



Development Assessment Commission

Minutes of the 559th Meeting of the
Development Assessment Commission
held on Thursday, 29th September 2016 commencing at 9.30 AM
28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Deputy Presiding Member	Helen Dyer
Members	Chris Branford Sue Crafter David O'Loughlin Peter Dungey Dennis Mutton
Secretary	Cathryn Longdon
Unit Manager	Robert Kleeman
DPTI Staff	Daniel Pluck (Agenda Item 2.2.1) Simon Neldner (Agenda Item 2.2.3 and 7.1) Brett Miller (Agenda Item 2.2.1, 2.2.2, 7.1) Yasmine Alliu (Agenda item 3.2.2) Tom Victory (Agenda item 3.2.1 and 3.2.2) Damien Dawson (Agenda item 3.2.1)
1.2. COUNCIL REPRESENTATION	Terry Mosel (Agenda item 3.2.1) David Cooke (Agenda Item 3.2.2)
1.3. APOLOGIES –	Simone Fogarty David O'Loughlin (Agenda Items 2.2.2 and 2.2.3)

2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS – Nil.

2.2. NEW APPLICATIONS

2.2.1 Nielsen Architects c/- Ekistics

145/E016/16

Cnr Main South Road and Port Road Aldinga

Proposal: Supermarket and retail shops

David O'Loughlin declared a conflict of interest and wasn't present for this item.

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

Applicant(s)

- Nigel Uren
- Rebecca Thomas
- Paul Morris
- Jason Schultz
- Peter Nielsen
- Brian Drager

Representor(s)

- Stephanie Johnston (on behalf of Kerry Flanagan and Gabe Kelly)

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 sufficiently satisfies the key objectives and principles of the Township Zone in relation to land use, built form, heritage, traffic and general amenity.
3. To delegate to the Unit Manager Strategic Development Assessment authority to grant planning consent to the proposal by Nielsen Architects for a Supermarket and four retail shops with carparking, signage, landscaping, fence up to 2.4m in height, retaining walls up to 1.2m and earthworks at 209 Port Road, Aldinga, subject to, either the removal of the 10.4 metre high free standing sign (Sign 5 – Drawing no TP08/01) or the reduction in height of this sign such that the sign is below the gable line.

2.2.2 Select Architects c/- Ekistics

453/E003/16

Lot 1010 and 702 Adelaide Road Hayborough

Proposal: Mixed use building comprising Supermarket, medical centre, retail showroom, two semi-detached dwellings and four group dwellings

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

Applicant(s)

- Nigel Uren
- Rebecca Thomas
- Paul Morris
- Brian Emmett
- Dean Nobbs
- Jon Rudd

Representor(s)

- Keith Fawkner (via phone hook-up)

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 sufficiently meets the key objectives and principles of the Neighbourhood Centre Zone in relation to land use, built form, traffic and general amenity.
3. To grant Development Plan Consent to the proposal by Select Architects C\ - Ekistics to construct a mixed use development comprising supermarket, medical centre, retail showroom, two pairs of semi-detached dwellings, four group dwellings with associated earthworks, landscaping, car parking and signage at lot 1010 and 702 Adelaide Road, Hayborough 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 submitted in Development Application No 453/E003/16.

