



Development Assessment Commission

**Minutes of the 439th Meeting of the
Development Assessment Commission
held on Thursday 7 April 2011 commencing at 9:30am
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

PRESENT

Presiding Member	Ted Byrt
Deputy Presiding Member	Betty Douflias
Members	Damien Brown Geoffrey Loveday Megan Leydon Carolyn Wigg
Specialist Members	Professor Nick Harvey Brian Roderick
Secretary	Rocío Barúa
A/Principal Planner	Simon Neldner
DPLG Staff	Glenn Searle (Item 3.2) Phil Cooper (Item 10.1) Trevor Smith (Item 11.1) Simon Neldner (Item 11.2) Anna Provas (Item 13.2)

1. **APOLOGIES** – Nil

2. **CONFIRMATION OF THE MINUTES**

2.1. **RESOLVED** that the Minutes of the 438th meeting held on 1 April 2011 be taken as read and confirmed.

3. DEFERRED APPLICATIONS

3.1. Status of Deferred Applications

RESOLVED that the Report be received and noted.

3.2 **KIS Tuna – Consent to establish a 150 hectare site (AQ00242) for the holding and cultivation of fin fish (Southern Blue Fin Tuna) – Location: the waters 2.5 kilometres south of Spilsby Island – Not within a Zone – Not within a Council Area (011/A004/11)**

Commissioners Megan Leydon, Geoffrey Loveday and Betty Douflias did not consider the matter as they were not present at the hearing on 1 April 2011.

The Commission considered the following additional information:

PIRSA-Fisheries & Aquaculture

- ESD Assessment of AQ00242 application – previously approved; and limited EMP information for AQ00202.
- Information Paper and Technical Investigation of the proposed Aquaculture Zone (including draft sampling sites that indicate bare sand, LEP Outer Zone Map, Benthic habitat, AQ Zone policy development process, Preliminary Sanctuary Zones);
- DENR & PIRSA F&A Marine Park Policy Commitments.

Spilsby Island Management Association Inc

Further information provided by Karen Thomas (Fisher Jeffries) dated 6 April 2011 on behalf of the Spilsby Island Management Association Inc in relation to processing issues, environmental and planning impacts, sea lion interaction and proximity to haul-out sites, the proposed one-year term of the current application and aquaculture development within the locality.

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 to Development Application No 011/A004/11 for consent to establish a 150 ha pilot site (AQ00242) for the holding and cultivation of fin fish (Southern Blue Fin Tuna) 2.5 km south of Spilsby Island 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 number No 011/A004/11:
2. That development approval is for a period not greater than 12 months in accordance with faxed correspondence from KIS Tuna dated 7 April 2011.
3. That all structures, equipment, buoys and flotations (excepting those which may be required by the Minister administering the *Harbours and Navigation Act 1993* and the Minister administering the *Aquaculture Act 2001*) shall be one uniform dark colour to ensure the structures blend with the natural features of the locality.

4. That the approved site shall be marked at all times in accordance with the requirements by the Minister administering the *Harbours and Navigation Act 1993* and the Minister administering the *Aquaculture Act 2001*.
5. That the approved area shall be maintained in a good condition with necessary repairs being carried out promptly, to the reasonable satisfaction of the Development Assessment Commission. All reasonable measures to prevent the escape of debris from the approved area shall be undertaken. In the event of the escape of any debris associated with the development (including any dead stock), the debris must be removed from the sea or shoreline and disposed of in a legally approved manner.
6. That when the area is no longer used for aquaculture, the site shall be returned to a condition which complies with PIRSA Aquaculture's Site Rehabilitation requirements, with all structures being removed and the cost of such reinstatement and removal being borne by the operator.
7. That all structures shall be adequately secured and sufficiently weighted to ensure that they do not drift outside the approved site area.
8. That human waste shall not be discharged into the approved area or the adjacent area.
9. That no structures shall be installed on the approved site or aquatic organisms introduced to the site until the relevant aquaculture licence and lease has been issued to the applicant by the Minister administering the *Aquaculture Act 2001*.
10. That the cleaning of structures (other than the removal of accumulated drifting benthos) shall be undertaken offsite within approved cleaning and maintenance facilities.

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 the Notification must be completed within 3 years of the date of the Notification unless the 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 of the day on receiving this notice or such longer time as the Court may allow.
- f. 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).
- g. In addition to this approval, a permit to release farmed stock into marine waters and an aquaculture licence is required from PIRSA-Aquaculture.

No structures should be installed on the approved site or fish introduced to the site until the relevant permit and licence are issued.

