



Development Assessment Commission

Minutes of the 525th Meeting of the Development Assessment Commission held on Thursday, 23 July 2015 commencing at 10.00 AM Basement Level, 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 Dennis Mutton
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Nitsan Taylor (Agenda Item 3.1) Leif Burdon (Agenda Item 3.2)

1.2. APOLOGIES – Nil.

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

3.1 The Barossa Co-Op

DA 960/E003/15

10 Gawler Street Nuriootpa

The Barossa Council

Proposal: Construction of a new building comprising a Mitre 10 shop (Bulky Goods Outlet) with associated car parking, acoustic wall, and landscaping.

Helen Dyer 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)

- Chris Vounasis
- John Lincoln
- Paul Froggatt
- Ben Puddy

Representor

- Michael Andrews
- Janet Bell
- BS Perkins
- ML Perkins

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 960/E003/15 by The Barossa Co-Op for demolition of the existing Mitre 10 Trade Centre and adjacent dwellings at 5 Second Street, Nuriootpa, and 10 Gawler Street, Nuriootpa, and construction of a new building comprising a Mitre 10 store with associated signage, car parking, acoustic wall, landscaping and site works, subject to the following conditions.

Planning Conditions:

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 960/E003/15.

NH Architecture – Project No. 150170

Cover Page Drawing Register, Dwg No. TP-000 Rev 00, 14/4/15

Urban Design & Architectural Statement, Dwg No. TP-001 Rev 00, 14/4/15

Barossa Co-Op Masterplan, Dwg No. TP-000 Rev 002, 14/4/15

3D Views, Dwg No. TP-003 Rev 01, 14/5/15

Materials and Finishes, Dwg No. TP-004 Rev 00, 14/5/15

Floor Plan, Ground Level, Mezzanine & Roof, Dwg No. TP-005 Rev 01, 14/5/15

Elevations Stage 1, Dwg No. TP-006 Rev 01, 14/5/15

ASPECT Studios

Landscape Master Plan, Dwg No. A15016-SK01-01, April 2015

Landscape Sections, Dwg No. A15016-SK01-02, April 2015

Landscape Material Palette, Dwg No. A15016-SK01-03, April 2015

Planting Palette, Dwg No. A15016-SK01-04, April 2015

Future Urban Group

Planning Statement, Ref. 0003-1-Mitre 10, V2, 20/4/15

Letter to Nitsan Taylor, DPTI, Response to Representations, Ref. 003-2-Mitre 10, 19/6/15

GTA Consultants

Transport Impact Assessment, ref. 15A1190000, 13/4/15
Letter to Future Urban Group, Response to DPTI and Council Comments, ref. 15A119000, 18/6/15

Sonus Pty Ltd

Environmental Noise Assessment, Ref. S4459C4, April 2015-07-17

Flightpath

Heritage Impact Statement, April 2015

FYFE

Stormwater Management Report (Preliminary), Ref. 50528-511-1 Rev A, 10/4/15

2. That a final plan for the northern boundary wall shall be submitted that addresses the amenity of the residences to the north, to the reasonable satisfaction of the Development Assessment Commission.
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 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.
5. 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.
6. That the hours of operation of the premises shall be restricted to the following times:
 - Monday to Friday – 7:30am to 5:30pm
 - Saturday – 8:30am to 5:00pm
 - Sunday 0 9:00am to 5:00pm
 - Public Holidays – 9:00am to 2:00pm
7. That stormwater shall be managed, and infrastructure constructed, in accordance with 'Stormwater Management Report' Ref. 50528-511-1 Rev A, dated 10/4/15, prepared by Fyfe.
8. That the building shall be connected to a wastewater system approved under the South Australian Public Health Act 2011.

Note: Prior to building work commencing the applicant shall lodge and have approved by Council an application to install a wastewater system pursuant to the provisions of the South Australian Public Health Act 2011 and South Australian Public Health (Wastewater) Regulations 2013.
9. That final plans/designs shall be provided the signage shown on the plans forming part of the application. 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.