Plans – Select Architects

Drawing No	Drawing Title	Date	Rev
DA01	Proposed location plan	Jul 2014	P12
DA02	Proposed development staging plan	Jun 2014	P9
DA02A	Proposed access and movement plan	Jun 2014	P5
DA03	Proposed site plan 1 – ALDI store	Sept 2014	P15
DA04	Proposed site plan 2 – Medical centre & retail	Jul 2014	P14
DA05	Proposed elevations 1 – ALDI Store	Jul 2014	P9
DA05A	Proposed elevations 1A – ADLI Store	Jul 2014	P11
DA06	Proposed elevations 2 – Medical Centre	Jul 2014	P7
DA06A	Proposed elevations 2A – Medical Centre	Jul 2014	P7
DA07	Proposed elevations 3 – Retail Showroom	Jul 2014	P8
DA07A	Proposed elevations 3A – Retail Showroom	Jul 2014	P8
DA08	Proposed Sections – ALDI Store	Oct 2014	P5
DA08A	Proposed Sections – ALDI store	Oct 2014	P5
DA09	Proposed signage plan	Oct 2014	P5
DA09A	Proposed signage details – ADLI Store	Oct 2014	P6
DA09B	Proposed Signage details – Medical Centre & retail	Oct 2014	P5
DA10	Proposed Site Plan 3 – Townhouse lots type A	Sept 2014	P6
DA11	Proposed Site Plan 4 – Townhouse lots type B	Sept 2014	P6
DA12	Proposed Elevations 4 – Townhouses Type A	Oct 2014	P5
DA12A	Proposed Elevations 4A – Townhouses Type A	Oct 2014	P5
DA13	Proposed Elevations 5 – Townhouses Type B	Oct 2014	P5
DA13A	Proposed Elevations 5A – Townhouses Type B	Oct 2014	P5
DA14	Shadow Diagram – Townhouse lots type A	Oct 2014	P2
DA15	Shadow Diagram – Townhouse lots type B	Oct 2014	P2
DA16	Proposed 3D visual – ALDI Store	Oct 2014	P5
DA17	Proposed 3D visual – ALDI Store	Oct 2014	P5
DA18	Proposed 3D visual – medical centre & retail	Oct 2014	P4
DA19	Proposed 3D visual – Residential	Oct 2014	P2

Plans - Outer Space

Drawing No	Drawing title	Date
OS449_S1_CP01A	Draft Landscape Plan – Development Approval	06/05/16
OS449_S2_CP02A	Draft Landscape Plan – Development Approval	06/05/16

Reports / Correspondence

- Planning Report, prepared by Ekistics, dated June 2016
 - Traffic Impact Statement, prepared by GTA consultants, dated 17.06.16
 - Environmental Noise Assessment, prepared by Sonus, dated November 2014
 - Letter from Sonus to Select Architects, dated 8 April 2016
 - Letter from Ekistics to Development Assessment Commission, dated 19 September 2016
 - Letter from GTA Consultants to Ekistics, dated 16 September 2016
2. Prior to Development Approval being granted the applicant shall submit a detailed Stormwater Management Plan for the site, such a plan shall be developed in conjunction with the City of Victor Harbor and be to the reasonable satisfaction of the Development Assessment Commission.
 3. 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.
 4. 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 demonstrable nuisance or loss of amenity is caused to any person beyond the site.
 5. Agnes Gillespie Drive access to be provided in accordance with As 2890.2 – 2002 Off Street commercial facilities Figure 3.1.
 6. Southern vehicle access be provided in accordance with As 2890.2 - 2002 Off Street Commercial facilities Figure 3.2
 7. Adequate lighting to access points to be provided in accordance with Australian Standards.
 8. Aisle widths for commercial vehicle access shall be in accordance with AS 2890.2 - 2002.
 9. Driveway, manoeuvring areas, car parking spaces, and landscape areas shall not be used for the storage or display of any materials or goods.
 10. Ambulance parking shall meet AS 2890.6 - 2009.
 11. The advertisement(s) and support structure(s) shall be prepared and erected in a professional and workmanlike manner and maintained in good repair at all times, to the reasonable satisfaction of the Commission.

12. Lighting associated with the signs shall be of an intensity not to cause a light over spill nuisance to adjacent occupiers, or cause a distraction to drivers on adjacent public roads.
13. Waste collection vehicles shall only service the development between the hours of 7am and 7pm Monday to Saturday inclusive and 9am to 7pm on Sunday and Public Holidays.
14. 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.
15. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
16. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 5 years of the date of the Notification unless this period is extended by the Development Assessment Commission.

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 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.

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).

2.2.3 Gary and Fiona Jones
894/R006/16
86 Heyward Lane, Monbullla
Proposal: dwelling

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

Council

- John Best (via phone hook-up)

The Commission discussed the application.

RESOLVED

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

2. To concur with Wattle Range Council's recommendation to grant Development Plan Consent for Development Application 894/R006/16 (Council ID 894/046/16) by Garry and Fiona Jones c/- Frank Brennan Consulting for a detached dwelling at 86 Heyward Lane, Monbulla.

