



# *Development Assessment Commission*

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**Minutes of the 445th Meeting of the  
Development Assessment Commission  
held on Thursday 21 July 2011 commencing at 1:20pm  
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

**PRESENT**

Presiding Member	Ted Byrt
Members	Geoffrey Loveday Megan Leydon Carolyn Wigg
Secretary	Rocío Barúa
A/Principal Planner	Simon Neldner
DPLG Staff	Simon Neldner (Item 19.1, 19.2) Yasmine Alliu (Item 19.3, 23.2) Nitsan Taylor (Item 20.2) Luke Gray (Item 19.4); Gabrielle McMahon (Item 23.1)

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1. **APOLOGIES** – Members Betty Douflias, Damien Brown and John Dagas
2. **CONFIRMATION OF THE MINUTES**
  - 2.1 **RESOLVED** that the Minutes of the 444th meeting held on 23 June 2011 be taken as read and confirmed.
3. **DEFERRED APPLICATIONS**
  - 3.1 **Status of Deferred Applications**

**RESOLVED** that the Report be received and noted.
4. **OUTSTANDING MATTERS**
  - 4.1 **Status of Outstanding Matters**

**RESOLVED** that the Report be received and noted.

5. **COURT MATTERS**

**RESOLVED** that the report be received and noted.

5.1 **District Council of Robe (DA 822/0009/10)**

The A/Principal Planner provided an update on advice received from the Crown Solicitors Office on the appeal to the Environment Resources and Development Court by the District Council of Robe.

**RESOLVED** that the advice of the Crown Solicitors Office be received and that the appeal be determined on its merits.

6. **ENFORCEMENT MATTERS**

6.1 **Status of Enforcement Matters**

**RESOLVED** that the Report be received and noted.

7. **PRESIDING MEMBER'S REPORT**

The Presiding Member reported on a meeting with Stephen Yarwood (Lord Mayor of Adelaide) and Peter Smith (Chief Executive Officer, Adelaide City Council).

**RESOLVED** to note the report.

8. **DETERMINATION OF CATEGORY 2 HEARINGS – Nil.**

9. **MINISTER'S DECISIONS – UPDATE**

**RESOLVED** that the Report be received and noted.

10. **MAJOR DEVELOPMENTS – UPDATE – Nil.**

11. **MATTERS DELEGATED BY THE GOVERNOR – Nil.**

12. **COMMITTEES REPORT**

12.1 **Building Fire Safety – Nil.**

12.2 **Building Rules Assessment – Nil.**

13. **DELEGATION REPORT**

13.1 **s33 & s49 Decisions – Nil.**

13.2 **s48 Decisions determined by the Presiding Member**

Mannum Marina – Variation – Government Gazette Notice 30 June 2011

**RESOLVED** that the information be noted

14. **DEVELOPMENT APPLICATION STATISTICS – Nil.**

15. **A/PRINCIPAL PLANNER'S REPORT – Nil.**

16. **ANY OTHER BUSINESS – Nil.**

17. **DEFERRED APPLICATIONS**

18. **MAJOR DEVELOPMENTS – Nil.**

19. **SCHEDULE 10 APPLICATIONS**

19.1 **Woods Bagot - Construction of a ten (10) level building for commercial Office and Retail use - 36-48 Wright Street, Adelaide - Mixed Use Zone – PA25 - Adelaide City Council (020/0044/10)**

The Commission discussed the application.

**RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission grant Development Plan Consent for Development Application 020/0044/10 by Woods Bagot (on behalf of Mantello Holdings) for the staged demolition of existing buildings and the construction of a ten (10) level building – comprising one basement level and nine above ground levels - for commercial office and retail use at 36-48 Wright Street, Adelaide subject to the following reserved matters, conditions and advisory notes:

**Reserved Matter**

1. That pursuant to Section 33(3) of the Development Act 1993, the applicant shall submit detailed proposals for the following reserved matters requiring further assessment and approval by the Development Assessment Commission prior to development approval of Stage 2:
  - a. Clarification of the final specification for the balustrade glazing - including the submission of a sample - to assess its overall appearance, potential for glare and level of reflectivity when viewed from adjoining land and/or the adjacent street network;
  - b. Submission of a final landscaping plan and planting schedule (including a review of the adequacy of the proposed planter boxes and tubs for the selected species to ensure their long-term survival and growth in their intended location);
  - c. Provision of a definitive ESD Statement (as outlined in the DAC Queries - Action List - Item 5 provided by the applicant) on the definitive and possible deliverables for the project to meet a minimum 5-Star energy rating. This would include confirmation that the passive cooling / heating loads anticipated on the west facing windows will not reduce the overall energy performance of the building.

**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 undertaken in two stages (Stage 1: Demolition, site preparation and substructure; Stage 2: Superstructure, interior fit-out and external services) and established in strict accordance with the details and amended plans as submitted in Development Application No. 020/0044/10 (Council reference DA/733/10) including:

Plans by Woods Bagot, Project Number 5-50-1385

- Location - Drawing SKL100 Rev S dated 30 May 2011
- Site Section - Drawing SKL112 Rev S dated 30 May 2011
- Ground - Drawing SKL102 Rev S dated 30 May 2011
- Basement B1 - Drawing SKL101 Rev S dated 30 May 2011
- Level 1 - Drawing SKL103 Rev S dated 30 May 2011

- Level 2 - Drawing SKL104 Rev S dated 30 May 2011
  - Level 3 - Drawing SKL105 Rev S dated 30 May 2011
  - Level 4 - Drawing SKL106 Rev S dated 30 May 2011
  - Level 5 - Drawing SKL107 Rev S dated 30 May 2011
  - Level 6 - Drawing SKL108 Rev S dated 30 May 2011
  - Level 7 - Drawing SKL109 Rev S dated 30 May 2011
  - Level 8 - Drawing SKL110 Rev S dated 30 May 2011
  - Level 9 - Drawing SKL111 Rev S dated 30 May 2011
  - Section South North - Drawing SKL114 Rev S dated 30 May 2011
  - Section East-West - Drawing SKL113 Rev S dated 30 May 2011
  - Elevation South - Drawing SKL115 Rev S dated 10 June 2011
  - Elevation East - Drawing SKL116 Rev S dated 30 May 2011
  - Elevation West - Drawing SKL117 Rev S dated 30 May 2011
  - Elevation North - Drawing SKL122 Rev S dated 30 May 2011
  - Street Detail - Drawing SKL123 Rev S dated 30 May 2011
  - Shadows - Drawing SKL118 Rev S dated 30 May 2011
  - External Finishes - Wright Street Commercial
2. That no additional signs shall be displayed upon the subject land other than those identifying the basement parking area (including cautionary signs regarding the structure over the Mills Street access point). If any further signs are required, these shall be the subject of a separate application.
  3. That the development shall be undertaken in the following stages:
    - Stage 1: Demolition, site preparation and substructure
    - Stage 2: Superstructure, interior fit-out and external services
  4. That mechanical plant or equipment, shall be designed, sited and screened within approved plant areas 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 Environment Protection Authority requirements.
  5. That prior to the occupation or use of the building, a definitive statement by a site contamination consultant in accordance with Schedules A and B of the National Environment Protection (Assessment of Site Contamination) Measure 1999 and relevant guidelines issued by the EPA shall be provided to the Development Assessment Commission stating that the site does not pose unacceptable risks to human health and the environment taking into account the proposed use(s).

*Note: Statements by site contamination consultants in relation to site contamination must be clearly qualified as to the existence of site contamination at the site by specifying the land uses that were taken into account in forming that opinion as required by Section 103ZA of the Environment Protection Act 1993.*

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

The management plan must incorporate, without being limited to, the following matters:

- air quality, including odour and dust
- surface water including erosion and sediment control

- soils, including fill importation, stockpile management and prevention of soil contamination
- 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](http://www.epa.sa.gov.au/pdfs/guide_sc_what.pdf).

