



# *Development Assessment Commission*

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## **Minutes of the 519th Meeting of the Development Assessment Commission held on Thursday, 7 May 2015 commencing at 9.30AM Basement Level , 26-28 Leigh Street, Adelaide**

### **1. OPENING**

#### **1.1. PRESENT**

Presiding Member	Simone Fogarty
Deputy Presiding Member	Helen Dyer
Members	Chris Branford Peter Dungey Sue Crafter David O'Loughlin Dennis Mutton
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Daniel Pluck (Agenda Item 3.2) Fiona Tummel (Agenda Item 3.3) Gabriella Vikor (Agenda Item 3.4)

#### **1.2. APOLOGIES – Nil.**

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### **2. DEFERRED APPLICATIONS – Nil.**

### **3. NEW APPLICATIONS**

- 3.1. **Construct Living Pty Ltd**  
DA 361/2283/2014/2A  
**Ridley Street, Mawson Lakes**  
City of Salisbury

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

Applicant(s)

- Phillip Botsaris

Council

- Brendan Fewster

The Commission discussed the application.

### **RESOLVED**

1. RESOLVE that the proposed development is not considered to be seriously at variance with the Salisbury (City) Development Plan – Consolidated 20 March 2014.
2. RESOLVE that pursuant to Section 33 of the Development Act 1993, Development Plan Consent is GRANTED to application number 361/2283/2014/2A to construct two (2) two storey dwellings in accordance with the plans and details submitted with the application and subject to the following conditions:

### **Planning Conditions**

1. The proposal shall be developed in accordance with the details and plans relating to Development Application Number 361/2283/2014/2A, except where varied by the following conditions of consent.

*Reason: To ensure the proposal is established in accordance with the plans submitted.*

2. An engineered Site Works and Drainage Plan shall be submitted to Council for approval prior to Development Approval being issued. The plan shall detail:
  - Existing ground levels, proposed ground and bench levels, top of kerb and water table levels and the proposed finished floor levels of the dwellings;
  - Vehicle access arrangements, including the location and dimension of proposed vehicle access points and driveway gradients;
  - The location of road and street infrastructure, such as public lighting, street trees and side entry pits; and
  - On-site management and disposal of stormwater runoff from roofs and impervious surfaces.

*Reason: To ensure the land is developed in an orderly manner*

3. The existing Side Entry Pit in front of Dwelling 1 shall be converted to a Grated Inlet Pit prior to the occupation of the development. The Grated Inlet Pit shall include:
  - A grate constructed at the top of the pit, replacing the original Side Entry Pit lid;
  - The grate must match the driveway crossover levels;
  - The grate must be heavy duty load rated; and
  - The dimensions of the pit chamber must be maintained to preserve stormwater capacity.

*Reason: To provide for safe and convenient vehicle parking and maintain stormwater management.*

4. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

*Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.*

5. The Developer shall employ measures to eliminate silt, mud and dust emission from the site during construction period so as not to cause nuisance to adjoining residents.

*Reason: To preserve the amenity of the locality during construction work.*

6. Bedroom 3 of each unit to be provided with a ventilated sky light.

*Reason: To provide suitable amenity to bedroom 3.*

7. Provision of suitable bin storage.

*Reason: To provide storage that is not visible from the street.*

### 3.2. **GIC Australia Pty Ltd**

DA 110/E001/15

**1, 3 and 5 Edwards Street, South Brighton**

City of Holdfast Bay

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

Applicant(s)

- Rebecca Thomas – Ekistics
- Melissa Mellen - MFY

Representor

- Annette Bradshaw
- Pam Watts
- Bob Saint

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:

*Reason: The proposal has been assessed as a restaurant , which is specifically envisaged in the zone. The proposal substantially meets relevant provisions of the development plan. Conditions of approval are included to ensure appropriate compliance with noise and odour controls, and confining service deliveries and waste collection at reasonable hours.*

## 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 110/E001/15.

### Plans

#### MCA Studio Plans

Site Floor Plan – Project No. H1315 - Drawing A1-SK01 – Issue A – Revision 07

Elevations - Project No. H1301 - Drawing A1-SK02 – Issue A – Revision 03

Exg Site Location Plan (showing demolition) - Project No. H1315 - Drawing A1-SK00 – Issue A – Revision 00

Residence Elevations – Revised Elevations Option 2 - Project No. C1315 - Drawing A3SK02 – Issue A – Revision 02