10. That any illuminated signage associated with the development shall be limited to a low level of illumination so as to minimise distraction to motorists.
11. That any non illuminated signage on the site shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
12. 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.
13. That all recommendations made by Sonus Pty Ltd in the 'Environmental Noise Assessment Report' ref. S4459C4 dated April 2015, shall be implemented and adhered to at all times.
14. That noise levels emanating from the site shall not exceed those recommended by the *Environment Protection (Noise) Policy 2007*.
15. That the Gawler Street access point shall meet the road at 90 degrees least the first 6.0 metres to ensure driver sightlines can be achieved.
16. That the access shall be a minimum of 6.0 metres in width at the property boundary and generously flared to the road to facilitate unimpeded ingress/egress and minimise disruption to the free flow of traffic on the arterial road.
17. That all redundant crossovers shall be closed and reinstated to Council standard kerb and gutter at the applicant's cost. This work shall be completed prior to operation of the development.
18. That on-street car parking opposite the Gawler Street access point shall be banned to enable through vehicles to safely pass vehicles turning right into the development. Additionally, on-street parking immediately to the east and west of the access shall be banned to maximise driver sight lines.
19. That all parking shall be designed and constructed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
20. That all delivery vehicle facilities shall be designed in accordance with AS 2890.2:2002.
21. That all deliveries by heavy vehicles shall occur outside of peak traffic periods to minimise the potential for vehicular conflict at the Gawler Street / Third Street junction.
22. That any flood lighting of the site shall be positioned and / or shielded so as not to produce glare or create undue distraction to motorists travelling on Gawler Street.

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 advised that the use of Trailer Mounted Variable Message Displays for advertising purposes constitutes development and will require a separate development application.
- h. The applicant is encouraged to approach the Barossa Council and the Safety and Service Division of DPTI regarding limiting on-street car parking adjacent the proposed new crossover to Gawler Street in order to improve sightlines for vehicles entering and exiting the site.
- i. 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 the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.
- j. Construction noise can cause nuisance to nearby residents and therefore activities which include the operation of machinery need to be restricted to between 7.00am and 7.00pm Monday to Saturday and if necessary on Sunday between 9.00am and 7.00pm to minimise potential for noise complaints.
- k. Construction must be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times.
- l. This consent does NOT imply approval to alter, shift or remove any street tree, side entry pit, stobie pole, light pole, bus stop, fire hydrant or other gas, electricity, water, telecommunications or other similar infrastructure. Approval to alter any of these or similar infrastructure needs to be obtained from the relevant government department, private organisation or Council. Any costs associated with such alteration are the responsibility of the applicant.

- 3.2. **Hindmarsh Development Australia Pty Ltd C/- Intro (Australasia) Pty Ltd**
 DA 252/L016/15
Lot 24 Sixth Street, Bowden
 City of Charles Sturt
Proposal: 7 storey residential flat building comprising of 54 dwellings and two levels of basement parking incorporating 47 spaces.

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

Applicant(s)

- Damien Ellis – Intro
- Rob Bremert - Tonkin

Council

- John Tarasiuk
- Chris Bentick

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 the proposal by Hindmarsh Development Australia Pty Ltd C/- Intro (Australasia) Pty Ltd for 7 storey residential flat building comprising 54 dwellings and two levels of basement parking accommodating 47 spaces at Lot 24 Sixth Street, Bowden 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 No:

Plans – Hayball/Ashley Halliday Architects (Bowden Demonstrator Apartment Building)

Plan Number/Name	Revision	Date issued
01 – Statement of Design Intent	01	29/01/2015
02 – Site Plan	01	29/01/2015
03 – Approach / Entry + Communal Spaces	01	29/01/2015
04 – Basement	01	29/01/2015
Floor Plan Ground, Dwg. No. WEB-DA-DWG1002	03	16/07/2015
06 – Level 01	01	29/01/2015
07 – Level 02	01	29/01/2015
08 – Level 03	01	29/01/2015
09 – Level 04	01	29/01/2015
10 - Level 05	01	29/01/2015
11 - Level 06	01	29/01/2015
12 - Roof 01	01	29/01/2015
13 – Typical Apartment Types	01	29/01/2015
16 - Apartment Storage Schedule	01	29/01/2015
17 - Section A	01	29/01/2015
18 - Section B	01	29/01/2015
19 – North Elevations	01	29/01/2015
20 – West Elevations	01	29/01/2015
21 – South Elevations	01	29/01/2015
22 - East Elevations	01	29/01/2015
23 - Streetscape Perspectives – External Materials Palette	01	29/01/2015
24 - Landscape	01	29/01/2015
25 - Shadow Diagrams	01	29/01/2015
26 - Service Connections / Greenstar outline	01	29/01/2015

Plans by Webber Australia (Revised Ground Floor Plan incorporating Waste Management Requirements)

Plan Number/Name	Revision	Date issued
SK02	1	17/07/2015

Plans by PT Design (Bowden Demonstration Apartment Project)

Plan Number/Name	Revision	Date issued
Basement 1 Drainage Layout	B	03/03/2015
Basement 2 Drainage Layout	B	03/03/2015
Site Levels and Drainage Layout	B	03/03/2015