7. That external materials, surface finishes and colours of the Development shall be consistent with the description and sample hereby granted consent and shall be to the reasonable satisfaction of the Development Assessment Commission.
8. That lighting to the Wright Street, Coglein Street and Mill Street Canopies shall be installed in accordance with Council's guideline entitled "Under Veranda/Awning Lighting Guidelines" at all times to the reasonable satisfaction of the Council and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Adelaide City Council.
9. That the connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' which is attached to this consent to the reasonable satisfaction of the Adelaide City Council.
10. That the canopy must provide a minimum vertical clearance from the underside of the canopy to the Wright Street, Coglein Street and Mill Street footpath of 3.0 metres, and a maximum of 3.7 metres. A minimum horizontal clearance of 600mm from the leading edge of the canopy and the Wright Street, Coglein and Mill Street kerb face must be provided.
11. That the final details of the proposed waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent, shall be submitted to and approved by the Development Assessment Commission prior to the granting of Stage 2 development approval to the Development. Such details shall include a Waste Management Plan which shall cover:
  - a. Resource recovery during occupation or use of the development including proposed methods of recycling of all recyclable materials.
  - b. Movement and collection of waste and recyclable materials.

The applicant or the person(s) having the benefit of this consent, shall ensure:

  - c. That such waste management practices are adopted on the Land at all times to the reasonable satisfaction of the Adelaide City Council.
12. That the finished floor level of the ground floor level at the entry point to the development shall match the existing footpath unless otherwise agreed to by the Adelaide City Council.

13. That the finished floor level of the car park entry and exit points on the Land shall match the adjacent road level unless otherwise agreed to by the Adelaide City Council.
14. That the landscaping depicted on the plans shall be maintained in good health and condition at all times with any dead or diseased plants or trees being replaced.
15. That the proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including Amdt 1) for Off-Street Parking Facilities and Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities. 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.
16. That Council 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.
17. That prior to the commencement of construction a dilapidation report (i.e. condition survey) shall be prepared by a qualified engineer to ensure the stability and protection of adjoining buildings, structures and Council assets. A copy of this report shall be provided to the Adelaide City Council and the Development Assessment Commission.

#### **Advisory Notes**

- a. The applicant has 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 of the day of receiving this notice or such longer time as the Court may allow.
- c. The applicant should contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- d. 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.
- e. 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>.
- f. 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.
- g. 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.
- h. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.

- i. Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- j. 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.
- k. It is recommended that as the applicant is undertaking work 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.
- l. 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.
- m. That access to buildings and designated disabled car parking spaces shall be designed and provided in accordance with the relevant Australian Standards.
- n. No on-street residential parking permits will be issued for use by occupants of, or visitors to, the development herein approved.
- o. Notwithstanding no formal referral was required to AAL, crane operations associated with construction may require a separate application. The proponent shall seek clarification on this issue from Brett Eaton, Airside Safety manager on 8308 9245.
- p. A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
  - Work in the Public Realm
  - Street Occupation
  - Hoarding
  - Site Amenities
  - Traffic Requirements
  - Servicing Site
  - Adjoining Buildings
  - Reinstatement of Infrastructure
- q. In reference to street trees adjacent to the proposed development:
  - The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the Sewerage Act, 1929;
  - The existing street tree(s) will not be pruned to maintain lines of sight to the proposed sign or the building /façade;
  - The street tree(s) will not be removed. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the structure shall only be carried out by Council.
- r. An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted. In particular your attention is drawn to the following:

- An annual fee may be charged in line with the Encroachment Policy.
- Permit renewals are issued on an annual basis for those encroachments that attract a fee.
- Unauthorised encroachments will be required to be removed.

The applicant should contact the Approvals Section on 8203 7421 for further information.

