



# *Development Assessment Commission*

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**Inner Metropolitan Development Assessment Committee  
held on Thursday, 27 August 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
Council Members	Burnside – Ross Bateup (Agenda Item 3.1)
Secretary	Sara Zuidland
DPTI Staff	Elysse Kuhar (Agenda Item 3.1) Jason Bailey (Agenda Item 4.1)

**1.2 APOLOGIES – Nil.**

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**2. DEFERRED APPLICATIONS – Nil.**

**3. NEW APPLICATIONS**

**3.1 City of Burnside**

**Petaine Pty Ltd**  
DA 180/M007/15  
**162 Fullarton Road, Rose Park**

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

- Applicant(s)
- Matt King
  - Hans Grauwelman
  - Josh Skinner

- Peter Katelanis

Agency

- Philippe Mortier – ODASA

Representor

- Ross Yannis
- Milton Yannis

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 Petaine (SA) Pty atf Katelanis Family Trust & Thomas Foods International Rose Park for the demolition of existing building, construction of five storey mixed use building comprising offices, retail and residential uses; basement and ground level car parking, removal of a significant tree, landscaping and associated site works at 162 Fullarton Road, Rose Park, 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 plans submitted in Development Application No 180/M007/15.

#### Plans:

Cube Architects – Ground Floor Plan – SK20M – Aug 28<sup>th</sup> 2015  
 Cube Architects – Basement Floor Plan – SKM21K – Mar 26<sup>th</sup> 2015  
 Cube Architects – First Floor Plan – SK22L – May 25<sup>th</sup> 2015  
 Cube Architects – Second Floor Plan – SK23L – May 25<sup>th</sup> 2015  
 Cube Architects – Third Floor Plan – SK24L – May 25<sup>th</sup> 2015  
 Cube Architects – Fourth Floor Plan – SK25M – Jul 16<sup>th</sup> 2015  
 Cube Architects – Elevations – SK26M – Jul 16<sup>th</sup> 2015  
 Cube Architects – Cross Section – SK27M – Jul 16<sup>th</sup> 2015  
 Cube Architects – Materials and Finishes – SK28K – Mar 26<sup>th</sup> 2015  
 Cube Architects – Locality Plan – SK29K – Mar 26<sup>th</sup> 2015  
 Cube Architects – Shadow Diagram – SK30K – Mar 26<sup>th</sup> 2015  
 Cube Architects – Roof Plan – SK31L – May 25<sup>th</sup> 2015  
 Cube Architects – Demolition Plan – SK32L – May 25<sup>th</sup> 2015  
 Cube Architects – Level Survey – drawing 20478T01-R0 – May 29<sup>th</sup> 2015

#### Reports/Correspondence:

URPS – Planning Report – 26 March 2015  
 GTA Consultants – Transport Impact Assessment – 25 March 2015  
 Arborman Tree Solutions – Tree Report ATS3133-162FulRdcam  
 SITA – Rear Lift Collection Leaflet  
 Letter from URPS – Dated 28 May 2015  
 Letter from CUBE Architects – Dated 21 July 2015-08-21  
 Letter from URPS – Dated 24 July 2015

2. The proposed car parking layout shall be designed and constructed to conform to the *Australian Standard 2890.1:2004 for Off-Street Parking Facilities*; *Australian Standard 2890.6-2009 Parking facilities*.

3. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Development Assessment Commission.
4. 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.
5. The applicant shall submit a detailed landscaping plan for approval by the Development Assessment Commission prior to the commencement of the 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.
6. The applicant shall submit a detailed stormwater plan for the approval of the Development Assessment Commission. The 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.
7. Construction of the development herein approved must be undertaken in accordance with the final version of the Construction Environment Management Plan (CEMP). The final version of the CEMP must include the following revisions, sub-plans and environmental protection instructions (EPIs) as identified in the CEMP (but not limited to):
  - a. include reference to the Environment Protection (Water Quality) Policy 2003 in Table 3: Summary of Environmental Legislation
  - b. include stop-work response for immediate attention when a potential environmental impact is identified. It must create a response mechanism where an immediate cessation of work can be triggered, and return to the work that caused the original incident only occurs after sustainable rectification.
  - c. Table 5 'Air Quality' states: 'Air quality monitoring to satisfy EPA requirements including PM10 Continuous Particulate Matter'. This should include detail of what is being proposed, including the standards against which they will be assessed.

### **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. 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 (Ph: 8204 0300)

- e. Any request for an extension of time must be lodged with the Statutory Planning Branch, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001, prior to the time periods specified.
- f. Any changes to the approved use will required a separate development approval.
- g. Pursuant to s.34 (2)(d) of the Development Act 1993, an assessment of the development in respect of the Building Rules is to be undertaken by either the City of Burnside or by a private certifier. When all relevant consents have been issued, development approval will be granted by the City of Burnside.
- h. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
- 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 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. 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. 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. Pursuant to Regulation 74, The City of Burnside must be notified one business day prior to the commencement and prior to the completion of each stage of the building work on the site.
- m. The City of Burnside maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council specifications. All costs associated with these works shall be met by the proponent.
- n. Construction activities must be undertaken in accordance with Division 1 of Part 6 of the *Environment Protection (Noise) Policy 2007*.
- o. The applicant is advised that actions that have a significant impact on a matter of national environmental significance are controlled under the *Environment Protection and Biodiversity Conservation Act 1999*. It is the responsibility of the proponent of any such action to determine, through consultation with Department of Sustainability, Environment, Water, Population and Communities, whether an action is controlled and whether approval under the EPBC Act is required.
- p. Any changes to the proposal on which this report is based may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal described in the planning documentation.

- q. The applicant is advised of the following requirements of the *Heritage Places Act 1993*:
- a. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
  - b. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.
- r. The application is advised that if Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1998*.

**4. ANY OTHER BUSINESS**

4.1. **Pre Lodgement Briefing** - *Confidential*

**5. CONFIRMATION OF THE MINUTES OF THE MEETING**

5.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

**6. MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 1.00PM.

Confirmed / /2015



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Simone Fogarty  
PRESIDING MEMBER