- h. The applicant's attention is drawn to the provisions of the *Food Act 2001*, in respect to the protection, handling, transportation and consumption of food for sale.
- i. The applicant's attention is drawn to the requirement for the applicant to inspect the seabed for any material before development proceeds and to report any findings of shipwrecks to Heritage SA.
- j. The applicant is reminded of the general environmental duty as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that its activities on the whole site do not pollute the environment. In this respect the person undertaking the activity must take all reasonable and practical measures to prevent or minimise any resulting environmental harm (as defined in the Environment Protection (Water Quality) Policy 2003).
- k. As this proposal has the potential for causing environmental harm, proper and effective management of the operation is critical to preventing this. To ensure that harm does not result from the operation, an independently verified monitoring program is recommended, with reports to be provided at regular intervals.
- l. The proponent should make financial arrangements to provide for a bank guarantee, or other form of financial security, to ensure that the site is returned to its natural state once the use has been discontinued.

4. **OUTSTANDING MATTERS**

4.1. **Status of Outstanding Matters**

RESOLVED that the Report be received and noted.

5. **COURT MATTERS**

5.1. **Status of Court Matters**

RESOLVED that the Report be received and noted.

6. **ENFORCEMENT MATTERS**

6.1. **Status of Enforcement Matters**

RESOLVED that the Report be received and noted.

7. **PRESIDING MEMBER'S REPORT**

- 7.1 The Presiding Member had further discussions with Ian Nightingale (Chief Executive Officer – DPLG) about the separation of DAC from the Department of Planning & Local Government and the implementation of the Service Level Agreement. This agreement will be resolved by the end of April.

RESOLVED that the information be received and noted.

- 7.2 The Presiding Member updated members on his attendance at the Built Environment Meets Parliament (BEMP) SA conference on 6 April 2011.

RESOLVED that the update be received and noted.

7.3 The Presiding Member received correspondence from The City of Whyalla on the lack of passing lanes on the Whyalla Road (Lincoln Highway).

RESOLVED that the correspondence be forwarded to the Minister for Transport.

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

9. **SCHEDULE 10 APPLICATIONS** - Nil.

10. **SECTION 34 APPLICATIONS**

10.1 **HYLC Joint Venture – New Royal Adelaide Hospital – North Terrace, Adelaide – Institutional (Metropolitan Hospital) Zone – Adelaide City Council (O20/0060/10)**

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

Representor(s)

- Gina Manno (Adelaide Day Centre for Homeless Persons)
- Bill Braithwaite (Adelaide Day Centre for Homeless Persons)

Integrated Design Commission

- Tim Horton
- Ben Hewett

EPA

- Phil Hazell

Adelaide City Council

- Rebecca Rutschack

Applicant(s)

- Damien Ellis (Hames Sharley)
- Chris Pratt (HYLC Joint Venture)
- Alastair Looms (HYLC Joint Venture)
- Deiter Lim (Tract)

In attendance (but did not speak)

- Courtney Stollznow (EPA)
- Wendy Boyce (EPA)
- Dennis Linard (EPA)
- Simon Morony (SA Health)
- Pat O'Donnell (SA Health)
- Steve Grieve (SG Architects)
- Simon Morony (SA Health)
- Leyton Waters (HYCC)
- Heath Blacker (W&G)
- Ian McLennan (KBR)
- Richard Does (STHDI)

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 O20/0060/10 by HYLIC Joint Venture to construct the new Royal Adelaide Hospital on the northern side of the intersection of Port Road, North Terrace and West Terrace Adelaide, subject to the following reserved matter and conditions:

Reserved Matter

1. That pursuant to Section 33 (3) of the *Development Act 1993*, the following matter shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
 - a. Clarification and submission of a design development process and timing schedule that enables each of the outstanding planning and design elements requiring clarification, further information and/or detailed plans as outlined by Condition 2 to be satisfied. The process and time schedule identified above shall prioritise the provision of information AND incorporate a design review process – in consultation with the Integrated Design Commission - to ensure that each of the design elements required by Condition 2 is resolved in a considered and detailed manner from the concept design to final submission stage. The timelines for the detailed design work and final submission of each element must be clearly identified.

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 number 020/0060/10 (Council reference DA/1010/2010) and the following plans identified as:

