim Trenerry (Investec)
- Robert Connell (Investec)
- Peter Boulton (DMITRE)
- Tim Power (Freehills)
- Travis How (EBS Ecology)
- Doug Wallace (Aurecon)
- Neil MacKenzie (Aurecon)
- Marcus Howard (Aurecon)

Council

- Ben Browne

Agencies

- Peter Boulton (DMITRE)
- Steve Ward (DMITRE)
- Hayley Raymond (DMITRE)

Representor(s)

- Ruth Robinson
- Nick Corlis (Flinders Mines)
- John Voumard
- Sarah Voumard
- Michael Durrant (Tarcowie Phosphate)
- David Patterson (Tarcowie Phosphate)

Observer

Trevor White (Central Local Government Region of Councils)

The Commission discussed the application.

RESOLVED

1. RESOLVE to defer to the 24 May 2012 Development Assessment Commission hearing in order to obtain further information from the applicant and to seek guidance from the Crown Solicitor's Office in relation to the interaction between the Development Act and the Mining Act.

14. MAJOR DEVELOPMENTS

14.1 Major Developments update - Nil

15. MATTERS DELEGATED BY THE GOVERNOR

16. COMMITTEES

16.1 Building Fire Safety – Nil.

16.2 Building Rules Assessment– Nil.

17. DELEGATIONS

17.1 **Section 33 and Section 49 Decisions -Nil**

17.2. **Section 48 Major Development Decisions determined by the Presiding Member - Nil.**

18. DEVELOPMENT APPLICATION STATISTICS

18.1 **Monthly Update - Nil**

19. PRINCIPAL PLANNER'S REPORT

19.1 **A/Principal Planner's report - Nil**

20. ANY OTHER BUSINESS - Nil

21. NEXT MEETING - TIME/DATE

Thursday, 10 May 2012
Conference Room, Westland Hotel Motel
100 McDouall Stuart Avenue, Whyalla Norrie SA 5608

The Presiding Member thanked all in attendance and closed the meeting at 4:00PM

Confirmed *26* / *104* / 2012



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Ted Byrt
PRESIDING MEMBER