3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

3.1. DEFERRED APPLICATIONS - Nil

3.2. NEW APPLICATIONS

- 3.2.1 Hames Sharley
155/M007/16
30-36 The Parade West Kent Town
City of Norwood Payneham St Peters
Proposal: Boarding House – Prince Alfred College

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

Applicants(s)

- Terry Boxall
- Alan Daws
- Chris Vounasis
- Christian Edwards

Agency(s)

- Philippe Mortier (ODASA)
- Ellen Liebelt (ODASA)

Representor(s)

- Peter Rowlands

The Commission discussed the application.

RESOLVED

1. To defer the application, to enable the applicant to consider the following:
 - Design, materiality and appearance of the bridge, to explore the potential for it to become a gateway and in the context of it being an important streetscape element to the precinct.
 - To resolve universal access to the bridge
 - To clearly demonstrate pedestrian movements, to and from the bridge at each entry
 - Clarity on access to parking, including risk of queuing

- 3.2.2 Mint Living Pty Ltd
050/M001/16
60 Belford Avenue Prospect
City of Prospect
Proposal: Residential flat building comprising 6 levels and ground floor retail.

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

Applicant(s)

- Garth Heynan
- Joel Wilkinson
- Gemma Broomfield

Agency(s)

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

Council

- Susan Giles

The Commission discussed the application.

RESOLVED

1. 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 Mint living Pty Ltd for the construction of a 5 storey building comprising residential apartments, ground floor café, rooftop terrace and associated car parking at 60 Belford Avenue, Prospect, subject to the following reserved matters and conditions of consent:

RESERVED 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 A Waste Management Plan must be prepared and submitted to the satisfaction of the Development Assessment Commission prior to Building Rules Consent which identifies the methods, times and duration of how waste will be collected and transported ensuring that the potential for adverse traffic and amenity impacts are effectively managed.

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 050/M001/16.

Drawings – Dimension Design Studio	Reference – Revision	Date
Locality Plan	Pages 1 -3	5/09/16
Site/Floor Plan Ground Floor/Level 1	1 of 12 Rev F	20/09/19
Floor Plan Level 2	2 of 12 Rev G	24/08/16
Floor Plan Level 3	3 of 12 Rev G	24/08/16
Floor Plan Level 4	4 of 12 Rev G	24/08/16
Floor Plan Level 5	5 of 12 Rev G	24/08/16
Floor Plan Level 5	6 of 12 Rev G	24/08/16
Elevation	7 of 12 Rev G	24/08/16
Elevation	8 of 12 Rev G	24/08/16
Elevation	9 of 12 Rev G	24/08/16
Elevation	10 of 12 Rev G	24/08/16
Section	11 of 12 Rev G	24/08/16

Section	12 of 12 Rev G	24/08/16
Perspectives	Western view of Belford Avenue + Reserve	5/09/16
Perspectives	South Eastern view of Belford Avenue + Reserve	19/09/16
Perspectives	Rear	25/07/16
Updated day perspective	South western façade	2/09/16
Updated night perspective	South western façade	2/09/16
Shadow Diagram	Shadow cast at 9:00am _June 21 st	23/01/16
Shadow Diagram	Shadow cast at 12:00pm _June 21 st	23/01/16
Shadow Diagram	Shadow cast at 3:00pm _June 21 st	23/01/16
60 Belford Ave, Prospect Building Materials & Finishes	External Colour Schedule	2/09/16
Landscape Plan	Level 1	Received 25/07/16
Landscape Plan	Level 2	Received 25/07/16
Landscape Plan	Rooftop Terrace	Received 25/07/16