Residence Floor Plans – Revised Plans Option 2 - Project No. C1315 - Drawing A3SK01 – Issue A – Revision 02

2. That prior to operation of the restaurant a carbon filtration system (Odor-Gard<sup>(c)</sup> or equivalent) and an 'incendalyst' smoke and odour management system shall be installed to mitigate odour from the cooking operations in accordance with the manufacturers design and specification. Ongoing maintenance shall also be undertaken in accordance with manufacturer's specification.
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 satisfaction of the Development Assessment Commission prior to the occupation or use of the development.
4. 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.
5. That all materials and goods shall be loaded and unloaded within the boundaries of the subject land and limited to between 7.00am and 10.00pm Monday to Friday
6. That no sound shall be emitted from any device on the subject land so as to impair or impinge upon the enjoyment of residents or users of adjoining properties.
7. 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 at all times with any diseased or dying plants being replaced.
8. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
9. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view. Waste collection from the site shall be limited to between 7.00am and 7.00pm Monday to Saturday and 9.00am to 7.00pm on Sundays and Public Holidays.
10. That the air conditioning and/or air extraction plant and/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.

11. 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.
12. 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.

### **TSSD CONDITIONS**

13. Suitable pedestrian access shall be maintained across the Brighton Road access.
14. Appropriate signage and line marking shall be installed at the Brighton Road access to delineate the desired traffic flows.

### **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) Signage 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-Advertising-Signs-Assessment-Guidelines.pdf](http://www.dpti.sa.gov.au/_data/assets/pdf_file/0019/145333/DPTI-Advertising-Signs-Assessment-Guidelines.pdf)

- 3.3. **H Zimmerman**  
DA 145/3533/13  
**64 Newman Close, Willunga South described as Allotment 21 in DP 86503**  
City of Onkaparinga

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

Applicant(s)

- Hans Zimmerman
- Ulrike Zimmerman

Representor

- Donna Gilbert
- Robert Kohnke

The Commission discussed the application.

**RESOLVED**

RESOLVE to DEFER in order to request that the applicant provides further detailed information in relation to the siting, construction, materials and finishes, services, visual impact, fire access and vegetation removal.

3.4. **South Australian Housing Trust C/ Renewal SA**

DA 100/L005/15

**26-32 Blacker Avenue, Plympton Park**

City of Marion

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 Renewal SA for construction of three (3) single storey row dwellings with associated garages and carport at 26-32 Blacker Avenue, Plympton Park, subject to the following conditions of consent.

*Reason: On balance these are well designed homes on compact allotments within a planned development.*

**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:100/L005/15 including:

<b>Plans by</b>	<b>Drawing No</b>	<b>Revision</b>	<b>Date</b>
Alexander Symonds Pty Ltd	A086313PROP_1000(D)	C	22/9/2014
	A086313BEP(C)	C	26/9/2014
Anthony Donato Architects	DD01	2	Nov 2014
	DD02	3	Nov 2014
	DD03	2	Nov 2014
	DD04	1	Nov 2014
	DD05	5	Nov 2014

- Email by Patrick Mitchell with attached previous material plan, dated 11/3/2014

2. 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.
3. That landscaping and the inclusion of permeable surfaces at the front of each dwelling 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.
4. 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.
5. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
6. Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.

*Note: A copy of the information guide can be viewed at the City of Marion webpage [www.marion.sa.gov.au/page.aspx?u=181](http://www.marion.sa.gov.au/page.aspx?u=181)*

7. A fully engineered site works and drainage plan shall be provided to Council for consideration and approval prior to Development Approval being issued. This plan must detail top of kerb level, existing ground levels throughout the site and on adjacent land, proposed bench levels and finished floor levels, the extent of cut/fill required, the location and height of proposed retaining walls, driveway gradients, and the location of all existing street infrastructure and street trees.

#### **Advisory Notes:**

1. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
2. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority.
3. You have a right of appeal against the conditions which have been imposed on this Development Plan Consent.
4. 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.
5. 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).

6. 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.
7. 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.
8. 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.

**4. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE**

**5. MAJOR DEVELOPMENTS** – Nil.

**6. ANY OTHER BUSINESS**

**7. NEXT MEETING – TIME/DATE**

7.1. Thursday, 14 May 2015 in Basement Level, 26-28 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 3.44 PM

Confirmed / /2015

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Simone Fogarty  
PRESIDING MEMBER