- Site Plan DWG No. SK.A2.001 (1) Dated 05.10.10
- Level 1 Master Plan DWG No. SK.A2.011 (DA1) Dated 21.12.10
- Level 1.1 Master Plan DWG No. SK.A2.011.1 (DA1) Dated 21.12.10
- Level 2 Master Plan DWG No. SK.A2.012 (DA1) Dated 21.12.10
- Level 3 Master Plan DWG No. SK.A2.013 (DA1) Dated 21.12.10
- Level 4 Master Plan DWG No. SK.A2.014 (DA1) Dated 21.12.10
- Level 5 Master Plan DWG No. SK.A2.015 (DA1) Dated 21.12.10
- Level 6 Master Plan DWG No. SK.A2.016 (DA1) Dated 21.12.10
- Level 7 Master Plan DWG No. SK.A2.017 (DA1) Dated 21.12.10
- Level 8 Master Plan DWG No. SK.A2.018 (DA1) Dated 21.12.10
- Level 9 Master Plan DWG No. SK.A2.019 (DA1) Dated 21.12.10
- Level 10 Master Plan DWG No. SK.A2.020 (DA1) Dated 21.12.10
- Level 11 Master Plan DWG No. SK.A2.021 (DA1) Dated 21.12.10
- Master Plan Elevations DWG No. SK.A2.110 (1) Dated 05.10.10
- Detail Elevations DWG No. SK.A2.120 (1) Dated 05.10.10
- Detail Elevations DWG No. SK.A2.121 (1) Dated 05.10.10
- Detail Section DWG No. SK.A2.130 (DA1) Dated 16.12.10
- South Streetscape DWG No. SK.AS.150 (DA1) Dated 20.5.10
- Landscape Site Plan DWG No. SK.L2.001 Dated 05.10.10
- Landscape Greenspace Area Plans DWG No. SK.L2.002 Dated 05.10.10
- Landscape External Works Plan DWG No. SK.L2.010 Dated 05.10.10
- Landscape Plan – Level 1 DWG No. SK.L2.011 Dated 05.10.10
- Landscape Plan – Level 2 DWG No. SK.L2.012 Dated 05.10.10
- Landscape Plan – Level 3 DWG No. SK.L2.013 Dated 05.10.10
- Landscape Plan – Level 4 DWG No. SK.L2.014 Dated 05.10.10
- Landscape Plan – Level 5 DWG No. SK.L2.015 Dated 05.10.10
- Landscape Plan – Level 6 DWG No. SK.L2.016 Dated 05.10.10
- Landscape Plan – Level 7 DWG No. SK.L2.017 Dated 05.10.10
- Landscape Plan – Level 8 DWG No. SK.L2.018 Dated 05.10.10
- Landscape Plan – Level 9 DWG No. SK.L2.019 Dated 05.10.10
- Landscape Detail Section -
Courtyard Area Level 1 & 2 DWG No. SK.L1.021 Dated 05.10.10
- Landscape Section & Detail
Level 2 Courtyard DWG No. SK.L1.022 Dated 05.10.10
- Landscape Site Plan
- Circulation Diagram DWG No. SK.L2.025 (DA1) Dated 08.02.11
- Landscape Areas Plan
- Internal and External Areas DWG No. SK.L1.027 Dated 09.02.11

2. That the applicant shall submit for approval additional detailed information and amended plans on the following elements to the Development Assessment Commission:

2.1 Reconsideration and revision of the design of the western side of the proposed building to improve the pedestrian link from the building to the western wetland. In the current proposal there is very limited access for pedestrians to the wetland.

An investigation and amended plans are sought from the applicant to provide a direct connection from the upper levels of the building to the wetland via an elevated, enclosed walkway.

2.2 Detailed plans and elevations to show the position and level of the future pedestrian link between the proposed development and the River Torrens, where the pedestrian link joins the edge of the hospital site –

to ensure that the design of the hospital will not compromise or prevent this pedestrian link being established.

2.3 Reconsideration and revision of the Green Star Rating for the development to achieve 5 star Green Star performance 'Australian Excellence' in environmentally sustainable design.

2.4 Reconsideration and revision of the proposals for rainwater tanks to significantly increase the overall capacity (200,000 litres are proposed in the application) to make effective use of roof rainwater in years which have above-average rainfall and in short-duration high rainfall events.

2.5 Reconsideration and amended proposals for the ring route through the site, including the opportunity to close the eastern access point or to limit access to only ambulances and emergency vehicles –

to address impact on public amenity and safety on the main pedestrian route to and from the hospital.

2.6 Detailed proposals and amended plans for traffic management, pedestrian and bicycle movement and signage for the full extent of the North Terrace/Port Road frontage and linkages for pedestrians and cyclists to the east, west and to the south side of North Terrace and to Grey Street -

to address the complex interface of vehicles, pedestrians and cyclists on the site and adjoining land; and

to achieve consistency with the North Terrace Masterplan.

The detailed proposals and amended plans should include:

- Revision of the design and paving of the proposed vehicle access points to Port Road and North Terrace (including the 'turn-left anytime' slip lanes into the site) to maximise safety and convenience for pedestrians and cyclists, taking into account the constraints imposed by the requirements of ambulances and emergency vehicles.

- Improvements to the design, including traffic-calming design features that are conducive to the proposed 20km/h speed limit on the proposed internal roads.
 - Proposals for signage and way-finding to ensure effective siting, design and graphic simplicity of all signage to assist motorists, drivers of ambulances, emergency vehicles and commercial vehicles, pedestrians and cyclists.
 - Proposals for traffic management of emergency bus access and bus layovers.
 - Traffic management proposals for both normal operations and State Disaster situations.
- 2.7 A Road Safety Audit of the detailed design, prior to approval by DAC of the detailed proposals required in Condition 2.6 above.
- 2.8 Proposals for the emergency access from the hospital into the Gaol Road access, including timing of commencement of this access. This will require agreement with the Australian Rail Track Corporation, the Department of Transport, Energy and Infrastructure and the Rail Commissioner, prior to submission of these proposals to the Development Assessment Commission.
- 2.9 Detailed plans and proposals for the landscaping and tree planting on the northern side of the proposed building –
- to improve the view and amenity of the railway yards and to reduce heat load on this edge of the development.
- 2.10 Detailed proposals and plans for the design of the eastern plaza between the proposed hospital and the SAHMRI building –
- to provide effective pedestrian links, shading and a co-ordinated, integrated approach with the SAHMRI building in the design of the eastern plaza.