**19.2 Mawson Lakes Corporation Pty Ltd - Mawson Lakes Town Centre expansion and redevelopment (Stages 2-4) - University Parade & Light Common, Mawson Lakes - MFP (The Levels) Zone – City of Salisbury (361/0183/11)**

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

**Applicant(s)**

- Jeni Nolan (Planner – Nolan Rumsby)
- Alex Brown (Architect – ProskeBrown Architects)
- Phil Weaver (Traffic Engineer)
- Vince Rigter (Land Management Corporation)

In attendance, but did not speak

- Rolf Proske (Architect – ProskeBrown Architects)
- Matthew John (Architect – ProskeBrown Architects)

**Salisbury Council**

- Greg Waller, Director - Development and Environmental Services
- George Pantelos, Principal Planner
- Luke Gray, Senior Development Officer

The Commission discussed the application.

**RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission grant Development Plan Consent for Development Application 361/0183/11 by Mawson Lakes Corporation PL to undertake an expansion and redevelopment of the Mawson Lakes Town Centre – comprising Stages 2-4 – which includes the reconfiguration of the existing centre (including refurbishment and building additions and changes to the car park layout); and the construction of a new supermarket, internal mall, office and retail tenancies / specialty shops, residential apartments, a two-level car park, a loading dock, landscaping and associated site works at 9-15 Main Street, Mawson Lakes (30 in DP63259, CT 5910/636) and 1-7 Mawson Lakes Boulevard, Mawson Lakes (600 in DP76788, CT 6035/886) subject to the following reserved matters, conditions and advisory notes:

**Reserved Matters**

1. That pursuant to Section 33(3) of the Development Act 1993, the applicant shall submit detailed proposals for the following reserved matters requiring further assessment and approval by the Development Assessment Commission prior to the commencement of construction (excluding initial site and demolition works):



- a. Provision of a Facility Management Plan to ensure the appropriate management of public and private spaces that discourage criminal activity and increase community perceptions of safety in accordance with best practice CPTED principles.
- b. Provision of an acoustic assessment report from a qualified consultant to ensure that the residential apartments are appropriately designed and constructed to minimise the intrusion of external noise sources - both from within and outside the development - into living and bedroom areas;
- c. Provision of a definitive ESD Statement on the key deliverables for the project for both the residential and commercial uses to ensure the development meets current best practices in terms of energy efficiency and sustainability;
- d. Provision of a detailed lighting plan from a qualified consultant. This plan must be developed for all external areas and take into account the mixed use nature of the proposal - including the location of residential dwellings within and adjacent to the development - to help minimise sources of light overspill and disturbance and to ensure both coverage and illumination levels meet the relevant Australian Standard and Public Lighting Code. The installation of rooftop lighting must also meet any operational requirements for Parafield Airport [Refer: "Lighting within the Vicinity of Aerodromes" – Manual of Standards Part 139 – Aerodromes – Section 9.21, Version 1.5, May 2010].
- e. Provision of an engineered road plan for University Parade - specific reference is made to the configuration of the relocated bus stops (that must be designed in accordance with DTEI and DDA requirements - including shelters and bus bays) and the final configuration of the pedestrian crossover (including pavement treatments and surface levels) from Stage 1 to Stage 2. The selected method of pedestrian control - in consultation with DTEI and Council (i.e. Wombat or Pedestrian Actuated Crossing) - must be suitable for the intended use and level of vehicular traffic to ensure the highest levels of pedestrian safety.
- f. Provision of the final details, materials and specifications of the screening elements for the roof-mounted service plant (including a/c units and ducting) for Stage 2.
- g. Final details and specifications on the 'green walls' proposed for the loading dock and private carparking enclosure for Stage 2.

