



# *Development Assessment Commission*

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Minutes of the 553<sup>rd</sup> Meeting of the  
Development Assessment Commission  
held on Thursday, 14<sup>th</sup> July 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 Sue Crafter Dennis Mutton
Secretary	Cathryn Longdon
DPTI Staff	Elysse Kuhar (Agenda Item 3.2.1) Leif Burdon (Agenda Item 3.2.2) Jason Bailey (Agenda Item 3.2.1, 3.2.2 & 7.1) Tom Victory (Agenda Item 7.1) Lee Webb (Agenda Item 2.2.1)

1.2. COUNCIL REPRESENTATIVES – David Cooke, Wayne Stokes, John Hodgson

1.3. APOLOGIES - David O'Loughlin, Peter Dungey

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## 2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS – Nil.

## 2.2. NEW APPLICATIONS – Nil

### 2.2.1 SA Water

923/V001/15

Knotts Hill Reservoir, White Flat Koppio road, White Flat  
Proposal: Tod River Dam Safety Upgrade

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

#### Applicants(s)

- Tara Hage
- Derek Moore
- Alyssa Freeman
- Charmaine Goodes

The Commission discussed the application.

#### RESOLVED

1. To make a recommendation to the Minister for Planning.

## 3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

### 3.1. DEFERRED APPLICATIONS - Nil

### 3.2. NEW APPLICATIONS – Nil

#### 3.2.1 Melanie Jane Developments

050/M002/16

39 Churchill Road, Prospect  
City of Prospect

Proposal: Construction of a 5 storey apartment building, with ground floor car parking

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

#### Applicants(s)

- Matt King
- Louis Petridis
- Peter Gambranis

#### Agency

- Nick Tridente (ODASA)
- Aya Shirai-Doull (ODASA)

#### Council

- Scott McLuskey

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 Boulevard Policy Area.

3. To grant Development Plan Consent to the proposal by Melanie Jane Developments c/- Loucas Zahos Architects for the demolition of existing structures and construction of a five-storey residential flat building including landscaping and site works at 39 Churchill Road, Prospect subject to the following reserved matters and conditions of consent.

Planning conditions:

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 050/M002/16.

Plans by Loucas Zahos:

Site & Location Plan – 01 – Rev P3 – 4 July 2016  
Ground Floor Plan – 02 – Rev P3 – 4 July 2016  
First Floor Plan – 03 – Rev P3 – 4 July 2016  
Second Floor Plan – 04 – Rev P3 – 4 July 2016  
Third Floor Plan – 05 – Rev P3 – 4 July 2016  
Fourth Floor Plan – 06- Rev P3 – 4 July 2016  
Roof Plan – 07 – Rev P3 – 4 July 2016  
Perspective – 08 – Rev P3 – 4 July 2016  
Elevation – 09 – Rev P3 – 4 July 2016  
Sections – 10 – Rev P3 – 4 July 2016  
Perspectives – 11 – Rev P3 – 4 July 2016  
Axonometric – 12 – Rev P2 – 19 May 2016  
Typical Apartments – 13 – Rev P2 – 19 May 2016  
Sun Shading Diagrams – 14 – Rev 1 – 4 July 2016  
Isometric Context Images – 15 – Rev P2 – 19 May 2016  
Perspective Context Images – 16 – Rev P2 – 19 May 2016  
Locality Plan – 17 – Rev P1 – 4 July 2016  
Apartment Schedule of Provisions – A1940 – dated 5 July 2016  
Material Sample Photos – Alucobond  
Front Render  
Side Render

Plans:

LCS Landscapes – Landscape Concept – LS0166.009.16 – dated May 2016  
John C Bested & Associates – Detail Survey – version 2 – dated 14/09/2015

Reports:

URPS – Planning Report – dated 12 May 2016  
TMK Consulting Engineers – Engineering Design Intent – dated May 2016  
Phil Weaver & Associates – Traffic and Parking Assessment – dated 11 May 2016  
Sonus – Traffic Noise Assessment – dated May 2016  
TMK Consulting Engineers – Stormwater Calculations – dated 5 May 2016

2. Screening to the north eastern balconies on level 3 and shall be provided to height of 1.5m. Details of the screening shall be provided to the satisfaction of the Development Assessment Commission. The approved screening shall be installed prior to occupation of the building.
3. The recommendations of the Traffic Noise Assessment Report prepared by Sonus dated May 2016 (Reference S4860C3) shall be implemented and, where applicable, incorporated into the building rules documentation to the satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation of the development.

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](http://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. 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.
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, 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.
7. The visitor car parking spaces (3) shall be clearly identified as ‘visitor’ spaces.
8. 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.
9. 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.

#### DPTI Directed Conditions

10. All services and infrastructure associated with the development, including but not limited to, gates, fencing, water meter(s), fire hydrant booster(s) and electricity transformers shall be located a minimum of 2.13 metres from the Churchill Road property boundary.
11. The built form (except the roof level awning) shall be completely clear of the 2.13 metre road widening strip and 3.0 x 3.0 metres corner cut off.