These detailed proposals and plans should include:

- A detailed layout of the plaza.
 - Details of the pedestrian/cycle link across the plaza, connecting to the proposed bridge linking to the River Torrens on the north and to Grey Street on the south.
 - Details of bicycle storage and access to these storage areas.
 - Tree planting with scope for deep soil planting to sustain larger canopy trees to provide useful shading and to reduce heat load.
 - Structures and street furniture and how these will accommodate:
 - An animation program
 - Art in public places
- 2.11 A detailed landscaping plan for the public spaces – including the emergency parking area - in the proposed development, including:
- Increasing the areas of soft landscaping including shade trees in the open plazas and parking areas around the hospital.

- Species of trees, shrubs and ground covers.
 - Type and colour of paved and hard surfaces.
 - Details of seating and shelters.
 - Details of public art and sculptures.
- 2.12 Detailed proposals and amended plans for the layout of public spaces, tree planting and landscaping to implement the recommendations of the Crime Prevention through Urban Design report by John Salter of Emergency Preparedness Capacity Builders, revised and dated 9 February 2011 in the application documents.
 - 2.13 Detailed proposals and amended plans for the layout of public spaces, structures in public spaces and tree planting to implement the recommendations of the Wind Impact Report by Cyclopic Energy, dated 7 February 2011 in the application documents.
 - 2.14 A detailed lighting plan associated with pedestrian/cycle routes, bicycle parking areas, outdoor parking areas and public spaces outside the building.
 - 2.15 Detailed proposals for the design, external materials and colours of the building facades. The final selection of external materials and colours for the building and a materials sample board. This should include detailing of the 'inactive' blank walls and stain walling where slab edges and window treatment will require particular attention.
 - 2.16 Reconsideration and revision of the design of the roof to clarify the roof materials, to provide landscaped areas on the roof and thereby improve the Green Star Rating of the development and to minimise the visibility of roof mounted plant and infrastructure facilities.
 - 2.17 Details of any air-conditioning or extraction plant or ducting to be placed on the exterior of the building.
 - 2.18 Detailed proposals and amended plans for infrastructure plant and facilities to minimise their visibility from public view. Where they are unavoidable in public spaces, design details are sought which demonstrates that the infrastructure plant and facilities are integrated into the public spaces and do not impede pedestrian movement.
3. That all construction of the development shall be carried out within the subject land and shall not impact on the adjoining rail land.
 4. That all stormwater and wastes shall be contained on-site and disposed of without jeopardising the safety and integrity of the adjoining rail land (including infrastructure).
 5. That all stormwater design and construction shall be in accordance with Australian Standards and Council's engineering requirements to ensure that stormwater does not affect adjoining property or public road.

6. That all hard building materials shall be secured and in such a manner so as to prevent any materials entering the stormwater system either by wind or water action during construction works.
7. That all car parking, manoeuvring area and entry points shall be designed and constructed to conform to AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
8. That all commercial vehicle areas shall be designed and constructed to conform to AS 2890.2:2002.
9. That all bicycle facilities shall be designed and constructed to conform to AS 2890.3:1993 and the Austroads Guides.
10. That the helicopter landing site shall be designed and constructed to conform to the Civil Aviation Safety Authority Guidelines published in the Civil Aviation Advisory Publication (CAAP 92-2(1)).
11. That all external lighting of the site shall be designed and constructed to conform with Australian Standards and shall be located, directed and shielded so not to cause distraction to drivers on adjacent public roads.
12. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
13. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times. Graffiti shall be removed within five business days of the graffiti becoming known or visible with the timely removal of the graffiti being the responsibility of the operators of the development.
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.

Conditions directed by the Environment Protection Authority

15. Carbon monoxide concentration in all exhaust emissions from the tri-generation plant and backup power generation plant must be less than 1 gram per cubic metre (dry at 0°C and an absolute pressure equivalent to one atmosphere).
16. Prior to construction commencing air quality modelling must be prepared by a suitably qualified consultant and submitted to the satisfaction of the Environment Protection Authority. The modelling must demonstrate that the following design level concentrations are not exceeded at ground level at any time due to emissions from any generation plant:
 - a. a 1-hour average of 0.113 mg/m³ for nitrogen dioxide; and
 - b. a 1-hour average of 29 mg/m³ for carbon monoxide.
17. Atmospheric discharge via fume cupboards must pass through an integral exhaust scrubber prior to discharge to atmosphere. Any discharge to atmosphere from fume cupboards must pass through an air cleaning device appropriately selected for the pollutants generated in the fume cupboard. All emissions of cleaned air to atmosphere must be emitted through a stack that:
 - a. is designed to have a minimum exit velocity of 10 metres/second