### **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 staging details and plans, including the following amended plans as submitted in Development Application No 361/0183/11:

#### Plans by ProskeBrown Architects

- Ground Floor Site Plan - Stage 2 - TG.2010.101 SK02.AE 18 July 2011
- Proposed Roof Plan - Stage 2 - TG.2010.101 SK015.B 18 July 2011
- Proposed Elevations - Sheet 03 - TG.2010.101 SK07.H 17 July 2011
- Existing Overall Site Plan - TG.2010.101 SK01.H 13 May 2011
- Proposed Overall Staging Plan - TG.2010.101 SK00P 18 June 2011
- Apartment Group Floor Plans - TG.2010.101 SK14.B 18 July 2011

- Proposed Apartment Floor Plans Stage 2 - TG.2010.101 SK04.T 18 July 2011
  - Proposed First Floor Plan Stage 2 - TG.2010.101 SK03.AA 18 July 2011
  - Proposed Elevations - Sheet 01 Stage 2 - TG.2010.101 SK05.J 17 July 2011
  - Ground Floor Site Plan - Stage 4 - TG.2010.101 SK09.C 13 May 2011
  - Site Plan, Elevations, Sections, Stage 3 - TG.2010.101 SK08.D 25 May 2011
  - Proposed Elevations - Sheet 02 - Stage 2 - TG.2010.101 SK06.J 18 July 2011
  - Elevation Stage 4 - TG.2010.101 SK010.C 13 May 2011
2. That no additional signs shall be displayed upon the subject land other than those identifying the car parking areas and identified on the approved plans. If any further signs are required, these shall be the subject of a separate application.
  3. That a Construction Environmental 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. A copy of the CEMP shall be provided to the Development Assessment Commission prior to the commencement of site works. The management plan must incorporate, without being limited to, the following matters:
    - air quality, including odour and dust
    - surface water including erosion and sediment control
    - soils, including fill importation, stockpile management and prevention of soil contamination
    - groundwater, including prevention of groundwater contamination
    - noise
    - occupational health and safety

It is also noted that the existing sealed (temporary) car park needs to be removed to allow for the construction of Stage 2. For further information the relevant EPA guidelines can be adopted in the CEMP of the handling and disposal of contaminated materials.
  4. That external materials, surface finishes and colours of the Development shall be consistent with the description and details provided to the reasonable satisfaction of the Development Assessment Commission. An external materials and finishes sample board shall be provided prior to the commencement of construction.
  5. That the final details of the proposed waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent, shall be submitted to and approved by the Development Assessment Commission prior to development approval. Such details shall include a Waste Management Plan which shall cover:
    - Resource recovery during occupation or use of the development including proposed methods of recycling of all recyclable materials;
    - Storage and collection of waste and recyclable materials;
    - Hours of collection.
  6. The applicant or the person(s) having the benefit of this consent shall ensure that such waste management practices are adopted on the land at all times:
  7. That the finished floor level of the ground floor level entry point to the development shall match the existing footpath unless otherwise agreed to by the City of Salisbury.

8. That the finished ground floor level of the car park entry and exit points shall match the adjacent road level unless otherwise agreed to by the City of Salisbury.
9. That the landscaping for Stage 2 shall be established prior to the operation of the new supermarket and maintained in good health and condition at all times with any dead or diseased plants or trees being replaced.
10. That the proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including Amdt 1) for Off-Street Parking Facilities (including Australian Standard 2890.6:2009 for people with disabilities), and access for commercial vehicles shall be designed in accordance with Australian Standard 2890.2:2002. 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.
11. That all Council maintained infrastructure that is removed, relocated or damaged during construction works shall be reinstated to Council specifications. This includes the establishment of new crossovers / vehicular entry points and any trenching works associated with the installation of underground services. All costs associated with these works shall be met by the proponent.
12. That all new or modified car parks 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 each Stage of the development.
13. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
14. That 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 on land and buildings under their control.
15. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed in accordance with the approved lighting plan and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person within or beyond the site.
16. 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.
17. That 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.