12. The roof level awning located within the road widening requirements shall be designed to be able to be removed or modified should it be necessary as a result of road widening activities. In the event that it is necessary for the awning to be removed or modified, this shall be undertaken on the direction of the Commissioner of Highways or his delegate and at the cost of the developer.
13. The access point to Cochrane Terrace shall be constructed in accordance with Loucas Zahos Architects, Ground Floor Plan, Revision P3, dated 4 July 2016.
14. All vehicles shall enter and exit the site in a forward direction.
15. The car park ramp and internal parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
16. All bicycle parking facilities should be designed in accordance with AS2890.3:1993.
17. All waste collection shall be undertaken on to Cochrane Terrace outside of the peak traffic periods.
18. All landscaping within the road widening requirement areas shall be limited to low growing species ( < 1.0 metres tall).
19. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Churchill Road and Cochrane Terrace. 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. The authorisation will lapse if not commenced within 12 months of the date of this Notification.
- 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 has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- d. 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.
- e. 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).
- f. The applicant is advised of their obligations under section 221 of the Local Government Act specifically with reference to the aesthetic located on Cochrane Terrace which may be removed or relocated in consultation with Council Asset and Infrastructure staff. Council has advised that all costs associated with the works are to be borne by the developer.
- g. 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

#### DPTI Advisory Notes

- h. The Metropolitan Adelaide Road Widening Plan (MARWP) shows a possible requirement for a strip of land up to 2.13 metres in width from the Churchill Road frontage of Lot 59 in FP 109224, together with a 4.5 x 4.5 metre cut-off at the Churchill Road/Cochrane Terrace corner, for future road purposes. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the 2.13 metre and corner cut-off requirement.

As the development encroaches within the above areas, the applicant will need to apply for consent under the Metropolitan Adelaide Road Widening Plan Act. The applicant should fill out the attached consent form and return it to DPTI with 3 copies of the approved plans and a copy of the Decision Notification Form.

#### Environmental Duty

- 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.
- 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.

#### Construction

- k. 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.
- l. 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.

#### 3.2.2 Leonard Property Group

211/M002/16

23-27 Walsh Street, Thebarton

City of West Torrens

Proposal: Construction of a mixed use, 8 storey building with apartments, ground floor retail tenancy and car parking.

Helen Dyer declared a conflict and left the meeting

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

#### Applicant(s)

- Helen Gerard
- Damian Dawson
- James Vassos
- Jim Diamanti
- Stephen Brailey

- Kevin Webb
- Simon Voss (via phone hook-up)

Agency(s)

- Aya Shirai-Doull (ODASA)
- Nick Tridente (ODASA)

The Commission discussed the application.

RESOLVED

1. The proposed development is not seriously at variance with the policies in the Development Plan.
2. To REFUSE Development Plan Consent to Development Application 211/M000/16 by Leonard Property Group Pty Ltd for the demolition of existing structures and the construction of a mixed use building comprising residential and retail together with associated car parking, landscaping and site works at 23-27 Walsh Street, Thebarton due to the cumulative effect of the following insufficiencies:
  - provision of car parking spaces
  - design quality
  - documentation
  - impacts on adjacent land.
  - departures from the following provisions within the West Torrens Council Development Plan Consolidated 5 November 2015:
    - Business Policy Area 37
      - Objectives 2, 3 and 4
      - Principles of Development Control 5
    - Urban Corridor Zone
      - Objectives 9
      - Principles of Development Control 4, 7, 19
    - General Section
      - Design and Appearance
        - Objective 1
        - Principle of Development Control 3
      - Interface between Land Uses
        - Objective 1
        - Principle of Development Control 2
      - Transportation and Access
        - Principle of Development Control 34 and 44
4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE
  - 4.1. DEFERRED APPLICATIONS – Nil
  - 4.2. NEW APPLICATIONS – Nil
5. MAJOR DEVELOPMENTS
  - 5.1. DEFERRED APPLICATIONS – Nil
  - 5.2. NEW APPLICATIONS – Nil

6. REPORTING

6.1. Delegations / Decisions

RESOLVED for the report to be re-issued and to be deferred to the next meeting.

6.2. Appeals / Enforcements - Nil

6.3. Crown / Major Developments - Nil

6.4. BRAC - Nil

7. ANY OTHER BUSINESS

7.1. ERD Court Compromise

Simone Fogarty declared a conflict and left the meeting.

RESOLVED that the information be received and noted.

7.2. Correspondence

RESOLVED that the correspondence be received and noted.

8. NEXT MEETING – TIME/DATE

8.1. Thursday, 28<sup>th</sup> July 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 3.20 PM

Confirmed 14 / 7 /2016



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Simone Fogarty  
PRESIDING MEMBER