- b. is no less than 3 metres above the highest point in 30 metres
 - c. is not fitted with a conical rain protector cap (or similar device) that impedes upward flow.
18. There must be no uncontrolled release of hydrocarbons to the atmosphere from the vacuum vapour extraction system associated with the direct remediation of groundwater.
19. Soils identified as contaminated with hydrocarbons by detection with a Photo Ionisation Detector must be covered with an impervious plastic membrane to ensure the uncontrolled release of hydrocarbons to the atmosphere does not occur.
20. The development must be designed and constructed to ensure that noise from the development and associated activities meets the following indicative noise levels as described in Clause 20 of the Environment Protection (Noise) Policy 2007:
- a. 55dB(A) between the hours of 7 am and 10 pm at noise sensitive receivers in the City of Adelaide West End Policy Area 19; and
 - b. 48dB(A) between the hours of 10 pm and 7 am at noise sensitive receivers in the City of Adelaide West End Policy Area 19; and
 - c. 50dB(A) between the hours of 7am and 10pm in the City of Adelaide River Torrens West Policy Area 37 and West Parklands Policy Area 36; and
 - d. 43dB(A) between the hours of 10 pm and 7 am in the City of Adelaide River Torrens West Policy Area 37 and West Parklands Policy Area 36; and
 - e. LAmax of 60 dB(A) between the hours of 10 pm and 7 am in the City of Adelaide River Torrens West Policy Area 37 and West Parklands Policy Area 36.

The above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.

21. The detailed design of the development must include the following environmental noise control principles:
- a. Major mechanical and emergency services plant to be located internally within the basement, with remaining significant rooftop plant to be rooftop dry coolers, air cooled chillers and air handling units (AHUs).
 - b. Exposed plant where possible be located away from the site boundaries to sensitive development and receivers.
 - c. Outside supply and extract fans to typically have attenuators fitted.
 - d. All plant items, including intake and discharge fan selection and silencer treatments be reviewed by a suitably qualified acoustic engineer and their operational and maximum sound power levels scheduled in the tender process to ensure compliance with relevant criteria.

22. Prior to the commencement of the site for the proposed use (occupation), a site contamination audit report must be completed by a site contamination auditor accredited under the Environment Protection Act 1993, which certifies that:
 - a. The land is suitable for the proposed development; and
 - b. The construction works and landscaping proposals in the application are consistent with the outcome of the site contamination audit report.
23. The site contamination auditor carrying out the site contamination audit for the site subject to this approval must be made aware by the applicant of the conditions of development approval as soon as practicable after consent has been granted in relation to the subject land as they may be relevant to the practicable completion of the site contamination audit.
24. The document SA Health Partnership Remediation Management Plan New Royal Adelaide Hospital (version 6, prepared by FMG and dated 17 March 2011) and associated Remediation Action Plan and Construction Environment Management Plan must be implemented at the site. Note: If amendments to these documents are required, these are to be endorsed by the site contamination auditor carrying out the audit for the site subject to this approval, prior to implementation.
25. Following completion of the further delineation works described in the document SA Health Partnership Remediation Management Plan New Royal Adelaide Hospital (Version 6 prepared by FMG and dated 17 March 2011), an updated version of the RMP and incorporated plans (collectively referred to as the site management plans) must be provided and prepared to the satisfaction of both the Development Assessment Commission and the Environment Protection Authority. These documents must have been endorsed by the site contamination auditor carrying out the audit for the site subject to this approval. The site management plans include:
 - a. Remediation Action Plan; and
 - b. Construction Environment Management Plan
26. All stockpiling of materials must be undertaken as follows:
 - a. Stockpiles within the site must have a maximum height not exceeding 3 metres.
 - b. Stockpiling within the site must only occur within the identified construction areas in Stage 2 and Stage 3
 - c. A minimum set back of five metres must be maintained between all stockpiles and external fences.
 - d. Within five metres of structures, the height of all stockpiles must not exceed the height of the nearest structure.
 - e. Stormwater must be diverted away from stockpile areas.
 - f. Stormwater runoff from stockpile areas must be diverted to a stormwater retention pond to prevent discharge of sediment from the premises.