### **Advisory Notes**

- a. The applicant has 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 of the day of receiving this notice or such longer time as the Court may allow.
- c. The applicant should contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- d. 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.
- e. 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>
- f. 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.
- g. 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.
- h. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- i. Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- j. 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.
- k. It is recommended that as the applicant is undertaking work 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.
- l. That access to buildings and designated disabled car parking spaces shall be designed and provided in accordance with the relevant Australian Standards.
- m. The site falls within the Parafield Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. As a result restriction apply to heights of structures including buildings, masts, towers, plume emissions and lighting illumination.
- n. Any development within this area may be subject to noise emanating from overflying aircraft.
- o. Parafield Airport Ltd requires fourteen (14) days prior notice of any crane operations during the construction of the development. Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA).

- p. The maximum height of the proposed development is not to exceed 20.0m Australian Height Datum (AHD) including any attachments to buildings.
- q. The applicant is encouraged to plant species of plants that will not attract birds.
- r. Any further proposed buildings and/or structures constructed upon the site must be subject to a separate application.
- s. If any plume emissions exceed 4.3m/s from the top of any ventilation stacks a separate assessment will be required.
- t. The applicant is advised that should extraneous light spillage prove to be an issue for air operations to and from Parafield Airport, hazard modification of light fittings may be required.
- u. A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
  - Work in the Public Realm
  - Street Occupation
  - Hoarding
  - Site Amenities
  - Traffic Requirements
  - Site Servicing
  - Adjoining Buildings
  - Reinstatement of Infrastructure

A copy of this plan must be submitted to the Development Assessment Commission and the Council prior to the commencement of construction.

**19.3 Mr J Hall - works for filling of land (involving clean fill and revegetation of the site) - Crouch Road, Golden Grove (Lot 1001, DP41608; CT5255/546) - Hills Face Zone (Non-complying) - City of Tea Tree Gully (070/9212/10)**

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

Applicant(s)

- John Hall

In attendance but did not address the Commission:

- Anne Simmons

The Commission discussed the application.

**RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission grant Development Approval for Development Application No 070/99212/10 by Mr John Hall for the consent of works for filling of land (involving clean fill and revegetation of the site), at Lot 1001 Crouch Road, Golden Grove subject to the following conditions and the concurrence of the City of Tea Tree Gully Council and the Minister for Urban Development, Planning and the City of Adelaide subject to the following conditions and advisory notes:

## 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 as submitted in development application number 070/99212/10.
  - Statement of Effect received 29 April 2011
  - Overlay Grid
  - Fill and Existing Vegetation
  - Final Layout
  - Lot 1001 Crouch Road Cross Sections dated 12 August 2010
  - Site Plan REF: A10006 100804 SITE
2. The toe of the fill should extend no closer than 2 metres from the centre of the creek and should have a batter of nominally 1 in 3.
3. During the construction phase a Soil and Erosion Drainage Management Plan (SEDMP) shall be prepared and implemented in accordance with the EPA code of practice for the building and construction industry. A copy of the SEDMP shall be provided to the Development Assessment Commission.
4. That a cut off drain shall be constructed to intercept the runoff from the hills face to take this runoff around the fill area to the creek.
5. That the fill area shall be covered with top soil and grassed to reduce runoff and reduce the risk of scouring of the site and prevent siltation of the creek.
6. That appropriate native species - indigenous to the Adelaide Plains - shall be used for revegetation and any dying species shall be replaced until the site has adequate coverage.
7. The fill shall be clean fill not subject to any deleterious building matter or contamination.

## 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 also be 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 proponent should be aware of the potential to spread pest plant species through the movement of soil and as such should determine the likelihood of the presence of pest species or their seeds in soil prior to movement and where required treat the soil to ensure there is no spread of pest plant species and in particular species declared under the Natural Resources Management Act, 2004. The proponent is responsible under the NRM Act to ensure that declared species are not spread.

- 19.4 **Hot Property Group - Mixed use development comprising six (6) commercial tenancies (offices) and thirty-five (35) two storey dwellings with associated car parking and landscaping - 2-8 Fourth Avenue,**

## **Mawson Lakes (lot 780) - MFP (The Levels) Zone – City of Salisbury (361/2935/2010/MB)**

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

### Applicant(s)

- Frank McIntyre (Nolan Rumsby)

### In attendance but did not speak

- Dan Ferrone (HPG)
- Tony Pullino (HPG)

### Representor

- Damian Ellis (Hames Sharley)

### Council Representatives

- Greg Walker, Director - Development and Environmental Services
- George Pantelos, Principal Planner
- Luke Gray, Senior Development Officer

The Commission discussed the application.