- Traffic and Parking Assessment prepared by Phil Weaver & Associates dated 5 July 2016 File: 165-15
 - Environmental Noise Assessment Report prepared by Vipac Engineers & Scientists Ltd dated 15 July 2016 Reference 50B-16-0071-DRP-799831-2
 - Wind Assessment prepared by Vipac Engineers & Scientists Ltd dated 29 June 2016 Reference 50B-16-0071-TNT-399233-0
 - Letter from Heynen Consultants dated 22 July 2016
 - Energy Efficiency Compliance Report prepared by Star Rate Services dated 15/05/16
 - Storage schedule dated received 25 July 2016
 - Email from Garth Heynen dated 2/09/16 response to ODASA comments
 - CPTED inclusions – Mint Living dated received 25 July 2016
 - Fire & Life Safety Requirements prepared by Lucid Consulting Australia dated 12 July 2016 NHA:jt Ref LCE11009-001
 - Heynen Planning Consultants Planning Statement for Lodgement Revision V1 dated 15/3/16
2. Further resolution of the entry foyer space and café shall occur to ensure a more visually generous entry arrangement, to the satisfaction of the Development Assessment Commission, prior to building rules consent for any superstructure works.
 3. The recommendations of the Environmental Noise Assessment Report prepared by Vipac Engineers & Scientists Ltd dated 15 July 2016 Reference 50B-16-0071-DRP-799831-2 shall be implemented in the detailed design stage.
 4. 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.

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

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. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.
8. 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.
9. 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.
10. The applicant shall submit a final detailed landscaping maintenance and irrigation management plan, to the satisfaction of the Development Assessment Commission, prior to the commencement of the site works. The landscaping shown on that plan shall be established prior to occupation of the development and shall be nurtured and maintained, with any dead or dying plants to be replaced.
11. The Community Strata Corporation shall clean and maintain all waste storage areas to the satisfaction of Development Assessment Commission.

12. That the finished floor level of the ground floor of the development herein approved, shall be the same as the level of the adjacent footpath to enable all access points to match the existing footpath level.
13. A stormwater management plan shall be submitted to the satisfaction of the Development Assessment Commission prior to the substructure being constructed. The post-development discharge flow rates shall be no greater than pre-development flows in a 20 year ARI event. The stormwater management plan shall include the provision of rainwater recapture and re-use within the development.
14. 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.
15. All external lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform to Australian Standards.
16. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
17. Graffiti shall be removed within five (5) business days of the graffiti becoming known or visible with the timely removal of graffiti being the responsibility of the operators of the development.

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.
- 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 0289).

Environmental Duty

- g. 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.

- h. 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.htm>.
- i. 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.
- j. The subject land is within a Designated Area for the purpose of the Noise and Air Emissions Overlay and must therefore achieve the requirements of the Minister's Specification. It is anticipated that noise attenuation treatments will be necessary and that an acoustic engineer should be engaged to assist in the suitable design of such treatments.

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.

Protection of Street Tree

- m. To maintain the street tree the applicant is advised to consult Australian Standard AS 4970 – 2009 Protection of Trees on Development Sites to ensure the incorporation of protective fencing, mulch and appropriate remedial treatments.

Requirements of the standard include:

- The establishment of Tree Protection Zones to restrict activities including the dumping of waste, machine excavation, storage and preparation of chemicals, and physical damage to trees;
- The erection of protective fencing around a Tree Protection Zone prior to machinery or materials brought onto the site;
- The use of approved signs to identify the Tree Protection Zone;
- Mulching, watering and weed removal recommendations to maintain the tree protection zone.

Regular monitoring of tree protection measures should be undertaken throughout the development and construction process to ensure that any trees to be retained on the site are carefully managed to ensure their long-term survival and growth

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. DAC - Nil

6.2. IMDAC - Nil

6.3. PADAC - Nil

6.4. BRAC – Nil

7. ANY OTHER BUSINESS

7.1. That the briefing be received and noted.

8. NEXT MEETING – TIME/DATE

8.1. Thursday, 13th October 2016 in Leigh Street, Adelaide SA

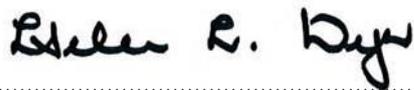
9. CONFIRMATION OF THE MINUTES OF THE MEETING

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 4.05pm.

Confirmed 30 / 09 /2016



.....
Helen Dyer
DEPUTY PRESIDING MEMBER