- g. Each stockpile must have adequate spacing to allow access for vehicles and materials handling and management.
 - h. Areas between stockpiles must be kept free of obstruction and allow for easy movement of vehicles at all times.
 - i. Stockpiles must be managed on site in discrete components with clear signage to identify the classification of each stockpile (classified in accordance with the site management plans).
 - j. All stockpiles must be effectively managed to prevent dust generation.
27. If the on-site repository proposed within the document SA Health Partnership Remediation Management Plan New Royal Adelaide Hospital (version 6 prepared by FMG and dated 17 March 2011) is to be constructed, then prior to its construction documents detailing the proposed design and management must be submitted to the site contamination auditor for endorsement.
 28. Prior to commencement of works and following endorsement by the site contamination auditor, a copy of the final Construction Stormwater Management Plan and the Groundwater Management Plan identified in the document SA Health Partnership Remediation Management Plan New Royal Adelaide Hospital (Version 6 prepared by FMG and dated 17 March 2011), must be provided and prepared to the satisfaction of the Environment Protection Authority.
 29. Prior to the commencement of use (occupation) and following endorsement by the site contamination auditor, a copy of the Operational Environment Management Plan must be provided and prepared to the satisfaction of the Environment Protection Authority. A copy of the plan must also be provided to the Development Assessment Commission and the Adelaide City Council.
 30. Prior to commencement of groundwater remediation and following endorsement by the site contamination auditor, a copy of the Groundwater Remediation Plan must be provided and prepared to the satisfaction of the Environment Protection Authority.
 31. The detailed design of the stormwater management system must meet the following quality targets:
 - a. Suspended solids (SS) - 80% retention of the typical urban annual load with no treatment.
 - b. Total phosphorus (TP) - 45% retention of the typical urban annual load with no treatment
 - c. Total nitrogen (TN) - 45% retention of the typical urban annual load with no treatment
 - d. Litter - Retention of litter greater than 50 millimetres for flows up to the 3 month ARI peak flow
 32. All stormwater captured from carparking areas must pass through an oil water separator installed in the stormwater system which complies with the specifications of a Class 1 (achieving an oil concentration of no more than 5 mg/L) with bypass and alarm system installed. Note: Class 1 separators are designed to achieve a concentration of less than 5 mg/L of oil under standard test conditions (as outlined in European standard

BSEN 858-1. Bypass separators fully treat all flows generated by rainfall rates of up to 5 mm/hr.

33. The stormwater infrastructure must be protected from potential pollutant sources, and risk abatement measures adopted to prevent contamination of stormwater.
34. Prior to the construction of the stormwater detention basin, a copy of the detailed design of the stormwater detention basin construction must be provided and prepared to the satisfaction of the Environment Protection Authority following endorsement by the site contamination auditor.
35. Post development flows must meet the requirements of the downstream infrastructure.
36. Major storm flows (twice ARI 100 year event) including external flows must be safely conveyed without causing flooding.
37. A maintenance plan must be prepared and implemented for all components of the stormwater system to maintain optimum performance.
38. Prior to operation, the helipad must be fully bunded, allow clean rainwater to pass to the stormwater system, capture emergency spills and include a deluge system.
39. Any material stored or held on site, which is likely to degrade surface water or cause contamination of the site (e.g. fuel, oils/lubricants, paints, solvents, coolants, degreasing agents, chemicals etc), must be contained within a bunded compound/area suitable for preventing the escape of material into surface or underground water resources. Note: The EPA Guidelines Bunding and spill management will assist with appropriate design and management of bunded areas and can be obtained from: http://www.epa.sa.gov.au/pdfs/guide_bunding.pdf.

Advisory Notes

- a. 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.
- b. An environmental authorisation in the form of a licence is required for the operation of this development (including Activities Producing Listed Wastes, Fuel burning and Helicopter Landing Facilities). The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- c. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- d. 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>.
- e. It is recommended that the final exhaust stack design for the trigeneration plant and the backup diesel generation plant does not result in ingress of combustion exhaust gases through the air conditioning intakes.

- f. The ground level concentration for benzene of 0.017ppm for a 3-minute average must not be exceeded off-site due to volatile hydrocarbon releases from the remediation and construction phase of the project, including from plant installed to undertake active groundwater remediation in accordance with the EPA Guideline for Air Quality Impact Assessment using design ground level pollutant concentrations (DGLCs).
- g. The Site Superintendent should be clearly defined as responsible for managing of the Contractor and for the responsibility for dust generation and minimisation within the Remediation Management Plan.
- h. The arrival and departure from the helicopter facility should be arranged to avoid inhabited dwellings by the greatest margin practicable. Use of the quietest types of helicopters should be considered as an option to minimise noise impact in the CBD.
- i. Route for departure and arrival of emergency vehicles should be arranged in a way causing minimal disturbance to the residential buildings in the adjacent area, use of audio sirens should be minimised as practicable.
- j. Construction must be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times. Supplementary information on construction noise management can be found in the Guidelines for the Use of the Environment Protection (Noise) Policy 2007 and Construction Noise Information Sheets (available at: www.epa.sa.gov.au).
- k. The applicant must ensure that any appropriate exemptions that may be required under the Environment Protection (Water Quality) 2003 for the proposed directed groundwater remediation and injection treatment have been obtained prior to commencement of that activity (including pilot trial). If an exemption is required the appropriate form must be filled out and submitted to the EPA prior to carrying out the groundwater remediation: http://www.epa.sa.gov.au/xstd_files/Licensing/Form/new_exemption.pdf.
- l. The design and construction of radiology, radiotherapy and nuclear medicine facilities, and other premises where radionuclides are used or handled, installation and shielding of radiation apparatus and radioactive sources, and provisions for storage and security of radioactive sources must meet the requirements of the Radiation Protection and Control Act 1982 and its Regulations.
- m. Water containing radionuclide waste from nuclear medicine facilities and other premises where radionuclides are used or handled, including water from wards where patients undergo treatments with radionuclides, should not be recycled.
- n. Within six months of receipt of the EPA authorisation (licence) the applicant is likely to be required to submit the waste management documents entitled: Waste Management Service proposal and Waste Reduction and Purchasing Plan. These include:
- a detailed description of the activities producing listed medical waste at the site and processes in place for handling it.
 - nature of medical waste being produced, stored and discharged including a waste management plan.