## **RESOLVED**

1. That the Development Assessment Commission grant Development Plan Consent to Development Application No. 361/2935/2010/MB for a mixed use development comprising six commercial tenancies (offices) and thirty-five two-storey dwellings with associated car parking and landscaping at 1-2 Fourth Avenue, Mawson Lakes in accordance with the plans and details submitted with the application and subject to the following conditions:

### **Planning Conditions**

1. The proposal shall be development in accordance with the details and the Council stamped, approved plans lodged with the application, except where varied by the following conditions:
  - PD01 Site Plan: Revision K
  - PD02 Site Ground Floor Layout: Revision I
  - PD03 Site Upper Floor Layout: Revision H
  - PD04 Type A, B & D Ground Floor: Revision G
  - PD05 Type A, B & D Upper Floor: Revision F
  - PD06 Type C Ground Floor: Revision H
  - PD07 Type C Upper Floor, Revision H
  - PD08 Type E Ground Plan: Revision H
  - PD09 Type E Upper Plan: Revision H
  - PD10 Tenancy Floor Plans: Revision H
  - PD11 Elevation 1: Revision I
  - PD12 Elevation 2 and Fence detail: Revision G
  - PD13 Streetscape: Revision G
2. Detailed engineering site plans showing unit floor levels, service locations and connection points, pavement levels, design grades and stormwater drainage layout including connections to Council's existing underground drainage systems are to be submitted to Council for approval. No work is to commence prior to full development approval being granted.
3. A detailed landscaping plan for landscaped areas associated with the proposed development shall be provided to and approved by Council prior to the commencement of those landscaping works. The detailed

- landscaping plans are to include details of species, maximum heights, irrigation systems, water management and maintenance plans.
4. Existing road pavements and verge areas shall be reinstated to Council specification after excavation trenching and underground services have been installed.
  5. The developer shall employ measures to eliminate dust emission from the site during construction period so as not to cause nuisance to adjoining residents.
  6. Site work and building work shall be carried out only between the hours of 7:00 AM and 7:00 PM, Monday to Saturday and 9:00 AM to 5:00 PM, Sundays.
  7. All trade waste and other rubbish shall be contained and stored pending removal in covered containers which shall be kept outside the public view, either within a screened service yard or within the building.
  8. The designated landscaping areas shall be planed with shade trees, shrubs and ground covers as appropriate to achieve a high level of residential amenity. All landscaping shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council. All landscaping is to be completed prior to occupation of the dwellings and/or commercial tenancies.
  9. The footing of Dwelling 5 shall be designed having regard to the existing significant tree on the adjoining land. A qualified arborist shall submit a report to Council, confirming this dwelling's design will have no adverse impact on this existing tree.
  10. All driveways and car parking areas shall be constructed with either brick paving or concrete with individual car parks clearly identified. Driveways and car parking areas shall be established prior to the occupation of any dwelling or commercial tenancy and maintained at all times to the satisfaction of Council.
  11. Appropriate identification shall be provided for the car park at the northern end of the site, ensuring they are available for the commercial tenancies during the day but available for residential visitors outside of those hours.
  12. The car parking layout including car park spaces and aisle widths are to be designed and constructed to comply with /as 2890.1-2009 –Off Street Car Parking and AS 2890.6-2009 – Parking Facilities – Part 6:Off Street parking for people with disabilities.
  13. Rear windows of Dwellings 1-5, 6-9 and 32-35 shall comprise fixed obscure lazing to a minimum height of 1500mm above the level of the floor.
  14. The balconies for Dwellings 10 and 11 shall be amended to provide additional screening to the satisfaction of Council, prior to full development approval.
  15. The applicant shall ensure that the proposed driveway shall be build to a minimum of one (1) metre away from any public infrastructure or services; otherwise the applicant shall pay for the full cost of relocation of these items. Such works may include but are not limited to, street trees, light poles and stormwater entry pits.