Reports / Correspondence

- Intro – Planning Statement – Demonstrator Project, Sixth Street Bowden – Project No. 1418 – Date: February 2015
 - Intro – RE: response to Transport and Waste Management advice – Charles Sturt – Dated: 29 May 2015
 - GTA Consultants – Proposed Residential Development – Sixth Street, Bowden, Transport Impact Assessment – Client: Hindmarsh Construction Australia Pty Ltd
 - Reference: 15A1237000 – Issue: A – Date: 13 February 2015
 - GTA Consultants – RE: Development Application No. 252/0719/15 – Lot 24 Sixth Street, Bowden – Response to Council Comments – Reference: 14A123700 – Dated: 29 May 2015
 - Tonkin Consulting – 24 Sixth Street Bowden – Development Application – Review of Traffic and Parking Issues – Reference: 20150709FL1A/PCS/RCB – Dated: 29 June 2015
 - LUCID Consulting Australia – Bowden Demonstration Apartments – Sustainability Report – Project No: LCE6686
 - Sonus Pty Ltd – Traffic Noise Assessment – Bowden Demonstrator Apartment Building – Lot 24 Park Terrace, Bowden – Reference: S4556C2 – Dated: February 2015
2. The applicant shall prepare and implement a detailed waste management plan (including odour management for the bin storage area) to the reasonable satisfaction of the Development Assessment Commission (in consultation with Charles Sturt Council), prior to Building Rules Consent being granted.
 3. 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:
 - a. traffic management plan for the duration of demolition and construction
 - b. air quality, including odour and dust
 - c. surface water including erosion and sediment control
 - d. soils, including fill importation, stockpile management and prevention of soil contamination
 - e. 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

A copy of the CEMP shall be provided to the both the Development Assessment Commission and the City of Charles Sturt prior to the commencement of site works.

4. That all car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards (unless explicitly endorsed otherwise) 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.
5. 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.
6. The design of the car parking area and associated infrastructure shall comply with recognised CPTED (Crime Prevention through Environmental Design) principles to ensure the safety of those using the site during the day and night.
7. 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.
8. That any 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.
9. 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.
10. That the over bonnet storage containers in the basement shall be erected in accordance with the approved plans prior to occupation or use of the development. That the proposed overhead storage boxes in the car park shall be consistent with headroom requirements of clause 5.3.1 of Australian Standards AS2890.1

Advisory Notes:

- a) As the applicant you have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- b) 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.
- c) 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 (Ph: 8204 0300).
- d) The development must be substantially commenced within twelve months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.

- e) The applicant also advised that any act or work authorised or required by this Notification must be completed within three (3) of the date of the Notification unless this period is extended by the Commission.
- f) Any request for an extension of time must be lodged with the Assessment Branch, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001, prior to the time periods specified.
- 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 the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.
- h) Construction noise can cause nuisance to nearby residents and therefore activities which include the operation of machinery need to be restricted to between 7.00am and 7.00pm Monday to Saturday and if necessary on Sunday between 9.00am and 7.00pm to minimise potential for noise complaints.
- i) Construction must be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times.
- j) This consent does NOT imply approval to alter, shift or remove any street tree, side entry pit, stobie pole, light pole, bus stop, fire hydrant or other gas, electricity, water, telecommunications or other similar infrastructure. Approval to alter any of these or similar infrastructure needs to be obtained from the relevant government department, private organisation or Council. This includes any proposal to reconstruct footpath and road pavement in Fifth Street and Fourth Street to accommodate vehicle access driveways. Any costs associated with such alteration are the responsibility of the applicant.
- k) You are advised that construction of any footpath, kerb, gutter or crossover on Council land will require a permit from Council's Engineering and Construction Department. It is illegal to undertake work on Council land without permission.
- l) An Application for a Permit for Footpath Encroachment shall be submitted for each separate encroachment over public land. Each legal entity to which ownership of an encroaching structure can be attributed requires a separate permit. Structures that encroach over the public road reserve must have a height clearance of at least 3.0 metres above a footpath, and at least 4.6 metres above a public roadway.
- m) Should any part of the development process require use of public land (i.e., the footpath, nature strip, road or other reserve), additional permits will be required. Examples of such activities include storage of materials, delivery of materials from public land, placing of temporary fences on public land, blocking of the road, footpath or nature strip for any period of time.
- n) The applicant has advised the Commission that it will resolve the matter of the plinth and tree encroaching on the driveway with the Charles Sturt Council.

4. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

5. MAJOR DEVELOPMENTS – Nil.

6. ANY OTHER BUSINESS

7. NEXT MEETING – TIME/DATE

7.1. Thursday, 13 August 2015 in Basement Level, 28 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 3.15 PM

Confirmed / /2015

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Simone Fogarty
PRESIDING MEMBER