- Volumes of this waste being generated and maximum storage capacity.
 - explanation of how medical waste practices such as standard operating procedures regarding source segregation will be applied throughout the facility.
- o. The following EPA guidelines outline the process for management, classification and relevant disposal requirements of waste sleepers:
- EPA Guideline Copper Chromate Arsenate (CCA) timber waste – storage and management 2004, EPA 572/04
 - Draft EPA Guidelines for the assessment, classification and disposal of solid waste, September 2009.
- p. The Southern Waste Depot is not approved for the use of sleepers as an alternative fuel and does not currently have development approval (subject to construction of undercover shed and associated infrastructure) to receive wastes for 'other' treatment. It is recommended that the Remediation Management Plan be amended to include reference to high level contaminated materials being taken to a facility authorised to receive and treat such wastes. High level contaminated wastes are currently able to be taken to IWS Dublin's treatment facility subject to EPA approval of treatment processes.
- q. 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>.
- r. 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.
- s. 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 Commission.
- t. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.

11. SECTION 35 APPLICATIONS

11.1 **A & B McMahon – Pole-framed three-bedroom dwelling – Allotment 119, DP 78224, Hundred of Warrenben, Stenhouse Bay Road, Marion Bay – Coastal Zone – Yorke Peninsula Council (544/1169/10)**

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 CONCUR with the decision of the District Council of Yorke Peninsula to grant Development Plan Consent to Development Application 544/1169/10 by Andrew and Beth McMahon to construct a three bedroom dwelling with elevated decking plus pergola and veranda at Allotment 119, DP 78224, Hundred of Warrenben, Stenhouse Bay Road, Marion Bay.

11.2 **Philip Wilson – Storage Shed – 23-25 Commercial Street, Burra – District Town Centre Zone - Goyder Council (422/0060/09)**

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 the Regional Council of Goyder's decision to grant Development Plan Consent to Development Application No. 422/0060/09 by Philip and Paul Wilson to construct a storage shed (with associated excavation and filling of land and retaining walls) at 23-25 Commercial Street, Burra.

12. **OTHER APPLICATIONS – Nil.**

13. **CROWN/INFRASTRUCTURE APPLICATIONS**

13.1 **Report on Minister's Decisions - Nil.**

13.2 **ETSA Utilities – Replacement Fence (of electricity substation) – 113 Rosemont Street, Lower Mitcham – Residential (Central Plains) Zone – Mitcham Council (080/V022/10)**

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 recommends to the Minister of Urban Development, Planning and the City of Adelaide that he APPROVE Development Application No. 080/V022/10 for the installation of a new substation security fence, subject to the following condition 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 080/V022/10:
 - a. Planning Report prepared by Nolan Rumsby Planners, File Number F3944, dated 22 November 2010; and
 - b. Lower Mitcham Weldmesh Fence Upgrade – Site Plan.

Obligations pursuant to the Development Act 1993 & Development Regulations 2008

- i. Pursuant to Section 49(14) of the Development Act 1993 before any building work is undertaken, the building work is to be certified by a private certifier, or by some person determined by the Minister for the purposes of this provision, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).

- ii. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Minister for Urban Development, Planning and the City of Adelaide.
- iii. You are 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 Minister for Urban Development, Planning and the City of Adelaide.
- iv. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.

Advisory Notes

- a. A current list of Registered Private Certifiers in South Australia is available from the Planning SA web site
<http://www.planning.sa.gov.au/go/building/professional-information/register-of-private-certifiers> Advisory Notices
- b. At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- c. For additional information relating to certification of government building projects, contact Shane Turner, Building Management, Department for Transport, Energy and Infrastructure (telephone 8226 5223) Level 2, 211 Victoria Square, Adelaide, 5000.
- d. Any request for an extension of time must be lodged with the Development Assessment Commission prior to the time periods specified above.

14. MAJOR DEVELOPMENTS

14.1 Major Developments update – Nil.

Commissioners Betty Douflias and John Dagas were not present for Items 14.2 and 14.3 as they were not available during the initial inspection of the site on 24 March 2011.