16. Access to the proposed building shall be designed and constructed in accordance with AS 1428.1-2009 'Design for access and mobility, Part 1: General requirements for access – New Building Work'.

### **Advisory Notes**

- a. The applicant has 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 of the day of receiving this notice or such longer time as the Court may allow.
- c. The applicant should contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- d. 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.
- e. 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>
- f. 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.
- g. 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.
- h. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- i. Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- j. 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.
- k. It is recommended that as the applicant is undertaking work 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.
- i. A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
  - Work in the Public Realm
  - Street Occupation
  - Hoarding
  - Site Amenities
  - Traffic Requirements

- Site Servicing
- Adjoining Buildings
- Reinstatement of Infrastructure

A copy of this plan must be submitted to Council prior to the commencement of construction.

## 20. SECTION 35 APPLICATIONS

### 20.1 **Barton's Chartered Accountants - Additions to existing free standing sign – Installation of two changeable text LED (light emitting diode) panels – 474a Anzac Highway, Camden Park - Commercial (Arterial Roads) Zone - City of West Torrens (211/0165/11)**

The Commission discussed the application.

#### **RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission CONCUR with Council's decision to grant Development Plan consent to undertake alterations and additions to an existing freestanding sign in the form of two changeable text 'light emitting diode' (LED) panels at 474A Anzac Highway, Camden Park.

### 20.2 **Kris Paglia - Change of Use – dwelling to shop (hair dressing salon) with ancillary car parking, landscaping and non-illuminated pylon sign – 67a Hampstead Road, Manningham - Residential Zone, Enfield Policy Area 45 - City of Port Adelaide Enfield (040/2738/10)**

The Commission discussed the application.

#### **RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission does NOT CONCUR with the decision of the City of Port Adelaide Enfield to grant Development Plan consent to Development Application No. 040/2739/10 for the change in use from dwelling to shop (hairdressing salon) with ancillary car parking, landscaping and a single non-illuminated pylon sign at 67A Hampstead Road, Manningham as the proposal is contrary to the following provisions of the Development Plan:

Non-residential development in a residential zone:  
*Enfield Policy Area 25:* OB1, PDC1  
*Residential Zone:* OB1, PDC133, PDC142  
*Council-Wide:* PDC4

## 21. SECTION 34 APPLICATIONS - Nil.

## 22. CROWN/PUBLIC INFRASTRUCTURE – Nil.

## 23. OTHER APPLICATIONS

### 23.1 **Briefing – Hassell & Jensen Planning - Design amendments / conditional matters relating to Rundle Place (Harris Scarfe) redevelopment – Rundle Mall – City of Adelaide (020/0020/08 V3)**

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

- Mariano DeDuonni (Hassell)

In attendance but did not speak:

- David Barone (Jensen Planning)
- Christie Bailey (Hassell)
- Hannah Shaw (Work Experience Student)

**RESOLVED** that the final decision on the proposed design amendments and conditional matters be delegated to the A/Principal Planner.

**23.2 Tabled Item – Conversion of Cinema to Multiple Uses – Satisfaction of Reserved Matters (DA 170/313/10)**

**RESOLVED** that the Reserved Matters relating to ESD initiatives and bicycle parking required by the Development Plan Consent issued on 23 June 2011 have now been satisfied with the submission of amended plans.

**24. NEXT MEETING – TIME/DATE**

Thursday, 11 August 2011  
Conference Room 6.2  
Level 6, 136 North Terrace, Adelaide

The Presiding Member thanked all in attendance and closed the meeting at 4:45pm

Confirmed 11/Aug/2011

Per/Deputy Presiding Member  
.....  
Ted Byrt  
PRESIDING MEMBER

.....  
Rocío Barúa  
SECRETARY