14.2 Whyalla (Arafura Resources) - Rare Earths Complex Consideration of Draft Guidelines & Level of Assessment

The Presiding Member welcomed the two specialist members appointed to the Development Assessment Commission for this major development proposal by the Minister for Urban Development, Planning and the City of Adelaide: Professor Nick Harvey and Brian Roderick.

The following people were invited to address the Commission.

Applicant(s)

- Daniel Leinfelder (AEOM)
- Michael Cramer (AECOM)
- Neil Graham (Arafura)
- Brian Fowler (Arafura)

The Presiding Member thanked the applicants for their presentation and attendance.

The Commission discussed the Level of Assessment for this proposal.

RESOLVED

1. That the level of assessment shall be an Environmental Impact Statement (EIS).

The Commission discussed the proposal and considered the draft guidelines.

RESOLVED

1. That the recommended amendments be incorporated into the draft guidelines.
2. That the amended guidelines be forwarded to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities and the Environment Protection Authority attending members via email for their consideration and advice.
3. That the amended guidelines then be forwarded to attending members via email for their consideration and confirmation.
4. That the Development Assessment Commission delegate to the Presiding Member the final approval and signing of the report to the Minister, once the final draft is confirmed by all attending members.

On behalf of the Commission, the Presiding Member expressed his thanks to the two specialist members for their professional and expert advice in the consideration of this matter.

14.3 **Sheep Hill (Centrex Metals) – Deep Sea Port
Consideration of Draft Guidelines & Level of Assessment**

The following people were invited to address the Commission.

- Steve Brown (Centrex Metals)
- Alison Evans (Centrex Metals)
- Alex Blood (Golder Associates)

The Presiding Member thanked the applicants for their presentation and attendance.

The Commission discussed the Level of Assessment for this proposal.

RESOLVED

1. That the level of assessment shall be a Public Environmental Report (PER).
2. That correspondence from the Tumby Bay Residents and Ratepayers Association was considered.

The Commission discussed the proposal and considered the draft guidelines.

RESOLVED

1. That the recommended amendments be incorporated into the draft guidelines.
2. That the amended guidelines be forwarded to the Presiding Member for consideration.

3. That the Development Assessment Commission delegate to the Presiding Member the final approval and signing of the report to the Minister.
4. That a reply to the Tumby Bay Residents and Ratepayers Association be prepared by DPLG staff on behalf of the Commission for endorsement by the Presiding Member upon the finalisation of the guidelines.

15. **MATTERS DELEGATED BY THE GOVERNOR** - Nil.

16. **COMMITTEES**

16.1 **Building Fire Safety** – Nil.

16.2 **Building Rules Assessment**– Nil.

17. **DELEGATIONS**

17.1 **Section 33 and Section 49 Decisions determined** – Nil.

17.2. **Section 48 Major Development Decisions determined by the Presiding Member** – Nil.

18. **DEVELOPMENT APPLICATION STATISTICS**

18.1 **Monthly Update** – Nil.

19. **PRINCIPAL PLANNER'S REPORT**

19.1 **A/Principal Planner's report**

19.1.1 **IPAD Devices**

The Commission was advised that iPad devices (3G/Wi-Fi, 32GB, MkII) are being ordered to replace the hard-copy agenda. More information and/or training will be provided when the delivery time is confirmed.

The Commission noted the information.

19.1.2 **Mawson Lakes Town Centre Redevelopment – Stage 3**

DPLG is still awaiting the lodgement of amended plans.

The Commission noted the information.

20. **ANY OTHER BUSINESS**

20.1 **Brickworks Market redevelopment**

The A/Principal Planner informed the Commission that an application had been received for the redevelopment of the Brickworks Market.

RESOLVED that the proponent will brief the Commission on the development application at its meeting of 28 April 2011.

20.2 **Aquaculture – Tuna Farming applications located south-east from Spilsby Island.**

Commissioners Megan Leydon, Geoffrey Loveday and Betty Douflias left the meeting prior to consideration of this matter.

The public notification process for three additional aquaculture (finfish) applications closed 5 April 2011. Two of the three applications received a

written representation. DA 010/A001/11 did not receive any representations during the public notification process.

The Commission discussed the matter.

RESOLVED

1. That the A/Principal Planner determine Development Application 011/A001/11 (Australian Tuna Fisheries) under delegated authority.
2. That the two remaining Development Applications - DA 011/A002/11 (Tonys Tuna International PL) and DA 011/A003/11 (Ajka PL) be heard at the Development Assessment Commission meeting to be held on 28 April 2011.

21. NEXT MEETING – TIME/DATE

Thursday, 28 April 2011
Conference Room 6.2
Level 6, 136 North Terrace, Adelaide

The Presiding Member thanked all in attendance and closed the meeting at 4:20 PM

Confirmed / /2011

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Ted Byrt
PRESIDING MEMBER

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Rocio Barúa
SECRETARY